



## College of Paramedics of Manitoba

Unit 610 – 1445 Portage Avenue, Winnipeg, MB R3G 3P4

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### OVERVIEW OF THE COMPLAINT / REVIEW PROCESS OF THE COLLEGE OF PARAMEDICS OF MANITOBA

The College of Paramedics is required to follow the provisions of the *The Regulated Health Professions Act* as it pertains to professional conduct. As this is new to registrants of the College, it is important that you understand the complaint and discipline process. The following is a summary of the process.

#### COMPLAINTS

- A complaint may be made by any person in writing to the Registrar of the College.
- The Registrar may take the following actions in respect of a complaint:
  - a) Encourage the complainant and the member to communicate with each other and resolve the complaint.
  - b) Refer the complaint to the Complaints Investigation Committee.
  - c) Dismiss the complaint if the Registrar is satisfied it is trivial or vexatious.
- The Registrar may refer any other matter they deem advisable to the Complaints Investigation Committee.

#### COMPLAINTS INVESTIGATION COMMITTEE

- Matters are referred to Complaints Investigation Committee ("CIC") by the Registrar.
- Member is sent a copy of the complaint and must respond in writing within 30 days, or sooner in more serious / urgent cases.
- The response is usually shared with the complainant unless there are compelling reasons not to do so.

- If a complaint cannot be resolved informally, the CIC will appoint an investigator to investigate the complaint.
- An investigator may, for the purpose of the investigation:
  - a) Enter and inspect any premises or place where the member practices or has practiced.
  - b) Inspect, observe or audit the member's practice.
  - c) Examine any equipment, materials or any other thing used by the member.
  - d) Require the member to respond to the complaint in writing.
  - e) Require any person to answer any questions, or provide any information that the investigator considers relevant; and
  - f) Require any person to give the investigator any record, substance, or thing the investigator considers relevant.
- Member is usually required to produce relevant records. The CIC has the power to compel the member to produce documents / records.
- Chair of the CIC may interim suspend or restrict a member's registration if a serious risk to public safety exists. Where this occurs reasons will not be made public, but the Act requires that the name of the person suspended be made public. The investigation will continue after the interim suspension. The Member may appeal this decision to Council.
- As part of the investigation, the investigator may require the member to attend for an interview. The member may bring legal counsel if they wish to that meeting.
- The investigator will produce a report of their findings and provide a copy to both the complainant and the member.
- Following an investigation, CIC will review the Report and any response from the member and CIC may then:
  - a) Direct that the matter be referred to the Inquiry Committee for a hearing (which is similar to a trial. Referrals to the Inquiry Committee will occur in the more serious cases or in circumstances which can't be resolved by the following steps)

- b) Direct that no further action be taken.
  - c) Refer the complaint to mediation (only if both parties agree).
  - d) Censure the member.
  - e) Accept the voluntary surrender of the member's certificate of practice.
  - f) Accept an undertaking from the member to provide for one or more of the following:
    - i. An assessment of the member's capacity / fitness to practice.
    - ii. Counseling and / or treatment.
    - iii. Monitoring and / or supervision of the member's practice.
    - iv. Remedial studies / training.
    - v. Placing conditions on the member's certificate of practice.
    - vi. Payment of costs by the member.
  - g) Take any other action that the CIC deems appropriate.
- If the complainant is dissatisfied with the decision of the CIC, they have 30 days to ask to have the matter reviewed by the Appeal Committee (this does not apply where the CIC has referred the matter to the Inquiry Committee, accepted the voluntary surrender of the member, or censured the member).
  - Member has no right of appeal from a decision of the CIC.
  - Interim Suspensions, Censures, voluntary surrenders of certificates of practice, and undertakings are reflected on a member's profile and may be available to the public.
  - If a referral is made to the Inquiry Committee, the Member will receive formal charges set out in a Notice of Hearing Inquiry.

## INQUIRY COMMITTEE

The Inquiry Committee is a separate committee from CIC. Members of CIC cannot also sit on the Inquiry Committee. The Inquiry Committee will:

- Receive the formal charges against the member as set out in a Notice of Hearing.
- Conduct a hearings of matters referred to it by the CIC.
- Hearings are open to the public.
- Member may be represented by a lawyer and may examine and cross-examine witnesses.
- At the end of the Inquiry, the Inquiry Committee may do one or more of the following:
  - a) Dismiss all or some of the matters referred to it.
  - b) Find the member guilty of professional misconduct, lack of knowledge, skill or judgment, or unfitness or incapacity to practice.
  - c) Reprimand the member, suspend his/her certificate of practice, impose conditions on the member's right to practice, require remediation and treatment, and / or cancel the member's registration in serious cases.
  - d) Order the member to pay a fine; and
  - e) Order costs against the member for the investigation and hearing.
- Adverse findings are recorded on the member's profile and available to the public.
- The Inquiry Panel's decision and reasons are made publicly available.
- The member or the College may appeal the decision of the Inquiry Committee to the Manitoba Court of Appeal.