



College of Paramedics of Manitoba		
Policy Name: Background Check Findings – Disclosure by Registrants	Policy Number: AR-10	Total # of Pages: 4
Approval Signature: <i>Original Signed by T. Bergal</i>	Section: Administrative - Registration	
Original Approval Date: June 3, 2022	Last Revision Date:	Next Review Date: June 2025

1.0 PURPOSE

- 1.1 To fulfill CPMB’s regulatory requirement that all registrants who hold a valid certificate of practice must provide the registrar with a satisfactory criminal record check with vulnerable sector check, a satisfactory child abuse registry check and a satisfactory adult abuse registry check every five years after registration (*The College of Paramedics of Manitoba General Regulation s. 3.8*) or the additional information clauses provided for in s. 3.9(1)3.9(2) and 3.9(3) of *The College of Paramedics of Manitoba General Regulation*.
- 1.2 To allow the registrar/designate to request information obtained from declaration questions regarding criminal and/or regulatory activities that reveal conduct issues that require further investigation.

2.0 DEFINITIONS

Registrant: A member of the College of Paramedics of Manitoba who holds a valid certificate of practice

Criminal Record Check: A record of an individual’s criminal history

Vulnerable Sector Check: An enhanced criminal record check and used to verify if an individual has a record suspension (formerly pardon) for sex offences.

Criminal Offence: A criminal offence for which the prosecutor has the option of charging as an offence punishable by summary conviction or as an indictable offense. Also includes any finding of careless driving causing death under *The Highway Traffic Act (Manitoba)*

Child Abuse Registry: Provides the names of persons who have been found to have abused a child

Adult Abuse Registry: Provides the names of persons who have been found to have abused or neglected a vulnerable adult



Declaration Questions: Questions that occur in applications and/or registration renewals regarding criminal convictions, regulatory conduct, or any other conduct issues not previously disclosed.

Satisfactory Record Checks: A record check that results in no findings, or a record check that indicates a finding exists and that an evaluation/assessment by the Registrar or delegate of CPMB has found the record convictions and/or pending charges are not relevant to the practice of the registrant or do not present a significant risk to the CPMB, its registrants or the public.

3.0 POLICY

- 3.1 A registrant is required to make a written disclosure of a charge, conviction or finding of guilt (including a conditional discharge, absolute discharge or suspended sentence) for any offence, including a criminal offence or an offence under any narcotic or controlled substances legislation, in any jurisdiction in Canada or elsewhere. The College of Paramedics of Manitoba General Regulation s.3.9(1)
- 3.2 A registrant must also provide any other information requested by the registrar, including information pertaining to the criminal record check, vulnerable sector check, child abuse registry check or adult abuse registry check provided by the applicant. The College of Paramedics of Manitoba General Regulation s.36.9(3)
- 3.3 A review of the information reported by the registrant or contained within background checks will be conducted by the Registrar or the Coordinator of Regulatory Practices.
- 3.4 Once a charge, conviction, or finding of guilt has been identified, it will be reported to and reviewed by the Executive Director/Registrar.
- 3.5 On annual renewal of the certificate of practice, the registrant must honestly answer any declaration questions pertaining to new or existing findings reportable on any of the required record checks. Once a positive answer is made, the same question must be answered positively in each successive year.
- 3.6 Registrants will be notified prior to the renewal process when they are required to submit their record checks for that year's renewal process. Should a registrant have extenuating circumstances that make it difficult to meet the record check requirement that specific year, the registrant can consult the college regarding their circumstance. A decision will be made by the Executive Director/Registrar or delegate as to whether the record check can be deferred to the following year.



4.0 PROCEDURE

- 4.1 If the results of the record checks have positive findings (an indication of a record) the Executive Director/Registrar or Designate may direct the registrant to obtain additional legal or other documentation regarding the positive finding which must be in the form of;
 - 4.1.1 Fingerprinting results or,
 - 4.1.2 A court document, or,
 - 4.1.3 Documentation from the appropriate government or law enforcement agency, and/or
 - 4.1.4 Written confirmation from the applicant's legal counsel.
- 4.2 A registrant that has had convictions affecting suitability to practice paramedicine as assessed by the Executive Director/Registrar or designate will be:
 - 4.2.1 Asked to supply evidence of rehabilitation;
 - 4.2.2 Provided with all relevant information in the possession of the College;
- 4.3 In rendering a decision regarding results of record checks or disclosure of charges, the Executive Director/Registrar or Council must consider the circumstances related to the applicant's conviction of criminal offenses or a description of any similar offence under laws of a jurisdiction outside Canada, findings of any other regulating body of which the registrant is or was a member; or lack of professionalism. Circumstances to be considered include:
 - 4.3.1 Offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada), or the Food and Drugs Act (Canada) RHPA 137(3)(vi)
 - 4.3.2 The registrant's age at the time of the offence;
 - 4.3.3 Recency of the offence;
 - 4.3.4 Reliability of the information;
 - 4.3.5 The number of offences;
 - 4.3.6 The severity of the offence including whether it was an indictable, summary or hybrid offence;
 - 4.3.7 Whether the behaviour was of a nature that may pose a threat to the safety of others. Considerations may include:
 - (i) Offences related to sexual assault/abuse, violence or use of a weapon;
 - (ii) Offences related to honesty and integrity
 - (iii) Offences related to drug or alcohol use; and



(iv) Multiple or recurring convictions

- 4.4 Any factors underlying the conduct (as an example: health issues);
- 4.5 Evidence of:
 - 4.5.1 Rehabilitation;
 - 4.5.2 Positive social contribution since the offence;
- 4.6 The registrant's candor during the process;
- 4.7 The registrant's competence to practice paramedicine;
- 4.8 If the registrar believes that it is not in the public interest to allow the registrant to continue to hold a valid certificate of practice, the registrar may immediately suspend the certificate of practice of the registrant pending final review and decision relating to the offenses/disclosure.
- 4.9 The council may direct the registrar to cancel a member's registration or certificate of practice, or both, if the member has been convicted of an offence that is relevant to his or her suitability to practise, but it must first notify the member that it intends to do so and give him or her the opportunity to make submissions. (RHPA s. 48(3)) If the registration/certificate of practice is to be cancelled, the Executive Director Registrar/designate must:
 - a. give notice to the member in writing, with reasons for the decision, and
 - b. advise the member of the right to appeal the decision to the council (RHPA s. 38(1), 43(1))
- 4.10 A decision of the Registrar/Designate may be appealed subject to RHPA s. 38
- 4.11 Once a disclosure is made to the college, and a decision has been made, the registrant must refer to it in subsequent renewals or any declaration question where it is relevant. Subsequent disclosures of the same incident will not result in further investigation by the registrar unless new information is obtained by the college.