Protect the Integrity of Your Profession and the Public Interest with Effective Complaints, Investigation, and Resolution Processes

- Hear the latest developments in professional regulation, decisions, and legislative changes that may affect your practice
- Gain insights into the latest developments in the regulation of legal, health, and financial services professionals
- Learn how to implement your regulatory body’s strategic plan: frameworks, philosophies and tools
- Understand the impact of aging baby boomer professionals on the regulatory environment
- Get a thorough overview of how the College of Registered Nurses of British Columbia resolves complaints
- Improve transparency and efficiency of your organization to protect the public interest
- Participate in an intensive, interactive session delving into the dos and don’ts of investigation practices
- Understand why it is important to evaluate regulators and committee members
- Discover how your regulatory body can leverage social media as a tool
- Hone your skills in delivering and defending penalty principles

PLUS! Analyze the latest developments in the regulation of healthcare professionals to ensure compliance and minimize risk. Don’t miss our in-depth, half-day workshop.

Register Today! Call 1.800.474.4829 Fax 1.800.558.6520 WWW.INFONEX.CA
7:30 – 8:30  Registration and Continental Breakfast

8:30 – 8:40  Welcome and Opening Remarks from the Chair
Cathi Mietkiewicz, Lawyer, Fasken Martineau DuMoulin LLP

8:40 – 9:30  Overview of Recent Professional Regulatory Court Decisions
Jim Casey, Partner, Field Law LLP; Author of The Regulation of Professions in Canada
• What are the most important recent cases that impact regulators?
• Identifying the trends in the case law
• How regulators can pro-actively respond to the case law trends
• Impact of addictions on findings of unprofessional conduct: an update on Wright v. College and Association of Registered Nurses of Alberta 2012 ABCA 267
• New cases on delay, bias, human rights, and costs

9:30 – 10:20  Determining "Good Character" in Registration
Lai-King Hum, Associate Counsel, McMillan LLP
• What is "good character"?
  - Character requirements in the professions: variations on the theme of good character
  - Importance of good character as a basis for entry into a profession
  - Should good character be important?
• Problems with the application of a mutable good character standard, as reflected in non-criminal breaches of law
• Issues of human rights and accommodation
• Case law discussion

10:20 – 10:35  Networking Break

10:35 – 11:25  Planning Was the Easy Part: Implementing Your Regulatory Body's Strategic Plan
Kevin Taylor, Registrar and CEO, College of Respiratory Therapists of Ontario
• Overview of the strategic planning process
• Why most strategic plans fail
• Moving from planning to action: frameworks, philosophies, and tools
• Things to consider when developing your operational plan
• Understanding the role of leadership
• Tracking your progress, defining outcomes and end points

11:25 – 12:15  Regulatory Impact of "Grey Tsunami" of the Baby Boomer Professionals
Angela Bates, Manager, Investigations and Resolutions, College of Physicians and Surgeons of Ontario
• Who are the baby boomer professionals?
• Examining the possible and potential issues associated with this aging population

12:15 – 1:20  Luncheon

1:20 – 2:10  Resolving Complaints at College of Registered Nurses of BC
Deborah Charrois, Professional Advocacy Officer, B.C. Nurses' Union
Jacinta MacKinnon, Professional Conduct Review Consultant, College of Registered Nurses of BC
• From adversarial to consensual: how a regulator and a union can work together to develop best practices
• Framework of consensual complaint resolution process
• What’s included in an negotiated agreement
• Moving from formal complaints to self reporting: how the early intervention health program is assisting nurses with health issues while protecting the public

2:10 – 3:30  Understanding the Intention of the Investigation Process for Regulatory Bodies
Jeff Donnelly, Manager, Investigations and Complaints, Certified Management Accountants of Ontario
Jennifer Cooper, Director of Professional Discipline, Prosecutor, Certified Management Accountants of Ontario
• Determining the scope of investigation: dos and don'ts
• What is your role as the investigator? Working with your committee
• Use of third-party investigation assessment: dealing with expert reports
• Dealing with access to information: using your authority
• Using the information for fair purpose
• Question and answer period

3:45 – 4:30  Investigation of Professional Conduct: Best Practices
Paul Farley, Senior Legal Counsel, Professional Conduct, Institute of Chartered Accountants of Ontario
• Current issues facing regulators and investigators
• Engaging the investigator: defining the issues
• Fairness: investigating all sides
• Power to investigate: understanding the legislative regime
• Interviewing witnesses: preparation, execution, and follow-up
• Preparing the investigation report: gathering the evidence, reporting, and disclosure

4:30  End of Day One
7:30 – 8:30 Registration and Continental Breakfast

8:30 – 8:40 Opening Remarks from the Chair
Cathi Mietkiewicz, Lawyer, Fasken Martineau DuMoulin LLP

8:40 – 9:30 Ontario College of Teachers’ Roadmap for Improved Transparency and Efficiency
Francine Dutrisac, Director of Investigations and Hearings, Ontario College of Teachers
Michael Salvatori, Chief Executive Officer and Registrar, Ontario College of Teachers
  • Findings and recommendations from comprehensive review of the Ontario College of Teachers (OCT)’s disciplinary process and practices
  • Why the OCT commissioned an independent review
  • How the review was conducted
  • Main themes and recommendations of the review
  • Anticipated impact of certain key recommendations on investigation and hearings procedures
  • How this translates into greater transparency and efficiency

9:30 – 10:20 Integration of Internationally Educated Professionals
Michael Salvatori, Chief Executive Officer and Registrar, Ontario College of Teachers
Lai-King Hum, Associate Counsel, McMillan LLP
  • Credential evaluation for internationally educated professionals
  • Assessing “good character” of internationally educated professionals
  • Frameworks, opportunities, and areas of improvements
  • Key cases

10:20 – 10:35 Networking Break

Cathi Mietkiewicz, Lawyer, Fasken Martineau DuMoulin LLP
  • Understanding the demand for appraisal and evaluation
  • Examples of evaluation methods
  • Developing a framework for systematically evaluating performance
  • Addressing resistance from Board and Committee members

11:25 – 12:15 Enforcing Up-to-Date Professional Compliance
Michelle Kushnir, Associate, Steinecke Maciura LeBlanc
  • How different organizations enforce professional compliance
  • Tips on proactive compliance strategies

12:15 – 1:20 Luncheon

1:20 – 2:10 Taking Advantage of the Proliferation of Social Media
Ryan Breedon, Associate, Lenczner Slaght Royce Smith Griffin LLP
  • Prevalence of social media in today’s professional regulation world
  • Discovering different types of social media and its data
  • How items posted by members on social media can be used
  • Ways to effectively regulate social media and use it in investigation
  • Social media as outreach tool for communications to members and clients

2:10 – 3:30 Preserving Public Confidence: Communicating and Defending Penalty Principles
Bruce G. Matthews, Deputy Registrar, Regulatory Compliance Real Estate Council of Ontario
  • Penalty principles in professional regulation
  • Public perception issues in professional discipline
  • Understanding the public/media perspective
  • Mastering the message
  • Role of mitigating and aggravating factors
  • Importance of proactive communications

3:30 – 3:45 Networking Break

3:45 – 4:30 Running a Fair and Effective Disciplinary Hearing
Rebecca Jones, Associate, Lenczner Slaght Royce Smith Griffin LLP
  • Understanding the mechanisms of the disciplinary hearing
  • Ensuring fairness to both parties regardless of the alleged conduct
  • Contested hearings vs. hearings on consent
  • Understanding the role of complainants
  • Working with independent legal counsel

4:30 End of Day Two

PLUS! Take advantage of our optional post-conference half-day workshop
Latest Cases Across Canada Affecting Professional Regulation in Health Field
Elyse Sunshine, Partner, Rosen Sunshine LLP

An essential workshop for regulators and those who work with (or against) them, this workshop will provide an in-depth review of some of the recent cases impacting on health professional regulators. The workshop will provide an opportunity to see how real-life situations translate into precedent setting case law. A unique opportunity to hear from the perspective of defence counsel what the cases will mean to regulators and defence alike the impact that cases have on professional practice.

- Current trends in health professional regulation
- Recent, relevant key court decisions of different scenarios
- Analyzing investigation process and assessment
- Examining applied principles and legal approaches
- Understanding the role of authority and involved staff members
- Identifying challenges and successes
- What to apply to your organization

ABOUT YOUR WORKSHOP FACILITATOR: Elyse Sunshine, Partner, Rosen Sunshine LLP

Elyse Sunshine assists health care professionals, health associations and organizations by providing advice and opinions with respect to regulatory, administrative and civil matters. She has experience in assisting various health professionals with professional matters before their licensing bodies (including, registration, complaints, discipline, fitness, and quality assurance), hospitals, employers and the government.

Elyse has assisted professionals with matters before the various levels of court and tribunals, including the Health Professions Appeal and Review Board, the Health Services Appeal and Review Board and the Human Rights Tribunal. She also assists health professionals and organizations with inspections and audits, including quality assurance reviews, independent health facility inspections and out-of-hospital premises assessments. In addition to her advocacy practice, Elyse regularly provides opinions and general advice to individuals and organizations, such as associations of health care professionals.
CHAIR: Cathi Mietkiewicz, Lawyer, Fasken Martineau DuMoulin LLP

Cathi Mietkiewicz is a lawyer in Fasken Martineau DuMoulin’s Health Law Practice Group. She has a practice that focuses on advising clients regarding general corporate and commercial matters, corporate governance, and regulatory compliance and disciplinary matters. Prior to becoming a lawyer, Cathi acquired over ten years of experience in health care and regulatory matters. From 2004-2006 Cathi was the Chair of the National Association of Canadian Optician Regulators and the President of the Opticians Council of Canada.

Jim Casey, Partner, Field Law LLP

Jim Casey, QC, is the author of The Regulation of Professions in Canada and A Guide to the Health Professions Act. He is a Managing Partner at Field Law whose primary areas of practice are professional regulation, labour and employment law and administrative law. Jim acts as legal counsel for numerous professional organizations providing advice in all areas of professional regulation including legislation, discipline, scope of practice and government relations. Jim has been retained by both provincial and federal government agencies to provide advice on professional regulation issues, including the development of legislation.

Lai-King Hum, Associate Counsel, McMillan LLP

Lai-King Hum has a practice providing policy advice on professional regulation issues, particularly in relation to accreditation, licensing, and complaints, investigations and discipline, and acting as counsel on judicial reviews and appeals. Prior to joining McMillan, Lai worked as bilingual counsel in the Professional Regulation Division of the Law Society of Upper Canada.

Angela Bates, Manager, Investigations and Resolutions, College of Physicians and Surgeons of Ontario

Angela Bates has worked for over ten years in the regulatory field. For several years, Angela managed a broad variety of investigations at the College, including investigations into allegations of sexual abuse, fraud, clinical competence and physician incapacity. More recently, Angela assumed responsibility for the management of the College’s Complaints Committee and Executive Committee (member-specific function). As well, Angela oversees member compliance with undertakings and orders of a number of College committees.

Kevin Taylor, Registrar and CEO, College of Respiratory Therapists of Ontario

Kevin Taylor began his career as a practicing clinician both in Canada and abroad. He has tackled such issues as clinical governance, healthcare strategy, clinician engagement and interprofessional collaborative care approaching them all with a belief in the value of diversity, a passion for education, and a commitment to serving the public interest.

Deborah Charrois, Professional Advocacy Officer, B.C. Nurses’ Union

Deborah Charrois, LLB, assists members with professional college regulatory matters including fitness to practice. Deborah has worked diligently to establish and maintain collaborative relationships with the three nursing regulatory Colleges in British Columbia. Prior to joining the BC Nurses’ Union, Deborah was an Associate at Victory Square Law Office.

Jacinta MacKinnon, Professional Conduct Review Consultant, College of Registered Nurses of BC

Jacinta MacKinnon, RN, MN, has served the public by investigating complaints CRNBC receives about registered nurses. She successfully negotiates resolutions to complaints within the legislative authority of British Columbia’s Health Professions Act and the CRNBC’s bylaws. Jacinta is nearing the completion of the Institute of Regulatory Excellence fellowship program through the National Council of State Boards of Nursing.

Francine Dutrisac, Director of Investigations and Hearings, Ontario College of Teachers

Francine Dutrisac has been in education for thirty-four years both as a teacher and an administrator. She has been Superintendent of Education and Human Resources, coordinator of the Grade 10 Ontario Secondary School Literacy Test (TPCL) at the Education Quality and Accountability Office, and school principal for eleven years in French-language and English-language boards at both the elementary and secondary levels.

Michael Salvatori, Chief Executive Officer and Registrar, Ontario College of Teachers

Dr. Michael Salvatori was appointed to the position of CEO and Registrar at the Ontario College of Teachers in 2009. He has held several positions in education during his 25 year career: elementary and secondary French immersion and core French teacher, vice-principal, principal, Director of the Ontario College of Teachers’ membership services department and assistant professor in the Department of French Studies and the Faculty of Education at York University’s Glendon College.

Paul Farley, Senior Legal Counsel, Professional Conduct, Institute of Chartered Accountants of Ontario

Paul Farley became the first in-house discipline counsel for the Institute of Chartered Accountants of Ontario, a self-regulating professional organization with over 40,000 members. He has appeared as counsel before administrative tribunals, the Divisional Court and the Court of Appeal for Ontario. From 2002–2004 he was advisor to the Board of the Alliance for Excellence in Investigative and Forensic Accounting. Currently he serves as a Chair to the Financial Services Commission of Ontario Advisory Board and is a member of the Board of Directors of Stevenson Memorial Hospital in Alliston, ON.

Jeff Donnelly, Manager, Investigations and Complaints, Certified Management Accountants of Ontario

Jeff Donnelly is a licensed Paralegal with over 14 years of experience conducting investigations and prosecuting illegal practice matters before the Provincial Offences Court and Administrative Tribunals. Jeff currently sits on the Council for the College of Dental Technologists as a public appointee and on the Ontario Motor Vehicle Industry Council’s Discipline and Appeals Committee.

Michelle Kushnir, Associate, Steinecke MacIura LeBlanc

Michelle Kushnir’s practice is focused on professional regulation, and includes aspects of health law, administrative law, and not-for-profit corporate law. Michelle routinely works with professional regulatory bodies on litigation matters ranging from appeals to injunctions, assists in the development and review of by-laws, regulations and policies, and advises on issues such as human rights, accessibility, governance and privacy.

Ryan Breedon, Associate, Lenczner Slaght Royce Smith Griffin LLP

Ryan Breedon’s growing practice covers a broad spectrum of litigation areas, including professional responsibility, employment disputes, environmental issues and criminal law. He frequently acts in construction, insurance and defamation cases. He has also conducted many professional discipline hearings before a variety of professional regulators and several judicial review.

Bruce G. Matthews, Deputy Registrar, Regulatory Compliance, Real Estate Council of Ontario

Bruce G. Matthews’s involvement in professional regulation and discipline began in February 2000 when joined the staff of Professional Engineers Ontario as an investigator dealing with complaints, discipline, and enforcement matters. In 2008 he was appointed their Deputy Registrar, Regulatory Compliance. In September 2010, Mr. Matthews took on a similar role at the Real Estate Council of Ontario. His department at RECO is responsible for the investigation and processing of complaints against real estate salespeople, brokers and brokerages, and the investigation of alleged unregistered trading in real estate.

Rebecca Jones, Associate, Lenczner Slaght Royce Smith Griffin LLP

Rebecca Jones’s practice encompasses a wide range of areas, with a particular focus on class actions, professional liability, and public and administrative law. Her clients include medical professionals and other individuals, corporations, law firms, and administrative bodies. Rebecca has appeared before all levels of court in Ontario and acted as co-counsel in a case that was argued before the Supreme Court of Canada.
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Organization ____________________________________________________________________________
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<td>Conference for One Registrant</td>
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Substitutions may be made at any time. If you are unable to attend, please make cancellations in writing and fax to 1-800-558-6520 no later than April 2, 2013. A credit voucher will be issued to you for the full amount, redeemable against any other INFONEX course and which is valid for twelve months (one year) from the date of issue. If you prefer, you may request a refund of fees paid, less a 15% administration fee.

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Confirmed registrants who do not cancel by April 2, 2013, and fail to attend will be liable for the entire registration fee.

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