

Top 10 List: What Health Professionals Need to Know About Discipline Committee Hearings

Disciplinary Hearing | Health | Health Law | Litigation | Litigation & Dispute Resolution

21 February 2024

In my opinion, here are the top 10 items that Health Professionals need to know about Discipline Committee hearings:

1. If a matter is referred to the Discipline Committee, the allegations will appear on the public register until a Decision and Reasons is issued;
2. Colleges will proceed to a Discipline Committee hearing even if the Health Professional resigns or otherwise does not participate in the discipline process;
3. Before negotiating a resolution, it is imperative to be aware of penalties imposed in recent, similar cases before the College in question;
4. If a matter is resolved on consent, legal counsel for the parties will prepare an Agreed Statement of Facts and a Joint Submission on Penalty and Costs. Legal counsel for the College will typically prepare the first draft;
5. All matters must appear before the Discipline Committee, regardless of whether a matter is proceeding on consent or on a contested basis;
6. Absent exigent circumstances, Discipline Committees will typically approve settlements proposed by counsel for the parties;
7. If a Health Professional is found guilty of professional misconduct, they will be exposed to a penalty and a costs award. Costs awards vary widely as between Colleges and are significantly higher if a matter proceeds via a contested hearing;
8. Absent publication bans, Discipline Committee hearings are typically open to the public;
9. At present, most Colleges are conducting Discipline Committee hearings virtually; and
10. All findings of professional misconduct are posted on the public register, where they typically remain indefinitely.

For more information please contact: **Lad Kucis** at **416.864.3114** or **lkucis@grllp.com**

Lad Kucis is certified by the Law Society of Ontario as a specialist in health law. As part of his practice, he provides advice and representation to regulated health professionals regarding the full spectrum of college matters, including complaints, investigations, discipline and appeals/reviews.

(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



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