



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

And in The Matter of: Melissa Zepp, a Registrant of the College of Registered Nurses of Manitoba (CRNM# 141108)

To: Melissa Zepp

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 October 5, 2024, while in your role as Program Services Manager (PSM) at Dauphin Regional Health Centre (DRHC):

- You arranged to transfer an **8-day old infant patient identified as “CP” from DRHC to Children’s Hospital via Handivan.**
- You did not follow the DRHC or Prairie Mountain Health (PMH) patient transfer policy.

On July 10, 2025, 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:

On October 5, 2024, CP, an eight-day old infant patient, presented to DRHC Emergency Department (ED), and subsequently required transport to Children's Hospital in Winnipeg for further assessment.

The Manitoba Transportation Coordination Centre (MTCC) was contacted to arrange transport. The initial choice of transport was air ambulance, however due to ongoing poor weather conditions, air ambulances were unable to fly.

MTCC followed standard processes and determined CP was stable and would be transported when ground ambulance transport could be arranged.

On October 5, 2024, at 1700 hours, it was reported to you that CP's parents no longer wanted to wait for ground ambulance and expressed the desire to leave DRHC ED against medical advice. CP's parents indicated they would conduct the transport themselves.

You then **arranged for CP to be transported from DRHC to Children's Hospital in Winnipeg** via a Handivan instead of ground ambulance. The investigation noted that your decision to use a Handivan to transport an 8-day old infant was not supported by DRHC or Prairie Mountain Health (PMH) policy.

You indicated that you had been advised by the DRHC ED charge nurse and physician that CP was stable. It was your position, that Handivan would be an acceptable method of transportation based off of this information.

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:

1. Demonstrate understanding of legislation governing registered nursing practice and your practice of registered nursing including but not limited to the Regulated Health Professions Act (RHPA), the College's General Regulations, Practice of Nursing Regulation, and any/all other applicable legislation (e.g. The Personal Health Information Act).
2. Promote a practice environment that supports responsibility, accountability, professional development, and respect for others by:
 - a. Acting as a mentor, coach, preceptor and/or resource to students, nursing colleagues and other members of the health-care team.

- 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:

- 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.
- 12. Take steps to manage communication barriers including the modification of your communication so that it is understood by clients of varying needs, abilities, cultures and socioeconomic backgrounds.
- 13. Demonstrate skill in written and/or electronic communication that promotes quality documentation and communication between team members.

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.

*Client-centered Practice

The practice of registered nursing encompasses several domains such as clinical practice, education, administration, and research. Your client may be an individual, a family, a group of people, a community, or a population. Depending on your domain(s) of practice, a client may be a patient, a nursing student, a research participant, another member or other health-care provider. As an RN:

- 22. You must acknowledge your limitations in skill, knowledge and judgment and must ensure that you practice registered nursing within those limitations.
- 23. When engaging in the practice of registered nursing, you must apply, as a framework, the nursing process, which is the systematic approach to the practice

that encompasses all steps taken by RNs in planning for the needs of your client, including assessment, diagnosis or determination, planning, implementation and evaluation.

25. When engaging in the practice of registered nursing in a clinical practice setting, you must provide nursing care that includes:
- a. an assessment to determine the needs and circumstances of the client;
 - b. a care or treatment plan with the client or their representative and any other person who the client wishes to involve, which takes into account the client's needs, circumstances, preferences, values, abilities and culture;
 - d. sufficient and timely communication with the client or their representative that takes into account the client's needs, circumstances, understanding and use of health information and enables the client or their representative to make informed decisions about their health care; and
 - e. a referral of the client to another RN or healthcare professional when appropriate.

*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; and
 - d. Comply with any collaborative care decision tool in place at the practice setting where you and other health-care providers are providing for the health care of the client.
27. Document on the client's record the nursing care you provided with enough information for another health-care professional to be sufficiently informed of the care provided.

*Client records

31. As an RN, you must appropriately document the nursing care you provided in a record specific to each client as the nursing care is provided or as soon as possible after the care is provided.

The Committee is reasonably satisfied that the information before them supports that the following Values and Ethical Responsibilities from the Code of Ethics apply in the circumstance.

Code of Ethics for Registered Nurses (CNA)

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.
5. Nurses are honest and take all necessary actions to prevent or minimize patient safety incidents. They learn from near misses and work with others to reduce the potential for future risks and preventable harms.
7. When resources are not available to provide appropriate or safe care, nurses collaborate with others to adjust priorities and minimize harm. Nurses keep persons receiving care informed about potential and actual plans regarding the delivery of care. They inform employers about potential threats to the safety and quality of health care.
12. Nurses foster a safe, quality practice environment (CNA & Canadian Federation of Nurses Unions [CFNIJI, 2015]).

B. Promoting Health and Well-Being

Nurses work with persons who have health-care needs or are receiving care to enable them to attain their highest possible level of health and well-being.

Ethical responsibilities:

4. Nurses collaborate with other health-care providers and others to maximize health benefits to persons receiving care and with health-care needs and concerns, recognizing and respecting the knowledge, skills and perspectives of all.

D. Honouring Dignity

Nurses recognize and respect the intrinsic worth of each person.

Ethical responsibilities:

6. Nurses utilize practice standards, best practice guidelines, policies and research to minimize risk and maximize safety, well-being and/or dignity for persons receiving care.

G. Being Accountable

Nurses are accountable for their actions and answerable for their practice.

Ethical responsibilities:

1. Nurses, as members of a self-regulating profession, practise according to the values and responsibilities in the Code and in keeping with the professional standards, laws and regulations supporting ethical practice.
3. Nurses practise within the limits of their competence. When aspects of care are beyond their level of competence, they seek additional information or knowledge, report to their supervisor or a competent practitioner and/or request a different work assignment. In the meantime, nurses remain with the person receiving care until another nurse is available.
4. Nurses are accountable for their practice and work together as part of teams. When the acuity, complexity or variability of a person's health condition increases, nurses assist each other (LPNAPEI et al., 2014).

The Committee is reasonably satisfied that the information before them supports that the following competencies from the Entry Level Competencies apply.

1. Clinician

Registered nurses are clinicians who provide safe, competent, ethical, compassionate, and evidence-informed care across the lifespan in response to client needs. Registered nurses integrate knowledge, skills, judgment and professional values from nursing and other diverse sources into their practice.

- 1.1* Provides safe, ethical, competent, compassionate, client-centred and evidence-informed nursing care across the lifespan in response to client needs.
- 1.4* Analyzes and interprets data obtained in client assessment to inform ongoing decision-making about client health status and make a diagnosis when appropriate.

1.5* Develops a plan of care using critical inquiry to support professional judgment and reasoned decision-making.

1.7* Anticipates actual and potential health risks and possible unintended outcomes.

1.10* Prepares clients for and performs procedures, treatments, and follow up care.

2. Professional

Registered nurses are professionals who are committed to the health and well-being of **clients. Registered nurses uphold the profession's practice standards and ethics and are** accountable to the public and the profession.

2.3* Exercises professional judgment when using agency policies and procedures, or when practising in their absence.

2.12 Distinguishes between the mandates of regulatory bodies, professional associations, and unions.

2.13 Recognizes, acts on, and reports, harmful incidents, near misses, and no harm incidents.

3. Communicator

Registered nurses are communicators who use a variety of strategies and relevant technologies to create and maintain professional relationships, share information, and foster therapeutic environments.

3.7* Communicates effectively in complex and rapidly changing situations.

3.8* Documents and reports clearly, concisely, accurately, and in a timely manner.

4. Collaborator

Registered nurses are collaborators who play an integral role in the health care team partnership.

4.2 Initiates collaboration to support care planning and safe, continuous transitions from one health care facility to another, or to residential, community or home and self-care

4.3 Determines their own professional and interprofessional role within the team by considering the roles, responsibilities, and the scope of practice of others.

4.4 Applies knowledge about the scopes of practice of each regulated nursing designation to strengthen intraprofessional collaboration that enhances contributions to client health and well-being.

4.5* Contributes to health care team functioning by applying group communication theory, principles, and group process skills.

5. Coordinator

Registered nurses coordinate point-of-care health service delivery with clients, the health care team, and other sectors to ensure continuous, safe care.

5.1* Consults with clients and health care team members to make ongoing adjustments required by changes in the availability of services or client health status.

5.6 Supports clients to navigate health care systems and other service sectors to optimize health and well-being.

5.7 Prepares clients for transitions in care.

6. Leader

Registered nurses are leaders who influence and inspire others to achieve optimal health outcomes for all.

6.8 Uses and allocates resources wisely.

6.10 Demonstrates knowledge of the health care system and its impact on client care and professional practice.

7. Advocate

Registered nurses are advocates who support clients to voice their needs to achieve optimal health outcomes. Registered nurses also support clients who cannot advocate for themselves.

7.1* Recognizes and takes action in situations where client safety is actually or potentially compromised.

7.2* Resolves questions about unclear orders, decisions, actions, or treatment.

7.6* Advocates for safe, competent, compassionate and ethical care for clients.

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

You overwhelmingly failed to act and to meet your professional obligations when arranging transportation of an 8-day old infant from DRHC ED to **Children's Hospital in Winnipeg**.

A reasonable and prudent registered nurse ought to have:

- a. Ensured that the well-established patient transportation protocols were followed.
- b. Documented the information regarding the patient's parents plans to leave against medical advice (AMA) and conduct the transport themselves. Including the time when this occurred.
- c. Document the discussions you had with the patient's **parents**.

- d. Documented the discussions between yourself, the emergency department charge nurse and the emergency room physician prior to arranging a Handivan to conduct an interfacility transport.
- e. Ensured proper safety and contingency planning prior to initiating the transport.

As a PCM, you were in a leadership position and failed to use well established transportation protocols when determining the appropriate transport method for the infant patient.

As a PCM you:

- a. Had received an orientation to the patient transportation process and failed to apply this knowledge at the time of the allegations.
- b. Did not document any information or the conversation you **had with CP's family** members regarding CP possibly leaving AMA.
- c. **Ought to have ensured that the physician was aware of the change in CP's method of transportation** and obtained orders supporting this decision.

You were the manager who DRHC staff were to go to for support with decision making. In this position, a registered nurse would be expected to follow well established guidelines and contact MTCC to **communicate DRHC's concerns with the delay in transport** and determine what options were available in the situation. The Committee would expect that you display exemplary critical thinking, clinical judgement, communication and documentation.

Your actions had the potential to seriously harm the patient as well as the profession. The public expects that RNs critically evaluate their decision making, documentation, and assessments. The public also expects RNs to advocate for their patients when they are unable to do so, yet you did not contact MTCC to intervene or advocate for **the patient. Your inappropriate conduct and inaction undermines the public's trust** and confidence. Any breach of this trust damages the general trustworthiness of the profession of nursing.

This conduct is a blatant disregard of patient safety. You were the senior administrator and decision maker at DRHC at the time of the allegations. In this role, you ought to have demonstrated excellent communication, problem solving, judgement, critical thinking and documentation. It is the position of the Committee that you overwhelmingly failed the patient and placed another registered nurse in a very unsafe situation. The Committee is especially concerned that when you were informed that the first Handivan crew refused to conduct the transport, you directed

that staff continue to seek out another Handivan provider that would be willing to transport the patient.

It is the Committee's position that you ought to have communicated with CP's family, advocated on their behalf and offered support to them to ensure the safe transfer of the infant patient.

The Committee would expect a registered nurse in this situation to recognize the negative impact of their actions and initiate the appropriate occurrence reporting. Following the incident, you failed to inform your Director. The Committee is concerned that you did not recognize the significant level of risk that your decisions created for both the patient and the other health care providers.

You have been a registered nurse for approximately 20 years, primarily working in supervisory positions. A registered nurse with this level of experience and knowledge ought to have known that this decision was egregious, unsafe, and did not correlate with facility policies, procedures or safe patient care.

Registered nursing is a self-regulated profession governed by the RHPA. In accordance with the RHPA, RNs must recognize that self-regulation is a privilege and that each registered nurse must comply with practice directions established for their profession. As such, registered nurses are required to comply with the *Practice Directions: Practice Expectations for RNs* and the *Code of Ethics for Registered Nurses* (2017).

On these facts, the Committee records its disapproval of the **Registrant's** lack of professionalism and in failing to adhere to the ethical values and standards of practice.

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

The censure will provide the sufficient regulator force necessary to convey the **Committee's significant dissatisfaction with the Registrant's lack of professional conduct.**

Based on these facts, the Committee directs that the Censure be published to serve as a specific deterrence to you, the Registrant, and as a general deterrence for other Registered Nurses.

On these facts, the Committee ordered the member to pay costs in the amount of \$2000.