

# COLLEGE OF DIETITIANS OF BRITISH COLUMBIA

## Inquiry Case #20-44 - Complaint Outcome Report

On **December 4, 2020**, two registrants complained about another registrant. The complaint raised allegations about the registrant's failure to provide safe, evidence-informed nutrition care, not meeting CDBC and workplace standards for recording keeping, and incompetence with Restricted Activities A and C. The complainants provided practice examples and documentary evidence and additional information to support the allegations between December 16 and 29, 2020.

On **December 15, 2020**, the Inquiry Committee reviewed the information, confirmed the allegations were within the mandate of the College and agreed to inspect the allegations, through interviews and patient health records review.

On **December 16, 2020**, the registrant was notified of the complaint and contacted the Deputy Registrar to review the allegations, the complaint process and answer preliminary questions about competence and safety to practice restricted activities.

On **January 21, 2021**, the registrant entered into a remediation agreement with their employer, to address issues identified through a parallel investigation by the employer. The registrant's practice was monitored and audited regularly by the registrant's employer for the duration of the CDBC inspection.

The inspection took place between **December 16, 2020 and April 6, 2021**.

On **April 12, 2021**, the Inquiry Committee reviewed the registrant's responses, interviews with the complainants and the employer, a review of patient records, workplace policies and email correspondence, the employer's remediation agreement, CDBC bylaws, standards of practice, standards for record keeping, and other relevant clinical literature and practice guidelines.

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 low risk of harm with moderate risks for the following aspects of practice (CDBC bylaws, ss. 45, Restricted Activities and 70, Record Keeping, Schedule B, Standards of Practice 3, 13, 14, 15 and Standards for Record Keeping):

- current, evidence -informed services and critical thinking,
- patient centered-care, and
- compliance with organizational requirements and record keeping.

In making its decision, the Committee acknowledged that a parallel investigation was completed by the registrant's employer, and that the registrant had already agreed to a remediation agreement to address the moderate risks identified in the inspection report. The Committee obtained additional information from the employer to assure itself that the ongoing remediation was closely overseen with frequent health record reviews and meetings with the employer, and would enable the registrant to remediate the moderate risks identified in the inspection report by the end of June 2021.

For these reasons, the Inquiry Committee decided to dispose of the case pursuant to section 33(6)(a) of the Act, and take no further action. Nevertheless, in the interest of the public, the Committee requested that the employer notify the CDBC should these concerns persist beyond June 2021. The Complainants were also invited to reach out again to the CDBC should new unaddressed concerns be identified. The Committee also recommended that the registrant record learning completed through remediation activities in their Continuing Competence

Program report and that the registrant reflect on the appropriate skills needed to support ethical, competent and safe care moving forward.

The registrant, and complainants and employer were notified of the decision on **May 3, 2021**.

A copy of the decision is saved in the registrant's file permanently, in accordance with section 69 of the CDBC bylaws.

**146 days** were required to resolve the case.