

COLLEGE OF DIETITIANS OF BRITISH COLUMBIA

Inquiry Case #20-45 - Complaint Outcome Report

On **March 16, 2021**, a member of the public complained about the registrant. The complaint raised allegations about the registrant's delayed and unclear communications, delayed implementation of a diet order requested by a patient's family, and competence issues with diabetes and weight management, including evidence-based interventions. The complainant provided practice examples, correspondence and additional information to support the allegations between March 16 and June 23, 2021.

On **April 6, 2021**, the registrant was notified of the complaint by the CDBC Registrar by phone and email. The notification email informed the Registrant that the concerns would be reviewed by the Inquiry Committee on April 12 and that the Inquiry Committee may proceed with an inspection, as the concerns were within the College's jurisdiction and should be inspected. The notification also requested that the Registrant provide a response to the allegations by **May 15, 2021**.

On **April 12, 2021**, the Inquiry Committee reviewed the information, confirmed the allegations were within the mandate of the College and agreed to inspect the allegations, through written questions, a medical health record review.

The inspection took place between **April 26 and June 24, 2021**.

On **July 7, 2021**, the Inquiry Committee reviewed the complainant's documentary evidence, registrant's responses, a review of the patient's medical record, workplace information and email correspondence, CDBC bylaws, standards of practice, and other relevant clinical literature and practice guidelines.

The Committee determined that the report contained sufficient evidence in regard to the allegations. The health record review showed that the registrant provided care to the patient that was consistent with current clinical practice guidelines. However, communication with the complainant and the patient's substitute decision maker may not have been sufficiently clear. Overall, the risk of harm was determined to be low with moderate risks for aspects of practice related to insight, reflection and accountability (CDBC bylaws' Schedule A, Code of Ethics, principle 2, and Schedule B, Standards of Practice, #4, 9 and 14).

In making its decision, the Committee acknowledged that a parallel investigation was ongoing at the Health Authority and the private company where the patient resides regarding workplace issues that are beyond the scope of this case and the College's jurisdiction. The Committee also acknowledged that the registrant practices in a sole role in a facility of over 175 beds.

Based on the findings of the investigation and the additional context mentioned above, 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 made the following recommendations for the registrant to proactively address the risks they observed for insight, reflection, and accountability:

- Through a facilitated discussion with the CDBC Deputy Registrar, review, reflect, and identify resources and learning activities that support improving the application of Principle 2 of the CDBC Code of Ethics regarding responsibility and accountability of services, Standard of Practice 9.9 regarding the use of principles of facilitation, negotiation and conflict management as needed, showing respect for others' viewpoints, and Standard of Practice 14.7 on identifying strategies and timelines to monitor and evaluate effectiveness of services provided.

- Find/create a resource to refer to when first meeting with patients and their family to orient them to dietetic services and inform them on what to expect with regard to consent to treatment, proper channels of and frequency of communication, and
- Explore optimized communication strategies in the care team to ensure appropriate continuity of care and follow-up.

The Committee also recommended that the registrant record any learning completed through these recommendations in the Continuing Competence Program report.

The registrant and the complainant were each notified of the decision by email on **July 8** and reviewed the decision by phone with the Deputy Registrar on **July 9, 2021**.

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

113 days were required to resolve the case.