



By-Law 7: Adjudication Tribunal Findings and Proceedings

Standards for publication and limitations on publication in relation to pending and completed Adjudication Tribunal hearings made pursuant to paragraph 15(1)(o) of the *Medical Act, 2011* (the “*Act*”) to assist in the administration of s. 8 and Part V of the *Medical Act, 2011*.

Allowing for the adoption of a tariff of the costs of the College for expenses incurred by the College for the investigation and hearing of a complaint before an Adjudication Tribunal, made pursuant to paragraph 15(1)(o) of the *Act* to assist in the administration of s. 48 and 49(3)(e) of the *Act*.

In recognition of the College’s commitment to accountability of Adjudication Tribunal proceedings, including appropriate transparency of these proceedings, this By-Law outlines the College’s publication standard and the limitations on publication. This By-Law also allows the College to adopt a tariff of costs to be used as guidance for establishing the costs of the College for expenses incurred for the hearing of a complaint before an Adjudication Tribunal.

1. Referral to Disciplinary Panel

- (1) The College will publish a notice on the College’s website following referral of a complaint to the Disciplinary Panel.
- (2) The notice will include the respondent physician’s name.

2. Notice of Hearing Date

- (1) The College will publish a notice of hearing date on the College’s website following service of this notice on the complainant and respondent physician.
- (2) The notice will include:
 - (a) the respondent physician’s name;
 - (b) the date(s) and time(s) of the hearing; and
 - (c) the location of the hearing.

3. Adjudication Tribunal Decisions and Orders

- (1) In circumstances where the respondent physician pleads guilty to one or more of the charges set out in a complaint, or where an Adjudication Tribunal decides that a respondent is guilty of conduct deserving of sanction, the College will publish a summary of the decision and/or order of the Adjudication Tribunal within 14 days of the expiry of the appeal period on the College's website. The summary will be published for a minimum of 10 years.
- (2) If a summary is published pursuant to 3(1), the College will also submit a copy of the decision or order of the Adjudication Tribunal to CanLii for publication. The College will redact the decision or order to remove the name and any identifying information of the complainant and witnesses. The respondent physician will be identified.
- (3) The College will not publish, or submit to CanLii for publication, a summary or copy of any decision or order of the Adjudication Tribunal which is subject to a non-publication order or agreement.

4. Tariff of Costs

- (1) The College may adopt a tariff of costs setting out the College's costs of conducting disciplinary investigations and hearings, which an Adjudication Tribunal may use as guidance for establishing the monetary value of an award of costs of the College at a hearing of a complaint before an Adjudication Tribunal.

Document History

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