

AN ORIENTATION TO DISCIPLINE HEARINGS

BACKGROUND

The College of Registered Nurses of Manitoba (CRNM) Discipline Committee hearings are conducted by a discipline hearing panel consisting of at least three members of the Discipline Committee. All Discipline Committee hearings are open to the public unless the panel orders that all or part of the hearing is to be held in private. The Registered Nurses Act governs Discipline Committee hearings. These administrative hearings are held following the investigation of a complaint against a CRNM member (registered nurse) and are used to determine if the registered nurse is guilty of an offence as charged. The College's counsel and the registered nurse's counsel may call witnesses for examination and cross examination. While not a civil or criminal proceeding, the hearings are similar to civil trials.

The purpose of the process is to ensure that an impartial hearing is given to the registered nurse who has been charged and that the public interest is served. The registered nurse may be found either guilty or not guilty. If found guilty, the registered nurse may be:

- Reprimanded;
- Subject to a period of suspension of registration;
- Subject to cancellation of registration;
- Subject to having terms and conditions on his or her practice imposed; and/or
- Assessed costs of the investigation/hearing.

WHO PARTICIPATES IN THE HEARING?

- The panel is made up of at least three people, at least one of whom must be a public representative
- The member (registered nurse) charged and his or her defense counsel
- Prosecuting counsel (for CRNM)

- Discipline Committee counsel
- Witnesses called to testify by the prosecution and defense

The chairperson of the panel sets rules of conduct for the hearing, rules of decorum, and enforces the provisions of the Act. A court reporter records the proceedings and prepares the official transcript.

REPORTING ON HEARINGS

The Registered Nurses Act specifically provides that there shall be no reporting of anything which may identify a registered nurse charged (including the name, name of facility, location of practice, etc.) unless and until the registered nurse is found guilty of the charge. In addition, no information identifying any patient, complainant, or witness may be reported or disclosed. The Act also provides that all or any part of a hearing may be held in private.

SUGGESTED CONDUCT DURING THE HEARING

The following suggestions are made to reduce distractions:

- Please refrain from any comments while in the hearing room.
- If you must leave or enter while the hearing is in session, please do so quietly.
- Food and drinks are not allowed in the hearing room.
- The CRNM building is smoke-free.
- Subject to the information outlined under the heading "reporting on hearings," media may take notes during the hearing. Artist sketches, recording devices and audio-visual equipment are not permitted and may not be used in any manner.
- Please turn off cellular telephones or pagers prior to entering the hearing room.

If you have any questions about the discipline process, please contact the Director, Policy Development and Regulation. Media related questions should be directed to the Director, Communications, Member and Government Relations. If the appropriate staff member is unavailable, leave your questions and contact information with the receptionist.

REFERENCES

The Registered Nurses Act
Board of Directors Policy C6: Publication

*For more information, please contact a CRNM Complaints Resolution Services at
(204) 774-3477 or (800) 665-2027 (Manitoba toll-free)*

This publication is provided for general information. For more specific information, see the CRNM *Standards of Practice for Registered Nurses*, the Canadian Nurses Association *Code of Ethics for Registered Nurses* and the Registered Nurses Act and Regulations. CRNM publications are available on our website at www.crnmb.ca

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