



Karl Delling

CRNM #146544

## Notice of Censure

### Allegation:

The member failed to maintain client privacy by providing members of the health-care team with unauthorized access to the electronic health information system.

### Findings:

1. The member admitted to giving his username and password to several registered nurses while aware of the agreement he signed stating he was not allowed to share his password.
2. The member admitted he understood sharing his password was wrong, but that it seemed like the right thing to do at the time.
3. The member explained that it was difficult for other nurses to obtain a username and password, so he balanced the care he gave to clients by providing the other nurses with his access.
4. The Investigation Committee's position is that the member ought to have known that sharing his password is unsafe and inappropriate practice.
5. Passwords are to be used only by the individuals who they are assigned to and should not be share. Sharing passwords with other health-care providers who do not have the appropriate clearance or permissions is a breach of client privacy.

The Investigation Committee is reasonably satisfied that the facts support that the member did not meet the following *Standards of Practice for Registered Nurses*:

### ***Standards of Practice for Registered Nurses***

#### ***Standard I: Client-Centered Practice***

Registered nurses are professionals, responsible and accountable in their practice to deliver client-centered care to the public.

Indicators:

- 4) You identify and participate in resolving professional practice issues that interfere with the ability to practice according to the *Standards of Practice for Registered Nurses* and the *Code of the Ethics* and which could have an injurious effect on the client or others.
- 5) You must practice in a manner consistent with the *Standards of Practice for Registered Nurses*, the *Code of Ethics*, Professional Boundaries for Therapeutic Relationships and other provincial and federal legislation.

### ***Standard II: Professional Practice***

Registered nurses are accountable and responsible for nursing practice that is informed by evidence and demonstrates competence.

Indicators:

- 14) You develop and maintain competence in managing technology in health-care systems.

### ***Standard IV: Ethical Practice***

Registered nurses recognize, promote and uphold the ethical standards of the nursing profession.

Indicators:

- 24) You demonstrate professional responsibility in protecting personal health information.
- 25) You distinguish when digital technology/applications enhance nursing practice and when they breach the *Standards of Practice* or the *Code of Ethics* and use them appropriately (e.g. social media).

## ***Code of Ethics for Registered Nurses (CNA)***

### **Part 1: Nursing Values and Ethical Responsibilities**

#### ***A. Providing Safe, Compassionate, Competent and Ethical Care***

Nurses provide safe, compassionate, competent and ethical care.

Ethical responsibilities:

- 6) When resources are not available to provide ideal care, nurses collaborate with others to adjust priorities and minimize harm. Nurses keep persons receiving care, families and employers informed about potential and actual changes to delivery of care. They inform employers about potential threats to safety.

#### ***C. Promoting and Respecting Informed Decision-Making***

Nurses recognize, respect and promote a person's right to be informed and make decisions.

Ethical responsibilities:

- 6) Nurses advocate for person in their care if they believe that the health of those persons is being compromised by factors beyond their control, including the decision-making of others.

#### ***E. Maintaining Privacy and Confidentiality***

Nurses recognize the importance of privacy and confidentiality and safeguard personal, family and community information obtained in the context of a professional relationship.

Ethical responsibilities:

- 7) Nurses respect policies that protect and preserve people's privacy, including security safeguards in information technology.

### **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 the *Standards of Practice for Registered Nurses* and the *Code of Ethics for Registered Nurses*.

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.

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 RNs as trustees of that information. On these facts, the Investigation Committee believes that this censure should be published to act as a deterrent for other RNs.

The Investigation Committee orders the member to pay costs of \$1,000.

The member appeared before the investigation committee on March 19, 2015 and was read the censure.