

COLLEGE OF RESPIRATORY THERAPISTS OF ONTARIO



Title: **HPARB Appeals**

Number: **CD-HPARB-130**

Date originally approved:
March 4, 2016

Date(s) revision approved:

BACKGROUND

In accordance with Ss.29(2) of the *Health Professions Procedural Code*, a Complainant or a Member who is the subject of a complaint, may request that the Health Professions Appeal and Review Board (HPARB) conduct a review of a decision of a panel of the Inquiries, Complaints and Reports Committee (ICRC). The only exceptions to this provision are, if the decision was to refer allegations to the Discipline Committee for a hearing, or if the decision was to refer the Member to an ICRC panel for incapacity proceedings.

The vast majority of complaints investigations conducted by the ICRC result in decisions that contain a remedial aspect such as advice or recommendations from the panel, reflection on the part of the Member, or course or program completion. As a result, many complaints decisions qualify for appeal by either the Complainant or the Member.

POLICY

It is the policy of the CRTO that Members will not be required to complete remedial activities for **at least 35 days** from the date that the Member is notified of an ICRC panel's decision regarding a complaint, in order to give the parties the opportunity to appeal the decision and notify the CRTO of such an appeal.

Furthermore, it is the policy of the CRTO that if notified of an appeal, the requirement for a Member to complete a remedial activity will be put on hold until HPARB's review and decision has been finalized, and all parties notified of the outcome. Should the ICRC panel's decision be upheld, the new timeline(s) for the Member's completion of the remedial activity will be based on the original order of the panel.