



**GARDINER
ROBERTS**

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Lad Kucis

Partner

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Expertise

Health Law

Litigation and Dispute Resolution

Education

- Osgoode Hall Law School, LL.B., 2000
- University of Toronto, B.A., 1997

Bar Admission

- Ontario Bar, 2002

Executive Summary

Lad is certified by the Law Society of Ontario as a Specialist in Health Law and provides advice and representation to health sector clients on a wide range of regulatory matters.

A key aspect of Lad's practice involves assisting all types of regulated health professionals* in proceedings before their regulatory colleges, including registration, complaints, investigations, discipline and reviews/appeals.

Lad also advises retirement home and long-term care home licensees regarding all aspects of their operations, including the preparation of policies and procedures; resolving issues with residents; and ensuring compliance with the requirements of applicable legislation and the rules established by their regulators.

As part of his practice, Lad also possesses significant experience assisting health sector clients with health privacy matters, including meeting the requirements of the Personal Health Information Protection Act, 2004 (PHIPA) and constantly evolving privacy standards.

As an authority in the field of health law, Lad is a frequent commentator, author and speaker on a variety of health law topics, including new legislation and other legal developments in the health sector.

Lad is also recognized by "Best Lawyers in Canada" in the field of Health Law.

The following are some of the regulated health professionals that Lad represents:

- audiologists
- chiropractors
- dental hygienists
- dentists
- massage therapists
- naturopathic doctors
- nurses
- opticians
- optometrists
- pharmacists
- physicians
- physiotherapists
- psychologists
- psychotherapists
- traditional Chinese medicine practitioners
- veterinarians

Lad also assists a number of other regulated professionals, including architects, engineers, lawyers and early childhood educators, in matters before their regulatory bodies.

Representative Work

- Advising an association of pharmacists regarding their legal and professional obligations flowing from the wind-down of retail pharmacy chain
- Advising a health professional association regarding billing issues applicable to members of their profession
- Preparing a Code of Conduct for a licensee that operates retirement homes and long-term care homes



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- Successfully representing a medical device manufacturer in a matter before Health Canada
- Preparing a Privacy Breach Protocol for a health sector organization
- Acting as Amicus Curiae counsel in a Discipline Committee hearing at a health professions college

Articles

- Key Changes to the Regulated Health Professions Act: A Primer for Ontario Dentists – October 9, 2018
- Key Changes to the RHPA – Important Information for Criminal Lawyers Acting for Health Professionals, OBA Criminal Justice Section – September 10, 2018
- Key Changes to the RHPA – A Primer For Regulated Health Professionals – June 6, 2018
- The Protecting Patients Act, 2017 – The Essentials for Regulated Health Professional – July 19, 2017
- Expansion of the CCO Public Register, *ON Chiropractic*, Spring 2017 – April 4, 2017
- The Privacy Breach Protocol: An Essential Tool for all Senior's Homes – December 9, 2016
- The Expansion of the CPO Public Register – and What it Means for Physiotherapists – October 11, 2016
- The Expanding List of Concerns on the OCP Public Register – A Summary of Information to be Posted and What it Means for Pharmacists – September 7, 2016
- New Information to be Placed on CMTO Public Register – A Summary of the Changes and their Impact on RMTs, *Friday File* (Registered Massage Therapists' Association of Ontario) – June 29, 2016
- Background Screening and Offence Declarations: An Overview For Retirement Home Operators – June 23, 2015
- Overview of RHPA Complaints Process – June 27, 2014
- Rent Control & Retirement Homes: Why Newer is Better – June 18, 2014
- Overview of RHRA Inspections – May 25, 2014
- Regulatory Changes Create New Fire Safety Requirements for Retirement Homes – January 14, 2014
- Retirement Homes Act, 2010: Final Phase of Implementation – December 19, 2013
- Retirement Homes Act, 2010: Implementation Schedule Released – May 25, 2012
- A New Era of Accountability for Hospitals and Physicians – The Impact of the *Rosenhek v. Windsor Regional Hospital* Decisions – May 23, 2010

Presentations

- Client Health Records: A Primer for Registered Massage Therapists (Webinar), Registered Massage Therapists Association of Ontario – May 7, 2019
- Informed Consent (Seminar Leader), University of Toronto, Faculty of Medicine – January 26, 2018 and January 18, 2016



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- Advocacy Before the Health Professions Appeal and Review Board (Panel Member), Advocates' Society Program: Health Law Litigation – November 13, 2017
- Medical Legal Issues Program (Seminar Leader), University of Toronto, Faculty of Medicine – September 7, 2017, September 8, 2016, September 10, 2015 and September 5, 2013
- Changes to the CCO Public Register and Potential Implications for Chiropractors (Webinar), Ontario Chiropractic Association – April 19, 2017
- Examining the Risk of Harm Disclosure Exception, Osgoode Hall Law School Professional Development Program: 2017 Legal Guide to Privacy & Information Management in Healthcare – April 10, 2017
- Regulation of Dental Hygienists in the Province of Ontario, Toronto College of Dental Hygiene and Auxiliaries – February 21, 2017
- Overview of Health Law Issues – University of Waterloo, School of Optometry and Vision Science – January 20, 2017
- Overview of the Various Legislative and College Requirements Placed on Chiropractors in Ontario, (Webinar), Ontario Chiropractic Association – October 19, 2016
- The Expansion of the CPO Public Register – And What it Means for Physiotherapists – October 17, 2016
- Overview of Health Professional Regulation, Health Privacy and Business Issues Relevant for New Dental Hygienists: Toronto College of Dental Hygiene and Auxiliaries – May 17, 2016
- Examining the Risk of Harm Disclosure Exception, Osgoode Hall Law School Professional Development Program: 2016 Legal Guide to Privacy & Information Management in Healthcare – April 13, 2016
- Overview of the Personal Health Information Protection Act, 2004 (Webinar), Ontario Chiropractic Association – March 30, 2016
- Overview of the proposed Electronic Health Record under Bill 119 (Webinar), Ontario Chiropractic Association – March 1, 2016
- Regulation of Optometrists & Business Issues Relevant for New Graduates – University of Waterloo, School of Optometry and Vision Sciences – January 27, 2016
- Regulation of Massage Therapists, Canadian College of Massage & Hydrotherapy – November 25, 2015
- Responding to Complaints in Light of New Transparency Measures, Pot Pourri of Medico–Legal Cases, Medico Legal Society of Toronto – September 30, 2015
- Regulatory and Business Issues Affecting Dental Hygienists, Toronto College of Dental Hygiene & Auxiliaries – August 11, 2015, November 11, 2014
- Participant in Roundtable Discussion re Changes to Sexual Abuse Provisions in the RHPA – May 12, 2015
- Regulation and Discipline in the Health Care Sector (Penalty Hearing & Appeals), Osgoode Professional Development Certificate Program – June 10, 2014
- Discipline Committee Demonstration, College of Massage Therapists of Ontario – April 4, 2014



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- Implementation of the Retirement Homes Act, 2010, Gardiner Roberts Breakfast Seminar for Retirement Homes Operators– November 20, 2013
- Hospital Privileging and Physician Rights, Emergency Department Administration Conference – November 7–8, 2013
- Medical Legal Issues Program (Keynote Lecture), University of Toronto, Faculty of Medicine – September 5, 2013
- Debate on Advertising Standards, College of Physiotherapists of Ontario – May 13, 2013

Quoted

- Vaccinate or Mask Policy Struck Down by Ontario Arbitrator, *Canadian HR Reporter Weekly* – October 24, 2018
- Be Ever Vigilant – *Massage Therapy Canada* – Summer 2018
- Ruling Favours Protecting Safety of Women in Sexual Misconduct Allegations, *Canadian Lawyer* and *Law Times* – April 26, 2016
- Nurses Win Dispute Over Vaccinate–or–Mask Policy, *Canadian Lawyer*, – September 21, 2015
- Canadian Medical Schools Shed U.S. Review, *Lawyers Weekly*, – July 13, 2015
- Hospital Class Action Informed by Intrusion Upon Seclusion Case, *Canadian Lawyer*, – July 4, 2014

Recognition

- Certified by the Law Society of Ontario as a Specialist in Health Law
- *Best Lawyers in Canada*, (Health law) – 2017-2020

Professional Involvement

- Ontario Bar Association, Health Law Section
- Medico-Legal Society of Toronto
- Ontario Retirement Communities Association

Community Involvement

- Commissioner, Toronto Lawyers' Touch Football League