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Saskatchewan Association of
Licensed Practical Nurses



2208 E Victoria Avenue ~ Regina, SK S4N 7B9

Daisy Noseworthy

[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 May 25, 2018 commencing at 10:00 a.m. at 2208 E. Victoria Avenue, Regina, Saskatchewan to conduct a hearing into the complaint that you have been guilty of professional incompetence.

The particulars of your alleged professional incompetence 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 incompetence, 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 Sections 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

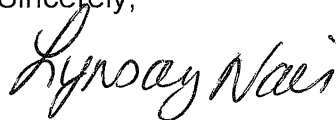
(b) where a member fails to make payment in accordance with an order pursuant to clause (a), that the member's licence be suspended.

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 Licensed Practical Nurses Act, 2000*.

DATED at Regina, Saskatchewan, this 16 day of April, 2018.

Sincerely,

A handwritten signature in cursive script that reads "Lynsay Nair".

**Lynsay Nair, LPN
Executive Director**

APPENDIX A

1. While working as a licensed practical nurse at the Dr. F. H. Wigmore Regional Hospital in Moose Jaw and on June 15, 2016, you admitted patient MB and completed a General Admission and History. An Interagency Referral identified MB at risk for falling, wandering and climbing side rails. You did not document those risks on the General Admission Assessment.
2. Your charting on June 15, 2016 and June 16, 2016 regarding MB was inadequate and deficient as:
 - (a) You failed to document your assessment, planning and implementation of MB's care.
 - (b) You failed to document communications with MB's daughter.
 - (c) You failed to fully document communications with your charge nurse.
 - (d) You charted MB's pain assessment using numbers and adjectives such as "sharp" and "stabbing" and used the words "no voiced concerns" despite the fact MB could not communicate properly.
3. During your shifts on June 15 and June 16, 2016, you took MB's vital signs only once on June 15 at 1557 when you admitted MB.
4. MB was found on the floor of her hospital room on June 16, 2016 at 0729. You worked the day shift starting at 0730. Through that shift, you took MB's vital signs only once at 1447.
5. You failed to advocate, sufficiently or at all, with the charge nurse, the unit nurse manager and/or attending physician for proper and timely pain management medication for MB.
6. Alternately and if you did communicate with the charge nurse, nurse manager and/or attending physician, you failed to document those communications.
7. You failed to recognize the signs and symptoms of MB sustaining a fractured hip.

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

The Licensed Practical Nurses Act, 2000

Professional incompetence

23 Professional incompetence is a question of fact, but the display by a member of a lack of knowledge, skill or judgment or a disregard for the welfare of a member of the public served by the profession of a nature or to an extent that demonstrates that the member is unfit to:

- (a) continue in the practice of the profession; or**
- (b) provide one or more services ordinarily provided as a part of the practice of the profession;**

is professional incompetence within the meaning of this Act.

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.**
- 1.5 Provide care directed toward the health and well-being of the person, family, and community.**
- 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 Clients

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

Ethical Responsibilities:

LPNs:

- 2.2 Advocate for the client to receive fair and equitable access to needed and reasonably available health services and resources.**
- 2.4 Act promptly and appropriately in response to harmful conditions and situations, including disclosing safety issues to appropriate authorities.**
- 2.8 Use evidence and judgement to guide nursing decisions.**
- 2.9 Identify and minimize risks to clients.**

PRINCIPLE 4: Responsibility to Colleagues

Licensed Practical Nurses develop and maintain positive, collaborative relationships with nursing colleagues and other health professionals.

Ethical Responsibilities:

LPNs:

- 4.2 Collaborate with colleagues in a cooperative, constructive and respectful manner with the primary goal of providing safe, competent, ethical, and appropriate care to individuals, families and communities.**

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.**
- 1.10. Maintain documentation and reporting according to established legislation, regulations, laws, and employer policies.**