



May 23, 2025

The Honourable Uzoma Asagwara
Minister of Health, Seniors and Long-Term Care
Legislative Building
Winnipeg, MB R3C 0V8

VIA EMAIL
minhsltc@manitoba.ca

**Re: Directive Regarding Currency of Practice Requirements for Labour
Mobility Applicants**

Dear Minister Asagwara,

We acknowledge receipt of your letter dated April 30, 2025, directing the College of Registered Nurses of Manitoba (the “College”) to remove the currency of practice requirement for labour mobility applicants (the “Directive”). We appreciate you taking the time to attend a special meeting of Council on May 22, 2025, to address this issue.

Before taking any action in response to this Directive, we are requesting immediate clarification on two matters:

- The legal authority pursuant to which the letter has been issued; and
- The basis for your interpretation of the Canadian Free Trade Agreement (the “CFTA”) as it relates to this Directive.

You and your team have described your correspondence as both a compliance order and a reminder of the previous compliance order issued in 2022. We need to understand if the Directive is intended by government to be a new ministerial directive under section 164 of *The Regulated Health Professions Act* (the “Act”) or another statute. If so, we understand that section 164 of the Act requires certain procedural steps, including a consultative process, to have been completed prior to any ministerial directive being issued. To our knowledge, that has not yet happened.

During our May 22 meeting, your team repeated that government is of the view that the College is not compliant with the provisions of the CFTA and in particular, section 705.4(b). We understood that the basis for that view was related to understandings or conventions amongst provincial and territorial governments. It was also suggested that the College’s position was unconstitutional (or words to that effect).

In order to understand this position, we respectfully request that you provide us with any documentation, interpretive guidance, or legal analysis that supports these comments.

Our Council would obviously benefit from being able to review this information in order to determine an appropriate course of action with respect to the Directive.

We ask that this information be provided no later than end of day, May 28, 2025, to allow for appropriate review and consideration prior to the May 30, 2025 deadline imposed by your letter.

The College remains committed to supporting Manitoba's health workforce needs while upholding our statutory duty to safeguard patient safety and protect the public through responsible registration practices.

We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Molloy". The signature is fluid and cursive, with the first name "Ken" and last name "Molloy" clearly distinguishable.

Ken Molloy
Council Chair
College of Registered Nurses of Manitoba

cc. Deb Elias, CEO/Registrar, College of Registered Nurses of Manitoba
Scott Sinclair, Deputy Minister of Health, Seniors and Long-Term Care