

The Health Inquiry and Fitness to Practise processes

This document describes the process that occurs when CNO receives a report from an employer that identifies concerns about a nurse's ability to practise safely due to a suspected physical or mental condition or disorder.

The Health Inquiry

When an employer has concerns about a nurse's ability to practise nursing safely as a result of a possible physical or mental condition or disorder, the employer must provide a written report to CNO's Executive Director within 30 days (or immediately if there is a concern that the nurse poses a continued risk). For further information, please see the [Reporting Guide](#).

The Executive Director reviews the report and the level of risk posed to the public to determine the appropriate regulatory response, which may include an inquiry into the concerns about the nurse's health.

The Inquiries, Complaints and Reports Committee (ICRC) conducts the inquiry, and may direct the nurse to attend an independent health assessment. The nurse has an opportunity to respond to the inquiry. The ICRC reviews all the information available, and if the Committee is concerned about the risk to the public, it refers the nurse to the Fitness to Practise Committee.

If the ICRC is concerned that the nurse exposes or is likely to expose patients to harm, the committee may restrict or suspend the nurse's practice until the Fitness to Practise Committee concludes the matter.

The Fitness to Practise Committee

When the ICRC refers a nurse to the Fitness to Practise Committee, CNO makes a notation in the nurse's record on the public register, [Find a Nurse](#).

Either an agreement or a formal hearing may resolve the matter. To resolve by agreement, a nurse can volunteer to obtain treatment and restrict their nursing practice. If a

nurse is currently unable to practise nursing safely, they can voluntarily surrender their certificate of registration with CNO. The nurse would not be able to return to nursing practice until they have met all of the applicable criteria in the agreement, and their treating health care professionals are of the opinion they have recovered to the point that they can practise nursing safely.

If the matter is not resolved by agreement, the nurse will have a full and fair opportunity to participate in a formal hearing before a panel of the Fitness to Practise Committee.

The Fitness to Practise Committee may impose terms, conditions and limitations or may suspend a nurse who does not voluntarily agree to obtain treatment and restrict their nursing practice or surrender their certificate of registration.

The Public Register

CNO will only post information about a nurse on [Find a Nurse](#) that is reasonably necessary to protect the public interest. For example, CNO will post restrictions on nursing practice to which a nurse has voluntarily agreed, or post that a nurse has voluntarily surrendered their certificate of registration or is suspended, and not entitled to practise.

CNO will remove any restrictions posted on [Find a Nurse](#) resulting from this process, when such a posting is no longer required to protect the public.

Further assistance can be provided by CNO's investigator-on-call at investigations-intake@cnomail.org or by phone at 416 963-7504 (toll-free in Canada 1 877 963-7504).