

INDEX NO: **PRACTICE DIRECTION
16.0**

SUBJECT: **DUTY TO REPORT 16.2**

APPROVAL BY COUNCIL: **October 4, 2007**
UPDATE:

Practice Direction:

Through the course of your practice, you may come across situations that place the public at risk of harm. These situations could involve another dietitian, other health care professionals or the general public. As a dietitian, you have an ethical and legal responsibility to report such situations. According to the Registered Dietitians Act, "A member who believes that another member is suffering from a physical or mental condition or disorder of a nature or to an extent that the member is unfit to continue to practice or that the member's practice should be restricted, shall inform the registrar of that belief and the reasons for it"¹. Our Code of Ethics also states that dietitians have a responsibility to bring forward concerns about unsafe or unethical conduct by other health care professionals to the appropriate provincial regulatory body.² The Protection for Persons in Care Act and Child and Family Services Act also have sections describing the reporting responsibilities of health care professionals.^{3,4} A description of dietitians' reporting responsibilities can be found in the College of Dietitians of Manitoba document *Duty to Report – Legislative Requirements*.

EXAMPLE 1

A colleague recently confided to me that she has a problem with alcohol and has arrived at work still intoxicated but stated "once I get some coffee in me – I'm good to go".

While it is certainly a difficult situation to report a co-worker, the dietitian arriving at work still intoxicated, with the intention of providing care, is clearly placing the client at risk of harm. This dietitian's actions should be reported to the registrar as well as the employer.

Q. *What will happen to me if I report this?*

A. The act provides protection for those who report.⁵

Q. *What will happen to this dietitian?*

A. Each employer has their own policies for dealing with this type of incident. The information reported to the Registrar of the College of Dietitians of Manitoba will be forwarded to the complaints committee.

EXAMPLE 2

I recently overheard one of the other allied health professionals talking to a patient in a very "unprofessional" manner. He was yelling and swearing at this patient and was upset that she was not doing what he planned for her to do that morning. When this person saw me outside the patient's room he said "My wife and I have been arguing a lot lately - guess I'm not quite myself today". The patient seemed shaken when I spoke to her a few minutes later.

This would be an example of professional misconduct due to difficulties at home carrying over into the work environment. As stated in the Code of Ethics for Registered Dietitians, you do have a responsibility to bring forward any concerns about unethical practice by other health care professionals to their provincial regulatory body. This person should also be reported to the employer.

EXAMPLE 3

I work in a rural hospital and went to see an elderly gentleman admitted this morning from the nursing home next door. During the course of our conversation, this man revealed that he has been giving fairly large sums of money to one of his regular visitors at the nursing home as “she has been having a hard time and tells me when she needs a little extra cash”. He says he knows he shouldn’t give her this much money but he enjoys the visits and has no family left in town to come and see him regularly. I know this man doesn’t have a lot of money and feel this visitor is taking advantage of him. Should I report it and who do I report it to?

According to Manitoba’s Protection for Persons in Care Act you are required to report any suspected abuse immediately.³ There is a confidential toll-free number for reporting. If you are unsure if the matter should be reported you can call the Protection for Persons in Care office for assistance. No actions will be taken against you for reporting suspected abuse unless it is found that a false report was made intentionally. The Protection for Persons in Care office will investigate the matter.

REFERENCE:

1. Province of Manitoba. *Registered Dietitians Act*. Winnipeg:2002. Section 64(1)
2. College of Dietitians of Manitoba. *Code of Ethics for Registered Dietitians*. Winnipeg:2005
3. Province of Manitoba. *Protection for Persons in Care Act*. Winnipeg:2000.
4. Province of Manitoba. *Child and Family Services Act*. Winnipeg:1985
5. Province of Manitoba. *Registered Dietitians Act*. Winnipeg:2002. Section 64(2)