

IN THE MATTER OF: *The Registered Nurses Act, 1988*, and BONNIE L. JOHNSON,  
RN #0041107

### **NOTICE OF HEARING OF COMPLAINT**

TO: BONNIE L. JOHNSON  
[REDACTED]

#### **A. JURISDICTION**

1. At all times material to the charges hereafter set out you were on the Register and were a member of the Saskatchewan Registered Nurses Association (SRNA);
2. At the time of the incidents contained in the charges, your license from the SRNA to practice registered nursing in Saskatchewan had commenced November 29, 2011. On August 1, 2019, you entered into a Voluntary Non-Practice Agreement. Since that date you have not held a practicing license with the SRNA.
3. The Investigation Committee of the SRNA investigated the complaints regarding your conduct and competence and, pursuant to paragraph 28(3)(a) of *The Registered Nurses Act, 1988*, hereby recommends that the Discipline Committee hear and determine a formal complaint regarding the following charges:

#### **B. CHARGES**

##### **Charge Number 1**

4. You, BONNIE L. JOHNSON, are alleged to be guilty of professional incompetence and/or professional misconduct as defined in sections 25 and 26 of *The Registered Nurses Act, 1988* regarding events that occurred on or about **July 22, 2017**. A complaint from your employer regarding this incident was submitted to the SRNA on July 27, 2017. As a result, the SRNA Investigation Committee initiated an investigation. It was determined that you were a nurse working night shift in the Emergency Department at the [REDACTED] when you were found on the floor at 0300 hours. You were under the influence of opiates, narcotics and other habit-forming substances and were unfit to practice nursing. You denied to the investigator that you had an addiction. You were dishonest with the investigator. As a result of your denial, the Investigation Committee gave you a letter of guidance.

##### **Charge Number 2**

5. You, BONNIE L. JOHNSON, are alleged to be guilty of professional misconduct and/or professional incompetence as defined in sections 25 and 26 of *The Registered Nurses Act, 1988* regarding events that occurred in **April 2018**. You were a nurse at the [REDACTED] when narcotics went missing and you falsified medication documentation. A complaint dated April 25, 2018 from your employer to the SRNA led to an investigation. You were dishonest with the investigator regarding your narcotic addiction. As a result, you entered into a Consensual Complaint Resolution Agreement (CCRA) dated February 22, 2019.

### Charge Number 3

6. You, BONNIE L. JOHNSON, are alleged to be guilty of professional incompetence and/or professional misconduct as defined in sections 25 and 26 of *The Registered Nurses Act, 1988* regarding events which occurred between **February 22, 2019** and **May 22, 2019**. You failed to abide by the terms, conditions and restrictions contained in the CCRA signed February 22, 2019.

### Charge Number 4

7. You, BONNIE L. JOHNSON, are alleged to be guilty of professional incompetence and/or professional misconduct as defined in sections 25 and 26 of *The Registered Nurses Act, 1988* regarding events that occurred on or about **March 17, 2019** and **April 27, 2019** at the [REDACTED] when you did steal Hydromorphone Contin, the property of [REDACTED] Pharmacy of a value not exceeding \$5,000.00 contrary to section 334(b) of the *Criminal Code of Canada*. On November 13, 2019 you entered a guilty plea to the two counts of theft, and you were placed on probation for one year from November 13, 2019 through to November 13, 2020. At the time of this incident, you were subject to the terms of the CCRA dated February 22, 2019.

### Charge Number 5

8. You, BONNIE L. JOHNSON, are alleged to be guilty of professional incompetence and/or professional misconduct as defined in sections 25 and 26 of *The Registered Nurses Act, 1988* regarding events that occurred on or about **January 22, 2020**. You were stopped in your vehicle and detained by the RCMP. You were found to be in possession of a nursing uniform, nursing identification, drug paraphernalia, a tensor bandage, a needle and some drugs. You stated to the RCMP that you were coming back from work as an RN at the [REDACTED] and that the drug paraphernalia came from there. You held yourself out as a registered nurse which was false. At the time, you were not licensed to practice registered nursing. You were subject to the restrictions of a voluntary non-practice agreement, the terms of the CCRA dated February 22, 2019 and the conditions of your probation order.

### Charge Number 6

9. You, BONNIE L. JOHNSON, are alleged to be guilty of professional incompetence and/or professional misconduct as defined in sections 25 and 26 of *The Registered Nurses Act, 1988*, regarding events that occurred during your employment at the [REDACTED]. Commencing in the summer of 2017, your addiction to opiates, narcotics, and other habit-forming substances rendered you unfit to practice registered nursing or to provide one or more services ordinarily provided as part of the practice of registered nursing. You were aware of your addiction and you failed to remove yourself from the practice of registered nursing.

### Charge Number 7

10. You, BONNIE L. JOHNSON, are alleged to be guilty of professional misconduct as defined in section 26 (1) and (2) (f) (g) (i) (l) (m) (n) and (q) of *The Registered Nurses Act, 1988*, regarding the following matter:
  - (a) You failed without reasonable cause to respond to the inquiries regarding allegations of professional misconduct or professional incompetence from the Investigation Committee as follows:

- (i) A letter was sent from the Investigation Committee dated May 20, 2020 requesting a written response to the allegations of professional incompetence and/or professional misconduct by June 10, 2020. You failed to respond.
- (ii) A second letter was sent from the Investigation Committee dated July 20, 2020 requesting a written response to the allegations of professional incompetence and/or professional misconduct by August 10, 2020. You failed to respond.

### C. RELEVANT LEGISLATION AND BYLAWS

11. The above alleged professional misconduct and/or professional incompetence are contrary to section 25 and subsections 26 (1) and (2) of *The Registered Nurses Act, 1988*:

#### **Professional incompetence**

**25** For the purposes of this Act, professional incompetence is a question of fact, but the display by a nurse in the professional care of a client of a lack of knowledge, skill or judgment or a disregard for the welfare of a client of a nature or to an extent that demonstrates that the nurse is unfit:

- (a) to continue in the practice of registered nursing; or
- (b) to provide one or more services ordinarily provided as part of the practice of registered nursing;

is professional incompetence within the meaning of this Act.

#### **Professional misconduct**

**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 dishonourable, 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:

- ...
- (f) misappropriated drugs;
- (g) misappropriated property belonging to a nurse's employer;
- ...
- (i) falsified a record with respect to the observation, rehabilitation or treatment of a client;
- ..
- (l) failed to comply with the code of ethics of the association;
- (m) failed without reasonable cause to respond to inquiries from the association regarding alleged professional misconduct or professional incompetence;
- ...
- (n) an addiction to the excessive or habitual use of intoxicating liquor, opiates, narcotics or other habit forming substances;
- ...
- (q) contravened any provision of this Act or the Bylaws.

12. The above alleged professional incompetence and/or professional misconduct is also contrary to the SRNA *Standards and Foundation Competencies for the Practice of Registered Nurses, 2013* as follows:
  - (a) Standard I – Professional Responsibility and Accountability: 1 and 25(a);
  - (b) Standard III – Ethical Practice: 62 and;
  - (c) Standard V – 85.
13. The above alleged professional incompetence and/or professional misconduct is also contrary to the SRNA *Registered Nurse Practice Standards, 2019* as follows:
  - (a) Standard 1 – Professional Responsibility and Accountability: 1;
  - (b) Standard 3 – Ethical Practice: 26;
  - (c) Standard 4 – Service to the Public: 35 and 37 and;
  - (d) Standard 5 – Self-Regulation: 49, 51, 52, 53, 54 and 55.
14. The above alleged professional incompetence and/or misconduct is also contrary to the SRNA *RN Entry-Level Competencies, 2019* as follows:
  - (a) 1. Clinician: 1.25 and;
  - (b) 2. Professional: 2.2, 2.10, and 2.11.
15. The above alleged professional incompetence and/or misconduct is also contrary to the CNA *Code of Ethics for Registered Nurses, 2017* as follows:
  - (a) A. Providing Safe, Compassionate, Competent and Ethical Care: 1, 5, and 12 and;
  - (b) G. Being Accountable: 1, 2, and 5.

**D. DATE, TIME, AND PLACE OF HEARING**

16. NOW THEREFORE TAKE NOTICE that the Discipline Committee will hear the charges and such evidence as may be tendered with respect to them starting at **9:00 a.m.** on the Tuesday, the 1<sup>st</sup> day of June, 2021 at the offices of the SRNA, 2066 Retallack Street, Regina, Saskatchewan (via Zoom), or at such other location as may be advised and from day to day thereafter until the charges have been heard.
17. TAKE NOTICE THAT at the said time and place you have the right to be present with counsel and a support person.
18. TAKE NOTICE THAT, in default of you attending at the said time and place, the Discipline Committee may, on proof of service of this Notice on you and/or your legal counsel, proceed with the hearing of said charges, and the evidence with respect to them.

**E. DISCIPLINARY POWERS**

19. TAKE NOTICE THAT, if the Discipline Committee finds you guilty of professional misconduct and professional incompetence, the Committee may order one or more of the following pursuant to section 31 of *The Registered Nurses Act, 1988*:

31(1) Where the discipline committee finds a nurse guilty of professional incompetence or professional misconduct, it 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.

(2) In addition to any order made pursuant to subsection (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.

(3) The discipline committee shall send a copy of an order made pursuant to subsection (1) or (2) to the nurse who is the subject of the report and to the person, if any, who made the report.

(4) Where a nurse is expelled or suspended from the association, the registrar shall strike the name of the nurse from the register or indicate the suspension on the register, as the case may be.

## F. GUILTY PLEA

20. AND FURTHER TAKE NOTICE THAT, if you decide to enter a guilty plea, you and your legal counsel must contact legal counsel for the Investigation Committee of the SRNA at the earliest opportunity in order to implement the procedure to speak to penalty.

Dated at Regina, Saskatchewan, this 13<sup>th</sup> day of April, 2021.



---

Cindy Smith, RN, MN  
Executive Director  
Saskatchewan Registered Nurses Association