



CRNM Member

Discipline Committee Decision

On June 19, 2015 and June 29, 2016, a Panel of the Discipline Committee (the “Panel”) of the College of Registered Nurses of Manitoba (the “College”) held a hearing into the charges against a Member of the College.

The Member appeared at the hearing with legal counsel and pled guilty to the charge of conduct unbecoming a member.

The Panel then heard submissions from counsel to the Investigation Committee, as well as counsel for the Member, respecting the background facts giving rise to the matters raised in the Notice of Hearing and the appropriate disposition of the matter.

After hearing submissions of counsel, the Panel adjourned to consider the matter. The following facts are not in dispute:

1. In June of 2013, the Member unlawfully produced a controlled substance (marijuana) contrary to section 7(1) of the Controlled Drugs and Substances Act. This was described as a small grow operation in his home.
2. The Member became a registered nurse in August 2013.
3. The Executive Director of the College was advised of the circumstances noted in point 1 in September or October of 2014 and the matter was referred to the Investigation Committee.
4. The Investigation Committee met with the Member, his lawyer and counsel for the Investigation Committee later in 2014. The Member was candid with the Investigation Committee regarding his history of substance abuse.
5. Conditions were imposed on the Member's registration by the Investigation Committee which were lifted in March of 2015 following the completion of a Fitness to Practice Assessment.
6. The Member acknowledged his use of marijuana related to trauma and stress in his life.
7. The Member has no prior discipline or criminal history.

The Panel is satisfied that the facts submitted constitute conduct unbecoming a member, as alleged in the Notice of Hearing and, accordingly, the member is guilty of conduct unbecoming a member.

The Panel orders, pursuant to s. 43 and s. 44 of the Registered Nurses Act:

1. That the one year of monitoring includes but is not limited to employer reports and sentencing supervisor reports.
2. That the monitoring demonstrates the Member is fit to engage in registered nursing practice and is in compliance with the Order.
3. The circumstances relevant to the findings of this Panel and the Order of this Panel shall be published without identifying the Member by name or registration number.
4. That the Member pay costs in the amount of \$3,000 to the College by August 30, 2016.

The Panel considers the foregoing disposition to be appropriate for the following reasons:

1. The Panel heard evidence that the Member has been abstinent from use of marijuana or any other mood altering substances since being charged with possession of marijuana in June of 2013.

2. The Panel heard no evidence that the Member's conduct had any impact on his fitness to practice.
3. The Member has been cooperative and forthright in his dealings with the College and has taken responsibility for his actions.
4. The Panel notes that the term of the Order is only for one year which is unusually short in this type of situation. However, the Panel is satisfied with the one year term because, although there is no evidence of current substance abuse, there is also no independent verification of this. The one year term of this Order will provide the College with verification that there is no ongoing substance abuse.
5. The Panel is satisfied that the close monitoring of the Member required in the Order will protect the public.
6. With respect to publication, the Panel considers this case to be primarily an example of substance abuse giving rise to a health issue and therefore publication of the Member's identity would serve no purpose.