

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

ORDER OF THE DISCIPLINE COMMITTEE

The Discipline Committee of the Saskatchewan Registered Nurses Association (SRNA) convened on June 1, 2021 to inquire into complaints made against Bonnie Johnson set out in a Notice of Hearing of Complaint dated April 13, 2021. Roger Lepage appeared for the Investigation Committee. Ms. Johnson was present and represented herself. The hearing was held by Zoom.

An Agreed Statement of Facts was submitted along with a document entitled "Notice of Guilty Plea" which Ms. Johnson signed. The Notice stated:

I plead guilty to the seven charges of professional misconduct and professional incompetence in the Notice of Hearing of Complaint dated April 13, 2021.

Upon consideration of the evidence, the Discipline Committee does find that Ms. Johnson's conduct amounts to professional incompetence and professional misconduct and that the seven charges have been proven by the Investigation Committee. The Discipline Committee accepts Ms. Johnson's guilty pleas to the charges.

Counsel for the Investigation Committee and Ms. Johnson submitted a document entitled "Joint Proposal for Discipline pursuant to section 31 of *The Registered Nurses Act, 1988*". The Discipline Committee finds that the joint submission is appropriate, reasonable and meets the public interest mandate of the SRNA.

The Discipline Committee is prepared to accept and endorse the joint submission subject to a modification regarding paragraphs 2(e) and 3(e) which sets out a condition providing for a restriction on Ms. Johnson's access to "narcotics, controlled substances or dimenhydrinate (Gravol)". At the hearing, the Discipline Committee indicated to

Investigation Committee counsel and to Ms. Johnson that the reference to "dimenhydrinate (Gravol)" was not connected to the evidence and that the Discipline Committee would modify that provision. Both legal counsel and Ms. Johnson agreed and to a modification.

As such, the Discipline Committee makes the following Order which shall be effective from the date this Order is signed:

1. Pursuant to paragraph 31(1)(b) of *The Registered Nurses Act, 1988* the member shall be suspended and remain suspended from the SRNA until the following conditions are met:

- (a) The member shall provide reports to the Registrar from a psychiatrist or psychologist and an addictions counsellor (or another person who provides equivalent care and has equivalent qualifications). The reports shall address, among others:
 - (i) Pursuant to paragraph 31(1)(c) of *The Registered Nurses Act, 1988*, confirmation that the member has successfully completed an inpatient addictions treatment program of at least 28 days duration, prior to applying for a registered nurse licence with the SRNA. The Registrar must consent to the choice of the inpatient treatment program. A report of successful completion shall be filed with the Registrar.
 - (ii) Confirmation that the member has continued treatment and counselling and maintained abstinence from drugs unless prescribed by a physician who is knowledgeable about her addictions.
 - (iii) Confirmation that the member's mental health has been stable for at least nine consecutive months prior to the date of the reports.
 - (iv) Confirmation that the member has complied with the treatment recommendations regarding her mental health and addiction disabilities

including regularly attending office visits, participating in recommended programming and taking medication as prescribed by a physician who is knowledgeable about her addictions for at least nine consecutive months prior to writing the reports.

(v) Whether the member's mental health and addiction disabilities are such that she is capable of returning to the practice of nursing safely and without risk of harm to patients.

(b) The member shall provide a minimum of nine consecutive negative drug screens as may be requested by the Registrar.

2. Upon compliance with these conditions and upon reinstatement, the member's continued practice for an initial period of 2000 hours shall be subject to the following conditions:

(a) For the first 240 hours of practice, the member shall not practice nursing unless she is under the direct supervision of a registered nurse or registered psychiatric nurse;

(b) The member shall remain abstinent from all drugs unless prescribed by a physician who is knowledgeable about her addictions;

(c) The member shall provide a minimum of 12 random drug screens as may be requested by the Registrar;

(d) The member may not practice nursing in the homes of clients nor may she practice in an independent environment unless advance approval has been given by the Registrar.

(e) The member shall not, at any time, have access to nor administer substances listed in the *Controlled Drugs and Substances Act*, the Regulations under that *Act* and those listed in the Prescription Review Program of the College of

Physicians and Surgeons unless she is under the direct supervision of another registered nurse or registered psychiatric nurse being in attendance with the member at all times.

- (f) The member shall not assume any overtime hours or serve in a supervisory role.
 - (g) Should the member fail to meet any of the provisions of her 2000 hour nursing period, she shall be immediately suspended from practice subject to 1 (a) and (b) of this order.
3. Upon successfully meeting the conditions of the initial 2000 nursing hour period, the member's continued practice shall be subject to the following conditions:
- (a) The member shall remain abstinent from all drugs unless prescribed by a physician who is knowledgeable about her addictions.
 - (b) For a period of five years, the member shall produce reports to the Registrar from her addictions counsellor and psychologist or psychiatrist outlining her compliance with her treatment plan.
 - (c) For a period of five years, the member may only practice nursing where another registered nurse or registered psychiatric nurse is available to monitor her practice and provide indirect supervision.
 - (d) For a period of five years, the member shall provide random drug screens as may be requested by the Registrar. It is expected that the Registrar would seek drug screens for a minimum of six times per year.
 - (e) The member shall not, at any time, have access to nor administer substances listed in the *Controlled Drugs and Substances Act*, the Regulations under that *Act* and those listed in the Prescription Review Program of the College of Physicians and Surgeons unless she is under the direct supervision of another

registered nurse or registered psychiatric nurse being in attendance with the member at all times.

4. The member's nursing employer shall file with the Registrar written performance reviews confirming the member's professional competence and professional conduct. Any unfavourable reviews shall be reported by the Registrar to the Investigation Committee. Performance reviews shall be provided at the following increments:

- (a) After 240 hours of practice.
- (b) After 480 hours of practice.
- (c) After 960 hours of practice.
- (d) After 1500 hours of practice.
- (e) After 2000 hours of practice.
- (f) At the end of each of the next five calendar years or such length of time as may be required for the member to complete the conditions.

5. The member shall provide a copy of this order to all nursing employers at least seven days prior to commencement of her employment and provide written verification to the Registrar that she has done this.

6. If at any time during practice, the member exhibits any evidence of a relapse, including but not limited to a positive drug screen, the member shall immediately remove herself from practice and seek appropriate medical care from her psychiatrist or psychologist and substance abuse counsellor, or in-patient treatment program. The member shall report her withdrawal from practice to the Registrar. The member shall not return to practice without the prior written approval of the Registrar, who must be satisfied that she is capable of returning to the practice of nursing without the risk of harm to the patients.

7. Pursuant to section 31 (2)(a)(ii) of the *Act*, the member shall pay the costs of the investigation and hearing fixed in the amount of \$30,000. Such costs shall be paid on or before January 1, 2026. Failing payment, the member's licence shall be suspended until payment is made pursuant to section 31 (2)(b).

8. The member shall bear the costs, if any, of all reports and drug screen results.

The Discipline Committee will provide it written reasons in due course.

June 10, 2021
Date

Stella Swertz RN.

Stella Swertz, RN
Chair of the Discipline Committee

On behalf of the Discipline Committee members
being:

Christine Barlow, RN
Chris Etcheverry, RN
Janna Balkwill, RN
Ambrosia Varaschin, Public Representative