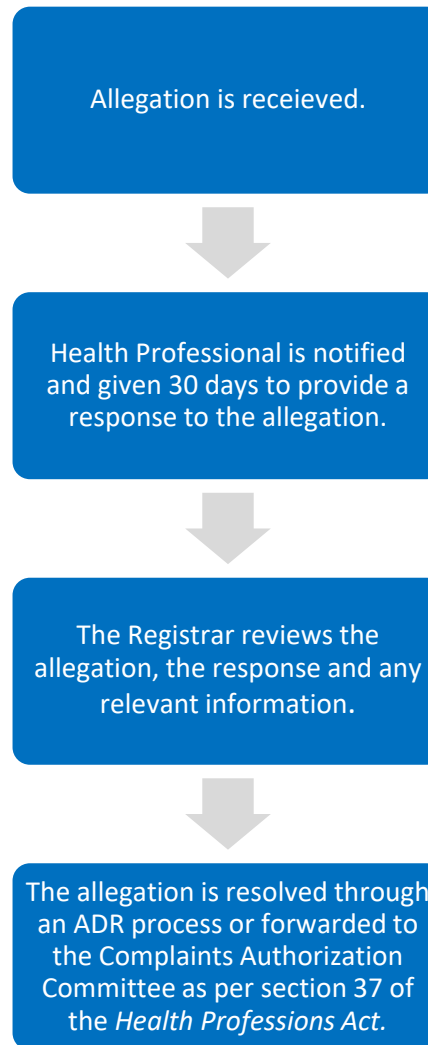


Complaint Process

Information for Registrants

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Complaint Process



The Newfoundland and Labrador Council of Health Professionals (NLCHP) has the legislated responsibility, in accordance with the Health Professions Act <https://www.assembly.nl.ca/Legislation/sr/statutes/h01-02.htm> to regulate the practice of Acupuncturists, Audiologists, Dental Hygienists, Medical Laboratory Technologists, Midwives, Respiratory Therapists and Speech Language Pathologists in Newfoundland and Labrador.

The mission of the NLCHP is to regulate these health professional groups with a focus on and commitment to public protection

What is an Allegation?

An allegation is a complaint received by the NLCHP regarding the practice/conduct of a health professional that may:

- affect the safety of the public;
- damage the public's trust in the profession;
- negatively impact the integrity of the profession.

The source of the allegation may be:

- a client/patient;
- a family member of a client; co-worker;
- an employer;
- a co-worker/colleague/health professional;
- a member of the public;
- the health professional's College or,
- the Registrar of the NLCHP.

How to Submit an Allegation

The NLCHP has an online complaint form available at: <https://nlchp.ca.thentiacloud.net/webs/nlchp/register/#/complaint-form>

What happens when an allegation is received by the NLCHP?

The *Health Professions Act*, sections 36 & 37, outlines the process used by the NLCHP to address an allegation. The person making the allegation is referred to as the "Complainant" and the health professional who the allegation is against is referred to as the "Respondent".

The allegation will be sent to the Respondent via registered mail. The Respondent has 30 days to submit a response in writing to the NLCHP. The response will be shared with the Complainant, who may choose to provide a counter response.

The allegation and responses are then reviewed by the Registrar of the NLCHP.

Alternative Dispute Resolution (ADR)

Under section 37.1 of the *Act*, the Registrar may attempt to resolve an allegation through Alternative Dispute Resolution. The Complainant and Respondent must be agreeable to resolve the matter through ADR.

If the Registrar determines that the matter cannot be resolved in this manner, he/she may bring the matter before the Complaints Authorization Committee (CAC).

What are possible outcomes if an allegation is referred to the CAC ?

The powers of the CAC are outlined in section 38 of the *Act*. Outcomes may include:

1. The allegation is dismissed.
2. The allegation is referred for further investigation.
3. The allegation is referred to a Disciplinary Hearing which may result in disciplinary action if professional misconduct is determined.
4. Sanctions (including fines).

Frequently Asked Questions

Q. Can the member that has an allegation filed against them continue to practice?

Yes, generally if the member holds a license to practice during the complaint review process they may continue to practice. When it is in the best interest of public safety, if an allegation is referred to the CAC, a member's license may be suspended or have conditions imposed upon it.

Q. How long does the complaint process take?

NLCHP is committed to a timely resolution to all allegations. The formal review process may take 4 – 6 months or may extend beyond 12 months from the time the allegation is received, and a decision is made, particularly if it is referred to the Disciplinary Panel. Timelines are dependent upon the complexity of the issues involved in the allegation.

Q. Does the allegation remain on the member's registration file?

Unless the allegation is dismissed, the history of the disciplinary action will remain on the registration record.

Q. Is the health professional required to take part in the process?

Yes, failure to participate could result in further allegations being filed against the health professional by the Registrar.