

**ARNPEI Professional Conduct Review Committee  
Formal Inquiry Record of Decision  
Complaint # PE-2015-002  
Re: Victoria MacInnis, Member Registration no.005664**

A Formal Inquiry Panel of the Professional Conduct Review Committee of the Association of Registered Nurses of Prince Edward Island (the "Panel") conducted a hearing in Charlottetown, P.E.I. on October 30, 2017 to consider a complaint dated July 22, 2015 against Registered Nurse, Victoria MacInnis, registration number 005664. The Hearing followed a meeting of the Investigation Panel of the PCR Committee which was held on January 10, 2017, that resulted in the committee's decision to proceed to a formal inquiry.

The purpose of the formal inquiry was to determine whether Victoria MacInnis engaged in activities that were professional misconduct or conduct unbecoming the profession of nursing, or both, between approximately July 2013 and June, 2015. The conduct to be reviewed occurred during approximately two years of working at Kings County Memorial Hospital. The Panel also had the task of deciding on an appropriate penalty, if warranted. A Notice of Formal Hearing was the basis of the hearing, and it alleged:

1. THAT while Ms. MacInnis was employed as a registered nurse on the in-patient unit at the Kings County Memorial Hospital (KCMH), she used the internet excessively, for personal reasons during working hours; and
2. THAT while Ms. MacInnis was employed as a registered nurse on the in-patient unit at the KCMH, she was rude, demeaning, dismissive and/or disrespectful to co-workers and/or patients at KCMH.

Members of the panel in attendance at this hearing were: Eileen Larkin (chair), Jill MacKinnon (member), Daphne Blanchette (member), Cathy McKenna (member), and Gerry MacPhee (representative of the Public). Also in attendance were Complainant Ms. Sandra McKay, Respondent, Ms. Victoria MacInnis, Adducer, Mr. Tom Keeler, and Mr. Doug Drysdale, legal counsel and advisor for the Committee. A representative from the Office of the Future audio recorded the formal hearing.

At the beginning of the hearing, Tom Keeler, the lawyer responsible for adducing evidence on behalf of ARNPEI, indicated that he and Victoria MacInnis had prepared Agreed Statement of Facts for the panel's consideration. With Ms MacInnis' consent, this document was circulated, and the Panel recessed to consider it. At the resumption of the hearing, Chair Eileen Larkin stated that the panel accepted the Agreed Statement of Facts, and that the presentation of evidence would not be necessary.

In the Agreed Statement of Facts, Ms. MacInnis conceded that she had been at times rude, demeaning, dismissive or disrespectful, and that she had used the internet excessively for personal reasons during working hours. At the same time Ms. MacInnis had submitted work situation reports requesting additional staff, and was found to be using her time while at work to access the internet when she, herself, should have been working. Since then she has taken a

number of steps to demonstrate her remorse and desire to rehabilitate including writing a letter of apology to staff of KCMH in which she recognized and accepted responsibility for her behavior. Ms. MacInnis has actively sought treatment to include [REDACTED]

[REDACTED] She has further provided a letter of reference from her Supervisor in which she was praised for her quick response and Professionalism. Ms. MacInnis has enrolled in a Masters of Nursing Degree program at UPEI and has planned to research "compassion fatigue in nurses practicing in Prince Edward Island".

Ms. MacInnis was found to be guilty of Professional Misconduct and Conduct unbecoming of the Profession of Nursing, both of which contravene the Registered Nurses Act.

Tom Keeler then presented a Joint Recommendation on Penalty to the Panel, again with the Respondent's consent, as follows:

1. That the Respondent Ms MacInnis shall be issued a formal reprimand from the Association of Registered Nurses of Prince Edward Island (ARNPEI);
2. That the Respondent shall be required to pay a fine in the amount of One Thousand Dollars (\$1,000.00); and
3. That the Respondent shall be required to pay ARNPEI the amount of Two Thousand Dollars (\$2,000.00) in respect of the expenses associated with the investigation and adjudication of the complaint.

The amounts of payment would be in monthly installments of \$250, beginning December 31, 2017 and ending December 31, 2018.

Following this submission and without any further questions or submissions, Mr. Keeler, Ms. MacInnis, and the Complainant Ms. MacKay were dismissed from the Hearing.

"Victoria MacInnis has accepted responsibility for professional misconduct and conduct unbecoming the profession of nursing. Professional misconduct includes the failure to comply with the Code of Ethics and the Standards for Nursing Practice, and specific reference to certain parts of both documents was included in the Notice which described the charges against Ms. MacInnis. We will not review the particular provisions, but note that they require that nurses treat other people with respect, civility and dignity. Failure to do so is also conduct unbecoming the profession because (if it needs to be said) nurses are professionals, and professionals should always be respectful, civil and treat co-workers, patients and family members with dignity. We also regard the excessive internet use and related conduct by Ms. MacInnis as being obvious professional misconduct as well as conduct unbecoming because nurses are expected to carry out their work responsibilities while at work, and to not create false impressions."

Ms MacInnis's behavior was recognized by the panel as irresponsible and unjustifiable, which ARNPEI cannot condone, and a formal reprimand has been issued. In this case though, where the Respondent has demonstrated a path towards rehabilitation, it was determined a prescribed rehabilitation pathway was unnecessary given the significance of the work the Respondent had already undertaken and was continuing with her education and working in relationship with

students and had proven an asset to her workplace in managing high stress situation. However, it was determined a financial penalty was appropriate, to deter any such further conduct.

The panel agreed with the Joint Recommendation on Penalty and decided that the following penalty shall be issued to Victoria MacInnis:

1. That the Respondent Ms MacInnis shall be issued a formal reprimand from ARNPEI;
2. That the Respondent shall pay a fine in the amount of One Thousand Dollars (\$1,000.00); and
3. That the Respondent shall pay ARNPEI the amount of Two Thousand Dollars (\$2,000.00) in respect of the expenses associated with the investigation and adjudication of the complaint.

The payments shall be made to ARNPEI in monthly installments of \$250 payable on the last day of each month, beginning December 31, 2017 and ending November 30, 2018.

Respectfully Submitted,



Eileen Larkin, Chair of the Investigation Panel  
Professional Conduct Review Committee