



College of Respiratory
Therapists of Ontario

Ordre des thérapeutes
respiratoires de l'Ontario

COMPLAINTS PROCESS

Information for the Ontario Public

Anyone has the right to complain to the CRTO about the professional conduct or care of a Respiratory Therapist. Although there is no time limit to bring forward a concern, you should let us know about it as soon as possible.

The College of Respiratory Therapists of Ontario (CRTO) is responsible for regulating the practice of Respiratory Therapy. Our mission is to ensure that Respiratory Therapy services, provided to the public by our Members, are delivered in a safe and ethical manner.

If you have a concern about how a Respiratory Therapist (RT) treated or interacted with you or your family member, you may contact the CRTO. There are many ways we can help. It is often difficult to speak directly to a health care professional about a problem or concern. Sometimes, the CRTO can help you to communicate with the Respiratory Therapist so that you can resolve the problem together. Alternatively, concerns about the conduct or care provided by the RT can be addressed through the complaints process. The CRTO will make every effort to ensure that your concerns are handled with sensitivity.

How does the process start?

The law requires that your concern must be received in a permanent form to be considered a formal complaint. This can be accomplished by submitting your complaint in writing to the CRTO (by email, regular mail or through the online complaints form). If you would prefer to provide your concerns in another format, please contact us and we can assist you with your options. The following information should be included when possible:

- ❑ Your name, address and contact information (home and work phone numbers, email address);
- ❑ The name of the patient/client (if you are submitting the complaint on another individual's behalf);
- ❑ The name and address of any other person who may have information;
- ❑ Any additional information you think may be relevant to the situation.



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The Inquiries, Complaints and Reports Committee (ICRC) is a screening committee. It does not make findings of guilt or impose penalties. Neither the ICRC, nor the CRTO, has the authority to award costs or damages to patients/clients.

What happens next?

As soon as we receive a complaint it will be filed with the Registrar of the CRTO.

Your complaint will be acknowledged and referred to the Inquiries, Complaints and Reports Committee (ICRC). A Panel (a small group of the ICRC that includes at least one member of the public) will consider the complaint.

As part of the process, the CRTO must inform the RT that there is a complaint against them and provide the RT with a copy of the complaint. The RT will also be advised that they have the right to respond to the complaint. You may also be asked to consent to the release of any relevant medical records. All of these documents will be provided to the Panel for consideration. It is not uncommon for the Panel to request a more formal and detailed investigation in order to obtain additional information. In this case, an investigator appointed by the Registrar will investigate the complaint. The investigation may include interviewing witnesses, obtaining medical records or other documents, and speaking with co-workers and employers of the RT. When the investigation has been concluded, the RT will be sent a copy of the investigation report and provided with the option to submit a response.

Who decides?

A Panel of the ICRC carefully reviews all the documents and makes a decision as to how the complaint should be resolved. Neither you nor the RT attends the ICRC meeting. The Panel tries to arrive at a decision within 150 days of receiving the complaint.

What can the Inquiries, Complaints and Reports Committee do?

Under the law there are a number of ways the Panel can proceed including:

- ❑ Requiring the RT to appear before the Panel to be cautioned;
- ❑ Referring specific allegations of professional misconduct or incompetence to the Discipline Committee for a hearing;
- ❑ Referring the RT to a Health Inquiry Panel to investigate whether a physical or mental condition may be affecting the RT's ability to practice safely;



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The Discipline Committee holds hearings for allegations of professional misconduct or incompetence. A discipline hearing is like a trial. The CRTO acts as a prosecutor; the RT is usually represented by their own lawyer. As the complainant, you could be called as a witness to testify.

For more information about the complaints process, please contact:

Peter Laframboise,
Manager of Professional Conduct
Tel: (416) 591-7800 ext. 37 or
1-800-261-0528 ext. 37
Email: laframboise@crto.on.ca

- ❑ Requiring the RT to complete a specific continuing education or remedial program (SCERP);
- ❑ Taking any other action it considers appropriate that is not inconsistent with the *Health Professions Act*, the *Health Professions Procedural Code*, the regulations or by-laws; or
- ❑ Taking no action.

Letting you know the decision.

Once the ICRC has made its decision, the CRTO will inform you and the RT in writing.

Will the decision be made public?

Certain decisions will be noted on the public 'Register of Members' on the CRTO website, including:

- ❑ Referrals to the Discipline Committee;
- ❑ Requirements to:
 - Appear before the Panel to be cautioned,
 - Complete an education or remedial program, or
 - Abide by an Acknowledgement & Undertaking.

To find out more about the Register of Members visit:
<http://www.crto.on.ca/public/about-us/transparency/>

What if I'm not satisfied with the decision?

If you are not satisfied with the ICRC's decision, you may appeal the decision with the Health Professions Appeal and Review Board (HPARB) within 30 days of receiving it. HPARB is an independent public board appointed by the Ontario Government which reviews decisions made by the CRTO and may:

- ❑ Agree with the decision, or
- ❑ Direct the ICRC to re-examine the case, or
- ❑ Direct the ICRC to take specified action, such as referring the RT to the Discipline Committee for a formal hearing.