

FOR ALL BCCNM NURSES

# Reporting impairment in the workplace: BCCNM's public protection mandate and how you can help

## What should I do if I know a nurse is impaired at work?

### GUIDANCE FOR REPORTING NARCOTICS DIVERSION AND SUBSTANCE USE IMPAIRING PRACTICE

BCCNM's mandate is to serve and protect the public. While BCCNM is empowered to protect patients by controlling the registration privileges of nurses across B.C., we can only act when we have been informed of a problem. For this reason, patient safety is best protected when everyone plays a role in identifying risk.

This document guides readers about when and how to report concerns about narcotics diversion or impairment in the workplace. BCCNM strives to work fairly, thoughtfully, and transparently in response to all incoming information.

### WHEN ARE REPORTS TO BCCNM ABOUT SUBSTANCE USE MANDATORY? GUIDANCE FOR EMPLOYERS AND HEALTH CARE PROFESSIONALS

A nurse's employer and colleagues regulated under the [Health Professions Act](#) must report to the regulator when:

- Evidence of narcotics diversion has been identified and attributed to a nurse.<sup>1</sup>
- Clear indicators that a nurse is impaired at work are witnessed. Please note that the report must include a specific description of the nurse's behaviour, including the day and time that the indicators of impairment were witnessed.<sup>2</sup>
- The employer terminates the employment of a nurse based on an evidenced belief that the failure to do so might constitute a danger to patients.<sup>3</sup>

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1 Section 32.2(1)

2 Section 32.2(1)

3 Section 32.2(2)

BCCNM is legally authorized to control a nurse's ability to practise across B.C., when appropriate, based on a careful review of available evidence. The employer is responsible for controlling a nurse's ability to practise in the employment setting. The controls available to the employer are more immediate and varied than those available to the regulator during the course of investigation.<sup>4</sup>

BCCNM would expect that, in addition to a report to the regulator, the relevant office at the healthcare facility or Health Authority would already (a) be informed of the matter and (b) be taking appropriate action pursuant to the terms of the employment contract, whether under the collective agreement (and Enhanced Disability Management Program) or otherwise.

Mandatory reports should be made directly to the regulator by the employer or regulated colleague.

### **WHEN SHOULD COMPLAINTS BE MADE TO BCCNM ABOUT IMPAIRMENT AT WORK? A GUIDE FOR MEMBERS OF THE PUBLIC AND NON-REGULATED COLLEAGUES**

If anyone working with a nurse or being treated by a nurse has good reason to believe that the nurse is diverting narcotics from the workplace, or attending work impaired, we would expect the concern and reason for the concern be reported directly to BCCNM and to the nurse's supervisor.<sup>5</sup>

More information

- Visit the [Complaints and Concerns section](#) of BCCNM's website.
- Review your Health Authority/employer's policies and procedures about addressing employee alcohol and drug use.

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<sup>4</sup> For example, an employer may place a nurse on leave while a concern is investigated or while a medical evaluation is completed. BCCNM has no such power. To the contrary, to limit or suspend a nurse's registration during the course of investigation, BCCNM must convene a formal legal proceeding under section 35 of the Health Professions Act in which the evidence obtained to date is presented to the Inquiry Committee for consideration. Any decision may be appealed to the BC Supreme Court.

<sup>5</sup> Section 32