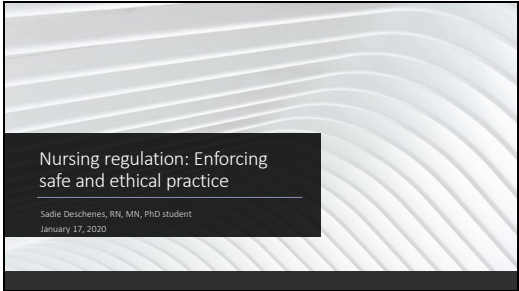


Slide 1




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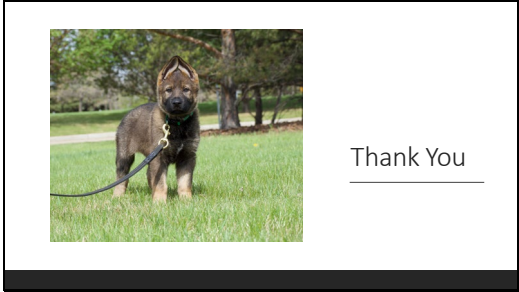
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Slide 2




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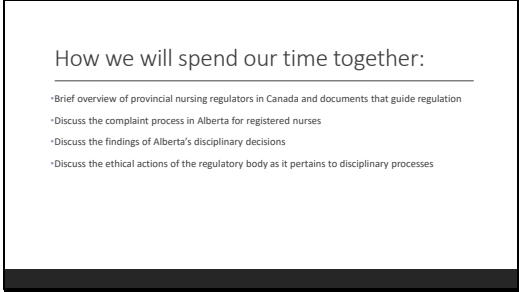
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Slide 3




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Slide 4

### Provincial Nursing Regulators

- Nursing regulatory bodies are given the power (from provincial and territorial governments) to self-regulate
- This is done to ensure the profession remains accountable to the public and the government
- The regulatory bodies ensure that nurses are safe, competent and ethical in their work through various regulatory activities as defined through the standards and code of ethics.

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Slide 5

The image shows two book covers side-by-side. The left cover is for the 'CODE OF Ethics FOR REGISTERED NURSES 2008 CENTENNIAL EDITION' published by CNA. The right cover is for 'Practice Standards for Regulated Members' published by CARNA, with an approval date of January 2013 and an effective date of April 2013.

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Slide 6

The image shows the cover of the 'HEALTH PROFESSIONS ACT' legislation document. It includes the provincial emblem, the title 'The Health Professions Act', and details such as 'Periodic Statutes of Alberta 2000 Chapter 5-1' and 'Came into force October 1, 2010'. It also lists the Office Coordinator and the Health Professions Regulatory Council.

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Slide 7

In Alberta

- The College and Association of Registered Nurses of Alberta (CARNA) is the regulatory body for registered nurses (RNs) and nurse practitioners (NPs)
- The goal of a college is to protect the public
- The goal of an association is to advocate for the profession

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Slide 8

The Complaint Process

- When a complaint is made, an investigation is launched
- The Complaints Director (CD) determines the scope of the investigation and objectives
- CD can:
  - Refer matters to a formal hearing
  - Resolve matter through a complaint resolution agreement
  - Dismiss the complaint

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Slide 9

Incapacity

- If a regulatory body believes a member is incapacitated, it can direct the member to obtain a specified physical/mental examination
- This process is outlined in section 118 of the HPA
- This can be conducted with or without a formal complaint
- If there is no illness detected, the college may choose to start a formal investigation

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Slide 10

### The Study

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- Retrospective study that examined publicly published discipline summaries reported by CARNA
- All summaries were published between 2007-2017
- The goal was to describe the prevalence, violations, licensure restrictions, sanctions, and license conditions
- In total, 521 decisions were examined

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Slide 11

### Our Findings

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- Overall a low percentage of nurses are being disciplined
  - Proportion of nurses who were disciplined annually ranged from 0.08%-0.18%
- High proportion of these nurses went through the process of formal hearing tribunals

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Slide 12

### Our Findings

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- All 521 disciplinary decisions resulted from a formal, public disciplinary hearing tribunal
- No documentation to suggest other processes were sought out to resolve the complaint prior to the formal hearing
- Annual reports during the time of the study indicate that only 20 complaints were referred for CRA in 2016
- In 2017, 62 complaints were referred for CRA

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Slide 13

### Our Findings

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- Impossible to determine the number of nurses assessed for incapacity
- Unclear if this process is effectively employed by CARNA

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Slide 14

### Violations



Violation	Frequency
Negligence	286
Unprofessional Conduct	211
Unethical	102
Drug Related	81
Criminal	49
Incompetent	35
Care	12
Incomplete	4

Professional nursing violations documented within 521 disciplinary decisions

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Slide 15

### Licensure



Licensure	Number
Conditional Revocation	440
Unlicensed	82
Not Reinstated	67
Suspension/Revoked	26
Loss of Licensure	18
Refusal	15
No Change	9

Professional Nursing Licensure Restrictions Within 521 Disciplinary Decisions

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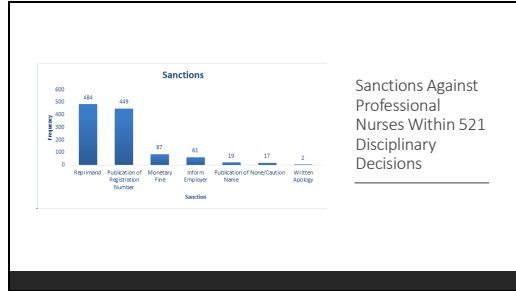
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Slide 16



Sanctions Against Professional Nurses Within 521 Disciplinary Decisions

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Slide 17



License Conditions Placed on Professional Nurses Within 521 Disciplinary Decisions

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Slide 18

**Our Findings**

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- Conditions were ordered in 461 of the 521 disciplinary decisions (88.5%)
- Considerably higher than in other studies
- The condition of education was ordered in 68.3% of disciplinary hearings

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Slide 19

Interesting Observations or Ethical Concerns

- Every investigation in our study proceeded to a disciplinary hearing
- We were unable to determine the number of nurses assessed for incapacity
- Since the study, has ended an independent review of the complaints process was conducted

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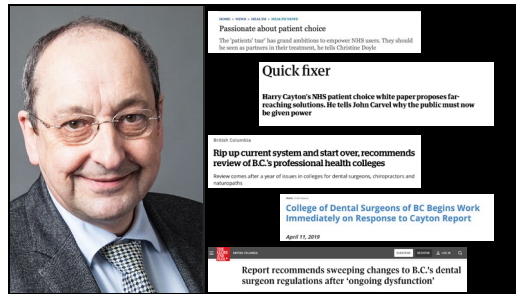
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Slide 20



Passionate about patient choice

The patients' fear' has great ambitions to empower NHS users. They should be seen as partners in their treatment, he tells *Observer Health*

**Quick fixer**

Harry Cayton's NHS patient choice white paper proposes far-reaching solutions. He tells *John Carol* why the public must now be given power

**Rip up current system and start over, recommends review of B.C.'s professional health colleges**

Report comes after a year of issues in colleges for dental surgeons, chiropractors and osteopaths

**College of Dental Surgeons of BC Begins Work Immediately on Response to Cayton Report**

April 11, 2019

Report recommends sweeping changes to B.C.'s dental surgeon regulations after 'ongoing dysfunction'

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Slide 21

A review of complaints processes and outcomes conducted for the College and Association of Registered Nurses of Alberta

September 2019

**The Review**

- CARNA met 6/10 standards
- Lack of transparency
- Complaint process needs to be easier
- Concerns that new bylaws are more concerned with the well-being of the nurse than of the patient
- 14 recommendations for action and improvement

Harry Cayton, Professional Regulation and Governance

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Slide 22

### Suggestions and Action Plan

- A complaint should be shared with the registrant to obtain their perspective before a decision to investigate is made
- Risk of harm should be assessed and conditions on practice appropriately chosen
- The reason to investigate a complaint must be recorded more clearly and indicate which practice standards may have been breached
- Commit to an open and transparent culture
- Being a nurses' association adversely influences the independent of its regulatory functions and commitment to patient safety

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Slide 23

### Examples of Processes



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Slide 24

### College of Registered Nurses of B.C.

- In the 2016/2017 membership year, there were 41,549 registrants
- 152 matters were directed for investigation
- 78 went through resolution
- Only 5 were directed for a hearing

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Slide 25

### CPSA Complaint Process

- The College of Physicians and Surgeons of Alberta (CPSA) process includes
  - Direct resolve
  - Resolve with consent
  - Investigation
  - Resolve with consent after investigation
  - Dismissal
- Most complaints are resolved without formal discipline
- Only complaints that lead to a disciplinary hearing are made public

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Slide 26

### RESOLUTION PROCESS USED

*"How they were managed..."*

Resolution Process	Percentage
Review/Dismiss	45.4%
Investigation/Resolution	25.5%
Investigation/Dismiss	19.0%
Resolve with consent	6.1%
Direct resolution	3.8%
Hearings	2.2%

<http://www.cpsa.ca/wp-content/uploads/2018/05/2018-Complaints-in-A-Glance.pdf>

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Slide 27

### Nurses Health Program

- Voluntary program
- Designed so participants can continue to practice
- Program monitors nurses' recovery
- Nurses can be self referred or referred by the college of Nurses of Ontario
- No public disclosure of nurses' health disorders

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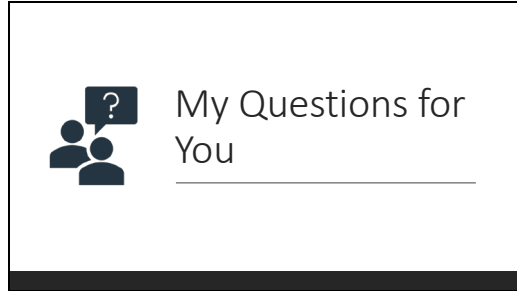
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Slide 28



My Questions for  
You

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Slide 29



Questions?

sdeschen@ualberta.ca

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Slide 30

Thank You!



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Slide 31

**References**

Allen, A., Kuryak, P., Klammberg, I., Gronman, I., & Bell, C. M. (2012). The characteristics of psychiatrists diagnosed by professional colleges in Canada. *PLoS One*, *7*(11), e49298.

Canadian Nurses Association (2015). Framework for the practice of registered nurses in Canada. Retrieved from <https://www.cna.ca/~/media/1na/page-content/pdf-articles/framework-for-the-practice-of-registered-nurses-2015.pdf>

Canadian Nurses Association (2017). Code of Ethics for Registered Nurses. Retrieved from <https://www.cna.ca/~/media/1na/page-content/pdf-en/code-of-ethics-2017.pdf>

College and Association of Registered Nurses of Alberta (2016). About complaint resolution agreements. Retrieved from <https://www.cna.ab.ca/~/media/1na/page-content/pdf-en/complaint-resolution-agreements-2016.pdf>

College and Association of Registered Nurses of Alberta (2016). About the investigations process. Retrieved from <https://www.cna.ab.ca/~/media/1na/page-content/pdf-en/about-the-investigations-process-2016.pdf>

College and Association of Registered Nurses of Alberta (2016). Professional conduct review action plan. Retrieved from <https://www.cna.ab.ca/~/media/1na/page-content/pdf-en/professional-conduct-review-action-plan.pdf>

College and Association of Registered Nurses of Alberta (2017). Annual Report 2016/2017. Retrieved from <https://www.cna.ab.ca/~/media/1na/page-content/pdf-en/annual-report-2016-2017.pdf>

College and Association of Registered Nurses of Alberta (2017). Publishing discipline summaries. Retrieved from <https://www.cna.ab.ca/complaints-and-concerns/complaints-process-and-appeals/discipline-summaries>

College of Nurses of Ontario (2017). Professional conduct: Resolving complaints: a guide for nurses. Retrieved from <https://www.cno.org.ca/~/media/1na/page-content/pdf-en/professional-conduct-resolving-complaints-a-guide-for-nurses.pdf>

College of Physician and Surgeons of Alberta (2018). Registration Statistics 2018-2019. Retrieved from <http://www.cpsa.ca/wp-content/uploads/2017/02/Registration-Statistics-1.pdf>

College of Physician and Surgeons of Alberta (2018). Our Complaints Process. Retrieved from <http://www.cpsa.ca/complaints/our-complaints-process/>

College of Physician and Surgeons of Alberta (2018). Hearings at the College. Retrieved from <http://www.cpsa.ca/complaints/hearings-at-the-college/>

College of Physician and Surgeons of Alberta (2018). CPSA Complaints 2018. Retrieved from <http://www.cpsa.ca/wp-content/uploads/2018/02/CPSA-Complaints-2018-Overview.pdf>

College of Registered Nurses of British Columbia (2017). Annual Report 2016/2017. Retrieved from <https://www.cna.bc.ca/~/media/1na/page-content/pdf-en/annual-report-2016-2017.pdf>

Harry Caron Professional Regulation and Governance (2010). A review of complaint processes and outcomes conducted for the College and Association of Registered Nurses of Alberta. Retrieved from <https://www.cna.ab.ca/~/media/1na/page-content/pdf-en/harry-caron-report.pdf>

Health Professions Act (2010). Revised Statutes of Alberta 2010 Chapter 17. Retrieved from <https://www.srs.ab.ca/~/media/1na/page-content/pdf-en/2010-rs.pdf>

Reynold, A. (2008). Discipline of nurses: A review of disciplinary data 1990-2000. *2003's Healthcare Law, Ethics, and Regulation*, *30*(2), 82-84.

Regulencia. (2019). In *Merriam-Webster online*. Retrieved from <https://www.merriam-webster.com/dictionary/regulencia>

Sugrue, J.J., Cherdron, E., Yu, H., & Krupa, K. (2016). How Zealand's health practitioners disciplinary tribunal: An analysis of decisions 2004-2014. *Journal of Law and Medicine*, *24*, 219-251.

