



Georges Ledoux, Lawyer  
Legal Department

## Availability, diligence and quality in nursing care

**According to regulations under the Code of Ethics of Nursing Assistants, we already know that Registered Nursing Assistants are obligated to provide quality nursing care<sup>1</sup>.**

**In the treatment administered, they are also obligated to be available and demonstrate a reasonable amount of diligence. To that effect, Section 3.03.01 specifies:**

**“In the practice of the profession, the member must display reasonable availability and diligence.”**

Recent decisions from various committees on discipline in the health sector highlight the importance of respecting this provision, especially when it becomes urgent and of the highest priority to provide nursing care to a patient. In such cases, Registered Nursing Assistants have to rely on their judgment and discernment, and comply with their professional duties and obligations.

In one given case, a RNA refused to assist an orderly who had asked for her help to care for a patient who had fallen in her bedroom. The RNA refused to help under the pretext that her work shift was almost over. Called before the OIIAQ Committee on Discipline because of this failure to act, the RNA pleaded guilty.

In its decision, the OIIAQ Committee on Discipline insisted on the fact that this obligation is situated at the heart of the profession, adding that:

“Such haste in abandoning her responsibilities at the end of her work shift is totally inadmissible, and constitutes a lack of judgment that cannot be tolerated under any circumstances.”

In this particular case, the OIIAQ Committee on Discipline imposed

upon the member a temporary one-month striking off the roll<sup>2</sup>.

Furthermore, it is also easily understood that a nursing care staff member would contravene provisions of the Code of Ethics of the profession with regard to diligence and availability if: leaving a patient without providing for the presence of a colleague or another staff member<sup>3</sup>; sleeping during a work shift<sup>4</sup>; disabling a call bell<sup>5</sup>; or being absent from his/her unit for more than two hours<sup>6</sup>.

Concerning the obligation of providing quality nursing care, the Code of Ethics of Nursing Assistants specifies:

“3.01.03 The member must maintain the highest degree of quality in the treatment administered in the practice of the profession.

3.01.05. The member must cooperate in every circumstance in the preservation of life, the alleviation of suffering, the treatment of disease and the promotion of health.”

Several decisions illustrate these obligations for nursing staff in general. In one given case, a Registered Nursing Assistant was arraigned before the OIIAQ Committee on Discipline for having failed to keep constant watch

<sup>1</sup> *Code of Ethics of Nursing Assistants*, Sections 3.01.03 and 3.01.05.

<sup>2</sup> OIIAQ Committee on Discipline, File n° 21-04-1202, August 29, 2005.

<sup>3</sup> OIIAQ Committee on Discipline, File n° 21-04-1187, November 26, 2004.

<sup>4</sup> OIIAQ Committee on Discipline, File n° 21-04-1208, February 21, 2006.

<sup>5</sup> OIIAQ Committee on Discipline, File n° 21-04-1191, February 21, 2006.

<sup>6</sup> OIIAQ Committee on Discipline, File n° 20-95-00107, April 10, 1995.



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over a patient hospitalized in a mental health unit. Given this omission, he was not in a position to notice that the said patient had run away from the hospital to return home.

Acknowledging his guilty plea and taking several factors into account – for instance, that no consequence for the patient resulted from this incident – the OIIAQ Committee on Discipline imposed upon the member a temporary one-week striking off the roll<sup>7</sup>.

In another case, a Nurse had to answer for one complaint of not having adequately followed up on a patient. He had failed, in particular, to check the patient's vital signs and re-evaluate his physical condition. Following a guilty plea, the Nurse received a sentence of a temporary six-week striking off the roll<sup>8</sup>.

Also concerning the quality of care, decisions were rendered in several cases, in particular for having:

- omitted to administer medication, or to provide nursing care and treatments<sup>9</sup>;
- badly installed a feeding tube<sup>10</sup>;
- neglected to raise the bedrails, and thus causing a patient to fall<sup>11</sup>;
- erred in administering medication three times in the same day<sup>12</sup>;
- administered medications that were no longer prescribed to a patient<sup>13</sup>.

Within the context of the considerable and on-going changes in the health-care network during recent years, the practice of the profession of Nurse or Nursing Assistant presents more challenges than ever and imposes more demanding conditions in the context of providing nursing care while respecting the patient's rights<sup>14</sup>.

RNAs face this situation on a daily basis as central to their profession and are reminded that they must, first and foremost, exercise competence, judgment and discernment.

<sup>7</sup> OIIAQ Committee on Discipline, File n° 21-05-1252, October 10, 2006.

<sup>8</sup> OIIQ Committee on Discipline, File n° 20-2005-00338, April 14, 2006.

<sup>9</sup> OIIAQ Committee on Discipline, File n° 21-04-1205, September 19, 2005. A temporary three-week striking off the roll period was imposed.

<sup>10</sup> OIIAQ Committee on Discipline, File n° 21-04-1185, September 19, 2005. A temporary three-day striking off the roll period was imposed.

<sup>11</sup> OIIAQ Committee on Discipline, File n° 21-04-1192. February 21, 2006. In this case, a temporary one-month striking off the roll period was imposed. In another file of the same kind involving the same member, a temporary two-month striking off the roll period was imposed (File n° 21-05-1233, February 21, 2006.)

<sup>12</sup> OIIAQ Committee on Discipline, File n° 21-04-1206, February 25, 2005. A temporary one-month striking off the roll period was imposed. The OIIAQ Committee on Discipline also recommended that a refresher training course be imposed.

<sup>13</sup> *Idem*. See note 10. A two-week striking off the roll period was imposed.

<sup>14</sup> Section 5 of *An Act respecting Health Services and Social Services* makes provision for that “Every person is entitled to receive, with continuity and in a personalized and safe manner, health services and social services which are scientifically, humanly and socially appropriate.”