



Access to legal counsel is critical

WHEN YOU CONSIDER HOURLY RATES FOR MOST LAWYERS, THE \$65 LAP FEE IS MONEY WELL SPENT.

IT IS WITH GREAT PLEASURE THAT I introduce myself as the new administrator of RNAO's Legal Assistance Program (LAP). I have held this position since October 2012, and have learned so much over the last seven months about the extent of legal risk inherent to nursing practice, and specific legal issues facing nurses. I am a licensed paralegal who brings a wealth of legal knowledge and understanding gained through education and more than 10 years experience in different legal environments, including private practice and the public sector.

Legal risk is an inevitable part of nursing practice, which is why the security and assistance provided to RNAO members through LAP – at such an incredibly low cost – is so valuable. In fact, it is more likely than not that at some point in your career you will find yourself in circumstances where access to legal counsel is critical in order to adequately protect you, your professional reputation and your licence with the College of Nurses of Ontario (CNO). Being the subject of a complaint to the CNO about your practice and/or conduct is one such circumstance that nurses commonly face.

In the first quarter of 2013, almost two-dozen RNAO members who subscribe to LAP sought and received funding assistance for access to legal counsel in order to respond to a complaint. The CNO deals with complaints about registered

nurses through a number of processes, including mediation, investigations and formal hearings before the discipline committee. It is unquestionably not in any nurse's best interests to participate in any proceeding without legal representation, as the final decision of the CNO may have very detrimental and long-lasting implications. For example, when a complaint results in referral to the disci-

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pline committee, the hearing panel has the authority to take a number of actions after considering the evidence of the parties, including: placing conditions on a nurse's practice; suspending a nurse from working for a set period of time; and/or in the most serious cases, revoking a nurse's ability to practise nursing. After all, the CNO is mandated to protect the public.

If you are not already a LAP participant, ask yourself: Who will protect me and my professional reputation in the case of a complaint being made against me? Can I afford to risk losing my job because I did not have legal counsel advocating against restrictive conditions

being placed on my licence?

LAP also regularly provides assistance to participating RNAO members in certain employment-related circumstances, the most common being termination. We are currently living in very uncertain economic times and an increasing number of nurses are finding themselves losing their jobs, even after many years of service. Employers can hire and

The circumstances for which LAP provides support are not limited to those described above. LAP may also assist participants who are dealing with human rights matters or WSIB claims. The program also supports participants who need contract/legal documents reviewed in certain employment-related circumstances, or are being called to testify at a court or tribunal proceeding or other circumstances related to your professional nursing practice. Most lawyers charge between \$250 and \$500 per hour for legal advice and representation. For only \$64.57 in addition to your annual RNAO membership, you can rest assured you have the broad protection that every nurse needs, and LAP offers*. **RN**

fire employees as they see fit. However, this right is subject to employment laws and other considerations. Through LAP, participating members may be provided with funding assistance for access to legal counsel who will ensure any terms of dismissal are in accordance with the law, and that you receive any compensation you are owed.

MARA HAASE IS LAP ADMINISTRATOR FOR RNAO. PRIOR TO JOINING THE ASSOCIATION, SHE WORKED IN PRIVATE PRACTICE AS WELL AS WITH THE TORONTO POLICE SERVICE IN ITS LEGAL DEPARTMENT. SHE DOES PRO BONO, LEADERSHIP AND ADVOCACY WORK IN THE COMMUNITY IN THE AREA OF HOUSING AND HOMELESSNESS.

RNAO has launched a new program of webinars to educate members on legal issues and topics relevant to nursing practice, and to provide participants with an opportunity to ask questions of our legal experts. The first webinar took place on May 7 and provided an overview of the purpose and scope of LAP, as well as program policies and procedures. The next webinar will take place on June 18, and will focus on workplace violence and harassment. Both resources, and any related materials, will be posted at www.RNAO.ca/LAP for members to access at their leisure.

* Subject to program policies