

Discipline and Review Committees Report

The Discipline and Review Committees held nine hearings in 2009.

Case #1

The Review Committee held a reinstatement hearing at the request of a member whose registration had been revoked in July 1996 as a result of a complaint with respect to the member's competence and safety to practise. The Review Committee granted reinstatement of the member's registration. The member was permitted to apply for a non-practising registration for the purpose of undertaking the Nurse Refresher Program. Upon successful completion of the Nurse Refresher Program, the member will be eligible to apply for a conditional registration.

Case #2

The Discipline Committee met to consider a member's failure to meet the conditions imposed on her registration in November 2006 subsequent to a complaint related to incompetence. The Discipline Committee found that the member continued to demonstrate conduct that constitutes incompetence and a disregard for the welfare and safety of patients. Furthermore, the committee found that the member continued to suffer from conditions or disorders affecting her nursing practice and ability to practise safely. The suspension on the member's registration ordered by the Registrar was continued until such time as conditions are met. Once these conditions are met, the member will be permitted to apply for a non-practising registration to complete the Nurse Refresher Program. Upon successful completion of the Nurse Refresher Program, the member will be eligible to apply for a conditional registration including paying costs to NANB in the amount of \$5,500.

Case #3

The Discipline Committee met to consider a complaint referred to it by the Complaints Committee concerning a nurse working in a physician's office who had practised nursing without a valid registration for a period of time exceeding four years. The committee found the member in breach of the *Nurses Act*. In addition, the committee found that the member's conduct constituted conduct unbecoming a member in failing to be registered and consequently practising without professional liability insurance to protect patients and the public. The member was reprimanded and ordered to pay a fine of \$1,000 and pay costs of \$5,000. The member was permitted to apply for a non-practising membership for the purpose of undertaking the Nurse Refresher Program. Upon successful completion of the Nurse Refresher Program, the member will be eligible to apply for a conditional registration.

Case #4

The Discipline Committee met to consider the member's request for an amendment of an Order of a Discipline Committee (June 2006) whose registration was to be suspended until such time as the member obtained employment in a non-direct patient care nursing position. In June 2006, the Discipline Committee had found that the member was suffering from a condition that rendered her incapable and unsafe to practise nursing in a direct patient care environment. The amendment to the Order was granted and the suspension on the member's registration was lifted. The member was permitted to apply for a conditional registration containing conditions, limitations and restrictions to practise in a specific nursing position.

Case #5

The Review Committee met to consider a complaint referred to it by the Complaints Committee concerning a nurse from the hospital sector who was reported for incompetence and substance abuse. The Review Committee found that the member was suffering from ailments or conditions rendering her unfit and unsafe to practise nursing, and demonstrated professional misconduct by practising nursing while incapacitated by her illness. The suspension on the member's registration was continued for a minimum period of one year and until conditions are met at which time the member will be eligible to apply for a conditional registration. The member was ordered to pay costs in the amount of \$5,000.

Case #6

The Review Committee met to consider a complaint referred to it by the Complaints Committee concerning a nurse from the hospital sector who was reported for substance abuse. The Review Committee found that the member was suffering from ailments or conditions rendering her unfit and unsafe to practise nursing, demonstrated conduct unbecoming a member as shown by three criminal convictions, and professional misconduct by practising nursing while unfit or incapacitated by her illness. The member's registration was revoked for two years and reinstatement will not be considered until evidence shows that the member is ready to return to the practice of nursing in a safe manner. The member was ordered to pay costs of \$3,000.

Case #7

The Review Committee held a reinstatement hearing at the request of a member whose registration had been revoked in 2008 as a result of the member suffering from ailments or conditions rendering her unfit and unsafe to practise nursing. The Review Committee granted reinstatement of the member's registration. The member was permitted to apply for an unencumbered registration.

Case #8

The Review Committee held a reinstatement hearing to consider the member's request for an amendment of an Order of a Review Committee (June 2006) for the purpose of undertaking the Nurse Refresher Program. In June 2006, the Review Committee had found that the member was suffering from an ailment or condition rendering her unfit, incapable and unsafe to practise nursing. The Review Committee granted the reinstatement of the member's registration in order to apply for a non-practising membership for the sole purpose of undertaking the theory component of the Nurse Refresher Program. The member will appear before the Review Committee at a later date at which time the committee will render a final decision on the member's registration.

Case #9

The Review Committee held a reinstatement hearing at the request of a member whose registration had been revoked in 2007 as a result of the member suffering from an ailment or condition rendering her unfit, incapable and unsafe to practise nursing. The Review Committee granted reinstatement of the member's registration. The member was permitted to apply for a conditional registration.

Nine cases were carried over to 2010.