



PROFESSIONAL CONDUCT REVIEW

NOTIFICATION

DATE APPROVED: FEBRUARY 22, 2019

The Association of Registered Nurses of Newfoundland and Labrador (“ARNNL”), 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 ARNNL’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*, ARNNL will not provide public notices and information concerning an allegation filed against a Respondent¹.
- 1.2 ARNNL 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 ARNNL will inform a nursing regulator from another jurisdiction requesting a verification of registration 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*, ARNNL will provide a brief description of the conduct and the remedial provisions on ARNNL’s website and in ACCESS excluding the Respondent’s name.
- 2.2 This policy is subject to provisions in an ADR Agreement which may provide for greater transparency in the interests of the public.

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*.

3. Notice of Decision of the CAC

- 3.1 Where the CAC issues a caution or counsel, in accordance with the *Act*, ARNNL will provide a brief description of the conduct and the caution or counsel on ARNNL's website and in ACCESS excluding the Respondent's name.
- 3.2 Where the CAC dismisses an allegation in accordance with the *Act*, ARNNL will post on its website that an allegation has been dismissed excluding the name of the Respondent.
- 3.3 Where ARNNL has informed an employer of an allegation against a Respondent in accordance with this policy, ARNNL will inform the employer of the outcome of the allegation following a decision of the CAC.

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*, ARNNL will publish any restriction/suspension on a Respondent's license pending a hearing on the ARNNL website.
- 4.2 Where the CAC has restricted or suspended a Respondent's license pending a hearing, ARNNL will inform the Respondent's nursing employer of such restriction or suspension.

5. Notice of Referral to A Hearing Before an Adjudication Tribunal

- 5.1 ARNNL will post the notice of referral for a hearing on the ARNNL website following service of the complaint on the Respondent.
- 5.2 The notice of hearing posted on ARNNL'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 ARNNL will post notice of the hearing date on the ARNNL website following service of notice of the hearing date on the Respondent.
- 6.2 The notice of hearing date on the ARNNL 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 ARNNL website and in ACCESS.

- 7.2 A summary of a decision of the Adjudication Tribunal dismissing a Complaint will be published on ARNNL website and in ACCESS 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 ARNNL website and in ACCESS.

8. **De-Registration**

- 8.1 Where a Respondent has been granted De-registration by Council, in accordance with the *Act*, ARNNL will post on the ARNNL 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 ARNNL will inform the Complainant and the Respondent's employer where the Respondent has been granted De-registration.