

COLLEGE OF DIETITIANS OF BRITISH COLUMBIA

Inquiry Case #20-36 - Complaint Outcome Report

On **April 14, 2020**, a registrant complained about another registrant that was orientating to replace the complainant during a leave of absence. The complaint raised allegations about the registrant's inability to practice dietetics without direct supervision, including restricted activities A (design, compound and dispense of enteral nutrition) and B (design of parenteral nutrition). The complainant provided documentary evidence and additional information to support the allegations between April 20 and May 8, 2020.

On **April 20, 2020**, the registrant was notified of the complaint and contacted the Deputy Registrar on **April 21** to review the allegations, the complaint process and answer preliminary questions about competence and safety to practice restricted activities.

On **April 22, 2020**, the Inquiry Committee agreed to inspect the allegations, through phone interviews and patient medical records review. The Registrar and Deputy Registrar were designated to inspect the allegations.

The registrant's practice was monitored and supervised between **April 22 and May 7, 2020**, with regular reports to the inspectors. On May 7, the registrant's Manager reported to the inspectors that the registrant submitted her voluntary resignation, effective at end of day on May 8, 2020.

The preliminary evidence provided by the complainant and during the monitoring period was reviewed with the Registrant and showed the following gaps related to Standard of Practice 1-4, 9-10 and 13-15:

- Knowledge and understanding of clinical screening, problem identification and planning nutrition interventions,
- Knowledge and understanding of medical terminology, record keeping, and interprofessional communication, and
- Critical thinking, self-awareness of practice weaknesses, and ability to seek new knowledge and skills and identify educational resources to fills gaps.

These gaps have been recognized to be medium to high risk, with a potential impact on patient care and safety if not addressed immediately. For these reasons, the registrant was asked to agree to an interim undertaking, where they could practice clinical nutrition under supervision, until the case was disposed by the Inquiry Committee. The registrant agreed to the undertaking on **May 26, 2020**.

On **May 5**, the CDBC contracted a consulting dietitian to complete the registrant's health record review. The review was completed on **June 16, 2020**.

The inspection took place between **April 22 and June 25, 2020**.

On **June 30, 2020**, the Inquiry Committee reviewed the allegations, the registrant's responses to the allegations and inspection questions, and additional documentary evidence, including a review of patient health records, scientific literature, and College legislation and standards.

The Committee determined that the report contained sufficient evidence in regard to the allegations and that the patient health records and correspondence reviewed pointed to an overall moderate risk with the following aspects of practice (CDBC bylaws, ss. 45, Restricted Activities, 70, Record Keeping, 71, Privacy Requirements, and Schedule B, Standards of Practice (Standard of Practice 1-4, 9-10 and 13-15), Standards for Record Keeping, Restricted Activity Competencies and other accepted practice guidelines for clinical nutrition):

- considering and recording important medical tests and diagnoses, medication, and anthropometric information
- understanding and obtaining relevant nutrition assessment information
- formulating a nutrition diagnosis and following the Nutrition Care Process Guidelines
- formulating a nutrition assessment that considers relevant critical medical and nutritional information
- understanding and interpreting medical information relevant to nutrition assessment, problem identification and nutrition care planning
- record keeping issues with accuracy of information recorded, appropriate terminology, completeness, security of records, and identification, and
- formulating and implementing an evidence-based nutrition care plan.

The Committee disposed of the complaint pursuant to sections 33(6)(c) and 36(1)(b) of the *Health Professions Act* in which the registrant was to consent to completing the following requirements by December 15, 2020:

- maintaining the interim undertaking signed on May 26, 2020 until such time the registrant completes all required course and practical upgrading to practice safely and competently in accordance with CDBC bylaws and standards of practice,
- completing a course of professional-level English and a medical terminology course and,
- completing the CDBC practical competence assessment to identify gaps in practice and determine specific course and/or practical remediation needs.

The registrant and complainant were notified of the decision on **July 15, 2020**, and on **July 17**, the registrant agreed to the consent agreement.

On **September 11, 2020**, the registrant completed the practical assessment interview.

On **September 14**, the Inquiry Committee closely reviewed the results of the practical assessment interview and remained concerned with gaps around patient-centered care, informed consent, critical thinking and interprofessional communication. The Committee determined that the registrant was to consent to the following additional requirements for remediation by September 30, 2021:

- maintain the interim undertaking signed on May 26, 2020 until such time the registrant completes all required course and practical upgrading to practice safely and competently in accordance with CDBC bylaws and standards of practice,
- complete a supervised clinical residency in a variety of settings, where the supervisor is a Full registrant in good standing with experience evaluating dietetic practice, and
- upon completion of the residency, undergo an assessment arranged by the Inquiry Committee to evaluate and determine whether the registrant can resume independent practice and meet CDBC bylaws and standards for competent and safe practice.

The registrant agreed to the consent agreement on **September 27, 2020**.

A copy of the signed undertaking and consent agreements are saved in the registrant's file permanently, in accordance with section 69 of the CDBC bylaws.

77 days were required to resolve the case.