

PROFESSIONAL CONDUCT REVIEW

NOTIFICATION

DATE APPROVED: FEBRUARY 22, 2019

DATE REVISED: FEBRUARY 20, 2020

The College of Registered Nurses of Newfoundland and Labrador ("CRNNL"), pursuant to the Registered Nurses Act, 2008 (the "Act") regulates Registrant's in the public interest. Sections 19 to 35 of the Act outlines the professional conduct review ("PCR") process. In the interests of public protection, to maintain public trust and confidence, the PCR process must be objective, accountable, fair and transparent.

In recognition of the requirement for transparency and accountability the following policies will apply to CRNNL's distribution of information of the PCR process.

1. Notice of an Allegation
 - 1.1. Prior to an allegation constituting a complaint as determined by the Complaints Authorization Committee ("CAC"), in accordance with the Act, CRNNL will not provide public notices and information concerning an allegation filed against a Respondent.¹
 - 1.2. CRNNL will inform a Respondent's nursing employer where an allegation has been filed against the Respondent. The nursing employer will be directed to contact the Respondent for details of an allegation.
 - 1.3. CRNNL will inform a nursing regulator(s) where a Respondent is registered /licensed in another jurisdiction, that a Respondent is under review.
2. Notice of Alternate Dispute Resolution² ("ADR")
 - 2.1. Where an allegation is resolved through ADR, in accordance with the Act, CRNNL will provide a brief description of the conduct and the remedial

¹ Respondent means a registered nurse or for former registered nurse against whom an allegation is made.

² For the purpose of this policy ADR means resolution of an allegation in accordance with section 22(1) or 23(1) of the Act.

provisions on CRNNL's website and in *The College Connection* excluding the Respondent's name. This policy is subject to provisions in an ADR Agreement which may provide for greater transparency in the interests of the public.

- 2.2. CRNNL will provide notification to all Canadian RN nursing regulators and other nursing regulator(s) where a Respondent is registered/licensed that a Respondent has entered into an Agreement with the College to resolve an allegation and a brief description of the conduct and the remedial provisions.
 - 2.3. CRNNL will provide notification to all Canadian RN nursing regulators and other nursing regulator(s) where a Respondent is registered/licensed that a Respondent has satisfied all terms and conditions of an Agreement to resolve an Allegation.
3. Notice of Decision of the CAC
 - 3.1. Where the CAC issues a caution or council, in accordance with the Act, CRNNL will provide a brief description of the conduct and the caution or council on CRNNL's website and in *The College Connection*, excluding the Respondent's name.
 - 3.2. Where the CAC dismisses an allegation in accordance with the Act, CRNNL will post on its website that an allegation has been dismissed excluding the name of the Respondent.
 - 3.3. Where CRNNL has informed an employer of an allegation against a Respondent in accordance with this policy, CRNNL will inform the employer of the outcome of the allegation following a decision of the CAC.
 - 3.4. Where CRNNL has informed a nursing regulator of an allegation against a Respondent in accordance with this policy, CRNNL will inform the nursing regulator(s) of the outcome of the allegation following a decision of the CAC.
 - 3.5. CRNNL will provide notification to all Canadian RN nursing regulators of a decision of the CAC to issue a caution/counsel to a Respondent or to refer a complaint against a Respondent to a disciplinary hearing.
 4. Notice of Restriction/Suspension Pending a Hearing Before an Adjudication Tribunal
 - 4.1. Where a complaint is constituted by the CAC and referred to a disciplinary panel, in accordance with the Act, CRNNL will publish any restriction/suspension on a Respondent's license pending a hearing on the CRNNL website.

- 4.2. Where Council has restricted or suspended a Respondent's license pending a hearing, CRNNL will inform the Respondent's nursing employer of such restriction or suspension.
 - 4.3. Where Council has restricted or suspended a Respondent's license pending a hearing, CRNNL will inform all Canadian RN nursing regulators and other nursing regulator(s) where a Respondent is registered/licensed of such restriction or suspension.
5. Notice of Referral to A Hearing Before an Adjudication Tribunal
 - 5.1. CRNNL will post the notice of referral for a hearing on the CRNNL website following service of the complaint on the Respondent.
 - 5.2. The notice of hearing posted on CRNNL's website will include:
 - (i) The Respondent's name and registration number; and
 - (ii) The general nature of the complaint.
6. Notice of Hearing Date
 - 6.1. CRNNL will post notice of the hearing date on the CRNNL website following service of notice of the hearing date on the Respondent.
 - 6.2. The notice of hearing date on the CRNNL website will include:
 - (i) The Respondent's name and registration number;
 - (ii) The date(s), time and location of the hearing; and
 - (iii) The general nature of the complaint.
7. Decisions and Orders
 - 7.1. Subject to a non-publication order, in accordance with the Act, a summary of a decision of the Adjudication Tribunal of conduct deserving of sanction will be published on CRNNL website and in *The College Connection*.
 - 7.2. A summary of a decision of the Adjudication Tribunal dismissing a Complaint will be published on CRNNL website and in *The College Connection* excluding the Respondent's name, except where the Respondent consents to including their name in the publication.
 - 7.3. A copy of a decision of the Adjudication Tribunal dismissing a Complaint shall be provided to the Complainant and the Respondent's employer.

- 7.4. The Respondent's successful completion of the terms and conditions of a decision of the Adjudication Tribunal will be published on CRNNL website and in *The College Connection*.
- 7.5. CRNNL will provide all Canadian RN nursing regulators and other nursing regulator(s) where a Respondent is registered/licensed:
 - (i) a summary of a decision/order of an Adjudication Tribunal with respect to conduct deserving of sanction;
 - (ii) notification where the Respondent has successfully met all sanctions set out in a decision/order of an Adjudication Tribunal or sanctions such that the Respondent's license has been reissued.

8. De-Registration

- 8.1. Where a Respondent has been granted De-registration by Council, in accordance with the Act, CRNNL will post on the CRNNL website that the Respondent, being subject to an allegation, has been De-registered and ceases to have the right and privilege to practice nursing.
- 8.2. CRNNL will inform the Complainant and the Respondent's employer where the Respondent has been granted De-registration.
- 8.3. CRNNL will inform all Canadian RN nursing regulators and other nursing regulator(s) where a Respondent is registered/licensed where a Respondent has been granted De-registration.