

THE COLLEGE OF REGISTERED PSYCHIATRIC NURSES OF MANITOBA

IN THE MATTER OF: *The Regulated Health Professions Act, CCSM, c. R117*

AND IN THE MATTER OF: **DARRIN HALE, a registered psychiatric nurse
registered with the College of Registered Psychiatric
Nurses of Manitoba**

**DECISION AND REASONS OF
THE INQUIRY COMMITTEE PANEL
HEARING DATE: November 6, 2025**

**College of
Registered Psychiatric Nurses
of Manitoba**

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5. The Member waived reading of the allegations in the Amended Notice and entered pleas of guilty to all charges contained therein.
6. A plea enquiry was conducted and the Member acknowledged:
 - (a) his pleas of guilty were voluntary;
 - (b) he was giving up his right to contest the allegations in the Amended Notice;
 - (c) the conduct to which he entered his pleas of guilty constitutes professional misconduct, conduct unbecoming a member and/or a contravention of the *Act* and/or the College's General Regulation, Man. Reg. 57/2002 (the "Regulation"), the Standards of Psychiatric Nursing Practice 2019 (the "Standards") and the College's Code of Ethics 2017 (the "Code").
7. The Panel heard submissions from Ms. Undi as counsel for the CIC and the Member.
8. The CIC requested the Panel to impose the following sanctions:
 - (a) a reprimand;
 - (b) a fine of \$2,500.00;
 - (c) contribution of \$5,000.00 towards the costs of the investigation and the hearing;
and
 - (d) publication of the Panel's decision.
9. The Member did not contest the request for a reprimand, a fine of \$2,500.00, nor publication of the Panel's decision. He contested the quantum of costs and submitted that costs in the amount of \$1,000.00 should be ordered.
10. After hearing submissions, the Panel adjourned to consider the matter and determined whether it had any further questions for the parties. After conferring, the Panel instructed its counsel to advise the parties that the hearing was adjourned, and that the Panel's written

decision and reasons would follow. The following is the Panel's decision, reasons and order.

Facts

11. The parties relied on a Statement of Agreed Facts (**Exhibit "2"**). The Panel accepts and relies upon the facts set out in **Exhibit "2"**.
12. The Member graduated with a diploma from the Manitoba Developmental Centre, in 1984. He has been a Registered Psychiatric Nurse ("RPN") since August 8, 1984, but has not engaged in the practice of registered psychiatric nursing since February 2024. Until his acknowledgment of responsibility at the November 6, 2025 hearing, the Member had no previous disciplinary history with the College.
13. On February 22, 2024, the Registrar/CEO of the College received a mandatory employer report regarding the Member's conduct. The report was submitted by the Director of Nursing at the Manitoba Developmental Centre, a representative of the Member's former employer, the Manitoba Department of Families. The report enclosed a letter dated February 15, 2024 from the Department of Families, Community Service Delivery Division, outlining concerns with the Member's conduct and terminating his employment with the Community Living Psychiatry Service ("CLPS").
14. An investigation ensued and the Complaints Investigation Committee (the "CIC") referred the Member's conduct to the Inquiry Committee.

Count 1

15. The Member acknowledges that contrary to section 86 of the *Act*, subsection 3.9 of the Regulation, sections 3 and 10 of Standard 1. Therapeutic Relationships, section 2 of Standard 3. Professional Responsibility and Accountability, sections 1, 2 and 4 of Standard 5. Professional Ethical Practice, and sections 10, 14, 15 and 17 of the safe, competent and ethical practice provisions of the Code, the Member failed to maintain appropriate

boundaries with clients, and in particular, he:

- (a) took calls from clients and provided psychiatric nursing services outside of his working hours as a CLPS employee;
- (b) attended clients' homes and provided psychiatric nursing services outside of his working hours as a CLPS employee including attending to clients' homes at 7:00 a.m. and administering injections to clients while they were in bed; and
- (c) contacted and solicited CLPS clients for purposes unrelated to his duties as a CLPS employee and for personal or financial gain.

Count 2

16. The Member acknowledges that contrary to section 86 of the Act, subsection 3.9 of the Regulation, section 3 of Standard 1. Therapeutic Relationships, section 2 of Standard 3. Professional Responsibility and Accountability, sections 1, 2 and 4 of Standard 5. Professional Ethical Practice, and sections 10, 17 and 18 of the safe, competent and ethical practice provisions of the Code, or any of them, the Member failed to protect the confidentiality of information gathered in the context of his professional relationships, and in particular:

- (a) during his employment with CLPS, he stored clients' personal information and/or personal health information on his personal cellphone;
- (b) following his termination from CLPS, he retained clients' personal information and/or personal health information on his personal cellphone; and
- (c) he used personal information and/or personal health information acquired during the course of his duties as a CLPS employee for personal or financial gain.

17. At the hearing, the Member advised the Panel that the only information he saved on his phone was the addresses of his clients, and that this information was deleted after the initial visit. He indicated he no longer required to have the clients' addresses on his phone once he knew where they lived.

18. However, the Member provided different information when interviewed by the investigator. The Member was interviewed on two occasions by the investigator, being April 16, 2024 and May 13, 2024. During the second interview, the Member acknowledged that, as at May 13, 2024, being subsequent to the termination of his employment, he still had client information on his phone. He also confirmed during the interviews that he had contacted clients and other service providers offering his services for a fee.
19. During his employment, the Member was provided with a government issued cellphone that he was to use for work purposes. Pursuant to his terms of employment, the client's personal health information was to be stored only on that phone.
20. The Member acknowledged to the investigator that he did not seek approval from his employer to use his personal cellphone to communicate with clients.

Count 3

21. The Member acknowledges that, contrary to subsection 3.9 of the Regulation, sections 1 and 2 of Standard 3. Professional Responsibility and Accountability, sections 10, and 17 of the Safe, competent and ethical practice provisions of the Code, and article 8.02 of the College's Bylaws, or any of them, the Member failed to notify the College of his employment, in either a paid or volunteer capacity, with Leila Pharmacy.
22. The Member acknowledged that he was an employee of Leila Pharmacy since 2017 and that he did not report the change of his place of employment to the College.
23. During his second interview, the Member indicated that he had "missed" stating that he was an employee of Leila Pharmacy on his annual renewal form for the years between 2017 and 2024.

Analysis and Decision

24. The College's *Practice Direction: Professional Boundaries in Psychiatric Nursing* (the "Practice Direction") mandates that RPN's are, at all times, responsible for the psychiatric nurse-client relationship, and the management and monitoring of the boundaries in that relationship.
25. The Practice Direction provides guidance on when an RPN's relationship with a client violates the boundaries of the psychiatric nurse – client relationship. It provides as follows:

“A boundary violation occurs when the RPN, consciously or unconsciously, uses the psychiatric nurse-client relationship to meet his/her personal needs rather than the needs of the client. Boundary violations breach the fundamental obligation of the therapeutic relationship; that is, to place clients' needs first. A violation has occurred when the RPN gains personally or professionally at the expense of the client.”
26. Section 86 of the *Act* requires a registrant of the College to comply with applicable authorities, including practice directions issued for the registrant's profession.
27. The RPN's responsibility to maintain appropriate boundaries is also reflected at section 3 and 10 of Standard 1, which specifies that an RPN is required to ensure that client needs remain the focus of the therapeutic relationship, and to establish and negotiate boundaries in therapeutic relationships.
28. The Member's former employer issued guidelines to safeguard the confidentiality of clients' information when using technology such as mobile devices. These policies govern the access and use by employees of the electronic networks utilized by CLPS. The policy specifically restricted the use of the employer's network for personal or financial gain.
29. Section 2 of Standard 3 of the Standards requires an RPN to exercise professional judgment when agency policies and procedures are absent or unclear.
30. The policies implemented by the Member's former employer were for the protection of its clients. The ethical considerations behind those policies are similar to and consistent with the ethical obligations of an RPN regarding the confidential information of clients.

31. Article 8.02 of the College’s Bylaws mandates that all registrants must ensure that the information about them in the College’s register is current and accurate, including information about their place or places of employment. Specifically, this article provides as follows:

“8.02 Rights, Privileges and Obligations of All Members

All members:

...

- d) shall report to the College, within 30 days:
- iii. any change to place(s) of employment including business address, telephone number, facsimile number, or electronic e-mail address for each place of practice...
- di) shall accurately complete and submit the required annual renewal by providing such information as may be requested and required pursuant to the Act, General Regulation and these by-laws.”

32. The Panel considered the legal principles applicable to penalties imposed in professional regulatory matters, including the principles relevant to appropriate sanction enunciated in *Jaswal v. The Medical Board* (Nfld.) (1996), 42 Admin L.R. (2d) 233. In particular, the Panel’s application of the *Jaswal* factors included:

- The misconduct acknowledged by the Member is serious, demonstrated poor judgment and included conduct inconsistent with the standards of registered psychiatric nursing practice.
- The Member has been a registered psychiatric nurse since 1984. Due to his years of experience, the Member should have known that his conduct was non-compliant with the professional standards applicable to registered psychiatric nursing.
- The Member had no discipline history with the College prior to his entering the pleas of guilty on November 6, 2025.

- The Member pled guilty to the charges, acknowledging his conduct did not meet the standards of the profession, thereby saving the College and others the time and expense involved with a contested hearing.
- The principles of specific and general deterrence. In regard to specific deterrence, the Member is currently not practicing, however the Panel is not aware of anything which would restrict the Member from seeking to resume the practice of registered psychiatric nursing. In regard to the general deterrence, it is important for all members of the profession of registered psychiatric nursing to know that the conduct acknowledged by the Member will be subject to review by the College.
- The Member's conduct must be addressed in order to reassure the public that unacceptable conduct will not be tolerated and to maintain the public's confidence in the College's ability to regulate the profession.
- The Member's conduct fell well below the standards of registered psychiatric nursing practice and the Panel is concerned with the nature of the boundary violation. The Member was providing registered psychiatric nursing care to vulnerable patients and, in some instances, in their bedroom.

33. The Panel accepts the Member's acknowledgement of responsibility as indicated by his pleas to all three counts. However, some of his submissions at the hearing caused the Panel concern. The impression that the Panel had was that, despite his pleas of guilty, the Member lacked insight into his conduct. In particular, the Panel notes the following:

- The Member's comment that he "would do it again" displays a significant lack of insight. This statement was made in conjunction with the Member's assertion that he always provided high quality care to his clients and what he was doing was for their benefit. The Panel's impression of the Member's statements are that, as he was providing great care to his clients, compliance with rules and standards were secondary.

- The Member's emphasis on the practices of others. He seemed to imply that because others were practicing in a similar manner, his conduct was less blameworthy.
34. The Member joined with the CIC in recommending that the Panel impose a fine of \$2,500.00. The Panel is treating the position of the parties as a joint recommendation on the quantum of fine.
 35. The Panel is cognizant of the law of joint recommendations as pronounced by the Supreme Court of Canada in *R. v. Anthony-Cook* and its applicability to professional regulatory proceedings. In addition, significant weight has been allotted to the position put forward by the CIC. But for the joint recommendation and the weight provided to the CIC's position, the Panel would have considered a fine of a greater amount.
 36. Regarding costs, the Panel refers to the Affidavit of Laura Panteluk, affirmed November 6, 2025, which was tendered as **Exhibit "3"** in these proceedings and notes that approximately \$41,000.00 has been spent by the College in the investigation and hearing of this matter.
 37. The Member asserts that, as he currently has no source of income, the costs of \$5,000.00 sought by the CIC is excessive. The Panel also notes that the position of economic hardship submitted by the Member was not supported by any financial information. While the Member was not represented by legal counsel, the Panel expects that a member who asserts economic hardship before an inquiry panel should provide some information to support that position. Also, as indicated previously, the Panel is not aware of any impediment to the Member seeking to resume the practice of registered psychiatric nursing or from seeking any other form of employment.
 38. The costs incurred by the College were the result of the conduct of the Member alone. These costs would not have to be incurred but for the Member's conduct. Those costs were significant and the amount which the College seeks to recover is relatively small in comparison.

39. The Panel acknowledges that the amount of costs sought, in proportion to the costs incurred, is not determinative of the costs to be ordered. It acknowledges that costs must be reasonably incurred and proportionate to the issues involved, the circumstances of the Member, and the overall burden it places upon the Member.
40. The Panel concludes that the amount of costs which the College seeks to recover is reasonable and proportionate to the issues involved. The Panel does not find that the costs are disproportionate to the circumstances of the Member and the overall burden they may place upon him. It therefore agrees with the CIC the costs in the amount of \$5,000.00 should be ordered.
41. The Panel therefore orders as follows:
- (a) the Member will be reprimanded;
 - (b) the Member will pay a fine of \$2,500.00;
 - (c) the Member will pay a contribution to the costs of the investigation and the hearing in the amount of \$5,000.00; and
 - (d) the Panel’s decision will be published, including the name of the Member.
42. These reasons will be signed in counterpart by the Panel members and an electronic copy of this signature shall be provided to the parties.

DATED at Winnipeg, Manitoba, the 20th day of November, 2025.


Alexandria Taylor (Nov 20, 2025 10:38:54 CST)

ALEXANDRIA TAYLOR, RPN-Chair


Amudat Oladeji (Nov 20, 2025 15:16:40 CST)

AMUDAT OLADEJI, RPN – Public Representative


Patrick Desrochers (Nov 20, 2025 15:12:56 CST)

PATRICK DESROCHERS – Public Representative

APPENDIX "A"

THE COLLEGE OF REGISTERED PSYCHIATRIC NURSES OF MANITOBA

In the matter of: *The Regulated Health Professions Act, CCSM c R117*

And in the matter of: **Darrin Hale, a registered psychiatric nurse registered with the College of Registered Psychiatric Nurses of Manitoba**

AMENDED NOTICE OF HEARING

TAKE NOTICE THAT a hearing will be conducted by a panel of the Inquiry Committee of the College of Registered Psychiatric Nurses of Manitoba (the "College") at **210 Commerce Drive 1854 Portage Avenue**, Winnipeg, Manitoba, on **Thursday, November 6, 2025** ~~Wednesday, November 20, 2024~~ at 9:30 a.m., with respect to charges formulated by the Complaints Investigation Committee of the College alleging that you, being a member of the College under the provisions of *The Regulated Health Professions Act, CCSM, c R117* (the "Act"), are guilty of professional misconduct, conduct unbecoming a member, having demonstrated an unfitness to practise psychiatric nursing, having displayed a lack of knowledge, skill, or judgment in the practice of psychiatric nursing, or having contravened the Act, and/or the *College of Registered Psychiatric Nurses of Manitoba General Regulation Man Reg 60/2002* (the "Regulation"), and/or the *Standards of Psychiatric Nursing Practice 2019* (the "Standards"), ~~and/or~~ the College's *Code of Ethics 2017* (the "Code"), ~~and/or the CPRNM By-Laws (the "By-Laws")~~, or any of the above, in that:

1. contrary to section 86 of the Act, subsection 3.9 of the Regulation, sections 3 and 10 of *Standard 1. Therapeutic Relationships*, section 2 of *Standard 3. Professional Responsibility and Accountability*, sections 1, 2, and 4 of *Standard 5. Professional Ethical Practice*, and sections 10, 14, 15 and 17 of the Safe, competent and ethical practice provisions of the Code, or any of them, you failed to maintain appropriate boundaries with clients, and in particular, you:
 - a. took calls from clients and provided psychiatric nursing services outside of your working hours as a Community Living Psychiatry Service ("CLPS") employee;
 - b. attended clients' homes and provided psychiatric nursing services outside of your working hours as a CLPS employee; and

- c. contacted and solicited CLPS clients for purposes unrelated to your duties as a CLPS employee and for personal or financial gain.
2. contrary to section 86 of the Act, subsection 3.9 of the Regulation, section 3 of *Standard 1. Therapeutic Relationships*, section 2 of *Standard 3. Professional Responsibility and Accountability*, sections 1, 2, and 4 of *Standard 5. Professional Ethical Practice*, and sections 10, 17 and 18 of the Safe, competent and ethical practice provisions of the Code, or any of them, you failed to protect the confidentiality of information gathered in the context of your professional relationships, and in particular:
 - a. during your employment with CLPS, you stored clients' personal information and/or personal health information on your personal cellphone;
 - b. following your termination from CLPS, you retained clients' personal information and/or personal health information on your personal cellphone; and
 - c. you used personal information and/or personal health information acquired during the course of your duties as a CLPS employee for personal or financial gain.
3. contrary to subsection 3.9 of the Regulation, sections 1 and 2 of *Standard 3. Professional Responsibility and Accountability*, ~~and~~ sections 10, and 17 of the Safe, competent and ethical practice provisions of the Code, and subsection 8.02 of the By-Laws or any of them, you failed to notify the College of your employment, in either a paid or volunteer capacity, with Leila Pharmacy.

And further take notice that you are required to personally attend at the time and place set for the hearing and that you have the right to be represented by legal counsel of your choice. At the hearing, you may adduce evidence, examine and cross-examine witnesses appearing at the hearing, and make such representations as may be material to these charges. Should you fail to attend at the time and place appointed for the hearing, the Inquiry Committee may proceed with the hearing in your absence without further notice to you and may take such action as it deems fit pursuant to the Act.

And further take notice that if the Inquiry Committee finds you to be guilty of professional misconduct, or conduct unbecoming a member, or having demonstrated an unfitness to practise psychiatric nursing, or having contravened the Act, the Regulation, the Standards, the Code, or any of the above, as alleged or at all, you may be liable to sanction in accordance with sections 126 and 127 of the Act, including reprimand, fine, suspension or cancellation of your registration or certificate of practice.

DATED at Winnipeg, Manitoba this ~~17th~~ 18th day of ~~October, 2024~~ September, 2025.

THE COLLEGE OF REGISTERED PSYCHIATRIC NURSES OF MANITOBA

Per: _____

Val Mondor, RPN, BScPN

Co-Chair, Complaints Investigation Committee

TO: Darrin Hale

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