

## **STATEMENT OF ALLEGATIONS**

**SHAYNA LEBLANC**

**Registration number #026777**

### **IT IS ALLEGED THAT:**

1. At all material times, Shayna LeBlanc ("Ms. LeBlanc"), was duly registered with the Nurses Association of New Brunswick ("NANB") as a Registered Nurse.
2. At all material times, Ms. LeBlanc was employed as a part-time Nursing Supervisor, working night shifts in the IP nursing Administration Department at the [ ] Hospital ("the Hospital").
3. From approximately February 29, 2024 to May 30, 2024, Ms. LeBlanc committed acts of professional misconduct as defined in subsection 2(1) of the ***Nurses Act***, in that 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 of Practice for Documentation***, the NANB ***Standards for the Nurse-Client Relationship*** and the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***, and she engaged in conduct unbecoming of a member as provided by subparagraph 28(1)(a)(ii) of the ***Nurses Act***, as follows:
  - a) From approximately February 29, 2024 to May 30, 2024, Ms. LeBlanc inappropriately accessed the personal health information of approximately four hundred and forty (440) patients who were not assigned to her care (the "Patients"), in a manner inconsistent with her professional obligations and duties, without the Patients' consent, without authorization and/or without professional or clinical purpose, and which were not required as part of her responsibilities as a Nursing Supervisor;
  - b) The Patients were located in fourteen (14) different units within the Hospital, and approximately two hundred eighty-six (286) of them were not admitted to the Hospital; and
  - c) Each inappropriate access of the Patients' records took place from Ms. LeBlanc's computer in the Nurse Supervisor's office at the Hospital, over a period of three hundred seven and a half (307.5) hours worked, which equates to twenty-nine (29) shifts.
4. Ms. LeBlanc failed to practice ethically, as required by standard 1 of the NANB ***Standards of Practice for Registered Nurses***.
5. Ms. LeBlanc failed to practice in accordance with relevant legislation, standards, and employer policies as required by section 1.2 of the NANB ***Standards of Practice for Registered Nurses***, including the Hospital's applicable policies and section 32 of the ***Personal Health Information Privacy Access Act***, NB 2009, c P-7.05 ("PHIPAA").

6. Ms. LeBlanc failed to exercise reasonable judgement as required by section 2.5 of the NANB ***Standards of Practice for Registered Nurses***.
7. Ms. LeBlanc failed to demonstrate a professional presence and model professional behavior as required by section 3.1 of the NANB ***Standards of Practice for Registered Nurses***.
8. Ms. LeBlanc failed to uphold and protect clients' privacy and confidentiality, as required by section 3.4 of the NANB ***Standards of Practice for Registered Nurses***.
9. Ms. LeBlanc failed to safeguard client health information by maintaining confidentiality, as required by standard 3 of the NANB ***Standards for Documentation***.
10. Ms. LeBlanc failed to maintain confidentiality of client health information, as required by section 3.1 of the NANB ***Standards for Documentation***.
11. Ms. LeBlanc failed to understand and adhere to legislation, standards, and policies related to confidentiality, privacy and security of client health information, as required by section 3.2 of the NANB ***Standards for Documentation***.
12. Ms. LeBlanc failed to access client health information only for purposes consistent with professional obligations, as required by section 3.3 of the NANB ***Standards for Documentation***.
13. Ms. LeBlanc failed to determine whether a particular activity or behaviour was appropriate within the context of a nurse-client relationship as required by section 2.7 of the NANB ***Standards for the Nurse-Client Relationship***, or she engaged in the activity or behaviour despite determining that it was inappropriate.
14. Ms. LeBlanc failed to ensure that the nurse-client relationship and nursing strategies were developed for the purpose of promoting the health and well-being of the client and not to meet her own need(s), as required by section 2.10 of the NANB ***Standards for the Nurse-Client Relationship***.
15. Ms. LeBlanc failed to conduct herself according to ethical responsibilities and practice standards as required by Part 1, section A, item 1 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.
16. Ms. LeBlanc failed to utilize practice standards, best practice guidelines, policies and research to maximize well-being and/or dignity for persons receiving care, as required by Part 1, section D, item 6 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.
17. Ms. LeBlanc failed to maintain appropriate professional boundaries, failed to ensure that her relationships were always for the benefit of patients, and abused her relationship for personal

gain, in contravention of Part 1, section D, item 7 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.

18. Ms. LeBlanc failed to recognize the importance of privacy and confidentiality and to safeguard personal, family, and community information obtained in the context of a professional relationship, as required by Part 1, section E of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.
19. Ms. LeBlanc failed to respect the interests of persons receiving care in the lawful collection, use, access, and disclosure of personal information, as required by Part 1, section E, item 1 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.
20. Ms. LeBlanc failed to use health information on a need-to-know basis with the highest degree of anonymity possible in the circumstances and in accordance with privacy laws, as required by Part 1, section E, item 3 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.
21. Ms. LeBlanc failed to respect policies that protect and preserve the privacy of persons receiving care, as required by Part 1, section E, item 7 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.
22. Ms. LeBlanc abused her access to information by accessing patients' health-care records for purposes inconsistent with her professional obligations, in contravention of Part 1, section E, item 8 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.
23. Ms. LeBlanc failed to practise according to the values and responsibilities in the 2017 ***Code of Ethics for Registered Nurses*** and in keeping with the professional standards, laws, and regulations supporting ethical practice, as required by Part 1, section G, item 1 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.
24. Ms. LeBlanc failed to practice with integrity in all her professional interactions, as required by Part 1, section G, item 2 of the Canadian Nurses Association's 2017 ***Code of Ethics for Registered Nurses***.