

IN THE MATTER OF: *The Registered Nurses Act, 1988*, and LISA BILANSKI (Teichroeb),
RN #34510.

NOTICE OF HEARING OF COMPLAINT

TO: Lisa Bilanski (Teichroeb)

TAKE NOTICE that the Investigations Committee of the Saskatchewan Registered Nurses' Association ["SRNA"] (operationally known as the College of Registered Nurses of Saskatchewan) is recommending pursuant to section 28(3)(a) of *The Registered Nurses Act, 1988*, SS c R-12.2 [the "*Act*"] that the Discipline Committee hear and determine the complaint that you are guilty of professional misconduct which occurred while you were on the Register and a member of the SRNA and held a license from the SRNA to practice registered nursing in Saskatchewan. The Discipline Committee, established in accordance with the *Act* and Bylaws will meet on April 28th, 2022 at 9:00 a.m. to conduct a virtual hearing [the "**Hearing**"].

The particulars of your alleged professional incompetence and/or professional misconduct are set out in Appendix A which is attached to and forms part of this Notice of Hearing of Complaint.

AND FURTHER TAKE NOTICE THAT where the Discipline Committee finds you guilty of professional misconduct or professional incompetence, pursuant to section 31(1) of the *Act*, the Discipline Committee may:

- (a) order that the nurse be expelled from the association and that the nurse's name be struck from the register;
- (b) order that the nurse be suspended from the association for a specified period;
- (c) order that the nurse may continue to practise only under conditions specified in the order which may include, but are not restricted to, an order that the nurse:
 - (i) not do specified types of work;
 - (ii) successfully complete specified classes or courses of instruction;

- (iii) obtain treatment, counselling or both;
- (d) reprimand the nurse; or
- (e) make any other order that to it seems just.

AND pursuant to section 31(2) of the *Act*, in addition to any order made pursuant to (1), the Discipline Committee may order:

- (a) that the nurse pay to the association within a fixed period:
 - (i) a fine in a specified amount;
 - (ii) the costs of the inquiry and hearing into the nurse's conduct and related costs, including the expenses of the investigation committee and the discipline committee; or
 - (iii) both of the things mentioned in subclauses (i) and (ii); and
- (b) where a nurse fails to make payment in accordance with an order pursuant to clause (a), that the nurse be suspended from the association.

AND FURTHER TAKE NOTICE THAT pursuant to section 31(3) of the *Act*, the Discipline Committee will be sending a copy of an order made pursuant 31(1) and 31(2) to the you and to the person who made the report against you.

AND FURTHER TAKE NOTICE THAT at your own expense, you may choose to be represented by counsel or an agent at the Hearing before the Discipline Committee and have the right to call evidence and examine or cross-examine witnesses pursuant to section 30(5) and (7) of the *Act*.

AND FURTHER TAKE NOTICE THAT if you fail to attend the Hearing, the Discipline Committee may, on proof of service of this Notice on you and/or your legal counsel, proceed with the Hearing in your absence pursuant to section 30(9) of the *Act*.

If you wish to admit the allegations contained in this Notice of Hearing, you or your legal counsel should contact legal counsel for the Investigation Committee of the SRNA at the earliest opportunity in order to implement the appropriate procedure to speak to penalty.

DATED at Regina, Saskatchewan, this 15 day of March, 2022.



Cindy Smith, RN, Executive Director
Saskatchewan Registered Nurses
Association (operationally, the "College of
Registered Nurses of Saskatchewan")

APPENDIX A
Charges & Particulars

It is alleged that:

1. On January 11th, 2021, while intoxicated by alcohol, you did commit the following criminal offences: assault on [REDACTED] by threatening to use, and intimidation of, a weapon, to wit a pellet gun, contrary to section 267(a) of the *Criminal Code of Canada*, and, have in your possession, and intimidation of, a weapon, to wit a pellet gun, for the purposes of committing an offence contrary to section 88 of the *Criminal Code of Canada*. You were convicted of these offences before a provincial court Judge on December 8, 2021. You are therefore guilty of professional misconduct as follows:
 - (1) pursuant to section 26(1) of *The Registered Nurses Act*, 1988, SS c R-12.2 SS in that you engaged in conduct that is contrary to the best interests of the public or nurses or tends to harm the standing of the profession;
 - (2) pursuant to section 26(2)(l) of *The Registered Nurses Act*, 1988, R-12.2 SS c R-12.2, by failing to comply with the *Code of Ethics for Registered Nurses*;
 - (3) pursuant to section 26(2)(n) of *The Registered Nurses Act*, 1988, R-12.2 SS c R-12.2, by having an addiction to the excessive or habitual use of alcohol; and,
 - (4) pursuant to section 26(2)(q) of *The Registered Nurses Act*, 1988, R-12.2 SS c R-12.2 for contravening SRNA Bylaw XIV, Section 1(1) and Bylaw XV, Section 1(1) and (2).

LEGISLATION, BYLAWS, CODE OF ETHICS, PRACTICE STANDARDS & COMPETENCIES CONTRAVENED:

The Registered Nurses Act, 1988

26(1) For the purpose of this Act, professional misconduct is a question of fact but any matter, conduct or thing, whether or not disgraceful or dishonorable, that is contrary to the best interests of the public or nurses or tends to harm the standing

of the profession of nursing is professional misconduct within the meaning of this Act.

(2) Without restricting the generality of subsection (1), the discipline committee may find a nurse guilty of professional misconduct if the nurse has:

- ...
- (l) failed to comply with the code of ethics of the association;
- ...
- (n) an addiction to the excessive or habitual use of intoxication liquor, opiates, narcotics, or other habit forming substances;
- ...
- (q) contravened any provision of this Act or the bylaws.

The SRNA Bylaws (2020)

BYLAW XIV - SECTION 1. CODE OF ETHICS OF THE ASSOCIATION

- (1) The association adopts the Canadian Nurses Association *Code of Ethics for Registered Nurses*, 2017 edition.

BYLAW XV- SECTION 1. STANDARDS AND COMPETENCIES

- (1) The association adopts the competencies contained in its 2019 publication entitled *Registered Nurse Entry-Level Competencies* as the competencies required of registered nurses.
- (2) The association adopts the standards contained in its 2019 publication entitled *Registered Nurse Practice Standards* as the standards required of registered nurses.

BYLAW IV – SECTION 2. PRACTICING MEMBERSHIP

- (3) Practicing membership carries obligations including but not limited to the following:
- (a) to adhere to the Canadian Nurses Association *Code of Ethics for Registered Nurses* adopted at bylaw XIV;
 - (b) to adhere to the nursing practice standards and entry-level competencies for the practice of registered nursing adopted at bylaw XV; and

Code of Ethics for Registered Nurses (2017)

G. Being Accountable

Nurses are accountable for their actions and answerable for their practice.

Ethical responsibilities:

1. Nurses, as members of a self-regulating profession, practise according to the values and responsibilities in the *Code* and in keeping with the professional standards, laws and regulations supporting ethical practice.
5. Nurses maintain their fitness to practise. If they are aware that they do not have the necessary physical, mental or emotional capacity to practise safely and competently, they withdraw from the provision of care after consulting with their employer. If they are self-employed, they arrange for someone else to attend to their clients' health-care needs. Nurses then take the necessary steps to regain their fitness to practise, in consultation with appropriate professional resources

SRNA Registered Nurse Practice Standards (2019)**Standard 4: Service to the Public**

The registered nurse demonstrates leadership in quality and ethical nursing practice, delivery of health care services and establishing professional relationships.

The registered nurse upholds this standard by:

35. Demonstrating professional presence and modelling professional behaviour.

Standard 5: Self-Regulation

The registered nurse demonstrates an accountability to regulate themselves in accordance with their legislated scope of practice.

The registered nurse upholds this standard by:

51. Recognizing and addressing professional practice, legal or ethical violations by themselves or others in a timely and appropriate manner.

SRNA Registered Nurse Entry-Level Competencies (2019).**2. Professional**

Registered nurses are professionals who are committed to the health and well-being of clients. Registered nurses uphold the profession's practice standards and ethics and are accountable to the public and the profession. Registered nurses demonstrate accountability, accepts responsibility and seeks assistance as necessary for decisions and actions within the legislated scope of practice.

2.2 Demonstrates a professional presence, and confidence, honesty, integrity and respect in all interactions.

Professional presence is the demonstration of respect, confidence, integrity, optimism, passion and empathy in accordance with professional standards, guidelines and codes of ethics. It includes a nurse's verbal and nonverbal communications and the ability to articulate a positive role and professional image, including the use of full name and title. The demonstration of professional presence leads to trusting relationships with clients, families, communities and other health care team members. (College of Nurses of Nova Scotia, 2018 p. 2)

2.10 Demonstrates fitness to practice. Fitness to practice are "all the qualities and capabilities of an individual relevant to their practice as a nurse, including but not limited to the freedom from any cognitive, physical, psychological or emotional condition and dependence from alcohol or drugs that impairs their ability to practice nursing" (CNA, 2017b, p.22)