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MAY 13 2014

**The College of Registered Psychiatric Nurses
of British Columbia**

COLLEGE OF REGISTERED
PSYCHIATRIC NURSES OF BC

BETWEEN: MUHAMMAD NADEEM MAMDEEN
(the "Former Registrant")

AND:

The College of Registered Psychiatric Nurses of British Columbia
(the "College" or "CRPNBC")

CONSENT ORDER

PURSUANT TO sections 37.1(5), (6) and (6.1) and 39(3)(a) to (c) of the *Health Professions Act* (the "Act");

AND UPON the Inquiry Committee being advised that:

1. The Former Registrant studied Mental Health Nursing in the United Kingdom ("UK") and was previously a registrant with the Nursing & Midwifery Council in the UK.
2. In 2008, the Former Registrant was issued practicing registration by the CRPNBC and commenced employment as a Registered Psychiatric Nurse with the Fraser Health Authority at the Peace Arch Hospital in White Rock, BC.
3. In March 2011, the College received a complaint alleging that the Former Registrant, while a registrant of the College, had engaged in a sexual relationship with a patient. In April 2011, the College was advised by Fraser Health Authority that the Former Registrant's employment had been terminated effective April 14, 2011. The Former Registrant last practiced as a Registered Psychiatric Nurse in March 2011.
4. On May 17, 2011, the Former Registrant signed an undertaking with the College and undertook not to engage in practice as a Registered Psychiatric Nurse until the investigation of the Complaint was completed and the Former Registrant's practicing registration was then converted to non-practicing. On June 4, 2013, the Former Registrant signed a further undertaking not to practice. On February 28, 2014, the Former Registrant's non-practicing registration lapsed and remains so.
5. A labour arbitration between the Health Employers Association of British Columbia representing the Fraser Health Authority (Peace Arch Hospital) and the Health Sciences

Association of British Columbia took place on December 6, 2011 and May 29, June 12, 13, 14, August 13, 14, 15 and September 13, 2012. In the arbitration award dated November 26, 2012 (the "Award"), the arbitrator (the "Arbitrator") concluded that "there [was] sufficient credible and reliable evidence that prove[d], to the requisite standard, that the sexual relations between the Grievor [the Former Registrant] and Ms. X [the Former Registrant's patient] occurred" (words in brackets added).

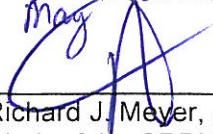
6. On June 25, 2013, the College issued a Citation concerning the Former Registrant, attached hereto as Schedule "A".
7. On January 20, 2014, the College Discipline Committee convened a panel to inquire into the conduct of the Former Registrant, as alleged in the Citation. At that time, the College brought a preliminary application seeking a ruling that the Former Registrant was bound by the Award, the Arbitrator's summary of the evidence, and his findings of fact.
8. On March 5, 2014, the Discipline Committee released reasons for its decision in the preliminary application (the "Decision"), attached hereto as Schedule "B", and ruled that the Discipline Committee would adopt and give legal effect to the Award, the Arbitrator's summary of the evidence, and his findings of fact.
10. Pursuant to section 39.3(1)(c) of the Act, the College will publish on its website the outcome in this matter for a period of at least 10 years or longer, as deemed appropriate by the College in its sole discretion, and such publication will contain a link to the Decision and this Consent Order.
11. The Former Registrant admits to engaging in professional misconduct.
12. With legal representation and after obtaining all necessary independent legal advice, the Former Registrant has requested and proposed that this matter be resolved and concluded short of a full hearing on the merits before the CRPNBC Discipline Committee and as outlined in this Consent Order, and has endorsed this Consent Order with his consent.

IT IS HEREBY ORDERED THAT:

1. The Former Registrant be hereafter permanently barred from obtaining registration as a Registered Psychiatric Nurse in British Columbia and be prohibited from using the RPN designation and from providing the services of the profession of psychiatric nursing specified in the *Nurses (Registered Psychiatric) Regulation* or any successor legislation or regulation;
2. Pursuant to section 33.1(b) and (l) of the *Freedom of Information and Protection of Privacy Act*, the College be at liberty to report this outcome and/or to provide a copy of this Consent Order to any other regulatory body it deems appropriate in its sole discretion, including nursing regulatory bodies in Canada and the United Kingdom and anywhere outside of Canada where the practice of psychiatric nursing is regulated and notice of each disclosure shall be mailed to the last known address of the Former Registrant;

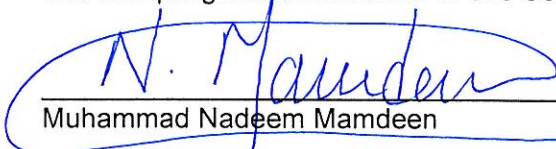
3. The College and the Former Registrant each bear their own costs in relation to these proceedings and the Former Registrant not be subject to a fine of the College in any amount; and
4. This Consent Order have the same force and effect as if it had been made by the CRPNBC Discipline Committee pursuant to section 39 of the *Health Professions Act*;

Signed on behalf of the CRPNBC Inquiry Committee
on April 13, 2014:



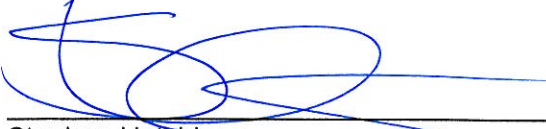
Richard J. Meyer, JD
Chair of the CRPNBC Inquiry Committee

I, Muhammad Nadeem Mamdeen, acknowledge that I have carefully read, and have received independent legal advice in relation to, this Consent Order. I hereby voluntarily endorse this Consent Order with my consent on April 2nd, 2014, fully understanding and appreciating and accepting the ramifications of this Consent Order for me: NM 81



Muhammad Nadeem Mamdeen

Witness as to the signature of Muhammad Nadeem Mamdeen:



Stephen Hutchison
Legal Counsel to the Former Registrant

SCHEDULE "A" to the Consent Order Between the CRPNBC and MUHAMMAD NADEEM MAMDEEN

IN THE MATTER OF THE *HEALTH PROFESSIONS ACT*

AND

IN THE MATTER OF A CITATION CONCERNING

Muhammad Nadeem Mamdeen

Registration #08241

NOTICE OF HEARING

To: Muhammad Nadeem Mamdeen
c/o Ralston and Associates
Attention: Stephen Hutchison
208-13569 – 76 Avenue
Surrey, BC V3W 2W3

TAKE NOTICE that the Inquiry Committee has directed me, as the Registrar, to issue this Citation under section 37 of the *Health Professions Act*, R.S.B.C. 1996, c. 183 (the "Act"). A hearing panel of the College of Registered Psychiatric Nurses of British Columbia ("CRPNBC") Discipline Committee (the "Discipline Committee") will conduct a hearing to inquire into your conduct, to determine whether:

- (a) You have committed professional misconduct, as defined in section 29 of the Act;
- (b) You have practiced psychiatric nursing incompetently;
- (c) You have failed to comply with the Act, a regulation, bylaw or a standard, limit or condition imposed by the Act;
- (d) You have failed to conduct yourself in accordance with the applicable professional code of ethics and standards of practice; and
- (e) Your conduct is deserving of sanction in accordance with section 39 of the Act.

AND FURTHER TAKE NOTICE that the details of the allegations, reproduced in Schedule "A" attached hereto, are as follows:

1. On or about March 18 to 22, 2010, inclusive, you:
 - (a) Engaged in inappropriate behavior, remarks and touching of a sexual nature and sexual intercourse with a patient ("Ms. X");
 - (b) Failed to provide a therapeutic environment for Ms. X and otherwise maintain appropriate professional standards and boundaries;
 - (c) Failed to properly document the psychiatric nursing care of Ms. X; and
2. Following the hospitalization and discharge of Ms. X in March 2010, you continued an inappropriate relationship with Ms. X.

AND FURTHER TAKE NOTICE that the hearing will be held as follows:

PLACE: Vancouver, BC - at a venue to be determined.

DATE: On a date to be determined in consultation with all parties, counsel and the Discipline Committee.

TIME: 9:30 a.m. to 4:30 p.m.

The venue may be subject to change, but the hearing will be in Vancouver. If you are unavailable on the date set for hearing, you may apply in writing to request a change in the date or time.

AND FURTHER TAKE NOTICE that s. 38(4.1) of the Act entitles you to an outline of the anticipated evidence from each of the witnesses that will be called and an opportunity to inspect any documentary evidence at least 14 days prior to the hearing. Your rights relating to the hearing can be found in the Act and the CRPNBC Bylaws.

AND FURTHER TAKE NOTICE that at the hearing, legal counsel on behalf of the CRPNBC will make submissions with respect to the appropriate action to be taken regarding your registration. The action that can be taken includes suspension and/or cancellation of your registration and/or the imposition of a fine under s. 39(2) of the Act and an award of costs payable by you to the CRPNBC in accordance with ss. 19(1)(v.1),(w.1), 39(5) and (7) of the Act and s. 69.1 of the CRPNBC Bylaws.

Your non-appearance: If you fail to appear at the date, time and place set for the hearing, the Discipline Committee is entitled to proceed with the hearing in your absence upon proof of receipt of the Citation by you and may taken any action, without further notice to you, that it is authorized to take under the Act, Regulations and CRPNBC Bylaws pursuant to s. 38(5) of the Act.

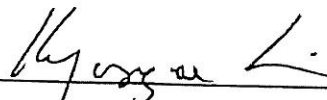
Discipline Committee's Contact Information

The mailing address of the Discipline Committee for delivery is:

College of Registered Psychiatric Nurses of BC
#307 – 2502 St. Johns Street
Port Moody, BC V3H 2B4
Tel: (604) 931-5200
Fax: (604) 931-5277

Attention: Discipline Committee

Dated at Port Moody, British Columbia, this 25th day of June, 2013.



Kyong-ae Kim, LL.B.
Registrar

SCHEDULE "A"

CITATION

CONCERNING Muhammad Nadeem Mamdeen

To: Muhammad Nadeem Mamdeen

It is alleged that:

1. On or about March 18 to 22, 2010, inclusive, you:
 - (d) Engaged in inappropriate behavior, remarks and touching of a sexual nature and sexual intercourse with a patient ("Ms. X");
 - (e) Failed to provide a therapeutic environment for Ms. X and otherwise maintain appropriate professional standards and boundaries;
 - (f) Failed to properly document the psychiatric nursing care of Ms. X; and
2. Following the hospitalization and discharge of Ms. X in March 2010, you continued an inappropriate relationship with Ms. X.