



College of
Registered Nurses
of Manitoba

Complaints, Discipline and Appeals Process

The College of Registered Nurses of Manitoba exists to serve and protect the public interest. The College does this by setting practice expectations, supporting registered nurses in meeting the expectations and taking action when the expectations are not met.

If you are concerned about the practice or conduct of an RN, we encourage you to begin by talking about the problem directly with the RN or their supervisor. This allows you to get the information you need and often resolves the issue, as many complaints are often the result of poor communication or misunderstandings.

The College's complaints process is part of taking action when the practice expectations are not met.

There are several steps in the process of managing complaints and not all complaints go through each step. The following explains each of the steps in more detail:

Filing a Complaint

Complaints about RNs are submitted in writing to the College CEO/Registrar. A complaint should include the name of the RN and enough detail to identify the incident(s) or issues in the complaint (e.g. facility or location that the incident occurred, the date and time of the incident and details about what occurred). This information is necessary for the CEO/Registrar to have in order to determine next steps, which may include referring the matter to the College's Complaints Investigation Committee.

Complaints Investigation Committee Decision

The Complaints Investigation Committee is appointed by the College's Council and is made up of RNs and at least 1/3 public representatives.

On referral of a complaint or other matter, the Committee may attempt to resolve it through informal resolution.

Where the Committee considers it appropriate it may direct an investigation.

After review or investigation, the Committee may:

- suspend or place conditions on the RN's practice until an investigation is complete;
- direct that the matter be referred, in whole or in part, to the Inquiry Committee;
- direct that no further action be taken;
- censure the RN;
- enter into an undertaking or agreement with the RN;
- accept the voluntary surrender of the RN's certificate of practice;
- take any other action it considers appropriate in the circumstances that are consistent with the RHPA, regulations or College bylaws.

In most circumstances, the Committee attempts to resolve matters through remedial or rehabilitative activities.

The complainant and the RN named in a complaint are notified in writing of the Committee's decisions.

Appeals

Complainant Appeal

A complainant may appeal some decisions of the Complaints Investigation Committee to the College's Council. Decisions made under section 102(1) of the RHPA that a complainant can appeal are:

- that no further action be taken;
- to enter into an undertaking with the RN; and
- to take any other action the Complaints Investigation Committee considers appropriate and that is not inconsistent with or contrary to the RHPA, regulations or bylaws.

RN Appeal

An RN may appeal decisions of the Complaints Investigation Committee made under section 110(1) of the RHPA to the College's Council.

Following an appeal to the College's Council, an RN may make application with the court staying a decision of the Council to confirm the suspension of the RN's certificate of practice or the imposition of conditions on practice.

Inquiry Hearings

One of the options for the Complaints Investigation Committee to resolve a complaint is a referral to the Inquiry Committee for a hearing. However, most complaints received by the College are managed and resolved by the Complaints Investigation Committee.

An Inquiry Panel consists of at least three members of the Inquiry Committee and acts similar to a judge and jury in the judicial system. A Panel consists of RNs and at least 1/3 public representatives.

A hearing takes place, where the College and the RN, their lawyer, submits evidence to the Panel. If the Panel finds the RN to be guilty of the charge(s), the Panel will make one or more of the following orders:

- reprimand the RN;
- suspend the RN's certificate of practice for a specified period of time or until the RN:
 - completes a specified course of studies or obtains supervised practical experience or both;
 - obtains treatment or counselling and is able to demonstrate that any disability, addiction or problem no longer impairs their ability to practise to the satisfaction of any person or Committee that the Panel determines;
- impose conditions on the RN's practice;
- direct the RN to waive, reduce or repay money paid to the RN that, in the option of the panel, was unjustified for any reason;
- cancel the RN's certificate of practice.

For more information about the types of charges that can be laid, please refer to the College's *Discipline Definitions* document.

Inquiry Panel decisions may be published on the College's website.

Nurse Check (the College's online registration verification system) also indicates Inquiry Panel decisions, conditions, cancellations and reprimand.

Any decisions or orders of the Inquiry Panel may be appealed by the RN to the Manitoba Court of Appeal.

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Our publications are available on our website at www.crnmb.ca