

STATEMENT OF ALLEGATIONS

ABIOLA AYOBAMI MOMOH

Registration Number 030525

IT IS ALLEGED THAT:

1. At all material times, Abiola Ayobami Momoh ("**Ms. Momoh**") was duly registered with the Nurses Association of New Brunswick ("**NANB**") as a Registered Nurse.
2. Ms. Momoh committed acts of professional misconduct as defined in subsection 2(1) of the **Nurses Act** in that, while working the night shift from 18:30 on September 15, 2023, to 06:30 on September 16, 2023 at [] (the "**Facility**"), she digressed from established or recognized professional standards or rules of practice of the profession, including but not limited to the NANB **Standards of Practice for Registered Nurses**, the NANB **Standards for the Nurse-Client Relationship**, and the NANB **Standards for Documentation**, as follows:
 - a. Ms. Momoh improperly restrained a 71-year-old female resident with dementia (the "**Resident**") in a wheelchair in the Facility's resident lounge for over five (5) hours by inserting the legs of two armchairs into the spokes of the wheels of the Resident's clamshell restraint chair and placing another chair in front of the Resident's wheelchair to further restrict the Resident's movement.
 - b. Ms. Momoh neglected the Resident by failing and/or refusing to attend to the Resident, despite the Resident's multiple attempts to capture Ms. Momoh's attention by waving, shouting, crying, flailing her arms, and dragging the entangled chairs and wheelchair around the lounge. Meanwhile, Ms. Momoh remained seated on the couch in the resident lounge, within approximately 10 feet of the Resident, for a total period of over four (4) hours, getting up only twice to walk out of the resident lounge for short periods.
 - c. Ms. Momoh committed acts of client abuse as defined in the NANB **Standards for the Nurse-Client Relationship**, in that she misused her power, betrayed the trust and respect of the Resident, and caused physical and/or emotional harm to the Resident.
 - d. Ms. Momoh failed to refrain from physical and/or non-verbal behaviours toward the Resident that demonstrate disrespect and/or are perceived as abusive, as required by standard 4.5 of the NANB **Standards for the Nurse-Client Relationship**.
 - e. Ms. Momoh failed to practice safely, compassionately, competently, and ethically, as required by standard 1 of the NANB **Standards of Practice for Registered Nurses**.
 - f. Ms. Momoh failed to practice in accordance with employer policies, specifically the Facility's Restraint Use Policy, as required by standard 1.2 of the NANB **Standards of Practice for Registered Nurses**, by:
 - i. using inappropriate restraints on the Resident;

- ii. failing to document any alternate interventions that were attempted before applying restraints;
 - iii. failing to use the least restrictive restraint for the shortest duration possible so as to cause the least possible discomfort to the Resident;
 - iv. failing to document her assessment showing the need for restraints in a timely manner;
 - v. failing to obtain consent from the Resident or the Resident's substitute decision-maker for the application of additional, unapproved restraints, or failing to document such consent;
 - vi. failing to assess the ongoing need for restraints and/or failing to document her monitoring of the restraints at least every two (2) hours; and/or
 - vii. failing to document the removal of restraints and the Resident's response.
- g. Ms. Momoh failed to give the Resident time, opportunity and ability to explain herself, and to listen to the Resident with the intent to understand her without diminishing her feelings, as required by standard 3.3 of the NANB ***Standards for the Nurse-Client Relationship***.
- h. Ms. Momoh failed to recognize and take action where the Resident's safety was potentially or actually at risk, as required by standard 1.6 of the NANB ***Standards of Practice for Registered Nurses***.
- i. Ms. Momoh failed to practice using evidence-informed knowledge, skill and judgment, as required by standard 2 of the NANB ***Standards of Practice for Registered Nurses***.
- j. Ms. Momoh failed to exercise reasonable judgment, as required by standard 2.5 of the NANB ***Standards of Practice for Registered Nurses***.
- k. By using unapproved and inappropriate means of restraint, Ms. Momoh failed to use credible research findings and apply evidence-informed practices, as required by standard 2.6 of the NANB ***Standards of Practice for Registered Nurses***.
- l. Ms. Momoh failed to use a client-centered practice, as required by standard 3.5 of the NANB ***Standards of Practice for Registered Nurses***.
- m. Ms. Momoh failed to advocate for and respect the Resident's dignity, as required by standard 3.8 of the NANB ***Standards of Practice for Registered Nurses***.
- n. Ms. Momoh failed to document all aspects of the nursing process, and/or failed to document both objective and subjective data in a clear and concise manner, as required by standards 1.1 and 1.2 of the NANB ***Standards for Documentation***.
- o. Ms. Momoh failed to complete documentation in a timely manner, during or as soon as possible after the application of restraints, as required by standard 2.1 of the NANB

Standards for Documentation.

- p. Ms. Momoh failed to document more frequently when the Resident was at increased risk of harm, was unstable, or there was a higher degree of complexity involved in the nursing care, as required by standard 2.2 of the NANB ***Standards for Documentation.***
 - q. Ms. Momoh failed to indicate when entries were late, including the time the restraints were applied, as required by standard 2.5 of the NANB ***Standards for Documentation.***
 - r. Ms. Momoh failed to document any unanticipated, unexpected, or abnormal client incidents (specifically, applying restraints for a prolonged period) according to employer policy, and/or failed to record the facts of the incident and any subsequent related care provided, as required by standard 2.8 of the NANB ***Standards for Documentation.***
- 3. Ms. Momoh failed to relate to the Resident with respect and/or failed to support the Resident in maintaining her dignity and integrity as required by Part I, section D, items 1 and 2 of the Canadian Nurses Association's ***Code of Ethics for Registered Nurses.***
 - 4. Ms. Momoh failed to work to relieve pain and suffering, including appropriate and effective symptom management, to allow the Resident to live with dignity, as required by Part I, section D, item 8 of the Canadian Nurses Association's ***Code of Ethics for Registered Nurses.***
 - 5. Ms. Momoh failed to practice in accordance with the Canadian Nurses Association's ***Code of Ethics for Registered Nurses*** as required by standard 1.3 of the NANB ***Standards of Practice for Registered Nurses.***