

AMENDED AMENDED DISCIPLINARY COMPLAINT RESOLUTION AGREEMENT

pursuant to section 55(2)(a.1) of the *Health Professions Act*

BETWEEN:

OMAR HERNANDEZ, #77,327
(the “**Registrant**”)

and

College and Association of Registered Nurses of Alberta
also known as **College of Registered Nurses of Alberta**
(the “**College**”)

An Amended Amended Disciplinary Complaint Resolution Agreement (“**AADCRA**”) was executed between the Registrant and the College, dated with effect September 21, 2023. The below constitutes a summary of such AADCRA:

Through a AADCRA with the College, OMAR HERNANDEZ, #77,327 (the “**Registrant**”), acknowledged and admitted that their behaviour constituted unprofessional conduct. Particulars of the Registrant’s unprofessional conduct arises from two (2) complaints to the College and includes the following:

- In or around October 2019, the Registrant, who was in a leadership position, failed to foster a safe practice environment, contrary to the *Practice Standards for Regulated Members* and the *CNA Code of Ethics*, when, frustrated that his request for time off was refused, he entered the office of a subordinate administrative support person and vented his frustration through a verbal and physical outburst.
- Between August 2019 to October 2019, the Registrant, who was in a leadership position, failed to foster a quality practice environment and failed to treat, and communicate with, colleagues and subordinates respectfully, contrary to the *Practice Standards for Regulated Members* and the *CNA Code of Ethics*; and
- In or around August 2019, the Registrant, contrary to the *Practice Standards for Regulated Members*, failed to follow standards and policies relevant to his practice setting when he disclosed information about an internal investigation contrary to express policy and direction.

- In or around May 2022, the Registrant failed to demonstrate adequate judgment or professional and failed to act honestly when they applied to a management position in a long-term care facility and provided a fraudulent and inaccurate version of their practice permit to their prospective employer specifically representing that their practice permit was not encumber with any conditions and when it was encumbered by an active conduct condition arising from a disciplinary agreement executed with the College.
- In or around May 2022, the Registrant completed shifts as a RN, while in a management position at a long-term care facility, when they were bound by a conduct condition that required them to be monitored in their practice setting, arising from a disciplinary agreement executed and without providing their employer information about their outstanding condition.

The Registrant must write a paper on professionalism and accountability, provide a physician letter prior to commencing employment, and complete a period of monitoring in their practice setting. They must also provide notification from any employer for a period of 18 months. The Registrant previously completed coursework on leadership, anger and conflict management, and was suspended for 20 days. Conditions shall appear on the College register and on the Registrant's practice permit.

