



College of
Registered Nurses
of Manitoba

Complaints, Investigation and Discipline Processes

September 2015 Board Meeting

Tracey Legary Manager of
Professional Conduct

Bill Haight Legal Counsel to
the Investigation Committee

Overview

- **Complaints/Reports**
- **Investigation Committee**
- **Investigation processes**
- **Discipline Committee**

Receiving a complaint or report

- **Authority –The RN Act Part 6**
- **Executive Director receives all complaints and reports**
- **Anyone can lodge a complaint-in writing s. 18**
- **Employer Reports s. 65(3)**
- **Complaints/Reports are confidential (not public); considered allegations until proven otherwise**
- **Executive Director can make a referral s. 19(b)**

How is a complaint or report dealt with?

- **The Executive Director notifies the member (RN) in writing that a complaint, report or information has been received regarding his or her registered nursing practice or conduct.**
- **The RN has an opportunity to respond and is encouraged to provide as much detail as possible regarding the allegations/issues and any other information that would assist the Investigation Committee to understand the circumstances that lead to the complaint/report.**
- **The Executive Director forwards the complaint or report and the RN's response to the Investigation Committee.**
- **Board Policy –Trivial, Vexatious and Obviously Unsustainable.**

The Investigation Committee

- **The Investigation Committee is appointed by the Board s. 17(1)(2)**
- **Board Policy GP 4.2**

What decisions can the Investigation Committee make?

- The Investigation Committee has legal authority to make decisions under Part 6 s. 20-31.
- The mandate of the Investigation Committee is to protect the public interest. To achieve this mandate it must decide what actions, if any, are required.

Case analysis by the Investigation Committee

- A review of the allegations and any additional information submitted
- *Standards of Practice for Registered Nurses*
- *Standards of Practice for Registered Nurses on the Extended Practice Register*
- *Code of Ethics for Registered Nurses 2008 Centennial Edition*
- Investigating: professional misconduct, conduct unbecoming, incapacity and unfitness, suffering from an ailment.
- North Carolina Board of Nursing Complaint Evaluation Tool.
- Balance of probabilities – ‘is it more probable than not that X occurred?’ 50.1% or more

The Discipline Committee

- **The Discipline Committee is appointed by the Board (s. 6(8))**
- **Board Policy GP 4.5**

Appeals

Process

Complainant Appeal

Member Appeal