

COLLEGE OF DIETITIANS OF BRITISH COLUMBIA

Complaint Outcome Report #11-08 – Professional/ethical conduct and competence

On May 1, 2011, after several emails, a complaint was emailed to the College from a member of the public who was a resident of a facility and who had a serious debilitating physical and psychological condition. The allegations against the Registered Dietitian were said to occur in October 2010 and related to verbal and physical abuse and indiscriminate and unwanted changes to the complainant's diet. Although specific dates and details of the alleged incidents were not included in the complaint, the College's legal counsel advised the College to investigate the case due to the seriousness of the allegations.

Before the Registrar could initiate the complaint process, an unsigned email was received from the complainant's email address requesting that all investigation stop. The complainant did not respond to any further correspondence. The Registrar spoke with the Manager of Clinical Nutrition for the Health Authority who provided information about the complainant, the October 2010 incidents and personnel involved in internal settlement of the matter. Through email and telephone inquiries, the Registrar was told that the October 2010 complaints had been resolved satisfactorily by the employer at the time they occurred. Documentation was requested to confirm resolution but was not received. Meanwhile, approximately three weeks later, a final email was received from the complainant asking that the investigation continue.

In June 2011 the Registrar hired an experienced private investigator with a background in psychiatric nursing, to visit the facility and gather further pre-investigative information. The complainant and key personnel in the facility and Health Authority were interviewed, including three witnesses to incidents between the complainant and registrant. The investigator learned that the complainant had a history of lodging email complaints against facility personnel, copying these emails to numerous regulatory colleges, government officials, agencies and the police, and behaving in a disruptive manner. The investigator reported that no incident reports were written regarding the incidents with the Dietitian. The registrant did meet with the facility Supervisor to discuss the incidents and was provided with feedback and suggestions for managing future interactions with the complainant.

The investigator reported that, according to witnesses and supervisory staff, the registrant did not engage in physical and/or verbal abuse of the complainant. The investigator also reported finding no evidence of vengeful changes to the complainant's diet by the Dietitian. The reported incident(s) were managed internally by supervisory staff and discussed with the registrant and there is no evidence to support any action against the professional conduct, ethical conduct or competence, of the Dietitian.

The investigator's report and documentation was reviewed by the Inquiry Committee. On August 9, 2011 Inquiry Committee members determined that, in accordance with section 33(6)(a) of the *Health Professions Act*, no further action be taken with the complaint against the registrant in Case #11-08 as the registrant's conduct and competence is satisfactory. The registrant and complainant were informed of the case outcome.

The case is closed.