



QUALITY PRACTICE
 A RESOURCE FOR EMPLOYERS OF NURSES

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Helping employers to protect the public

Whether you want to check the registration status of your nurses, or identify an illegal practitioner, the College's AAVR system is a fast and convenient way to confirm a nurse's eligibility to practice in Ontario.

For more information, visit the Employer section at www.cno.org.

Check out
CNO's Automated
Annual Verification
of Renewal

Illegal practitioner faces strict penalty

This fall, the sentencing of an illegal practitioner in Ontario Provincial Court drove home the importance of employers' ensuring that the person to whom they're offering a nursing position is really a nurse.

In the spring of 2005, Brigitte Marier accepted a nursing position in the general hospital of a small Ontario city. She stole and falsified the certificate of registration of a member of the College, and held herself out to be a fully qualified nurse even though she has never been a member of the College. She signed documentation using the RN designation, and performed controlled acts authorized to nursing, including administering substances by injection and inhalation—acts that are considered dangerous if performed by unqualified individuals.

This was not the first time that Marier committed theft and fraud in order to secure nursing employment, nor was it her last. At the beginning of this year, the College was notified that Marier (using the last name Cléroux), attempted to secure employment as a Registered Nurse in the Ottawa area in January and February, 2006. At that time, the College warned employers of Marier's illegal activity. (See the March 2006 issue.) Because Marier is not a health professional accountable to a regulatory body, the College pursued its case against her through the provincial courts.

Like many illegal practitioners, Marier was persistent in her search for nursing employment, which illustrates the importance of employers checking with the College that all applicants for nursing positions are registered.

"Brigitte Marier has been on our radar for quite some time," says Karen McGovern, RN, the College's Manager of Investigations. "Her name is included in the list of known illegal practitioners on our web site. If any of her former employers had contacted the College before hiring her, we could have told them that she is breaking the law by passing herself off as a nurse and that she has a history of theft and fraud."

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New guideline addresses workplace conflict

To help nurses manage conflict, the College has developed *Conflict Prevention and Management* practice guideline, which is included with this issue of QP.

The new guideline, which replaces and broadens the focus of the *Nurse Abuse* practice guideline, was developed to help nurses recognize, manage and deal with conflict before it becomes an issue that affects client care. Clients can tell when nurses aren't working as a team, and this can have a negative affect on nurse-client relationships. *Conflict Prevention and Management* lists the key factors that can contribute to conflict between nurses and clients, and nurses and their colleagues. For example, when nurses form groups based on culture, education level or length of service, they can create barriers to collaborative collegial behaviours. Conflict can also rise among colleagues if new graduates are put in situations beyond their capabilities without being supported by experienced nurses. Practice settings in which nurses are unaware of or anxious about attempting to resolve conflict also risk the escalation of conflict.

Once a nurse recognizes what triggers conflict, the nurse can manage it by employing the guideline's strategies, such as focusing on the behaviour contributing to the conflict rather than on the person, and avoiding behaviours that can contribute to the escalation of conflict, such as arguing, criticizing, defending or judging.

The new practice guideline also highlights the role of employers and nurses in formal leadership positions in resolving conflict. They can implement and use policies and procedures, such as efficient reporting systems, to help nurses manage conflict before it escalates.

By leading by example, nurse leaders, such as managers, nurse administrators and educators, promote optimal client care and a fair workplace environment for all staff. Managers can adopt an open-door policy for staff members, hold team meetings so concerns can be raised without personal criticism and provide support for nurses working in stressful conditions. Additional copies of *Conflict Prevention and Management* can be downloaded from the College website, www.cno.org.

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Marier's sentence is one the strongest in the history of illegal practitioner cases. The College was able to prove its case against her with the assistance of her former employers. Because of her history of similar offences, the College argued that strong deterrents were needed to curb Marier's fraudulent activity. Marier was fined \$60,000, sentenced to six months incarceration, and issued a two-year probation order.

"Diligent employers are the first line of defence against illegal practitioners gaining a foothold in health care facilities in Ontario," says McGovern.

"The sanctions against Marier illustrate how serious her actions are. Illegal practitioners threaten public safety and undermine confidence in the nurse profession."

For more information on illegal practitioners, or to access the current listing of known illegal practitioners, visit the Investigations and Hearings section of www.cno.org.

Role of RN(EC)s expands

Registered Nurses in the Extended Class [RN(EC)s] can now provide health care assessments and services for children who are Crown wards. Formerly, only physicians could provide these services. The amendments to Regulation 70 of the *Child and Family Services Act*, which governs children's aid societies, young offenders, and child and family intervention services, came into effect on November 30. The amendments allow RN(EC)s, as well as physicians, to provide a number of services, including assessing the health of children in foster care, ensuring that prescription medications are administered in residences and assessing the health of foster parent applicants.

The revised legislation is posted at www.e-laws.gov.on.ca.

Reporting obligations, part one: Terminations

As an employer of nurses, you play a key role in self-regulation by fulfilling your legal obligations to report to the College in two situations: (1) when you have reasonable grounds to believe that a nurse has sexually abused a client and (2) when you terminate the employment of a nurse. This article addresses the mandatory report that you must make when you terminate the employment of a nurse. An article in our next issue will outline your duty to report sexual abuse.

Under the *Regulated Health Professions Act*, you must report the termination of a nurse's employment for reasons of professional misconduct, incompetence or incapacity, or when you intended to terminate the nurse's employment but the nurse resigned. It is not necessary to report nurses to the College when you are engaging in remediation efforts and the nurse is still under your employ.

By learning of concerns about a nurse, the College is able to take action

to protect the public from unsafe nursing practise. Your report allows the College to address patterns of behaviour or similar concerns reported from multiple practice settings in an effective manner. Reporting allows the College to analyse concerns within the context of all other information regarding a particular member.

How to make a report

Reports must be made in writing within 30 days of the termination or resignation. The College will notify the member of the report. A copy of your report, along with any supporting documents, will be included with the notification to the member.

Due to confidentiality provisions, the College cannot share information about investigations with an employer who makes a report; however, you can contact the College to check the Public Register status of a nurse. Note that the Public Register contains only information about cases that have been referred to the Discipline

or Fitness to Practice Committees or results from these two committees.

For more information on reporting, visit the website, or contact the College's investigator-on-call at 416 928-0900, ext. 6988 or e-mail investigations-intake@cnomail.org.

Reporting form

The College has developed a form for employers reporting terminations or resignations related to practice issues. The form will soon be posted in the Investigations and Hearings/Employer Reports section of the website. It can be completed and returned to the College accompanied by supporting documentation. The form captures all of the necessary information about incident(s) up front. The College is then able to assess the report and determine a course of action more efficiently.

PPCP seeks new participants

The College is currently seeking seven organizations to participate in the Professional Practice Consultation Program (PPCP) in 2007. PPCP is available to any health care organization where nurses practise.

In this program, nurses engage in individual reflection and collective dialogue as they consider how they can develop and maintain sustainable systems that support safe and effective

care to clients, their families and the community.

Two-day PPCP training sessions are scheduled for March 29 & 30 (apply by February 9) and September 20 & 21 (apply by July 20). To indicate your organization's interest in participating, complete the Expression of Interest Form in the Employers section of the website or contact the Practice Line at 416 928-0900,

option 2; or 1 800 387-5526, option 2.

The PPCP is currently being pilot-tested. The nurses leading the testing within their organizations participated in a train-the-trainer session in September.

For more information on this session or the program, see the December issue of *The Standard* or visit www.cno.org.

Online renewal — it's a hit!

If you haven't yet completed your membership renewal and returned your form to the College, do so now! The December 31 deadline is fast approaching, but you can save time by renewing online. By the first week of December, over 15,000 members renewed successfully online and their response has been overwhelmingly positive. Over 99 per cent of users who completed the feedback form said they found renewing online either "easy" or "very easy." Once you've created a member profile in the online renewal section, you can also track the progress of your renewal.

If you've already returned your renewal using the paper form and the College has started processing it, you cannot use online renewal to speed up processing. However, if your form has been mailed back to you, online renewal is an option for resubmitting your form.

If you have completed the paper form, you can check the status of your renewal by accessing the College's automated self-service system. During renewal season, it's available 24 hours a day on the home page of the website or by calling the College after business hours at the phone numbers below. Have your registration number ready to access either system.

If you did not receive your renewal form, contact the College's Customer Service Centre immediately at 416 928-0900 or toll-free in Ontario at 1 800 387-5526.

Ask CNO: Temporary registrants and exams

Q Our facility recently hired a new graduate who was registered in the Temporary Class. After failing the national exam, she was fired because the College revoked her temporary registration. Was termination the correct action to take? It seems like more applicants are failing since short-answer questions have been added to the RN exam.

A The Canadian Practical Nurse Registration Examination consists of multiple-choice questions, and the Canadian Registered Nurse Examination has both multiple-choice and short-answer questions. Since June 2005, when short-answer questions were introduced to the RN exam, the number of applicants who fail the exam has not increased. Both national exams measure the competencies required of nurses beginning to practise.

As of January 1, 2005, graduates applying for a Temporary Certificate of Registration must not have failed their exam. If an applicant fails the exam, the temporary registration is automatically revoked.

The College notifies employers when an applicant's temporary registration is revoked. The employer then has a few choices, including terminating the applicant's employment

or suspending the applicant until she or he successfully completes the national registration examination. The applicant can not work as a regulated health care professional once temporary registration has been revoked. This also means the applicant can not perform controlled acts; however, she or he can remain employed as an unregulated care provider.

Temporary registration is available to individuals who have met all of the registration requirements but have not yet written the national exam or have not failed it. This short-term registration category enables members to practise until they can register in the General Class. For more information, refer to the *Temporary Class* fact sheet at www.cno.org.

We Can Help

Answering your call

Our Customer Service Centre and Practice Consultants answer calls from 0830 until 1700 hrs from Monday to Friday. Call 416 928-0900 (toll-free in Ontario at 1 800 387-5526). Using the automated system, choose your language of preference, and then select option "0" for Customer Service or ext. 2 to speak with a Practice Consultant.

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