

**BETWEEN:**

**COLLEGE OF NURSES OF ONTARIO**

- and -

**JENNA WHITFIELD  
REGISTRATION NO. AD081726**

**NOTICE OF HEARING**

**IT IS ALLEGED THAT:**

1. You have committed an act of professional misconduct as provided by subsection 51(1)(c) of the *Health Professions Procedural Code of the Nursing Act, 1991*, S.O. 1991, c. 32, as amended, and defined in subsection 1(1) of *Ontario Regulation 799/93*, in that while working as a Registered Practical Nurse at the Brant Community Healthcare System, you contravened a standard of practice of the profession or failed to meet the standard of practice of the profession in that:
  - a) you misappropriated one or more of the narcotics prescribed to the patients listed in Appendix A;
  - b) you falsified witness signatures on narcotic disposal forms in the health records of the patients listed in Appendix A;
  - c) you failed to accurately or completely document the administration or disposal of one or more of the narcotics listed in Appendix A; and/or
  - d) on or about March 26, 2020, you accessed the personal health information of Patient [A], without clinical reason or consent or other authorization;
  
2. You have committed an act of professional misconduct as provided by subsection 51(1)(c) of the *Health Professions Procedural Code of the Nursing Act, 1991*, S.O. 1991, c. 32, as amended, and defined in subsection 1(8) of *Ontario Regulation 799/93*, in that while employed as a Registered Practical Nurse at the Brant Community Healthcare System, you misappropriated property from your workplace and/or a patient, in that:
  - a) you misappropriated one or more of the narcotics prescribed to the patients listed in Appendix A; and/or

3. You have committed an act of professional misconduct as provided by subsection 51(1)(c) of the *Health Professions Procedural Code of the Nursing Act, 1991*, S.O. 1991, c. 32, as amended, and defined in subsection 1(13) of *Ontario Regulation 799/93*, in that, while employed as a Registered Practical Nurse at the Brant Community Healthcare System, you failed to keep records as required with respect to:
  - a) you falsified witness signatures on narcotic disposal forms in the health records of the patients listed in Appendix A; and/or
  - b) you failed to accurately and/or completely document the administration or disposal of one or more of the narcotics listed in Appendix A;
  
4. You have committed an act of professional misconduct as provided by subsection 51(1)(c) of the *Health Professions Procedural Code of the Nursing Act, 1991*, S.O. 1991, c. 32, as amended, and defined in subsection 1(14) of *Ontario Regulation 799/93*, in that, while employed as a Registered Practical Nurse at the Brant Community Healthcare System, you falsified a record relating to your practice with respect to:
  - a) you falsified witness signatures on narcotic disposal forms in the health records of the patients listed in Appendix A; and/or
  
5. You have committed an act of professional misconduct as provided by subsection 51(1)(c) of the *Health Professions Procedural Code of the Nursing Act, 1991*, S.O. 1991, c. 32, as amended, and defined in subsection 1(15) of *Ontario Regulation 799/93*, in that, while employed as a Registered Practical Nurse at the Brant Community Healthcare System, you signed or issued, in your professional capacity, a document that you knew, or ought to have known contained a false or misleading statement with respect to, in that:
  - a) you falsified witness signatures on narcotic disposal forms in the health records of the patients listed in Appendix A; and/or
  
6. You have committed an act of professional misconduct as provided by subsection 51(1)(c) of the *Health Professions Procedural Code of the Nursing Act, 1991*, S.O. 1991, c. 32, as amended, and defined in subsection 1(37) of *Ontario Regulation 799/93*, in that while employed as a Registered Practical Nurse at the Brant Community Healthcare System, you engaged in conduct or performed an act, relevant to the practice of nursing, that, having regard to all the

circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional in that:

- a) you misappropriated one or more of the narcotics prescribed to the patients listed in Appendix A;
- b) you falsified witness signatures on narcotic disposal forms in the health records of the patients listed in Appendix A;
- c) you failed to accurately or completely document the administration or disposal of one or more of the narcotics listed in Appendix A; and/or
- d) on or about March 26, 2020, you accessed the personal health information of Patient [A], without clinical reason or consent or other authorization.

## APPENDIX A

	Date	Time	Patient	Drug	Quantity
i.	March 8, 2020	0830	[B]	2mg/ml Hydromorphone	1mg
ii.	March 18, 2020	1025	[C]	2mg/ml Hydromorphone	2mg
iii.	April 9, 2020	2100	[D]	2mg/ml Hydromorphone	2mg
iv.	April 10, 2020	0300	[D]	2mg/ml Hydromorphone	2mg
v.	April 10, 2020	0430	[D]	1mg Tab Hydromorphone	1mg
vi.	April 11, 2020	2120	[E]	2mg/ml Hydromorphone	2mg
vii.	April 12, 2020	0340	[E]	2 mg/ml Hydromorphone	2mg

The allegations respecting professional misconduct on your part will be heard by a panel of the Discipline Committee of the College of Nurses of Ontario (“CNO”), pursuant to the *Nursing Act, 1991*, S.O. 1991, c.32, as amended, and subsection 38(1) of the *Health Professions Procedural Code*, on **July 10, 11 and 29, 2024 at 0930 hours or as soon after that time as the hearing can be commenced**, via electronic hearing by way of teleconference or videoconference.

The details for participating in the electronic hearing will be provided to you by a Hearings Administrator. If you have not heard from a Hearings Administrator at least 48 hours in advance of the hearing, you should contact the Hearings Administration Team at: Admin-Business.Support-Hearings@cnomail.org to obtain the details for participating in the electronic hearing.

If you believe that holding an electronic hearing rather than an oral hearing is likely to cause you significant prejudice, please communicate in writing the basis for asserting such prejudice to the Hearings Administration Team at the email address listed above. To ensure the claim of prejudice can be considered by the Discipline Committee, any such concerns should be communicated to the Hearings Administration Team as soon as possible, and no later than 21 days in advance of the hearing.

**Take notice that at least 48 hours before the electronic hearing is scheduled to commence, you must provide notice to the Hearings Administration Team, at the email address listed above, of the telephone number and email address where you can be reached for the electronic hearing.**

If you fail to participate in the electronic hearing in person or by representative, the panel of the Discipline Committee may proceed in your absence and you are thereafter not entitled to any further notice of the proceedings.

Where the panel of the Discipline Committee finds a member has committed an act of professional misconduct, it may make an Order doing any one or more of the following:

1. directing the Registrar to revoke the member's certificate of registration;
2. directing the Registrar to suspend the member's certificate of registration for a specified period of time;
3. directing the Registrar to impose specified terms, conditions and limitations on the member's certificate of registration for a specified or indefinite period of time;
4. requiring the member to appear before the panel to be reprimanded;
5. requiring the member to pay a fine of not more than \$35,000.00 to the Minister of Finance;
6. requiring the member to reimburse CNO for funding provided for a program of therapy and counselling for a person if the act of professional misconduct was the sexual abuse of that person; and
7. requiring the member to post security acceptable to CNO to guarantee the payment of any amounts the member may be required to reimburse CNO for a program of therapy and counselling for a person who was sexually abused by the member.

Furthermore, the panel may suspend the effect of its Order for a specified period of time and on specified conditions and where it makes an Order under paragraph 2 or 3 above, it may specify criteria to be satisfied for the removal of a suspension or the removal of terms, conditions and limitations imposed by the Order on the member's certificate of registration.

Where a panel of the Discipline Committee finds a member has committed an act of

professional misconduct, it may make an Order requiring the member to pay all or part of the following costs and expenses:

1. CNO's legal costs and expenses;
2. CNO's costs and expenses incurred in investigating the matter; and
3. CNO's costs and expenses incurred in conducting the hearing.

**CNO intends to introduce as business records, under section 35 of the *Evidence Act*, any writings or records that were made in the usual and ordinary course of business. Without limiting the generality of the foregoing, and where applicable, CNO intends to introduce as business records medical and hospital charts.**