



INVESTIGATION COMMITTEE POLICY

Elevated Concern in Referrals to the IC at the Complainant's Request

Initial Approval: February 27, 2019
Effective Date: February 27, 2019
Revised with Changes:

CONTEXT

Subsection 92.2(3) of *The Regulated Health Professions Act* (“RHPA”) provides that if a complaint or other matter that is referred to the Complaints Committee is not resolved to the complainant's satisfaction, the complainant may, within 30 days after being informed of the Complaints Committee's decision, request that the complaint or matter be referred to the Investigation Committee and the Complaints Committee must make the referral.

When a request for referral to the Investigation Committee is made by a complainant, the conclusion reached by the Complaints Committee is known to both the member and the complainant.

While the investigator's report is ultimately provided to the member for comment prior to the matter being considered by the Investigation Committee, this may not give adequate opportunity early in the process for the member to meaningfully respond and assist the investigator if an elevated level of concern is identified by the investigator during the course of the investigation.

POLICY

Where the investigator identifies any aspect of the care or conduct of the member which may be of greater concern than may have been identified by the Complaints Committee, the member should be specifically asked to respond to the points of concern as early in the investigation as is reasonably possible. Therefore, if the investigator identifies such concerns and/or anticipates that the Investigation Committee may be more critical than was the Complaints Committee, the investigator should either write to the member or interview the member to specifically identify the points of concern to the member and to afford the member an opportunity to respond to those points before the Investigator's report is finalized for submission to the Investigation Committee.