

## PUBLICATION OF DECISION OF DISCIPLINE HEARING

### Jan Hawkins, CRNM #126645

THE Member was charged with displaying a lack of knowledge, skill or judgement in the practice of nursing. In summary, she failed to conduct a triage assessment and acuity categorization of a member of the public who complained of facial swelling and numbness at the emergency department of a hospital.

The Member appeared with legal counsel at the hearing on September 2, 2009 and pled guilty to a lack of judgement. She indicated she is no longer practicing in an emergency room. The Discipline Panel was satisfied that the facts constitute a lack of judgement in the practice of nursing contrary to section 42(d) of the Act.

The Panel ordered that, pursuant to section 43(1) of the Act:

1. If the Member intends to work in an Emergency Department in the future, she must first successfully complete the following courses of study:
  - (a) A regional triage course;
  - (b) Any site specific orientation for triage nurses offered at the site facility of any future emergency room employment; and
  - (c) A formal course in health assessment.
2. The courses and orientation referred to in clause 1 must be approved, in advance, and acceptable to the Manager, Complaints Resolution of CRNM; and
3. The costs of complying with the course requirements noted in clause 1 above shall be paid by the Member.

The Panel also ordered that, in accordance with section 44(1) of the Act, the Member pay to CRNM, within six (6) months costs in the amount of \$2,500.00.

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

1. Given that the Member is no longer working in an emergency room situation, the Panel is of the opinion that the requirement to take a formal course on health assessment is not necessary to protect the public interest.
2. Should the Member ever return to practice in an emergency room setting, it would be prudent to ensure that the Member has all of the clinical skills necessary to assess patients in a triage setting.
3. The Member acknowledges that in this particular case, she failed to meet entry-level competencies of the National Emergency Nurses Affiliation Inc. ("NENA"), which the Member acknowledges is the accepted standard in Canada.
4. The intent of the Board decision was to be remedial, not punitive, and in the opinion of the Panel, this kind of remediation would only be necessary if the Member were to return to practice in an emergency room setting.
5. There is no indication that the Member lacks skill and knowledge in her general nursing practice. Her acknowledged problem arose out of an incident in the emergency room, which would be adequately addressed by the safeguards noted above.
6. With respect to the issue of costs, it is the opinion of the Panel that the outcome of the hearing was divided, and therefore the Panel orders the Member to pay that portion of costs in the amount of \$2,500.00 to CRNM within six (6) months of the date of the Order.

## NOTICE OF VOLUNTARY SURRENDER

### Gerald Hamm, CRNM #134638

ON October 20, 2009, the Investigation Committee met and following review of the letter of complaint, a submission by the Member who was the subject of the complaint, and in keeping with section 23(1)(e) of the Registered Nurses Act, the Committee accepted the voluntary surrender of registration of Gerald Hamm (CRNM #134638).

Upon application for reinstatement to the practicing register, the Member would be required to meet certain conditions consistent with Section 26(3) of the Act.

The Committee determined that the fact the Member has surrendered his registration will be published and that publication will include the Member's name and a description of the circumstances that led to the voluntary surrender of registration.



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