

SUSPENSION WITH CONDITIONS
MARTINA WHYNOT
Brooklyn, N. S.
CLPNNS, Reg. #8705



On July 3, 2002 the Disciplinary Panel of the Practical Nurses Licensing Board (now the College of Licensed Practical Nurses of Nova Scotia) convened and heard a complaint against Ms. Whynot. The complaint was heard under the Licensed Practical Nurses Act. R.S.N.S. 1989.c. 319. O.I.C. 96-919. N.S. Reg. 177/96. As amended by O.I.C. 98-71. N.S. Reg. 12/98, February 11, 1998. The complaint alleged that Ms. Whynot while serving as Treasurer of her Union Local had been forging the signature of the President on cheques which were cashed for personal gain subsequent to Ms. Whynot becoming Treasurer in February, 2000.

The Disciplinary Panel of the PNLB considered all of the evidence presented including submissions from Ms. Whynot, after consideration of all the information the Committee accepted the agreement that Ms. Whynot's conduct amounted to a finding of professional misconduct.

The Committee found that while professional misconduct is generally considered to relate to acts relevant to the practice of nursing, 'a professional may expose himself or herself to discipline for reprehensible conduct outside the actual practice of the professional if it can be said that such conduct is significantly more reprehensible in some of his or her particular profession than in the case of others.' Casey, 13-5 (Regulation of Professionals) (1998 – Rel .2)

The Committee believed that a professional who works daily with vulnerable clients must possess the traits of trustworthiness and honesty. In this case the Committee found that the conduct outlined in the letter of complaint, and agreed upon in the Agreed Statement of Facts, seriously breached the trustworthiness and honesty required of a Licensed Practical Nurse. The conduct was of such nature as to be considered reprehensible by the Committee and the Committee determined that in this case a finding of professional misconduct was appropriate.

In considering an appropriate sanction in this matter, the Committee considered many factors including expressed remorse for having committed this offence, and a verbalized desire to make restitution to the Union Local of the funds which were misappropriated.

The Committee made the decision to suspend Ms. Whynot's license to practice as a Licensed Practical Nurse pending until such time as certain conditions are met. Upon receipt of such information, the Panel will reconvene and make a determination with respect to re-licensing.