



Martha Cinch
CRNM #133606

Notice of Censure

Allegations

The Member failed to maintain client privacy by providing unauthorized access to electronic medical records to a volunteer for the past one to two years.

Findings

1. The Member started the practicing of logging into the Electronic Medical Record (EMR) and would leave herself logged in all day. This was to allow a volunteer the access to the system to schedule appointments.
2. The Member provided the volunteer with access to the EMR.
3. The Member did not advise her employer of her decision to provide the volunteer with access to the EMR. The employer advised that volunteers are not to be provided with EMR access.
4. The Member advised that approximately one (1) year after she provided the volunteer with access to the EMR, she progressed to providing the volunteer with the Member's passwords and password book.
5. The Member did not monitor the volunteer's EMR activity.

The Investigation Committee's position is that the member ought to have known that passwords are not to be shared. Access to the EMR is restricted to those that have been provided with the appropriate authorization. Passwords to access the EMR are to be protected by the user that has been provided with authorization to access the EMR. Passwords are not to be shared. Sharing passwords with other health care providers (or individuals) who do not have the appropriate authorization and permission breaches the privacy of clients.

Decision

Registered nursing is a self-regulated profession in Manitoba. RNs must recognize that self-regulation is a privilege and that each RN has a continuing responsibility to meet and support its foundation.

On these facts, the Investigation Committee records its disapproval of the lack of professionalism in failing to adhere to the ethical values and standards of practice as outlined in the *Standards of Practice for Registered Nurses* and the *Code of Ethics for Registered Nurses*.

Although this conduct is sufficiently serious to refer to the Discipline Committee, the Investigation Committee is mindful of the fact that the member does not have a disciplinary record.

This censure will adequately protect the public's concern regarding the privacy of personal health information and the role of registered nurses as trustees of that information. The Investigation Committee believes this censure should be published to act as a deterrent for other RNs.

On these facts, the Investigation Committee orders the member to pay costs of \$1,000.

On June 23, 2016 the member appeared before the investigation committee and was read the censure.