

# DISCIPLINARY COMPLAINT RESOLUTION AGREEMENT

pursuant to section 55(2)(a.1) of the *Health Professions Act*

**BETWEEN:**

**ALLISON SMITH, #94,877**  
(the “**Registrant**”)

and

**College of Registered Nurses of Alberta**  
(the “**College**”)

A Disciplinary Complaint Resolution Agreement (“**DCRA**”) was executed between the Registrant and the College, dated with effect April 5, 2024. The below constitutes a summary of such DCRA:

Through an Agreement with the College, Allison Smith, #94,877 (the “**Registrant**”), acknowledged and admitted that their behaviour constituted unprofessional conduct. Particulars of the Registrant’s unprofessional conduct arises from one (1) complaint to the College and includes the following:

- On or about December 6, 2021, the Registrant failed to maintain appropriate professional boundaries and/or acted outside the scope of their professional responsibilities when they initiated the process of obtaining a capacity assessment prior to receiving a physician’s order for a capacity assessment.
- In or between December 2021 and January 2022, the Registrant failed to maintain appropriate professional boundaries and/or acted outside the scope of their professional responsibilities when they:
  - Arranged and paid for a private capacity assessment of Resident 1 without notifying the healthcare team or Resident 1’s family; and/or
  - Used a personal e-mail address to receive the capacity assessment report concerning Resident 1.

- Between March 2022 and April 2022, the Registrant failed to maintain appropriate professional boundaries and/or acted outside the scope of their professional responsibilities when, they did one (1) or more of the following:
  - On a specified date in March 2022, the Registrant initiated, either directly or indirectly, a private application with the Court of Queen’s Bench of Alberta (as it then was) (the “**Court**”) appointing Individual 1, being an individual with whom the Registrant had a personal and/or romantic relationship, as Resident 1’s guardian and trustee (the “**Trusteeship Application**”);
  - On a specified date in March 2022, the Registrant appeared before the Court and made oral submissions concerning the Trusteeship Application;
  - On a specified date in April 2022, the Registrant appeared before the Court and made oral submissions concerning the Trusteeship Application.
  
- On or after January 7, 2022, the Registrant failed to demonstrate adequate skill and/or judgment when they failed to add the capacity assessment report to Resident 1’s chart in a timely manner, or at all.
  
- On one (1) or more occasions between October 2021 and April 2022, the Registrant failed to demonstrate adequate skill and/or judgment when they failed to document, or adequately document, their actions and/or interactions concerning Resident 1 in the resident’s chart, specifically:
  - Between December 2021 and April 2022, the Registrant failed to document their communications with the Designated Capacity Assessor (the “**DCA**”);
  - Between October 2021 and April 2022, the Registrant failed to document, or adequately document, her communications with the Social Worker;
  - Between October 2021 and April 2022, the Registrant failed to document, or adequately document, her communications with the RN Case Manager, including but not limited to that the physician ordered a capacity assessment on December 13, 2021;

- Between October 2021 and April 2022, the Registrant failed to document, or adequately document, her communications with the Physician concerning, without limitation, Resident 1's need for a capacity assessment;
- In or between March 2022 and April 2022, the Registrant failed to document sufficient or any information concerning the Trusteeship Application.
- Between October 2021 and April 2022, the Registrant failed to document, or adequately document, her communications with Resident 1's family;
- Between October 2021 and April 2022, the Registrant failed to document, or adequately document, their communications with Resident 1 concerning, without limitation, capacity, trusteeship and/or finances.
- In or between December 2021 and April 2022, the Registrant failed to maintain appropriate professional boundaries and/or acted outside the scope of their professional responsibilities when they:
  - Submitted, or caused to be submitted, documentation to Service Canada appointing Individual 1 as Resident 2's trustee;
  - Received one (1) or more cheques intended for Resident 2 to their home address.
- On one (1) or more occasions between October 2021 and April 2022, the Registrant failed to demonstrate adequate skill and/or judgment when, they failed to document, or adequately document, their actions and/or interactions concerning Resident 2 in the resident's chart, specifically:
  - Between October 2021 and April 2022, the Registrant failed to document, or adequately document, her communications with the RN Case Manager;
  - Between October 2021 and April 2022, the Registrant failed to document, or adequately document, her communications with the Physician concerning, without limitation, Resident 2's need for a capacity assessment;
  - Between October 2021 and April 2022, the Registrant failed to document, or adequately document, their communications with Resident 2 concerning, without limitation, capacity, trusteeship and/or finances;

- Between October 2021 and April 2022, the Registrant failed to document, or adequately document, their communications with Resident 2's former Social Worker; and/or
- Between December 2021 and April 2022, the Registrant failed to document their communications with and/or actions in relation to Service Canada.
- In or around August 2022, the Registrant failed to maintain appropriate professional boundaries and/or acted outside the scope of their professional responsibilities when, subsequent to the conclusion of the nurse client relationship, they continued to be involved in Resident 2's personal and financial affairs, specifically when the Registrant submitted documents concerning the trusteeship of Resident 2 to Service Canada after the termination of their employment from the Lodge.
- On one (1) or more occasions between October 2021 and April 2022, the Registrant failed to ensure a client's right to privacy and confidentiality, when:
  - In or between December 2021 and April 2022, the Registrant disclosed Resident's 1's confidential information to Individual 1 without appropriate authorization and for purposes inconsistent with their professional responsibilities;
  - In or between December 2021 and January 2022, the Registrant disclosed Resident 1's confidential information to the DCA without appropriate authorization and for purposes inconsistent with their professional responsibilities;
  - In March 2022 and April 2022, the Registrant used and/or disclosed Resident 1's confidential information in public court documents without appropriate authorization and for purposes inconsistent with their professional responsibilities;
  - In March 2022 and April 2022, the Registrant used and/or disclosed Resident 1's confidential information in a public court proceeding without appropriate authorization and for purposes inconsistent with their professional responsibilities.
- On one (1) or more occasions between October 2021 and April 2022, the Registrant failed to ensure a client's right to privacy and confidentiality when they disclosed Resident 2's confidential information to Individual 1 without appropriate authorization and for purposes inconsistent with their professional responsibilities.

- In or between September 2021 and April 2022, the Registrant failed to demonstrate appropriate judgment when they used their personal cell phone for matters concerning residents in their care.

The Registrant must complete course work and a behavior improvement plan on boundaries, professionalism, privacy and documentation. The Registrant agreed to a 90-day suspension, with the first 45 days deemed served as a result of interim conditions imposed in May 2022. The remaining forty-five (45) days shall be held in abeyance for two (2) years on the condition that the Registrant complies with the Agreement and there are no further complaints that raise professionalism, privacy or professional boundary concerns in that two (2) year period. The Registrant must also submit practice reports for a period of six (6) months and is restricted from engaging in self-employed or home care practice for one (1) year after the final practice report is deemed satisfactory. For a period of two (2) years from the date the Agreement is executed, the Registrant must provide notification letters to the Complaints Director from their Supervisor at any new or prospective employer, or at any other entity for whom the Registrant will complete any type of nursing practice hours as a registrant of the College, confirming, *inter alia*, that the Supervisor has read the Agreement and will immediately report any concerns regarding the Registrant's practice to the Complaints Director. Conditions shall appear on the College register and on the Registrant's practice permit.