

Ms. Karen Purdy
[REDACTED]

Moose Jaw SK [REDACTED]

Dear Madam:

RE: Notice of Discipline Hearing

TAKE NOTICE that the Discipline Committee established in accordance with *The Licensed Practical Nurses Act, 2000* (the "Act") and Bylaws will meet on **August 23, 2017** commencing at 1:30 p.m. at the Executive Royal Hotel, 4025 Albert Street, Regina, Saskatchewan to conduct a hearing into the complaint that you have been guilty of professional misconduct.

The particulars of your alleged professional misconduct are set out in Appendix A which is attached to and forms part of this Notice of Discipline Hearing.

AND FURTHER TAKE NOTICE that as a result of this hearing, the Discipline Committee will rule and if the Discipline Committee finds that you are guilty of professional misconduct, the Committee may make one or more of the following orders pursuant to section 30(1) of the Act:

30(1) Where the discipline committee finds a member guilty of professional misconduct or professional incompetence, it may make one or more of the following orders:

- (a) an order that the member be expelled from the association and that the member's name be struck from the register;
- (b) an order that the member's licence be suspended for a specified period;
- (c) an order that the member's licence be suspended pending the satisfaction and completion of any conditions specified in the order;
- (d) an order that the member may continue to practise, but only under conditions specified in the order, which may include, but are not restricted to, an order that the member:
 - (i) not do specified types of work;

- (ii) successfully complete specified classes or courses of instruction;
- (iii) obtain medical or other treatment or counselling or both;
- (e) an order reprimanding the member;
- (f) any other order that the discipline committee considers just.

In addition to any order stated above, the Discipline Committee may also order pursuant to section 30(2) of the Act:

30(2) In addition to any order made pursuant to subsection (1), the discipline committee may order:

- (a) that the member pay to the association, within a fixed period:
 - (i) a fine in a specified amount not exceeding \$5,000; and
 - (ii) the costs of the investigation and hearing into the member's conduct and related costs, including the expenses of the counselling and investigation committee and the discipline committee and costs of legal services and witnesses; and
- (b) where a member fails to make payment in accordance with an order pursuant to clause (a), that the member's licence be suspended.

Please be advised that you have the right to appear before the Discipline Committee at the time and place mentioned above, either with or without a representative or legal counsel, and to call evidence and make submissions with respect to the complaint, and with respect to any order that may follow thereafter.

AND FURTHER TAKE NOTICE if you do not attend at the hearing, the Discipline Committee may proceed in your absence on proof of service of this notice pursuant to section 29(5) of the Act.

DATED at Regina, Saskatchewan, this 25 day of May, 2017.

Sincerely,



**Lynsay Nair, LPN
Executive Director**

APPENDIX A

1. On or about January 1, 2016 a patient, P.R., was admitted to Wigmore Regional Hospital in Moose Jaw suffering from Crohn's disease. In the course of providing care and treatment to P.R.:
 - (a) You placed an Attends on P.R. When P.R. required the Attends be changed you snapped your fingers at him to indicate he should turn over.
 - (b) You left a soiled Attends and wipes laying on the floor of P.R.'s hospital room.
 - (c) You told P.R. in front of his family that he was going to end up in a nursing home laying in bed and soiling himself, causing P.R. and P.R.'s family mental distress.
 - (d) You scolded P.R. for having a bowel movement in a garbage can when P.R. was unable to reach the bathroom.
 - (e) You instructed P.R.'s family how to restart and/or silence an intravenous machine when it sounded alerts and indicated to them that you were not supposed to be showing them how to do so.

As such, it is alleged that the following provisions have been breached:

The Licensed Practical Nurses Act, 2000

Professional misconduct

24 Professional misconduct is a question of fact, but any matter, conduct or thing, whether or not disgraceful or dishonourable, is professional misconduct within the meaning of this Act if:

- (a) it is harmful to the best interests of the public or the members;
- (b) it tends to harm the standing of the profession;
- (c) it is a breach of this Act or the bylaws; or

Compliance

49 Every member shall comply with this Act and the bylaws.

SALPN Regulatory Bylaws

19 All members shall ensure that they work within their educational preparation, level of competence, and scope of practice and comply with the standards of practice set out in the *Standards of Practice for Licensed Practical Nurses* approved and adopted by Canadian regulatory agencies as of April 1, 2013.

20 All members shall conduct themselves in an honourable and ethical manner, upholding the values of truth, honesty and trustworthiness, and shall observe the standards of conduct set out in the *Code of Ethics for Licensed Practical Nurses in Canada* approved and adopted by Canadian regulatory agencies as of April 1, 2013.

Code of Ethics and Standards of Practice

Code of Ethics

PRINCIPLE 1: Responsibility to the Public

Licensed Practical Nurses, as self-regulating professionals, commit to provide safe, effective, compassionate and ethical care to members of the public.

Ethical Responsibilities:

LPNs:

1.1 Maintain standards of practice, professional competence and conduct.

1.6 Collaborate with clients, their families (to the extent appropriate to the client's right to confidentiality), and health care colleagues to promote the health and well-being of individuals, families and the public.

PRINCIPLE 2: Responsibility to the Client

Licensed Practical Nurses provide safe and competent care for their clients:

Ethical Responsibilities:

LPNs:

2.6 Provide care to each client recognizing their individuality and their right to choice.

2.7 Develop trusting, therapeutic relationships, while maintaining professional boundaries.

PRINCIPLE 3: Responsibility to the Profession

Licensed Practical Nurses have a commitment to their profession and foster the respect and trust of their clients, health care colleagues and the public.

Ethical Responsibilities:

LPNs:

3.1 Maintain the standards of the profession and conduct themselves in a manner that upholds the integrity of the profession.

PRINCIPLE 5: Responsibility to Self

Licensed Practical Nurses recognize and function within their personal and professional competence and value systems.

Ethical Responsibilities:

LPNs:

5.1 Demonstrate honesty, integrity and trustworthiness in all interactions.

5.3 Accept responsibility for knowing and acting consistently with the principles, practice standards, laws and regulations under which they are accountable.

Standards of Practice

STANDARD 1:

Professional Accountability and Responsibility

Licensed Practical Nurses are accountable for their practice and responsible for ensuring that their practice and conduct meet both the standards of the profession and legislative requirements.

Indicators:

LPNs:

1.6 Take action to avoid and/or minimize harm in situations in which client safety and well-being are compromised.

1.9 Practice in a manner consistent with ethical values and obligations of the Code of Ethics for Licensed Practical Nurses.

STANDARD 3:

Service to the Public and Self-Regulation

Licensed Practical Nurses practice nursing in collaboration with clients and other members of the health care team to provide and improve health care services in the best interests of the public.

Indicators:

LPNs:

- 3.1 Engage clients in a therapeutic nurse-client relationship as active partners for mutual planning of and decisions about their care.**
- 3.6. Demonstrate an understanding of self-regulation by following the standards of practice, the code of ethics and other regulatory requirements.**

STANDARD 4:

Ethical Practice

Licensed Practical Nurses uphold, promote and adhere to the values and beliefs as described in the Canadian Council for Practical Nurse Regulators (CCPNR) Code of Ethics.

Indicators:

LPNs:

- 4.1. Practice in a manner consistent with ethical values and obligations of the Code of Ethics for LPNs.**
- 4.5 Advocate for the protection and promotion of clients' right to autonomy, respect, privacy, confidentiality, dignity and access to information.**
- 4.7. Communicate in a respectful, timely, open and honest manner.**