

## CASLPM Complaints Process Overview

If you are concerned about the practice or conduct of an audiologist or speech-language pathologist, we encourage you to begin by addressing your concern with the individual. This may help you resolve your issue and get the information you need. Many complaints are as the result of misunderstandings or poor communication.

If you are unsatisfied with your communication, a complaint may be made to the College of Audiologists and Speech-Language Pathologists of Manitoba (CASLPM).

Resolution of a complaint may be through informal means or after an investigation is undertaken by a Complaints Investigation Committee Panel.

Your first step to making a formal complaint is to download the complaint form found on the CASLPM website. Your complaint cannot be anonymous to allow for an appropriate response from the Registrant where warranted.

The process outlined below is followed once a completed [complaints form](#) is received by CASLPM. Your complaint should include:

- The name of the audiologist or speech-language pathologist.
- The date the incident occurred.
- As much detail as you can remember about the incident.
- Any documentation that supports your complaint (e.g. emails, transcripts of memory of conversations, etc.).

### **The complaint is received.**

A process has been established in conjunction with the Regulated Health Professions Act Section 92(1) to review your complaint and respond with the most appropriate option to address your concerns. Complaints are assessed and triaged in one of three ways:

- Addressed to achieve resolution through facilitated communication/informally.
- Referred to the Complaints Investigation Committee (CIC) for review.
- Dismissed by either the Registrar on initial review or the CIC after completing a review.

The Registrar is available to assist the Complainant once the complaint has been submitted and when you have questions throughout your complaints process.

The Complaint is reviewed and managed under these scenarios:

**A. The Registrar may attempt to address the complaint through facilitated communication/informal means:**

The Registrar can assist you and the Registrant to communicate to resolve the matter. This is an appropriate way to address straightforward concerns that do not need a committee to determine an outcome.

This process follows these steps:

1. Your complaint is sent to the Registrant for their response.
2. The Registrar may speak with the Registrant to discuss relevant issues.
3. The Registrant is expected to respond in writing, typically within 30 days.
4. When the Registrant's response is received, it is sent to you for your review. If there is an opportunity for the Registrar to provide details about addressing the complaint, it will be included with the Registrant's response.
5. You will be invited to respond in writing, typically within 30 days, with any remaining concerns.

**B. The Registrar may refer to a Complaints Investigation Committee (CIC) Panel:**

The CIC will become involved if the parties cannot agree on a resolution, or if the issue is better served with oversight by a Panel that includes one audiologist, one speech-language pathologist, and one public representative, in each complaint matter. The aim of the Panel is for all parties to understand each other's perspectives to resolve concerns through facilitated communication or other means where possible. The Panel can endorse an informal resolution and has the authority to assess the complaint and provide advice.

This process follows these steps:

1. Your complaint is sent to the Registrant for their response.
2. The Registrant is expected to respond in writing within 30 days.
3. You receive the Registrant's response and any other information that may be helpful. You will have an opportunity to provide your comments in response to that information, typically within 30 days.
4. Once you submit your reply, a designate of the Panel may be directed to attempt to address the complaint through further communication if the Panel sees an opportunity to do so.
5. The Panel receives all the information from you and the Registrant and meets for discussion. The Panel decides the outcome. They can:
  - Take no further action if the Panel decides the Registrant's care or conduct was considered appropriate.
  - Provide advice, constructive feedback, or remediation to help the Registrant improve their practice.
6. CASLPM will communicate via email (labeled "confidential" and "high importance") once a decision has been made. You should ensure that the email account you submit your complaint through is private to you only.

**C. The Panel may order an investigation if the complaint cannot be resolved through informal means:**

A referral by the Panel to investigation is appropriate for more complicated, specialized, or severe concerns. It is still possible for complaints to be resolved by agreement between the complainant and the Registrant, but an investigation will provide additional facts or evidence to assist them in making an appropriate decision regarding the complaint. In addition to investigation, it may be necessary to have a competent Registrant give an opinion.

This process follows these steps:

1. The complaint is sent to the Registrant for their response.
2. The Registrant is expected to respond in writing within 30 days.
3. You receive the Registrant's response and any other information that may be helpful. You will have an opportunity to provide your comments in response to that information, typically within 30 days.
4. CASLPM or an investigator may conduct interviews, collect additional documents, or solicit a competent Registrant's opinion on matters of charting, professional practice, or advanced competency (specialized healthcare) performance. This investigation phase is typically 60 days.
5. Where there are serious patient safety concerns, conditions may be imposed on the Registrant's practice during the investigation.
6. The investigator writes a report that is provided to the Registrant, who will be given the opportunity to respond to the investigator's report. This is necessary to offer the opportunity to address any issues that may impact their practice or certificate of practice/license.
7. The Panel receives the report and the Registrant's response.
8. The Panel may request additional information from you or the Registrant for clarity as needed.
9. The Panel meets for discussion and decides the outcome. They can:
  - Take no further action because the Registrant's care or conduct met the expected standard.
  - Provide advice or constructive feedback to help the Registrant improve.
  - Where the Registrant agrees, undertakings may be imposed as follows:
    - a) Review and assess personal practice, providing feedback on Practice Directions, Code of Conduct, or other documents prescribed by the Panel.
    - b) Plan for specific education requirements.
    - c) Accept and monitor changes or conditions to their practice.
    - d) Issue and publish formal discipline through a censure (reprimand).
  - Where the member does not agree, OR where further action is necessary to address the circumstances or misconduct, the matter will be referred to the Inquiry Committee to conduct a hearing.

#### **D. The complaint may be dismissed after Registrar review:**

Complaints may be dismissed when they are deemed to be trivial, vexatious, or unsustainable under the RHPA. Complainants are informed and provided with the reasons for dismissal. You may appeal the decision for dismissal to the Complaints Investigation Committee.

FAQ about the complaints process

#### **Why am I not allowed to make a complaint anonymously?**

The registrant must be afforded the opportunity to respond to the complaint and in most cases, it is important that they know who is making the complaint so that they can respond appropriately. In very rare circumstances (e.g. safety concerns), the Registrar, in conjunction with CASLPM legal counsel, could choose to redact information that would identify the complainant. In serious cases that involve events criminal in nature, the Registrar will encourage the complainant to contact appropriate authorities or may do so themselves if warranted.

#### **How long will the process take?**

Completing the whole process can take several months, and up to a year or more depending on the complexity of the complaint. CASLPM strives to be efficient without compromising the thoroughness of the review. Serious issues that may pose an immediate risk to the public are prioritized. The Registrar is available to you throughout the process to answer any questions and let you know when important steps are completed.

#### **What if I disagree with the decision?**

If you are not satisfied with the decision, you can ask that your complaint be addressed through another process. If the Complaints Panel heard your complaint, you can refer it to the Inquiry Committee. Panel decisions can be appealed to an Appeal Panel. An appeal may be completed by review of the submitted documents or a formal process may be conducted.

To adequately address the reasons why you are not satisfied, you must provide *written notice of appeal* and *reason(s) for the appeal*. As stipulated in subsection 108(2) of the Regulated Health Professions Act, this must be done within 30 calendar days of receiving the decision of the Panel.