



CENSURE

IN THE MATTER OF: THE REGULATED HEALTH PROFESSIONS ACT (the “RHPA”),
S.M.2009, C. 15

AND IN THE MATTER OF: MARLENA DUPUIS, REGISTRANT #146101, A MEMBER OF THE
COLLEGE OF REGISTERED NURSES OF MANITOBA

TAKE NOTICE that the Complaints Investigation Committee (the “Committee”) of the College of Registered Nurses of Manitoba resolves and hereby issues this censure with respect to your registered nursing conduct as follows:

- On two occasions in 2023 and 2024, you inappropriately accessed the personal health records of an individual known to you personally who was not under your care, thereby breaching the person’s health-information privacy.
- In 2024, you provided a prescription to the child of a former colleague without following established processes, including booking the required appointment through inappropriate channels. You failed to create any documentation related to the assessment or prescription you provided.

On March 19, 2026, in accordance with section 102(1)(d) of *The Regulated Health Professions Act* (the “RHPA”), the Committee decided to censure you as a record of its disapproval of the deficiencies in your 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.

RELEVANT FACTS:

You accessed confidential personal health records in August 2023 and again in March 2024 without any legitimate professional purpose or proper authority concerning an individual with whom you had a personal relationship. You were not in a therapeutic relationship with this person, nor entrusted with their care. You viewed their electronic medical records, including diagnostic results. Your actions were outside the scope of proper registered nursing practice and in direct violation of privacy laws and facility policies.

In 2024, your employer became aware of these unauthorized accesses, prompting an audit of your electronic health record activities. This audit confirmed the instances of unauthorized

access described above. You demonstrated recognition of wrongdoing; however, it does not excuse the severity of the confidentiality violations you have committed.

During the same period, an additional incident came to light wherein you issued an antibiotic prescription for the child of a former colleague without following your clinic's established appointment and documentation protocols. You did not formally document the patient's visit. You engaged in prescribing outside established clinical processes. You acknowledged your conduct breached professional boundaries and proper documentation standards, yet this conduct remains a serious departure from the expected standards of registered nursing practice.

I. Practice Directions and Code of Ethics

The Committee is reasonably satisfied that on the balance of probabilities you did not meet the following *Practice Directions: Practice Expectations for RNs* (2022):

- Ethical Practice: 15.

The Committee is reasonably satisfied that on the balance of probabilities you did not meet the following Values and Ethical Responsibilities from the *Code of Ethics* (2017).

- Maintaining Privacy and Confidentiality: 1, 3, and 5.

The Committee is reasonably satisfied that on the balance of probabilities you did not meet the following *Entry Level Competencies (ELCs) for the Practice of Registered Nurses* (2019).

- Professional: 2.4*.

II. On these facts of the Complaints Investigation Committee records its disapproval of your conduct.

Maintaining the confidentiality and privacy of personal health information is an uncompromising obligation for all Registered Nurses, enshrined as a fundamental professional standard and entry-level requirement of registered nursing practice. The public must trust that RNs only access confidential personal health information when necessary for patient care, and your repeated privacy breaches have violated that trust. Even dire personal concerns do not excuse this breach of confidentiality. Your actions exhibited a serious lapse in judgment and professionalism that undermines public confidence in the integrity of the nursing profession.

Furthermore, issuing a prescription outside proper clinical processes demonstrates a failure to uphold safe practice standards, thorough documentation, and professional therapeutic boundaries. Acting as a healthcare provider for someone without a proper patient-provider relationship placed the patient at risk by depriving them access to appropriate care processes. In addition, failing to create an official health record, breached the standards of responsible nursing practice. Such conduct is unacceptable and must not be repeated.

Registered nursing is a self-regulated profession governed by the RHPA. RNs must recognize that self-regulation is a privilege and that compliance with the College's Practice Directions and the Code of Ethics is mandatory.

Although your conduct was sufficiently serious to refer to the Inquiry Committee for a disciplinary hearing, the Committee has determined that a formal censure provides adequate regulatory response to address your unbecoming conduct.

On these facts and in accordance with section 104(2) of the RHPA, the Committee directs that the censure be published to act as a specific deterrence for you, the Registrant, and as a general deterrence for other Registered Nurses. The published censure will adequately protect the public's concern regarding the privacy of personal health information and the RNs as trustees of that information.

In accordance with section 104(4) of the RHPA, the Committee orders the Registrant to pay costs of \$2,500.00.