



1000 – 1661 Portage Avenue, Winnipeg Manitoba R3J 3Y7

Tel: (204) 774-4344

Fax: (204) 774-0750

Website: www.cpsm.mb.ca

Career Opportunity – College of Physicians and Surgeons of Manitoba Legal Counsel – Complaints & Investigations Department

The College of Physicians and Surgeons of Manitoba (CPSM) is the medical regulatory authority in Manitoba, serving the public interest by regulating the practice of medicine. Comprising of approximately 50 staff, this unique not-for-profit organization carries out its mandate to protect the public through three core functions:

- **Registration** ensures everyone registered to practice medicine in Manitoba is competent to practice and meets the established registration requirements.
- **Quality** supervises the competency of practice and proactively promotes safe care for Manitobans.
- **Complaints and Investigations** responds to concerns regarding a registrant's practice or conduct through processes established in accordance with the legislative framework. These processes are administered by CPSM staff in the Complaints & Investigation Department. Serious matters may be referred to the Inquiry Committee to hold a disciplinary hearing. A decision of that Panel may be appealed to the Manitoba Court of Appeal.

The Opportunity

CPSM is seeking a full-time lawyer (1.0 EFT) to be a part of the Complaints and Investigations Department's legal team. The successful candidate will provide legal advice and support to staff in the Complaints and Investigations Department, as well as the Complaints Committee and the Investigation Committee. The principal areas of practice will be administrative law and professional regulation. Lawyers in the Complaints and Investigations Department are also consulted on broader CPSM governance issues.

The successful candidate's primary responsibilities will be related to complaints, investigations, and hearings. In addition, they will be relied on to provide legal advice and input on a diverse range of issues as required. This will include providing advice to the Executive Office, the Registration and Quality Departments, and the Physician Health Program on occasion. This will necessitate acquiring a broad understanding of CPSM's regulatory scheme and the functioning of all departments.

The Individual

CPSM is seeking a well-qualified, highly motivated individual to provide legal services including representing the Investigation Committee in disciplinary hearings and court appearances. The ideal

candidate would be able to work collaboratively and respectfully with a wide variety of partners and stakeholders. The candidate must have a passion for protecting the public and a keen interest in advancing patient safety. Knowledge and experience relating to restorative justice, mediation, a trauma-informed approach, and procedural fairness issues are considered a significant asset.

Responsibilities:

- Assisting and providing expert legal advice to Investigators/Medical Consultants as required, including:
 - responding to questions regarding process and jurisdiction
 - determining investigation plans,
 - drafting correspondence, and
 - reviewing complaint/investigation reports,
 - participating in interviews with complainants, registrants under review, and other potential witnesses,
- Assisting and providing expert legal advice to the Complaints and Investigation Committees as necessary, including:
 - Responding to questions
 - Ensuring decision-making is in accordance with relevant policies and legislation,
 - Drafting/Reviewing Notices of Decision,
 - Preparing legal documents
- Alerting staff and Committee members as proactively as possible to potential legal issues,
- Performing legal research, analysis and providing legal opinions,
- Working collaboratively with internal counsel & General Counsel
- Communicating with complainants and witnesses, external organizations (e.g., regional health authorities), legal counsel for registrants of CPSM under investigation and others to gather or provide information and prepare for negotiations and hearings,
- Attending and representing the Investigation Committee at disciplinary hearings or in court.

Requirements:

- Law degree with a reasonable number of years of relevant practice experience in litigation and/or administrative law, preferably including experience in professional regulation.
- Membership, or eligibility for membership in the Law Society of Manitoba.

Assets:

- Strong written and oral communication skills including:
 - expertise in presenting to and fielding questions from individuals without a legal background,
 - formal and informal oral advocacy skills, including in a hearing setting, and
 - experience with examination and cross-examination of witnesses.
- Impeccable ethics and professionalism.
- Demonstrated ability to work collaboratively.

- Excellent organization, time management and planning skills, including the ability to work and problem-solve independently within general guidelines and with multiple deadlines.
- Proficiency with computers, including digital document management and basic keyboarding and Microsoft Office skills for basic communications.
- Practical creativeness and the ability to solve complex problems within the legal arena and generate options.
- Ability to deal with confidential information.
- Professional communication and interpersonal skills to build and maintain rapport with stakeholders at all levels.
- Experience and/or training respecting trauma-informed practices in committee and legal proceedings.
- Experience and/or training respecting the principles of Truth and Reconciliation in Canada, particularly in the health care system.

SALARY AND BENEFITS:

We offer a comprehensive benefits package and a competitive salary range. Individuals will be placed in the range commensurate with qualifications and experience.

Contact:

Interested candidates should submit a cover letter and resume by **June 28, 2024**, directly to:

Email: Recruiting@cpsm.mb.ca

Attn: Dr. Ainslie Mihalchuk
Deputy Registrar
College of Physicians and Surgeons of Manitoba
1000-1661 Portage Avenue
Winnipeg, Manitoba R3J 3T7

The College of Physicians & Surgeons of Manitoba is strongly committed to equity and diversity within its community and especially welcomes applications from racialized persons/persons of colour, Indigenous peoples, persons with disabilities, persons of all sexual orientations and genders, and others who may contribute to the further diversification of ideas. All qualified candidates are encouraged to apply.

Please note that this position is subject to a Criminal Record Check.

Only short-listed candidates will be contacted for an interview.