

**DISCIPLINE COMMITTEE
OF THE COLLEGE OF NURSES OF ONTARIO**

PANEL:	David Edwards, RPN	Chairperson
	Patrycja Bujko, RPN	Member
	Michael Schroder, NP	Member
	Sylvia Douglas	Public Member

BETWEEN:

COLLEGE OF NURSES OF ONTARIO)	<u>DENISE COONEY</u> for
)	College of Nurses of Ontario
- and -)	
)	
MARIA LEREU)	<u>ADRIENNE ANDERSON</u> for
Registration No. 9803875)	Maria Lereu
)	
)	<u>CHRISTOPHER WIRTH</u>
)	Independent Legal Counsel
)	
)	Heard: June 22, 2022

DECISION AND REASONS

This matter came on for hearing before a panel of the Discipline Committee (the “Panel”) of the College of Nurses of Ontario (the “College”) on June 22, 2022, via videoconference.

The Allegations

The allegations against Maria Lereu (the “Member”) as stated in the Notice of Hearing dated May 27, 2022 are as follows:

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 Nurse at Baycrest Hospital in Toronto, Ontario (the “Facility”), you contravened a standard of practice of the profession or failed to meet the standards of practice of the profession, and in particular, in or around 2011 to 2018, you submitted and/or accepted payment for false claims under the Facility’s employee group benefit plan (the “Benefit Plan”).

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 working as a Registered Nurse at the Facility, you misappropriated property from a client or workplace, and in particular, in or around 2011 to 2018, you submitted and/or accepted payment for false claims under the Benefit Plan.
3. You 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 working as a Registered Nurse at the Facility, you falsified a record relating to your practice, and in particular, in or around 2011 to 2018, you submitted and/or accepted payment for false claims under the Benefit Plan.
4. You 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 working as a Registered Nurse at the Facility, you signed or issued, in your professional capacity, a document that you knew or ought to have known contained a false or misleading statement, and in particular, in or around 2011 to 2018, you submitted and/or accepted payment for false claims under the Benefit Plan.
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(37) of *Ontario Regulation 799/93*, in that while working as a Registered Nurse at the Facility, 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, and in particular, in or around 2011 to 2018, you submitted and/or accepted payment for false claims under the Benefit Plan.

Member's Plea

The Member admitted the allegations set out in paragraphs 1, 2, 3, 4 and 5 in the Notice of Hearing. The Panel received a written plea inquiry which was signed by the Member. The Panel also conducted an oral plea inquiry and was satisfied that the Member's admission was voluntary, informed and unequivocal.

Agreed Statement of Facts

College Counsel and the Member's Counsel advised the Panel that agreement had been reached on the facts and introduced an Agreed Statement of Facts, which reads, unedited, as follows:

MEMBER

1. Maria Lereu (the “Member”) registered with the College of Nurses of Ontario (“CNO”) as a Registered Nurse (“RN”) on October 31, 1997.
2. The Member was employed as an RN at Terraces of Baycrest, a retirement residence that is affiliated with Baycrest Health Sciences (the “Facility”), located in Toronto, Ontario from 1998 until 2019. The Member’s employment at the Facility was terminated in connection with the incidents described below.

BENEFIT PLAN

3. The Facility’s employee benefit plan (the “Benefit Plan”) is a group insurance policy which provides coverage for extended health care, dental, and other insurance benefits. The Facility is the Plan Sponsor for the Benefit Plan and funds the cost of claims paid out under the plan. Coughlin & Associates Ltd (“Coughlin”) administers the Benefit Plan on behalf of the Facility. Employees contribute to the cost of the Benefit Plan as set out in their employment agreement and/or collective agreement, and based on their election for individual or family coverage.
4. In order to submit a claim, Benefit Plan members must complete a medical expense claim form provided by Coughlin. The claim form requires certain information, including information on the plan member, any dependents, and the nature of the claim. The plan member must certify “that the information given is true, correct and complete to the best of [their] knowledge”.

INCIDENTS RELEVANT TO ALLEGATIONS OF PROFESSIONAL MISCONDUCT

5. Between 2011 and 2018, the Member submitted false claims for a variety of medical services and products under the Benefit Plan and received approximately \$27,058 in relation to those false claims. The false claims included claims for massage therapy, physiotherapy, orthopaedic shoes, compression stockings and chiropractic care.
6. In January 2019, the Facility uncovered benefits irregularities and conducted an internal investigation into the issue. As part of this investigation, the Member was questioned by the Facility with respect to her claims. The Member admitted that certain claims were fraudulent and that she received compensation instead of treatment.
7. The Facility terminated the Member’s employment in 2019 as a result of this conduct. The Member did not make restitution.
8. If the Member were to testify, she would express deep remorse for her actions and apologize for her conduct. She appreciates the significance of her actions and takes accountability for her mistakes.

BENEFIT FRAUD CASES

9. To date, a total of 52 benefit fraud cases involving substantially similar schemes as the one identified in this case, involving either cash or products not covered by the benefit plan, have been referred to the Discipline Committee. The dollar amounts of the false claims involved range from under \$500 to over \$45,000.

CNO STANDARDS

Professional Standards

10. CNO's *Professional Standards* provides an overall framework for the practice of nursing and a link with other standards, guidelines and competencies developed by CNO. It includes seven broad standard statements pertaining to accountability, continuing competence, ethics, knowledge, knowledge application, leadership and relationships.
11. CNO's *Professional Standards* provides, in relation to the accountability standard, that nurses are accountable to the public and responsible for ensuring their practice and conduct meets the legislative requirements and the standard of the profession. Nurses are responsible for their actions and the consequences of those actions as well as for conducting themselves in ways that promote respect for the profession. Nurses demonstrate this standard by actions such as ensuring their practice is consistent with CNO's standards of practice and guidelines as well as legislation.
12. CNO's *Professional Standards* provides, in relation to the leadership standard, that leadership requires self-knowledge (understanding one's beliefs and values and being aware of how one's behaviour affects others), respect, trust, integrity, shared vision, learning, participation, good communication techniques and the ability to be a change facilitator. The leadership expectation is not limited to nurses in formal leadership positions and all nurses, regardless of their position, have opportunities for leadership. Nurses demonstrate this standard by actions such as role-modelling professional values, beliefs and attributes.

Ethics

13. CNO's *Ethics Standard* describes ethical values that are important to the nursing profession in Ontario including patient well-being, patient choice, privacy and confidentiality, respect for life, maintaining commitments, truthfulness and fairness.
14. CNO's *Ethics Standard* provides, in relation to maintaining commitments, that nurses have a commitment to the nursing profession and being a member of the profession brings with it the respect and trust of the public. To continue to deserve this respect, nurses have a duty to uphold the standards of the profession, conduct themselves in a

manner that reflects well on the profession, and to participate in and promote the growth of the profession.

15. CNO's *Ethics Standard* also provides, in relation to truthfulness, that truthfulness means speaking and acting without intending to deceive.
16. The Member admits and acknowledges that she contravened CNO's *Professional Standards* and *Ethics Standard* when she submitted false claims under the Benefit Plan.

ADMISSIONS OF PROFESSIONAL MISCONDUCT

17. The Member admits that she committed the acts of professional misconduct as alleged in paragraph 1 of the Notice of Hearing in that she contravened a standard of practice of the profession or failed to meet the standards of practice of the profession, as described in paragraphs 5 to 7 and 10 to 16 above.
18. The Member admits that she committed the acts of professional misconduct as alleged in paragraph 2 of the Notice of Hearing in that she misappropriated property from a workplace, as described in paragraphs 5 to 7 above.
19. The Member admits that she committed the acts of professional misconduct as alleged in paragraph 3 of the Notice of Hearing in that she falsified a record relating to her practice, as described in paragraphs 5 to 7 above.
20. The Member admits that she committed the acts of professional misconduct as alleged in paragraph 4 of the Notice of Hearing in that she signed or issued, in her professional capacity, a document that she knew or ought to have known contained a false or misleading statement, as described in paragraphs 5 to 7 above.
21. The Member admits that she committed the acts of professional misconduct as alleged in paragraph 5 of the Notice of Hearing, and in particular her conduct was dishonourable and unprofessional, as described in paragraphs 5 to 7 and 10 to 16 above.

Decision

The College bears the onus of proving the allegations in accordance with the standard of proof, that being the balance of probabilities based upon clear, cogent and convincing evidence.

Having considered the evidence and the onus and standard of proof, the Panel finds that the Member committed acts of professional misconduct as alleged in paragraphs 1, 2, 3, 4 and 5 of the Notice of Hearing. As to allegation #5, the Panel finds that the Member engaged in conduct that would reasonably be regarded by members of the profession to be dishonourable and unprofessional.

Reasons for Decision

The Panel considered the Agreed Statement of Facts and the Member's plea and finds that this evidence supports findings of professional misconduct as alleged in the Notice of Hearing.

Allegation #1 in the Notice of Hearing is supported by paragraphs 5-7 and 10-17 in the Agreed Statement of Facts. The Member admitted and the Panel finds that on multiple occasions between 2011 and 2018, while working at Terraces of Baycrest, a retirement residence affiliated with Baycrest Health Sciences (the "Facility"), she submitted false claims for a variety of medical services and products under the Facility's employee group benefit plan (the "Benefit Plan") and received approximately \$27,058.00 in relation to those claims. The Member's conduct was an overt breach of the College's *Professional Standards* which nurses demonstrate by being accountable for their actions and the consequences of those actions and for conducting themselves in ways that promote respect for the profession. The Member's conduct was also a breach of the College's *Ethics Standard* which describes the need for nurses to maintain truthfulness and fairness.

Allegation #2 in the Notice of Hearing is supported by paragraphs 5-7 and 18 in the Agreed Statement of Facts. The Member submitted and accepted payment for false claims under the Facility's Benefit Plan. The Member admitted and the Panel finds that by receiving approximately \$27,058.00 from the Facility's Benefit Plan through these false claims, she misappropriated property from the Facility.

Allegation #3 in the Notice of Hearing is supported by paragraphs 5-7 and 19 in the Agreed Statement of Facts. The Member admitted and the facts support that certain claims were fraudulent and that she received payment when she falsified a series of group benefit insurance claims.

Allegation #4 in the Notice of Hearing is supported by paragraphs 5-7 and 20 in the Agreed Statement of Facts. The Member admitted and the facts support that she signed or issued, in her professional capacity, a document that she knew or ought to have known contained false or misleading information.

With respect to allegation #5, as supported by paragraphs 5-7 and 10-16 in the Agreed Statement of Facts, the Panel finds that the Member's conduct was clearly relevant to the practice of nursing and was unprofessional. By submitting and receiving payment for false benefit claims over several years, the Member breached the College's standards of practice numerous times. Her conduct demonstrated a serious and persistent disregard for her professional obligations.

The Panel also finds that the Member's conduct was dishonourable. It demonstrated an element of dishonesty and deceit through submitting falsified benefits claims and accepting payment for them repeatedly between 2011 and 2018. The Member also knew or ought to

have known that her behaviour was unacceptable and fell below the standards of a professional.

Penalty

College Counsel and the Member's Counsel advised the Panel that a Joint Submission on Order had been agreed upon. The Joint Submission on Order requests that this Panel make an order as follows:

1. Requiring the Member to appear before the Panel to be reprimanded within 3 months of the date that this Order becomes final.
2. Directing the Executive Director to suspend the Member's certificate of registration for 5 months. This suspension shall take effect from the date that this Order becomes final and shall continue to run without interruption as long as the Member remains in a practicing class.
3. Directing the Executive Director to impose the following terms, conditions and limitations on the Member's certificate of registration:
 - a) The Member will attend 2 meetings with a Regulatory Expert (the "Expert"), at her own expense and within 6 months from the date that this Order becomes final. To comply, the Member is required to ensure that:
 - i. The Expert has expertise in nursing regulation and has been approved by CNO in advance of the meetings;
 - ii. At least 5 days before the first meeting, or within another timeframe approved by the Expert, the Member provides the Expert with a copy of:
 1. the Panel's Order,
 2. the Notice of Hearing,
 3. the Agreed Statement of Facts,
 4. this Joint Submission on Order, and
 5. if available, a copy of the Panel's Decision and Reasons;
 - iii. Before the first meeting, the Member reviews the following CNO publications and completes the associated Reflective Questionnaires, online learning modules and decision tools (where applicable):
 1. *Code of Conduct*,
 2. *Professional Standards*, and
 3. *Ethics*;

- iv. At least 5 days before the first meeting, or within another timeframe approved by the Expert, the Member provides the Expert with a copy of the completed Reflective Questionnaires;
 - v. The subject of the sessions with the Expert will include:
 - 1. the acts or omissions for which the Member was found to have committed professional misconduct,
 - 2. the potential consequences of the misconduct to the Member's patients, colleagues, profession and self,
 - 3. strategies for preventing the misconduct from recurring,
 - 4. the publications, questionnaires and modules set out above, and
 - 5. the development of a learning plan in collaboration with the Expert;
 - vi. Within 30 days after the Member has completed the last session, the Member will confirm that the Expert forwards their report to CNO, in which the Expert will confirm:
 - 1. the dates the Member attended the sessions,
 - 2. that the Expert received the required documents from the Member,
 - 3. that the Expert reviewed the required documents and subjects with the Member, and
 - 4. the Expert's assessment of the Member's insight into her behaviour;
 - vii. If the Member does not comply with any one or more of the requirements above, the Expert may cancel any session scheduled, even if that results in the Member breaching a term, condition or limitation on her certificate of registration;
- b) For a period of 12 months from the date the Member returns to the practice of nursing, the Member will notify her employer(s) of the decision. To comply, the Member is required to:
- i. Ensure that CNO is notified of the name, address, and telephone number of all employer(s) within 14 days of commencing or resuming employment in any nursing position;
 - ii. Provide her employer(s) with a copy of:
 - 1. the Panel's Order,

2. the Notice of Hearing,
 3. the Agreed Statement of Facts,
 4. this Joint Submission on Order, and
 5. a copy of the Panel's Decision and Reasons, once available;
- iii. Ensure that within 14 days of the commencement or resumption of the Member's employment in any nursing position, the employer(s) forward(s) a report to CNO, in which it will confirm:
1. that they received a copy of the required documents, and
 2. that they agree to notify CNO immediately upon receipt of any information that the Member has breached the standards of practice of the profession.
4. Requiring the Member to pay a fine in the amount of \$1,000 within 3 months of the date that this Order becomes final, by delivering a certified cheque or money order made payable to the Minister of Finance for Ontario to CNO.
5. All documents delivered by the Member to CNO, the Expert or her employer(s) will be delivered by verifiable method, the proof of which the Member will retain.

Penalty Submissions

Submissions were made by College Counsel.

The aggravating factors in this case were:

- The serious and repeated deceit of submitting false claims forms for an amount totalling \$27,058.00 which the Member acknowledged were false;
- This is a significant amount of money over a significant period of time and occurred over enough time for the Member to have reconsidered and taken appropriate actions; and
- The conduct was at the expense of the Facility, which is a publicly funded facility.

The mitigating factors in this case were:

- The Member had no prior discipline history with the College;
- The Member took responsibility for her actions by agreeing to the facts and entering into an Agreed Statement of Facts and a Joint Submission on Order with the College.

The proposed penalty provides for general deterrence through the 5-month suspension of the Member's certificate of registration, which sends a strong signal to the membership as a whole that this behaviour is unacceptable. While fines are not usual, they are permitted under the Code. The \$1,000.00 fine, though less than the amount at issue, does send a signal to the profession that there are significant consequences for conduct of this magnitude.

The proposed penalty provides for specific deterrence through the oral reprimand, which will assist the Member in understanding how her actions are perceived by both the profession and the public. The 5-month suspension of the Member's certificate of registration and \$1,000.00 fine will send strong messages to the Member that her conduct is unacceptable.

The proposed penalty provides for remediation and rehabilitation through the 2 meetings with a Regulatory Expert and reviewing the College's publications. These steps will prepare the Member to return to ethical nursing practice.

Overall, the public is protected through the 12-month employer notification provision as there will be continued employer oversight as the Member returns to practice.

College Counsel submitted the following cases to the Panel to demonstrate that the proposed penalty fell within the range of similar cases from this Discipline Committee:

CNO v. Verde-Balayo (Discipline Committee, 2021): In this case, the member's misconduct involved benefits fraud in the amount of \$7,982.50 and similarly the member did not make restitution. The penalty included an oral reprimand, a 4-month suspension of the member's certificate of registration, 2 meetings with a regulatory expert, and 12 months of employer notification. No fine was imposed in this case.

CNO v. Velasquez (Discipline Committee, 2021): In this case, the member's misconduct involved benefits fraud in the amount of \$11,080.00 for which the member made restitution. The penalty included an oral reprimand, a 3-month suspension of the member's certificate of registration, 2 meetings with a Regulatory Expert and a 12-month employer notification. No fine was imposed in this case.

College Counsel submitted that a more severe order is requested than in these cases presented due to the significant quantum of funds at issue and given that no restitution was made. Therefore, College Counsel submitted that a lengthier suspension and fine is appropriate and should form part of the order.

Submissions were made by the Member's Counsel.

The Member's Counsel agreed with the submissions made by College Counsel and submitted that further mitigating factors were:

- The Member has been a hard-working nurse for over 27 years and is often recognized by her clients and colleagues for her practice;
- The Member's misconduct was not reflective of her general practice; and
- The Member is preparing for employment as a school nurse and her employer has recognized her skills and dedication and is aware of the allegations and is willing to work with her.

The Member's Counsel also submitted that the 5-month suspension of the Member's certificate of registration is almost half a year of lost work and lost wages and will indeed send a strong message to the Member and the profession.

Panel Clarification on the Joint Submission on Order

The Panel reviewed the Joint Submission on Order and the previous cases by other panels of the Discipline Committee. The Panel advised the parties that while the penalty proposed does not necessarily reach the threshold to reject the joint submission, it was close and the Panel required more information pertaining to the fine to be able to come to an informed and fully reasoned decision. The Panel laid out its concerns that the amount of the false claims by the Member is significantly higher than in prior cases and, in considering general deterrence, a rationale is required from both parties as to why a \$1,000.00 fine is being proposed here when no restitution was made.

College Counsel submitted that with regard to the *Verde-Balayo* case, approximately \$8,000 was taken with no restitution made and therefore the individual benefitted by approximately \$8,000 and there was a corresponding loss to the benefit plan for approximately the same amount. College Counsel submitted that a 4-month suspension was considered appropriate in that case.

College Counsel submitted that in the case before this Panel, there is a significantly higher amount at issue, with no restitution paid and that the higher amount is accounted for in a 5-month suspension of the Member's certificate of registration. College Counsel added that this case did not involve any harm to patients.

College Counsel further submitted that in the case before the Panel, considering the higher quantum, the Member and the College agreed to a \$1,000 fine, combined with a 5-month suspension of the Member's certificate of registration and mutually agreed that this is a significant penalty. College Counsel submitted that going beyond the proposed fine and suspension strays into the territory of being unduly punitive and that the order strikes the appropriate balance of specific and general deterrence as the Member will be out of work for 5 months and this sends a strong signal.

The Member's Counsel also submitted that she agreed with College Counsel's submissions and that the financial cost to the Member of the 5-month suspension combined with the fine was significant.

Penalty Decision

The Panel accepts the Joint Submission on Order and accordingly orders:

1. The Member is required to appear before the Panel to be reprimanded within 3 months of the date that this Order becomes final.

2. The Executive Director is directed to suspend the Member's certificate of registration for 5 months. This suspension shall take effect from the date that this Order becomes final and shall continue to run without interruption as long as the Member remains in a practicing class.
3. The Executive Director is directed to impose the following terms, conditions and limitations on the Member's certificate of registration:
 - a) The Member will attend 2 meetings with a Regulatory Expert (the "Expert"), at her own expense and within 6 months from the date that this Order becomes final. To comply, the Member is required to ensure that:
 - i. The Expert has expertise in nursing regulation and has been approved by CNO in advance of the meetings;
 - ii. At least 5 days before the first meeting, or within another timeframe approved by the Expert, the Member provides the Expert with a copy of:
 1. the Panel's Order,
 2. the Notice of Hearing,
 3. the Agreed Statement of Facts,
 4. this Joint Submission on Order, and
 5. if available, a copy of the Panel's Decision and Reasons;
 - iii. Before the first meeting, the Member reviews the following CNO publications and completes the associated Reflective Questionnaires, online learning modules and decision tools (where applicable):
 1. *Code of Conduct*,
 2. *Professional Standards*, and
 3. *Ethics*;
 - iv. At least 5 days before the first meeting, or within another timeframe approved by the Expert, the Member provides the Expert with a copy of the completed Reflective Questionnaires;
 - v. The subject of the sessions with the Expert will include:
 1. the acts or omissions for which the Member was found to have committed professional misconduct,
 2. the potential consequences of the misconduct to the Member's patients, colleagues, profession and self,
 3. strategies for preventing the misconduct from recurring,
 4. the publications, questionnaires and modules set out above, and

5. the development of a learning plan in collaboration with the Expert;
 - vi. Within 30 days after the Member has completed the last session, the Member will confirm that the Expert forwards their report to CNO, in which the Expert will confirm:
 1. the dates the Member attended the sessions,
 2. that the Expert received the required documents from the Member,
 3. that the Expert reviewed the required documents and subjects with the Member, and
 4. the Expert's assessment of the Member's insight into her behaviour;
 - vii. If the Member does not comply with any one or more of the requirements above, the Expert may cancel any session scheduled, even if that results in the Member breaching a term, condition or limitation on her certificate of registration;
- b) For a period of 12 months from the date the Member returns to the practice of nursing, the Member will notify her employer(s) of the decision. To comply, the Member is required to:
- i. Ensure that CNO is notified of the name, address, and telephone number of all employer(s) within 14 days of commencing or resuming employment in any nursing position;
 - ii. Provide her employer(s) with a copy of:
 1. the Panel's Order,
 2. the Notice of Hearing,
 3. the Agreed Statement of Facts,
 4. this Joint Submission on Order, and
 5. a copy of the Panel's Decision and Reasons, once available;
 - iii. Ensure that within 14 days of the commencement or resumption of the Member's employment in any nursing position, the employer(s) forward(s) a report to CNO, in which it will confirm:
 1. that they received a copy of the required documents, and
 2. that they agree to notify CNO immediately upon receipt of any information that the Member has breached the standards of practice of the profession.

4. The Member is required to pay a fine in the amount of \$1,000 within 3 months of the date that this Order becomes final, by delivering a certified cheque or money order made payable to the Minister of Finance for Ontario to CNO.
5. All documents delivered by the Member to CNO, the Expert or her employer(s) will be delivered by verifiable method, the proof of which the Member will retain.

Reasons for Penalty Decision

The Panel understands that the penalty ordered should protect the public and enhance public confidence in the ability of the College to regulate nurses. This is achieved through a penalty that addresses specific deterrence, general deterrence and, where appropriate, rehabilitation and remediation. The Panel also considered the penalty in light of the principle that joint submissions should not be interfered with lightly.

The Panel concluded that the proposed penalty is reasonable and in the public interest. The Member has co-operated with the College and, by agreeing to the facts and a proposed penalty, has accepted responsibility. The Panel finds that the penalty satisfies the principles of specific and general deterrence, rehabilitation and remediation and public protection.

Specific deterrence is met by the oral reprimand, a 5-month suspension of the Member's certificate of registration and \$1,000.00 fine, which signals to the Member that fraudulently submitting group benefit claims is absolutely unacceptable. General deterrence is achieved by the 5-month suspension of the Member's certificate of registration and the \$1,000.00 fine, which will send a clear message to the profession that this type of conduct will not be tolerated.

With regard to the Panel's initial uncertainty over the quantum of the fine proposed in the joint submission, the Panel ultimately agreed with the added submissions from College Counsel and Member's Counsel. When the fine is viewed in conjunction with the lengthier suspension, and the fact that this misconduct did not involve harm to patients, the fine falls within a reasonable range.

Rehabilitation and remediation will be achieved through the 2 meetings with a Regulatory Expert and all related document review and coursework. Finally, the public will be protected through the 12 months of employer notification which ensures employers are aware of the Member's misconduct and that her practice will be closely monitored on her return to practice.

The penalty is also in line with what has been ordered in previous cases in similar circumstances.

I, David Edwards, RPN, sign this decision and reasons for the decision as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel.