



In The Matter of: **The Regulated Health Professions Act, S.M.2009, c. 15**

And in The Matter of: Ryan Dimaapi, a member of the College of Registered Nurses of
Manitoba (CRNM # 143550)

To: Ryan Dimaapi

TAKE NOTICE that the Complaints Investigation Committee (the “Committee”) of the College of Registered Nurses of Manitoba resolves and hereby Censures you with respect to:

On June 23, 2022, you failed to investigate, or report concerns, when reports of abuse and neglect were made to you.

On November 5, 2024, in accordance with section 102(1)(d) of *The Regulated Health Professions Act* (the “RHPA”), the Committee decided to Censure you as a record of its disapproval of the deficiencies in your conduct.

Censure creates a disciplinary record which may be considered in the future by the Committee or an Inquiry Committee when determining the action to be taken following an investigation or hearing.

I. The Relevant Facts Are:

You were employed as a RN and a Responsible Person at a long-term care facility. As such, you were the “point person” for the health care team and a resource for staff if they needed support or assistance. You were the most responsible RN on site.

On June 23, 2022, a health care aide came to you to notify you that she witnessed another health care aide to have been providing rough care to residents and not responding to the call bells of 4 residents. You instructed the reporting health care aide to gather more

information and report those findings, however you did not report these allegations to anyone else.

The policy of the facility, which was available at every nursing station and on every computer in the facility, directs that nurse would “call the Manager on-call or the General Manager/designate immediately upon suspecting or becoming aware of abuse or neglect of a resident.”

II. Practice Directions and Code of Ethics

The Committee is reasonably satisfied that the facts support that the Registrant did not meet the following standards of practice for Registered Nurses:

Professional Practice

Registered nurses are accountable and responsible to demonstrate professional behaviours, attributes and values that uphold trust in the profession of registered nursing. As an RN, you must:

2. Promote a practice environment that supports responsibility, accountability, professional development, and respect for others by:
 - c. Identifying issues which could have an injurious effect on clients or others.
 - e. Demonstrating an understanding of and adherence to your duty to report, including reporting of unsafe practice, professional incompetence, professional misconduct and incapacity or unfitness to practice.

Competent Practice

Registered nurses are accountable and responsible to demonstrate competence in registered nursing practice. As an RN, you must:

3. Apply the entry-level competencies for registered nurses in your practice.
6. Demonstrate critical inquiry in planning for client care needs and evaluating care provided.

Professional Communication

Registered nurses are accountable and responsible to effectively communicate with the client, other health care providers, and the public, integrating the nursing perspective into professional communication. As an RN, you must:

11. Communicate effectively in complex and changing situations to promote care continuity and delivery of safe, competent and ethical care. Demonstrate willingness to answer clients' questions about their health care.

Ethical Practice

Registered nurses recognize, promote, and uphold the ethical standards of the nursing profession. As an RN, you must:

14. Practise in accordance with the values outlined in the *Code of Ethics*.

***Collaborative Care**

As an RN, you must:

26. When involved in providing for the health care of a client:

- a. Work collaboratively and cooperatively with clients, families and other health-care providers in providing for the health care of the client and communicate effectively and appropriately with them;
- b. Ensure that you understand your role and the role of other health-care providers in providing for the health care of the client.

Code of Ethics for Registered Nurses

Part I. Nursing Values and Ethical Responsibilities

Nurses in all contexts and domains of practice and at all levels of decision-making bear the ethical responsibilities identified under each of the seven primary nursing values. These responsibilities apply to nurses' interactions with all persons who have health-care needs or are receiving care as well as with students, colleagues and other health-care providers. The responsibilities are intended to guide nurses in applying the Code to their practice. They also serve to articulate nursing values to employers, other health-care providers and the public. Nurses help their colleagues implement the Code and they ensure that nursing students are acquainted with it.

A. Providing Safe, Compassionate, Competent and Ethical Care

Nurses provide safe, compassionate, competent and ethical care.

Ethical responsibilities:

4. Nurses question, intervene, report and address unsafe, non-compassionate, unethical or incompetent practice or conditions that interfere with their ability to provide safe, compassionate, competent and ethical care; and they support those who do the same.
12. Nurses foster a safe, quality practice environment (CNA & Canadian Federation of Nurses Unions [CFNIJI, 2015).

D. Honouring Dignity

Nurses recognize and respect the intrinsic worth of each person.

Ethical responsibilities:

4. Nurses intervene, and report when necessary, when others fail to respect the dignity of a person they are caring for or a colleague (including students), recognizing that to be silent and passive is to condone the behaviour. They speak up, facilitate conversation and adjudicate disputes, as appropriate/required.

III. On these facts of the Complaints Investigation Committee records its disapproval of the Registrant's conduct.

RNs have an obligation to report when allegations of abuse or neglect are brought forward. There is direction in the facility policy that directs nurses to report to management on-call immediately upon suspecting or becoming aware of abuse or neglect of a resident.

You aren't at work every day, and by not reporting, you left no mechanism to ensure adequate follow-up to those allegations. Leaving it to the health care aide to gather more information and then pass it on to leadership was inadequate at best. It was your responsibility to ensure the allegations were communicated to management immediately so that follow-up could occur.

The Committee is extremely concerned about the lack of judgment you displayed in this decision making. As a Registered Nurse in leadership roles for 12 years in that facility, your role was to manage the safe care to those clients by others. You failed to ensure the safety of this vulnerable client population by not passing on the allegations brought forward to you. Your inaction created significant risk for those clients. It was unacceptable not to provide any follow-up.

The Committee noted that you demonstrated a lack of ownership in this matter. You wondered how this became your problem; your position is your instructions to the health care aide were sufficient. It is the Committee's position that when allegations of abuse and neglect were brought to you by a health care aide colleague, you ought to have acted. A reasonable and prudent registered nurse ought to have passed on whatever information that could be gathered to the management on call, as is required by the facility's policy. Notification to management was paramount.

Registered nursing is a self-regulated profession in Manitoba. RNs must recognize that self-regulation is a privilege and that each RN has a continuing responsibility to meet the *Practice Direction: Practice Expectations for Registered Nurses* and the *Code of Ethics for Registered Nurses*.

On these facts, the Committee records its disapproval of your inadequate follow-up and reporting in a situation where there were allegations of abuse and neglect.

Although the conduct is sufficiently serious to refer to the Inquiry Committee, the Committee is mindful of the fact that you do not have a disciplinary record.

The Censure will adequately protect the public's concern regarding expectations of Registered Nurse's responsibilities to protect vulnerable populations when allegations of abuse and neglect are brought to their attention.

On these facts the Committee believes that the Censure should be published as it to act as a specific deterrence for you, the Registrant, and as a general deterrence for other Registered Nurses.

On these facts, the Committee ordered the member to pay costs of \$1000.