

How the Identities of Health Professionals are Revealed in HPARB Complaint Review Decisions

Complaints | Health | Health Law | Healthcare | Litigation | Litigation & Dispute Resolution

10 September 2019

It is the long-standing practice of the Health Professions and Appeal Board (HPARB) to identify parties by their **initials**, rather than by their full names, in the public version of the Decision and Reasons prepared in respect of complaint reviews. By so doing, the identity of both the complainant and the health professional are ostensibly anonymized.

The anonymization of the parties in HPARB complaint reviews makes abundant sense for a whole host of reasons, including protecting the personal health information of patients and ensuring that the identities of health professionals are only revealed in cases where they have had an opportunity to provide a full answer and defence (i.e. cases before their Discipline Committee).

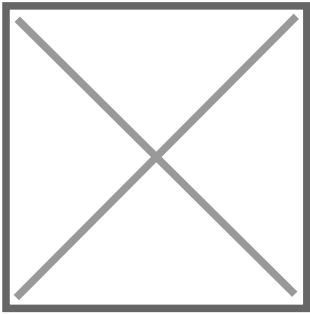
Unfortunately, despite the use of initials to identify parties in HPARB complaint reviews, the identities of health professionals can be ascertained in many cases because the name of their **practice location** (i.e. their clinic, pharmacy, etc.) is referenced in the Decision and Reasons. Frankly, it does not take much investigative skill to ascertain the identity of a health professional if you are provided with their initials and their practice location. This task is made even easier in cases where the number of health professionals working at a particular practice location is small.

The current reality is highly unfair to health professionals and is inconsistent with the above-described practice of anonymizing the identities of the parties by using their initials rather than their full names. If the intent of HPARB is to protect the identities of the parties in complaint reviews, there should be no reference to the practice location of the health professional in the Decision and Reasons.

I am hopeful that this post will bring some much needed attention to this issue.

(This blog is provided for educational purposes only, and does not necessarily reflect the views of Gardiner Roberts LLP).

Author



Lad Kucis

Partner

416.864.3114

lkucis@grllp.com

Gardiner Roberts

Bay Adelaide Centre — East Tower
22 Adelaide Street West, Suite 3600
Toronto, ON M5H 4E3

Phone: 416.865.6600
Fax: 416.865.6636
contactGR@grllp.com