

Fitness to Practise Committee

2021 Annual Report

Introduction: Role of the Committee

The Fitness to Practise Committee (“the Committee”) supports the College’s commitment to the public by addressing concerns about the impact of a nurse’s health on public safety.

The Committee holds hearings to determine if members are incapacitated due to a mental or physical condition or disorder, such that they should not practice, or their practice should be restricted.

If a member is found to be incapacitated, the Committee can revoke, suspend, or impose terms, conditions or limitations (TCLs) on the member’s certificate of registration.

The Committee also determines members’ requests to return to practice and matters of alleged breach of the terms of an Order of the Committee or the terms of an Undertaking to the College.


The Committee endorses the resolution of matters by agreements that protect the public and provide for the member’s safe return to practice when possible.

Based upon approved procedure and protocol, agreements between the College and the member are reviewed by panels of the Committee and, if found appropriate, approved as Consent Orders, eliminating the need for formal hearings.

Executive Summary

Fitness to Practise (FTP) Committee Caseload

There were 43 new matters referred to the Committee in 2021. In addition, 37 matters were carried over from the previous year, for a total caseload of 80 matters.



As of December 31, 2021, there were 36 matters in progress as follows:

- 4 matters were adjourned;
- 4 matters have hearings scheduled in 2022 (includes one matter that commenced in 2021);
- 3 hearings were to be set; and
- 25 matters were awaiting determination whether to proceed by hearing or Consent Order review.

Matters Completed

Matters are completed when a determination of a member's capacity is made and a disposition is ordered. Matters may be resolved by Consent Order or by way of contested hearing.

In 2021, a total of 44 matters related to 44 members were completed. These were resolved as follows:

- 38 Consent Orders;
- 2 contested hearings completed;
- 1 Member abandoned their Return to Practise request; and
- 3 hearings did not proceed (two members resigned their certificate of registration and one member's certificate of registration expired. Therefore, the Committee lost jurisdiction).

Dispositions Ordered

Resolution by Consent Order (Table 1)

- 9 consent orders involved the member voluntarily surrendering their certificate of registration;
- 9 related to Return to Practice requests and breach of Orders;
- 20 had no finding of incapacity. In 18 of these matters, the member entered into an undertaking with the College; in one matter, the member moved into the non-practising class; and, in one matter, no finding was made based on a revised assessment.

Hearings

Panels of the FTP Committee spent 13.5 days hearing three FTP matters in 2021, as follows:

(a) Contested Matters

- 2 hearings completed and suspensions were ordered (Table 2)
- 1 hearing began in 2021 and will continue in 2022.

(b) Removal of Information matters (Table 3)

No Removal of Information matters were heard in 2020



Return to Practice (RTP) Requests

Requests to Return to Practice are made by members who have surrendered their certificates of registration.

These requests are made in accordance with specified terms of the original Order, requiring the member to provide up-to-date information demonstrating that they are ready to return to practice, with or without TCLs on their certificate of registration.

Where the College and the member agree that the member may return to practice and, to any terms required, the matter proceeds by way of Consent Order.

Where the parties do not agree, the matter is heard by a panel at a contested hearing.

In 2021, as seen in Table 5, eight RTP requests were granted and no requests were denied. All requests were resolved by Consent Order.

Breaches

It may be alleged that a member has failed to comply with the terms of an Order of the Committee or their Undertaking to the College. A failure to abide by or comply with the terms of an Order or Undertaking is commonly referred to as a breach.

If the member and the College agree that a breach has occurred and on the appropriate conditions required to protect the public, the matter is resolved by way of Consent Order.

Where there is a dispute whether the Order or Undertaking has been breached, or about the appropriate conditions required to protect the public, then the matter proceeds to a contested hearing.

In 2021, as seen in Table 6, one matter related to a member who was alleged to be in breach of the terms, of a Panel's Order was resolved by Consent Order.



Committee Meetings

The Committee held virtual meetings on February 22 & 23, 2021 for general education of Committee members. Virtual meetings were held on May 18, 2021, to orient new members and on January 26 and May 10 & 11, 2021 to train Panel Chairs. Through January and February 2021, Committee members attended virtual training sessions on the use of CaseLines, the online file sharing platform used in hearings.

On April 9, 2021, four Committee members attended the “Conducting a Discipline Hearing Basic Workshop” hosted virtually by the Health Profession Regulators of Ontario (HPRO). Another four Committee members attended the Fall session of this workshop on October 1, 2021

14 Committee Members attended the “Conducting a Discipline Hearing Advanced Workshop” hosted virtually by the HPRO on April 30, 2021

Six Committee Members attended HPRO’s first ever “Reasons Writing Workshop” virtually on October 15, 2021.

Committee members:

July to December 2021

Dawn Cutler, RN, Chair
Janet Adanty, RN
Andrea Arkell, PM
Jay Armitage, PM
Eloisa Busto, RPN
Margarita Cleghorne, RPN
Tim Crowder, PM
Jacqueline Dillon, RPN
Tanya Dion, RN
Sylvia Douglas, PM
Ramona Dunn, RN
David Edwards, RPN
Kerry Gartshore, RPN
Carly Gilchrist, RPN
Karen Goldenberg, PM
Shaneika Grey, RPN
Max Hamlyn, RPN
Neil Hillier, RPN
Michael Hogard, RPN
Carly Hourigan, PM
Aisha Jahangir, RN
Karen Laforet, RN

January to June 2021

Terry Holland, RPN, Chair
Andrea Arkell, PM
Jay Armitage, PM
Margarita Cleghorne, RPN
Dawn Cutler, RN
Jacqueline Dillon, RPN
Tanya Dion, RN
Sylvia Douglas, PM
David Edwards, RPN
Jennifer Farah, RPN
Kerry Gartshore, RPN
Fotyne Georgopoulos, RPN
Carly Gilchrist, RPN
Karen Goldenberg, PM
Shaneika Grey, RPN
Max Hamlyn, RPN
Neil Hillier, RPN
Carly Hourigan, PM
Bill Irwin, PM (to March 2021)
Carolyn Kargiannakis, RN
Karen Laforet, RN
Marnie MacDougall, PM



Committee Members (contd.):

July to December 2021

Sandra Larmour, PM (from September 2021)
Rodolfo Jr. Lastimoso, RPN
Marnie MacDougall, PM
Mary MacNeil, RN
Benson Mathai, RPN
Jane Mathews, RN
Donna May, RPN
Ian McKinnon, PM
Sharon Moore, RN
Andrea Norgate, RN
Fidelia Osime, PM
Lalitha Poonasamy, PM
Susan Roger, RN
Martin Sabourin, RN
Michael Schroder, NP
Heather Stevanka, RN
Emilija Stojsavljevic, RPN
Patricia Sullivan-Taylor, RN
Sherry Szucsko-Bedard, RN
Shafrina Tarani, NP
Kari Van Kamp, NP
Jane Walker, RN
Terah White, RPN
Colleen Wilkinson, RN
Ingrid Wiltshire-Stoby, NP

January to June 2021

Bonnie MacKinnon, RN
Mary MacNeil, RN
Jane Mathews, RN
Ian McKinnon, PM
Natalie Montgomery, PM
Andrea Norgate, RN
Linda Marie Pacheco, RN
Honey Palalon, RN
Lalitha Poonasamy, PM
Desiree Ann Prillo, RPN
Heather Riddell, RN
George Rudanycz, RN
Martin Sabourin, RN
Michael Schroder, NP
Heather Stevanka, RN
Patricia Sullivan-Taylor, RN
Sherry Szucsko-Bedard, RN
Fernando Tarzia, RN
Jane Walker, RN
Jody Whaley, RPN
Colleen Wilkinson, RN
Josée Wright, RPN (to May 2021)

Staff contacts:

Ravi Prathivathi, Manager, Finance and Hearings
Kurt Maben, Hearings Administration Coordinator
Lesley Wright, Hearings Administrator
Patty Lee Him, Hearings Administrator
Adrienne Kang, Hearings Administrator
Saad Siddiqui, Hearings Administrator

Appendix 1 – Statistical tables

1. Disposition of Matters

■ Table 1. Resolution by Consent Order

Outcomes	2017	2018	2019	2020	2021
Agree to terms, conditions or limitations	1	0	1	0	0
Voluntary surrender of Certificate of Registration	21	34	11	7	9
Return to Practice / Breach	16	15	10	9	9
No Findings	54	39	18	21	20
Variance	0	0	0	0	0
Total	92	88	40	37	38

■ Table 2. Contested matters

Outcomes	2017	2018	2019	2020	2021
Suspension	9	7	2	2	2
Terms, conditions or limitations	0	0	0	0	0
Re-instatement Granted/Not granted	-	1	0	0	0
No Findings	0	0	1 ¹	0	0
Total	9	8	3	2	2

■ Table 3. Removal of Information matters

Outcomes	2017	2018	2019	2020	2021
Removal of Information	0	0	0	0	0
Total	0	0	0	0	0

■ Table 4. Motions

Motion	2017	2018	2019	2020	2021
Adjournments	0	0	6	4	4
Total	0	0	6	4	4

¹ This matter started as a hearing but an agreement was reached and no finding was made after the Member signed an undertaking with the College.



Return to Practice Requests and Breaches

■ Table 5. Return to Practice (RTP) Requests and Outcomes

Resolution	2017	2018	2019	2020	2021
RTP requests granted	10	13	8	5	8
RTP requests denied	0	0	0	0	0
Total	10	13	8	5	8

■ Table 6. Breach dispositions

Resolution	2017	2018	2019	2020	2021
Breaches resolved by Consent Order	6	2	2	4	1
Breach hearings	1	0	0	0	0
Total	7	2	2	4	1