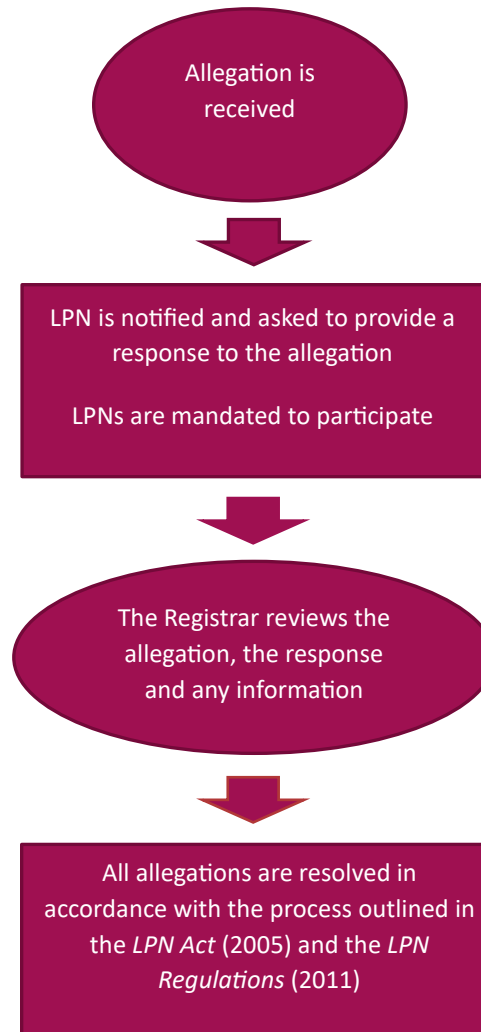


## Professional Conduct Review Process



The College of Licensed Practical Nurses of Newfoundland and Labrador (CLPNNL) has the legislated responsibility, in accordance with the *Licensed Practical Nurses Act (2005)*, to regulate the practice of Licensed Practical Nurses (LPNs) in Newfoundland and Labrador. The mission of CLPNNL is to protect the public by actively promoting safe, competent, and ethical nursing care.



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# Professional Conduct Review

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## What is Professional Conduct Review?

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Professional Conduct Review is the process used to address allegations received by the CLPNNL regarding the practice and/or conduct of LPNs that may:

- affect the safety of the public;
- damage the public's trust in the profession;
- negatively impact the integrity of the profession.

The source of the allegation may be: a client; family member of a client; co-worker; employer; member of the public; or, the Registrar of the CLPNNL.

### How to Submit an Allegation

1. Put it in writing.
2. Include the LPN's name.
3. Indicate the issue/reason for the allegation.
4. Answer the questions who, what, when, where, why and how?
5. Include as much detail as possible.
6. Sign it & include your contact information
7. Send to the Registrar, CLPNNL.

## An Allegation is Filed

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The *LPN ACT (2005)*, sections 13-27, outlines the process used by the CLPNNL to address an allegation. All allegations must be written and signed. The person making the allegation ("Complainant") and the LPN who the allegation is against ("Respondent") are notified in writing that an allegation has been received by the CLPNNL. Within 30 days the Respondent will receive a copy of the complaint as well as a copy of the *LPN Act (2005)*, *LPN Regulations (2011)* and the Standards of Practice and Code of Ethics for LPNs.

- The respondent has 30 days to submit a response in writing to the CLPNNL.
- Under section 16 of the Act, the Registrar may attempt to resolve an allegation through Alternative Dispute Resolution.

### Alternative Dispute Resolution (ADR)

If the Registrar determines that there is evidence of conduct deserving of sanction, and the Complainant and Respondent are agreeable, he/she may decide to resolve the matter through ADR.

If the Registrar determines that the matter cannot be resolved in this manner, he/she may bring the matter before the Complaints Authorization Committee (CAC). The CAC is composed of at least three CLPNNL Board members, including a LPN and a public representative.

### What are possible outcomes if an allegation is filed?

1. Dismiss the allegation
2. Resolve through ADR
3. Refer the allegation for further investigation
4. Refer the allegation to a Disciplinary Hearing which may result in disciplinary action if professional misconduct is determined.
5. Sanctions (including fines, or recovery of cost of investigation and hearing).

## Frequently Asked Questions

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**Q.** Can the member being investigated continue to practice as a LPN?

Yes, generally if the member holds a license to practice during the conduct review process they may continue to practice as a LPN. When it is in the best interest of public safety, during the investigative process a member's license may be suspended or have conditions imposed upon it.

**Q.** How long does the Professional Conduct Review process take?

CLPNNL is committed to a timely resolution to all allegations. The formal conduct review process may take 4 – 6 months or may extend beyond 12 months from the time the allegation is received, and a decision is made. Timelines are dependent upon the complexity of the issues involved in the allegation, the volume of material to be collected and the number of individuals involved and their availability for interviews.

**Q.** Does the allegation remain on the member's registration file?

Unless the allegation is dismissed, the history of the disciplinary action will remain on the registration record.

**Q.** Is the LPN required to take part in the PCR process?

As stated in the *LPN Regulations (2011)*, once a LPN is notified that an allegation has been filed with the CLPNNL, the LPN is required to provide a written response within 30 days. Failure to respond may result in a second allegation being filed by the Registrar.