

## LNP 216

### “I was bullied: My Story”

Brad Curtola

---

**Kelly:** Hi and welcome back to the Legal Nurse Business Podcast. This is your co-host Kelly Campbell and we're in for a treat today. We have Mr. Brad Curtola as our guest today. He's an RN of 23 years with seven years experience in legal nursing and four years as a certified nurse life care planner specializing in addiction and mental health. Brad received four award nominations and two awards in the last four years. He's a qualified testing expert witness in the Criminal Court of Canada and has experience developing both resource materials and a psychiatric day program.

Welcome Brad, thanks for joining us.

**Brad:** Thank you for having me.

**Kelly:** Tell us a little bit more about your background and what we're going to be discussing today.

**Brad:** Well as you said, I graduated 23 years ago and although I had great plans of going into the medical field off the hop I found myself gravitating towards psychiatry. Since I've worked in every area of psychiatry and I've held licensure in three different provinces in Canada, most recently I kind of rolled backwards into a beautiful opportunity of developing a psychiatric day program up here in Canada. We had a program and it was shut down to retool. I just happened to be in the right room at the right time and was offered the opportunity to redevelop it. Today I thought it would be good just to talk about what happens when you're bullied or targeted by co-staff and management because I've experienced both of those.

**Kelly:** I'm so sorry. Thank you for sharing your first-hand experience with us. I know it's a personal and tough topic. What exactly was your experience I guess starting with management or staff?

**Brad:** For me, it started with the frontline staff. It wasn't until about six or seven years into my career. For me, I've always been a very strong

advocate for the clients. I've always said I think our problem in nursing, especially in psychiatry is we'll inform the clients of their rights when they're made formal or involuntary under a mental health certificate, but we often don't tell them their rights as a voluntary patient. When that happens, that's where sometimes liberties can be taken. If your health body or your employer doesn't clearly outline how things need to be done, we can sometimes abuse that term PRN.

For me, it was really standing up for the standards, the policies and the procedures in the area that I worked that found me kind of conflicting with those people that I was working with. There were situations where I would find injections were being forced on clients who had the right to appeal but didn't know they had the right to appeal or not following observation levels that needed to be strict, often placing clients at risk. For me, ultimately it got down to a personal thing. I had gone through a divorce because of the medical issue I had gone through and staff was gossiping and back-biting about it passing rumors around the unit to the point where when I would address it they would just then gossip about me addressing it with them, so kind of hitting a dead end with the employees.

**Kelly:** So, number one being a patient advocate was it being a professional and then also experiencing personal bullying. I'm very sorry, so I'm assuming the next step was going to management.

**Brad:** Yes. I thought I would get some relief there. In any company there's a hierarchy, you got to run it up the ladder and that's exactly what I did. I tried to take measures in my own hands and have conversations with the staff because I do believe if you have an issue with somebody you should talk to them first and then go to the other measures and don't just run to management. Sometimes things can be settled fairly quickly on a good level, but I experienced a negative environment when I went to the management about it. In fact, at one point I was told if I wanted to raise the issue that I had to "be prepared to fight" because they will.

It almost just kind of confirmed there was this enabling behavior of a negative tone on the unit, which really is a culture that's designed and forced along by the management. It wasn't long before I realized that they didn't like that I was standing up for the standards and it wasn't long before I realized they were targeting me as well.

**Kelly:** Regarding policy and procedure or...?

**Brad:** Yeah, I had a couple of incidents. I actually had one co-staff who was fairly new and was very timid. She came to me at one point and told me that she was pulled aside, and they tried to convince her that I had forced her to not give an injection when the reality was she had asked about the mental health [factor] area. I pulled up the guide that our province provides online and went through a little education session with her.

There were incidents like that and then ultimately for me it came down to management calling me at home, which they should never do for any employee or leaving messages on my voicemail. In our area it's a direct breach of the privacy act because you don't know who would have the password for your voicemail or your answering machine. In one phone conversation telling me that policies and procedures for the company weren't rules but merely guidelines to help us work, which isn't anything what policies and procedures are. Companies lay those out for very specific legal reasons.

**Kelly:** Right, so I guess a tip for our audience is to be familiar with the policies and procedure, be familiar with evidence-based medicine and clinical guidelines to support your professional opinions and clinical guidance.

**Brad:** Yeah, that's very important.

**Kelly:** What other things did you do to protect yourself? You addressed management, governing bodies?

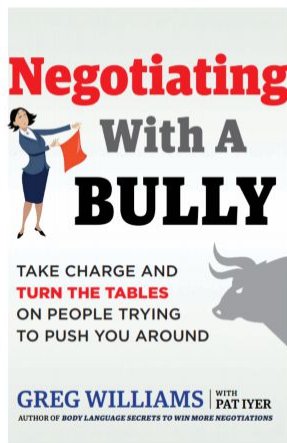
**Brad:** Yeah, I did contact governing bodies just to have something on record to say, "This is the policy, this is the procedure, and this is my stance." We need to as nurses be proactive. If you're not proactive, you're going to be reactive and often that's when your clients are in danger.

Ultimately, I had gone to the union to ask for support. What ends up happening though in cases with the governing body - they're an investigatory body and are not a supportive body, so when stuff like this happens management puts a complaint into the governing body. In some areas that's at their discretion and in other areas it's very detailed as to when they have the right to do those steps. The governing body then just takes it and runs with it. They often don't ask

both sides until an investigation is already started. They will take what's been put forward and just run with it.

A good example in my case was I had made a case a year prior as to my worry with observation levels and clients being at risk. That was one of the things they tried to go after me for to say I wasn't following a procedure, but they were changing documents. Luckily for me dating and signing documents well after they had filed complaints, so they really didn't make much sense. It didn't look good and then going to support from the union that often can be an issue too.

In my case, I was told flat out by one of my labor relations officers who was a lawyer on the bar, and I don't know if they do that down there, but our LROs up here typically are active lawyers on the bar. The legal acts and labor acts do typically come into your negotiations up here. I was flat out told at one point that even though this person was representing me that they needed to maintain good relations with the company, so a direct conflict of interest. It makes you almost deflated from the get go. As I went through my battle, I was very lucky to have a second lawyer on my piece who really believed in me and was just a brilliant support. That type of thing is very rare and that's what I realized in this process.



This is Pat Iyer. Before we continue the show, I need to tell you about a book I ghostwrote. It was published in June 2018. It is called **Negotiating with a Bully**.

Everyone has felt bullied at some point in their lives, whether by a family member, childhood acquaintance, colleague, boss, or client. You know you have been bullied when you feel pressured, demeaned, and angered. You walked away from a negotiation feeling like you lost ground. You gave into demands and agreed to something that was not in your best interests. And you resented the way you felt.

*Negotiating with a Bully* will teach you how to skillfully deal with bullies in different forms and environments. You'll explore the mindset of a bully and understand the motivations and behavior so that you can gain an advantage over him or her.

*Negotiating with a Bully* will give you the answers you need to become a more

effective negotiator when you are confronted by a bully. You will learn how to quickly and easily:

- ☐ Recognize the tactics of a bully--before you yield ground in a negotiation.
- ☐ Employ an arsenal of negotiation strategies, including some you may have never considered using before.
- ☐ Plan a negotiation with a bully so that you feel prepared to tackle the situation.
- ☐ Interpret the body language of the bully--and his or her target--to better assess his or her intentions.

You'll find this book on Amazon.com.

**Kelly:** Oh my, it sounds like you've been through the wringer. I'm sorry. It's a good thing you're a strong man.

**Brad:** There is something to that because when I started going through my process I had one bad lawyer and one good lawyer. My good lawyer said to me "Do we have to worry about suicide?" And with me that wasn't an issue, but she informed me that when nurses go through these situations they often become suicidal. The suicidal ideations are there because you have a career and in Canada we don't have a lot of different employers. Typically, there's one employer per province. There might be two, but they will be smaller employers and often if something like this happens you're looking at a change of career. It can be quite the traumatic experience. Even though my situation turned out the way it did, it was still very traumatic for me.

**Kelly:** Oh my, but you are also a legal nurse consultant, correct? What got you interested in legal nurse consulting? Was it your experience in the clinical setting?

**Brad:** It was this experience. It was going through this traumatic experience and sitting on that fence saying I've been an advocate for the patient for years. I had an unblemished record. I had letters from doctors, managers, from heads of programs, from directors and then you find yourself wondering, "How does this happen? How is it possible that when you stand up for everything, your governing body, your employer, the nursing professional standard that the country says you

should be doing. how do you end up in this position where you're targeted and made to feel like you might be the worst nurse on the planet?"

That really triggered my interest. At that point I didn't know about legal nurse consulting. What I started to do was I just decided that I was going to fight. I became very familiar with the privacy laws in our province and country. Up here we have two different privacy laws. For the private sector they talk about privacy and electronic privacy, but because I worked for an agency that was defined as a body I was able to use what we call "FIPPA". It's Freedom of Information and Protection of Privacy Act up here in Canada.

It became an amazing tool for me. I was able to use probably close to a thousand documents that I retrieved through this process to know exactly what was being done to go after me. It ended up being that I was so well prepared that I ended up putting myself in a position where I could make the demands. I am one of the very rare people who I know of up here who ended up in that situation and who ended up being successful in it. That really got me thinking. I'm not the rarity. I know this happens to a lot of nurses. I knew quite a few nurses who had been kind of run through the wringer like this and didn't do anything. They ended up leaving the profession and just ended up in some completely different profession, not even health care.

**Kelly:** So, you're an advocate for other nurses as well then in your legal nurse consulting business?

**Brad:** Absolutely. I think even if you're not doing the legal nurse consulting and if you're still just a nurse on the units you can't just be an advocate for the patients. You really do have to be an advocate for each other. We're in a day and age where stress levels are through the roof. I think some 30-35 percent of all disability cases in North America are mood related, so mood disorder related. It's usually depression, anxiety or something like that. That says something about where we're working in with the companies in the States. They are often gigantic companies that own these hospitals in America. It's no easier down there, so we all have these levels of stress that we've never met before and it doesn't make it any easier if you find yourself targeted.

**Kelly:** That's so very true. We're almost out of time, but I do have one personal question for you. What recommendations or advice would you have for a nurse who feels like they're being bullied or targeted?

**Brad:** You've got to know your rights. First and foremost, know the policies and procedures of whatever company you work for. Make sure you know your human rights. Make sure you know the privacy rights in the area that you're working. You have to memorize your standards of practice, your documentation standards and your code of ethics. These things will help you through your practice. When you're met with those negative vibes or the negative experiences or people who just don't want to follow these procedures it's very easy to combat that attitude if you present the facts. It's harder for people who are coming after you to make a case if you know these things.

**Kelly:** So true, it's not just a matter of, "I know this is right." You have to be able to present policies, the procedures and the clinical guidelines. It's there for a reason, so very true.

Well thank you for sharing such a personal story. Do you have a website or how can people reach out to you?

**Brad:** I do. You can find me at [www.curtolaconsulting.com](http://www.curtolaconsulting.com). The majority of my work is as a certified nurse life care planner, so doing the cost and future care assessments for civil litigation. I do the legal nurse stuff as well. We don't advertise it as legal nurse consulting on the website and that was really just born out of advice that I received from nurses and nurses who had become lawyers mostly in the U.S. who said "For proper advertising services, don't put it out there in the title. Don't put it out there upfront. The lawyers typically are hesitant to hire somebody for legal because they're legal and so you want to kind of get in the back door with them."

That said, after my experience I was fortunate enough to get a case just shortly after I went through my experience with one of the top defense attorneys here in Alberta and worked on a criminal case, which was all legal nurse consulting. Knowing your policies and procedures, and the ins and outs of that business will help you if you're just starting a practice doing that medical record review. You really have to know the ins and outs of the charts and what you're looking for.

You can find me on that website. We also do what we call "Nurse Career Counseling", guiding nurses through traumatic experiences like I dealt with. You just got in, you're ready to quit the profession, but wait and let's talk about it. There are ways that you can deal with these stressful events.

**Kelly:** It sounds like you're the person to manage that.

**Brad:** I've had a lot of experience and surprisingly I've had quite a few clients who have come forward and needed this exact thing. Sometimes it's just knowing there's support out there is what helps.

**Kelly:** Well thank you for sharing your time today. I think you're going to help a lot of people with sharing your personal story.

**Brad:** Thank you very much for having me and if anybody wants to shoot me an email the email is on our website. Even if you just have questions, I'm open to just helping out and giving some advice in that realm if that's all you need to touch base on.

**Kelly:** Okay. All right listeners, you know how to reach him and tune in next week. Talk soon, bye-bye.

I'd love it if you go on Amazon and purchase a copy of **Negotiating with Bully**. I know it will help you see bullying in a different light. That link is <http://LNC.tips/bullybook>.

Check out the webinars, teleseminars, courses and books at [legalnursebusiness.com](http://legalnursebusiness.com). Expand your LNC skills with our resources.

Explore coaching with Pat Iyer at [LNCAcademy.com](http://LNCAcademy.com) to get more clients, make more money and avoid expensive mistakes.

Invest in the monthly webinars at [LNCEU.com](http://LNCEU.com) for 2 webinars each month designed to deepen your knowledge and skills.