

IN THE MATTER OF THE *HEALTH PROFESSIONS ACT* RSBC 1996 c. 183

AND IN THE MATTER OF

**THE COLLEGE OF REGISTERED NURSES
OF BRITISH COLUMBIA (“CRNBC”)**

AND

**ABIHUDI IMBAI
(the “Registrant”)**

CONSENT ORDER PROPOSAL

BACKGROUND and FACTS

1. This Proposal is made by the Registrant to the Inquiry Committee of the CRNBC (the “Committee”) under s. 37.1 of the *Health Professions Act* (“HPA”).
2. The Registrant was registered by the CRNBC under No. 0921770 on June 24, 2008. His registration was cancelled by decision of an Inquiry Committee Panel dated June 18, 2015.
3. On June 22, 2012 a complaint was made to the CRNBC by the Registrant’s employer that allegations had been made that the Registrant had inappropriately touched two female patients.
4. On August 2, 2012, an Inquiry Committee Panel of the CRNBC accepted the Registrant’s written undertaking (the “Agreement”) pursuant to s. 36 of the HPA:
 - a. that his registration status would be converted to “suspended non-practicing”, and
 - b. not to engage in the practice of nursing or apply for practicing registration in the CRNBC so long as the Agreement remained in effect.
5. In about August 2012, the Registrant obtained employment at a private home health care provider (the “Employer”), in a position called “Manager of Clinical Practice”, in which he was to be responsible for the delivery of care and service to clients both directly and through the supervision of care-givers. This was a position for which registration in the CRNBC was required.
6. At all material times, the Registrant knew he was not eligible to engage in the practice of nursing.
7. In February 2013, the Employer learned that the Registrant was not eligible to practice by reviewing the CRNBC website. The Employer then terminated the Registrant’s employment and reported to the CRNBC.
8. A citation was issued by the CRNBC on July 3, 2013 (the “Citation”).

ADMISSION

9. The Registrant admits the facts set out above in paragraphs 1 to 8 are true and correct, and that, between August 2012 and March 2013, he engaged in the practice of nursing and held himself out as a practicing registered nurse contrary to the Agreement and his registration status.
10. The Registrant admits that he:
 - a. failed to comply with CRNBC's standards for the practice of nursing by registrants and standards of professional ethics for registrants, including Standards 1, 4 and/or 6 of CRNBC's Professional standards of Registered Nurses and Nurse Practitioners (2011 ed.);
 - b. failed to comply with the HPA, a regulation or a bylaw, by using the title nurse and engaging in the practice of nursing contrary to his registration status;
 - c. failed to comply with a standard, limit or condition imposed under the HPA, being the Agreement approved by the Inquiry Committee pursuant to s. 36 of the HPA; and,
 - d. committed professional misconduct.

CONSENT TO ORDER

11. The Registrant proposes resolution of the Citation on the following terms:
 - a. that, pursuant to s. 39(8) of the HPA, the Committee order that he not be eligible to apply for reinstatement of registration for a period of three years from the Committee's approval of this Proposal, and
 - b. that no costs shall be payable by the Registrant in relation to this Citation or Proposal.

ACKNOWLEDGEMENTS

12. The Respondent acknowledges that, if this Proposal is accepted by the Committee, it will issue a Consent Order consistent with this Proposal that is considered to be an order of the discipline committee made under s. 39 of the HPA. If the Proposal is rejected, the hearing will proceed as though the Proposal had not been made and without consideration of its contents.
13. The Registrant acknowledges that, if this Proposal is accepted by the Committee, publication of this Proposal and the Consent Order issued will be made in accordance with section 39.3 of the HPA.

14. The Registrant acknowledges that in the event a Consent Order is issued in accordance with this Proposal, and he applies for registration after three years, his application will be addressed by the registration committee in accordance with s. 20 of the HPA and the Bylaws of the CRNBC. He will be required to meet the standard for good character and all other registration requirements.
15. The Registrant acknowledges that he has had an opportunity to obtain legal advice and representation throughout the CRNBC processes and before making this Proposal and that he fully understands and agrees to the terms and conditions set out herein.

SIGNED in MAPLE RIDGE B.C., B.C. the 9th day of July, 2015.



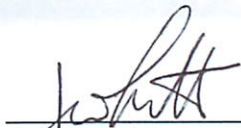
Abihudi Imbai, Registrant

Signature of Abidui Imbai witnessed on above date by:

MARITA ANUPI 

Witness Name (Please Print) and Signature

SIGNED in MAPLE RIDGE, B.C. the 9th day of July, 2015.



Jean P. Whittow QC, Counsel for the CRNBC

Signed in Vancouver, BC, the 24th day of July, 2015.