



CRNM Member

Discipline Committee Decision

On October 12, 2016 and June 7, 2018, 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 (the “Member”), a member of the College.

The parties agreed that the Notice of Hearing had been properly served and the time limits set forth in paragraph 34 of the Act had been met.

When the hearing commenced on October 12, 2016, the Panel was comprised of five members as noted above. When the hearing reconvened on June 7, 2018, a panel member was not available. The parties consented to the composition of the Panel. The Panel proceeded to hear the matter.

The Member appeared at the hearing with legal counsel and pleaded guilty to professional misconduct.

The Panel then heard submissions from counsel for the College, as well as evidence from the Member and submissions from 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. The Member graduated as a RN in 2002.
2. The Member has been working as a registered nurse in Canada and elsewhere from 2002 to 2014,
3. Sometime prior to February 2014, the Member had a health condition which required hospitalization where they were treated with narcotic medications. The Member was discharged home with a prescription for oral narcotics. This developed into an addiction. The Member returned to work shortly thereafter and began abusing narcotics, which they obtained from their workplace.
4. This addiction escalated quickly to the point that it was threatening the Member’s wellbeing.
5. The employer confronted the Member regarding their concerns. The Member immediately acknowledged a dependency.
6. Ultimately, the Member pleaded guilty to possession and theft of narcotics in Provincial Court, admitted to an addiction, and was deemed an appropriate candidate for participation in the Drug Treatment Court Program.

7. Since February of 2014, the Member has been cooperative with the Investigation Committee of the College, fully participated and completed the Drug Treatment Court Program, and has been extensively involved with numerous other voluntary rehabilitation programs.
8. The Member has been working as a volunteer and as a paid employee in a number of positions where they have demonstrated responsibility and a commitment to sobriety.
9. The Member has entered into a detailed undertaking with the College whereby the Member will abstain from alcohol and mood-altering substances, undergo random screens, ongoing treatment, employer notification, and restrictions on their employment. This undertaking will be supervised by the Investigation Committee and will be in effect for five years, commencing when the Member returns to registered nursing practice.

The Panel is satisfied that the facts submitted constitute professional misconduct, as alleged in the Notice of Hearing and, accordingly, the Member is guilty of professional misconduct, as charged.

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

1. The Panel is satisfied that it is not necessary to impose further conditions on the Member's registration because the terms of the undertaking will appropriately protect the public interest.
2. The Member is currently not practicing as a registered nurse. The Member surrendered their license in September of 2014. The Member signed the undertaking with the College on October 7, 2016 and returned to the practicing register.
3. The Panel is satisfied that the Member is committed to sobriety and, based on the Member's evidence, demonstrates insight into the illness.
4. The Member has accepted responsibility for their conduct and has cooperated with the College and Provincial Court. The Member's efforts of rehabilitation have been extraordinary. The Panel was impressed with the Member's commitment to recovery.
5. With respect to publication, the Panel considers this case to be an example of substance abuse giving rise to a health issue and therefore publication of the Member's identity would serve no purpose. There was no evidence that the Member's nursing care was negatively impacted. The Panel is satisfied that deterrence to the profession will take place without mentioning the Member's name. The Panel does not wish to stigmatize the Member.

After considering the submissions of counsel with respect to discipline, the Panel makes the following Order:

- 1. The Member is reprimanded; and**
- 2. The Member pay costs in the amount of \$3,000 within three months of the date of this Order.**

AND THE PANEL FURTHER ORDERS that the Member's name, registration number or other identifying information not be published by the College.

DATED at Winnipeg, Manitoba, the 7th day of June, 2018.