

PROFESSIONAL CONDUCT REVIEW

ALTERNATIVE DISPUTE RESOLUTION POLICY PURSUANT TO SECTION 16 OF THE REGISTERED NURSES REGULATIONS

DATE APPROVED: FEBRUARY 22, 2019

The Complaints Authorization Committee (CAC), following referral of an allegation to the CAC by the Director of Professional Conduct Review, may refer the allegation back to the Director of Professional Conduct Review for Alternative Dispute Resolution (ADR). ADR is an agreement process to resolve allegations filed against a Respondent. Any ADR must be in compliance with maintaining public protection pursuant to section 4 of the Registered Nurses Act (2008) (the 'Act'). The ADR shall be agreed upon by the Complainant, Respondent and CRNNL (collectively the 'Parties').

Procedure:

1. The Director of Professional Conduct Review, upon receipt of the CAC's referral for ADR, will request the Complainant and Respondent to provide written or electronic documentation confirming consent to pursue ADR.
2. Upon confirmation of both parties' consent, the Director of Professional Conduct Review, or designate¹, will explore options for resolution with the Complainant and Respondent.
3. The Director of Professional Conduct Review or designate may complete discussions with or request information from the Complainant, Respondent or other persons to facilitate the development of a written agreement to resolve the allegation.
4. The Complainant and Respondent are provided opportunity to review and comment on the proposed terms and conditions set out in the ADR Agreement.
5. The Parties may have legal representation throughout the ADR process.
6. The final ADR Agreement shall be in writing and shall be signed by the Parties.
7. Any party may withdraw at any time throughout the process and the allegation shall

¹ Designate - a person appointed by the Director of Professional Conduct Review in accordance with section 16(3) of the Registered Nurse Regulations.

be referred back to the CAC for their direction in accordance with Section 23 of the Act.

8. Where the allegation is not resolved through ADR or where it appears to the Director of Professional Conduct Review that the allegation is unsuitable for ADR, the Director of Professional Conduct Review shall refer the allegation back to the CAC.
9. All matters related to an ADR Agreement, including monitoring of the terms and conditions by the Director of Professional Conduct Review, or designate, will be completed in an efficient manner where possible.
10. Upon the Registrant's completion of all terms and conditions of the ADR Agreement such that the allegation is resolved, a copy of the following documents shall be maintained on the Registrant's file:
 - a. ADR Agreement;
 - b. Correspondence to the Registrant from the Director of Professional Conduct Review or designate confirming that all terms and conditions have been met and that the allegation is resolved; and
 - c. Correspondence to the Complainant from the Director of Professional Conduct Review or designate confirming that all terms and conditions have been met and that the allegation is resolved.
11. In circumstances where a Registrant has failed to adhere to the terms and conditions of an ADR Agreement such that the allegation is referred back to the CAC, the Director of Professional Conduct Review shall provide a copy of the ADR Agreement to the CAC.