



**In The Matter of:** **The Regulated Health Professions Act, S.M.2009, c. 15**

**And in The Matter of:** Norraine Huber, a member of the College of Registered Nurses of Manitoba

**To:** Norraine Huber

**TAKE NOTICE** that the Complaints Investigation Committee (the “committee”) of the College of Registered Nurses of Manitoba resolves and hereby censures the member with respect to:

Failing to comply with her professional obligation and responsibilities of the Continuing Competence Program Review requirements.

**On December 16, 2021, in accordance with section 102(1)(d) of *The Regulated Health Professions Act* (the “RHPA”), the committee decided to censure the member as a record of its disapproval of the deficiencies in her conduct.**

**Censure creates a disciplinary record which may be considered in the future by the committee or an Inquiry Committee when determining the action to be taken following an investigation or hearing.**

**I. The Relevant Facts Are:**

Registered Nurses in Manitoba are required to participate annually in the Continuing Competence Program (“CCP”). This program involves completing a self-assessment with a self-development plan, completion of a Jurisprudence Learning Module and, if selected, participation in a Continuing Competence Program Review (“CCPR”).

In July 2019, the Continuing Competence Committee (the “CCC”) randomly selected the member to participate in a CCPR. She was required to submit a self-development plan and participate in a multisource feedback exercise. She submitted her self-development plan with her 2020 Certificate of Practice Renewal Application as required.

The CCC determined that the self-development plan did not meet its minimum acceptable criteria. As a result, the CCC required the member to submit a new self-development plan with her 2021 Certificate of Practice Renewal Application.

The minimum number of responses from patients and colleagues required to complete the applicable multi-source feedback exercise were not received. As a result, the CCC required the member to participate in a Competency Based Interview (“CBI”). This took place in October 2020.

Although the member submitted her self-development plan to the College in 2021, she did not complete the 2021 registration renewal and her 2020 certificate of practice expired.

In January 2021 the CCC reviewed the new self-development plan she submitted and the results of the CBI. The CCC determined that she required remediation to address the areas identified in the self-development plan and

the CBI that did not meet the minimum acceptable criteria as it relates to informed consent and preventing adverse events.

In February 2021 the member's application to reinstate her certificate of practice was approved and she was advised of the need to still complete the required remediation.

By July 2021, despite the CCC granting 6 extensions to complete the required remediation, the member did not complete it.

In August 2021, the CCC reported this conduct to the College's CEO/Registrar. The CEO/Registrar referred this information to the committee.

The committee directed an investigation which was concluded in October 2021. The committee imposed a condition requiring the member to submit the CCPR requirements by October 12, 2021. The member did not do so. On October 12, 2021, as a direct result of the member's non-compliance, the committee directed that the CEO/Registrar interim suspend the member's certificate of practice.

On December 3, 2021 the member submitted the outstanding requirements. On December 6, 2021 the committee was advised that the submissions met the CCC requirements. The committee lifted the interim suspension.

## **II. The legislation that applies to this conduct is:**

### **Regulated Health Professions Act s. 87(1)**

"A council must establish, by regulation, a continuing competency program to maintain the competence of the members and to enhance the practice of the regulated health profession. The program may provide for, but is not limited to, (b)requiring members to participate in programs intended to ensure competence.

### **General Regulations 2.29(1)**

" A member may be required by the continuing competency committee to undergo a continuing competency review in any of the following circumstances: (a) the member fails to meet the requirement under clause 2.25(1)(b); (b) the member fails to make and keep the required records; (c) the member is randomly or specifically selected to participate in the review.

## **III. The Practice Direction: Practice Expectations for Registered Nurses that apply to this conduct are:**

Professional Practice:

Registered nurses are accountable and responsible for nursing practice that is informed by evidence and demonstrates competence. As a registered nurse, you must:

1. Demonstrate understanding of legislation governing the practice of registered nursing and your practice of registered nursing.
2. Demonstrate professional behaviours, attributes, and values.

## **IV. On these facts the Complaints Investigation Committee records its disapproval of the member's conduct.**

The public expects registered nurses to be current and competent in their practice. By completing the requirements of the CCP, registered nurses demonstrate to the public that they are committed to maintaining and improving their competence. The CCP is a requirement of a registered nurse's certificate of practice and, as such, is mandatory.

The member failed to complete the requirements of the CCP, despite numerous extensions.

The member's conduct is a flagrant disregard for her professional obligations and disrespect for the profession, and the public it serves.

The immense amount of time and regulatory intervention that was required to get the member to comply with her professional obligations was unacceptable.

A reasonable and prudent registered nurse ought to have completed their CCP requirements within the deadlines provided, and proactively worked to ensure professional responsibilities and obligations were met.

Registered nursing is a self-regulated profession governed by *The Regulated Health Professions Act (RHPA)*. In accordance with the RHPA, registered nurses must comply with practice directions established for their profession. As such, registered nurses are required to comply with the General Regulations and practice directions: *Practice Expectations for RNs*.

Although the conduct is sufficiently serious to refer to the Inquiry Committee, the committee is mindful of the fact that the member does not have a disciplinary record.

The censure will adequately protect the public's concern regarding registered nurses' compliance with their professional responsibilities and obligations.

On these facts the committee believes that the censure should be published as is to act as a specific deterrence the member, and as a general deterrence for other registered nurses.

On these facts, the committee ordered the member to pay costs of \$1000.