

IN THE MATTER OF: *The Registered Nurses Act, 1988*, and Sheldon Mitchell, RN #43489.

**NOTICE OF HEARING**

TO: Sheldon Mitchell



**TAKE NOTICE** that the Investigation Committee of the College of Registered Nurses of Saskatchewan [“CRNS”] is recommending pursuant to section 28(3)(a) of *The Registered Nurses Act, 1988*, SS c R-12.2 [the “Act”] that the Discipline Committee hear and determine the complaint that you are guilty of professional incompetence which occurred while you were on the Register and a member of the CRNS and held a license from the CRNS to practice registered nursing in Saskatchewan. The Discipline Committee, established in accordance with the *Act* and Bylaws will meet on **October 21, 2024, at 9:00 a.m.** to conduct a virtual hearing [the “**Hearing**”].

The particulars of your alleged professional incompetence and professional misconduct are set out in Appendix A which is attached to and forms part of this Notice of Hearing of Complaint.

**AND FURTHER TAKE NOTICE THAT** where the Discipline Committee finds you guilty of professional misconduct or professional incompetence, pursuant to section 31(1) of the *Act*, the Discipline Committee may:

- (a) **order that the nurse be expelled from the college and that the nurse’s name be struck from the register;**
- (b) **order that the nurse be suspended from the college for a specified period;**
- (c) **order that the nurse may continue to practise only under conditions specified in the order which may include, but are not restricted to, an order that the nurse:**
  - (i) **not do specified types of work;**
  - (ii) **successfully complete specified classes or courses of instruction;**
  - (iii) **obtain treatment, counselling or both;**
- (d) **reprimand the nurse; or**

**(e) make any other order that to it seems just.**

AND pursuant to section 31(2) of the *Act*, in addition to any order made pursuant to (1), the Discipline Committee may order:

- (a) that the nurse pay to the college within a fixed period:**
  - (i) a fine in a specified amount;**
  - (ii) the costs of the inquiry and hearing into the nurse's conduct and related costs, including the expenses of the investigation committee and the discipline committee; or**
  - (iii) both of the things mentioned in subclauses (i) and (ii);**
- and**
- (b) where a nurse fails to make payment in college with an order pursuant to clause (a), that the nurse be suspended from the college.**

**AND FURTHER TAKE NOTICE THAT** pursuant to section 31(3) of the *Act*, the Discipline Committee will be sending a copy of an order made pursuant to sections 31(1) and 31(2) to you and to the person who made the report against you.

**AND FURTHER TAKE NOTICE THAT** at your own expense, you may choose to be represented by counsel or an agent at the Hearing before the Discipline Committee and have the right to call evidence and examine or cross-examine witnesses pursuant to sections 30(5) and (7) of the *Act*.

**AND FURTHER TAKE NOTICE THAT** if you fail to attend the Hearing, the Discipline Committee may, on proof of service of this Notice on you and/or your legal counsel, proceed with the Hearing in your absence pursuant to section 30(9) of the *Act*.

If you wish to admit the allegations contained in this Notice of Hearing, you and your legal counsel should contact legal counsel for the Investigation Committee of the CRNS at the earliest opportunity in order to implement the appropriate procedure.

**DATED** at Regina, Saskatchewan, this 5th day of September, 2024.



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**Cindy Smith, RN, Executive Director and Registrar**  
College of Registered Nurses of Saskatchewan

**APPENDIX A**  
**Charges & Particulars**

**It is alleged that:**

1. You committed an act of professional incompetence per section 25 of *The Registered Nurses Act, 1988*, in that, on [REDACTED], between 0200 hours and 0530 hrs, when you were working in the [REDACTED] role at the [REDACTED], you displayed a lack of judgment in your professional care of a patient, or a disregard for the welfare of a patient, who was brought in by ambulance to the department at approximately 0200 hours.

**Particulars:**

- a. You failed to provide basic nursing care and the required assessments when you:
  - i. failed to conduct a thorough initial triage nursing assessment including obtaining a complete set of vitals from the patient and accurately assessing the chief complaint of the patient;
  - ii. failed to conduct proper reassessments as required based on the patient's triage assessment of CTAS 2;
  - iii. became aware that the patient was repeatedly on the floor calling out pain and discomfort, and directly witnessing the patient fall;
  - iv. failed to initiate timely chest compressions on the patient;
- b. You failed to complete adequate documentation or charting relating to the patient; and,
- c. You failed to advocate for the patient when you did not prioritize the patient and utilize department resources to ensure patient safety, comfort, and dignity.

**LEGISLATION, BYLAWS, CODE OF ETHICS, PRACTICE STANDARDS & COMPETENCIES CONTRAVENED:**

**The Registered Nurses Act, 1988**

25 For the purpose of this Act, professional incompetence is a question of fact, but the display by a nurse in the professional care of a client of a lack of

knowledge, skill or judgment or a disregard for the welfare of a client of a nature or to an extent that demonstrates that the nurse is unfit:

- (a) to continue in the practice of registered nursing; or
- (b) to provide one or more services ordinarily provided as part of the practice of registered nursing;

is professional incompetence within the meaning to this Act.

### *Code of Ethics for Registered Nurses (2017)*

#### **A. Providing Safe, Compassionate, Competent and Ethical Care**

Nurses provide safe, compassionate, competent and ethical care.

##### *Ethical responsibilities:*

- 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.

#### **D. Honouring Dignity**

Nurses recognize and respect the intrinsic worth of each person.

##### *Ethical responsibilities:*

- 2. Nurses support persons receiving care in maintaining their dignity and integrity.
- 8. In all practice settings where nurses are present, they work to relieve pain and suffering, including appropriate and effective symptom management, to allow persons receiving care to live and die with dignity.

#### **F. Promoting Justice**

Nurses uphold principles of justice by safeguarding human rights, equity and fairness and by promoting the public good.

##### *Ethical responsibilities:*

- 3. Nurses refrain from judging, labelling, stigmatizing and humiliating behaviours toward persons receiving care or toward other health-care providers, students and each other.

### *SRNA Registered Nurse Practice Standards (2019)*

#### **Standard 1: Professional Responsibility and Accountability**

The registered nurse is responsible for practicing safely, competently and ethically, and is accountable to the client, public, employer and profession.

The registered nurse upholds this standard by:

- 6. Advocating, intervening and participating with others, as needed, to ensure client safety.

7. Advocating and intervening in the client's best interest, and acting to protect client, self and others from actual or perceived harm.
9. Practicing in accordance with agency policy and legislation, and in a timely manner, recognizes and reports near misses and errors (own and others), adverse events and critical incidents, and taking action to stop and minimize harm.

### **Standard 2. Knowledge-Based Practice**

The registered nurse practices using evidence-informed knowledge, skills and judgment from diverse sources of knowledge and ways of knowing.

The registered nurse upholds this standard by:

17. Anticipating potential health problems or issues for clients, the possible consequences and responding appropriately.
20. Evaluating the effectiveness of nursing interventions at the point of care to modify and individualize client care.

### **Standard 3: Ethical Practice**

The registered nurse applies the principles in the current *CNA Code of Ethics for Registered Nurses* when making practice decisions and using professional judgment. The registered nurse engages in critical inquiry to inform clinical decision-making and establishes therapeutic caring and culturally-safe relationships with clients and the health care team.

The registered nurse upholds this standard by:

27. Identifying the effect of own values, beliefs and experiences in relationships with clients, recognizing and addressing potential conflicts.

### **Standard 4: Service to the Public**

The registered nurse demonstrates leadership in quality and ethical nursing practice, delivery of health care services and establishing professional relationships.

The registered nurse upholds this standard by:

36. Listening respectfully to the expressed needs of clients, families and others.
43. Managing resources to provide safe, effective and efficient care.

## **SRNA Registered Nurse Entry-Level Competencies (2019)**

### **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.
- 1.2 Conducts a holistic nursing assessment to collect comprehensive information on client health status.
- 1.4 Analyses and interprets data obtained in client assessment to inform ongoing decision-making about client health status.
- 1.6 Evaluates effectiveness of plan of care and modifies accordingly.
- 1.7 Anticipates actual and potential health risks and possible unintended outcomes.
- 1.8 Recognizes and responds immediately when client safety is affected.
- 1.9 Recognizes and responds immediately when client's condition is deteriorating.
- 1.12 Implements evidence-informed practices of pain prevention, manages client's pain and provides comfort through pharmacological and non-pharmacological interventions.
- 1.13 Implements therapeutic nursing interventions that contribute to the care and needs of the client.

## **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. Registered nurses demonstrate accountability, accepts responsibility and seeks assistance as necessary for decisions and actions within the legislated scope of practice.

- 2.5 Identifies the influence of personal values, beliefs and positional power on clients and the health care team and acts to reduce bias and influences.

## **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.

- 3.2 Engages in active listening to understand and respond to the client's experience, preferences and health goals.
- 3.7 Communicates effectively in complex and rapidly-changing situations.
- 3.8 Documents and reports clearly, concisely, accurately and in a timely manner.

## **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.
- 5.2 Monitors client care to help ensure needed services happen at the right time and in the correct sequence.

## **6. Leader**

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

- 6.5 Recognizes the impact of organizational culture and acts to enhance the quality of a professional and safe practice environment.

## **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.