

COLLEGE OF RESPIRATORY THERAPISTS OF ONTARIO



Health Professions Appeal and Review Board Appeals for ICRC

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1.0 POLICY STATEMENT

It is the policy of the College of Respiratory Therapists of Ontario (CRTO) that when the Inquiries, Complaints and Reports Committee (ICRC) releases its Decision and Reasons, any orders rendered by the ICRC will not take effect until **thirty-five (35) days** from the date the parties subject to the Decision are notified.

Furthermore, if the CRTO is notified by parties to the matter that they have requested a review of the Decision by the Health Professions Appeal and Review Board (HPARB), any requirements that a member has been ordered to complete will be placed on hold until HPARB has completed their review and their Decision is released.

This policy does not apply to Acknowledgement and Undertakings between a member and the CRTO, the timelines of which will run in accordance with the terms of such undertakings.

2.0 PURPOSE

The purpose of this policy is to clarify that the orders and timelines issued to a member in a complaint Decision rendered by the ICRC, will be paused to allow for the parties subject to a Decision to file an appeal with HPARB, with the exception of Acknowledgement and Undertakings.

3.0 AUTHORITY & APPLICABILITY

Pursuant to the *Regulated Health Professions Act, 1991 (RHPA)*, being Schedule 2 of the *Health Professions Procedural Code (the Code)*, under Section 29 (2), the complainant or the member who is the subject of the complaint may request HPARB to review a decision of a panel of the ICRC unless the decision was:

- (a) To refer an allegation of professional misconduct or incompetence to the Discipline Committee; or
- (b) To refer the member to a panel of the Inquiries, Complaints and Reports Committee under section 58 for incapacity proceedings.

Under section 29 (3) of the *Code*, a request for review may be made only within thirty (30) days after the receipt of the notice of the right to request a review given under clause 27 (1) (c).



4.0 RESPONSIBILITIES

It is the responsibility of CRTO staff to notify the member if the timelines have been impacted by a request for HPARB to review a decision.

5.0 RELATED DOCUMENTS

[Section 29\(2\)\(3\) of the Regulated Health Professions Act, 1991 \(RHPA\), being Schedule 2 of the Health Professions Procedural Code \(the Code\)](#)

[Health Professions Appeal and Review Board Information Sheet](#)

6.0 ABBREVIATIONS

CRTO – College of Respiratory Therapists of Ontario
ICRC – Inquiries, Complaints and Reports Committee
HPARB– Health Professions Appeal and Review Board
RHPA – *Regulated Health Professions Act*

7.0 CONTACT INFORMATION

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