COLLEGE OF DENTURISTS OF ONTARIO

Guide to the College's Complaint Process

The Regulated Health Professions Act, 1991 ("RHPA") sets out the process that is followed when a complaint about a registered denturist is investigated.

The process is designed to ensure that both the individual who is filing the complaint and the denturist are treated fairly.

Each complaint received by the College is thoroughly and objectively investigated to determine if there is any evidence of professional misconduct, incompetence or incapacity.

What should I do if I have concerns about a Denturist?

The College can offer information to individuals who are uncertain about the level of care they should expect from a denturist. Additionally, College staff are available to assist with submitting a formal complaint. Contact information is provided at the end of this guide.

How do I file a Complaint?

A formal complaint can be filed with the College in writing, by e-mail, audio, or videotape. The College cannot accept a verbal complaint by telephone. The College's Complaint Submission Form can be used to submit a complaint. If you cannot access the form online, please contact a member of the College staff to request a copy.

The following information is required in the submission of a formal complaint:

- Your full name.
- Your mailing address, email address and phone number.
- A clear statement that you are submitting a complaint.
- The full name of the denturist.
- As much detail as possible about your concerns such as type of complaint (denture problem, conduct problem, other), type of denture (full/partial/upper/lower).
- Names of any other denturists, healthcare practitioners or persons that may have information regarding the complaint.

When the College receives a formal complaint, a letter acknowledging receipt of the complaint is sent to the complainant by secure email or regular mail if the complainant does not have email.

Is there a time limit for making a complaint?

No, there is no time limit on the filing of a complaint.

What happens to the complaint once it is submitted?

A complaint is reviewed by the Inquiries, Complaints and Reports Committee (ICRC). The members of the ICRC are either denturists or members of the public who are appointed to the College's Board of Directors by the provincial government.

How does the process begin?

When the College receives a complaint:

- A copy of the complaint is forwarded to the denturist.
- The denturist has 30 days to submit a written response to the College.
- The complainant has an opportunity to review the denturist's response.

Unless there is a question of personal safety or risk for the complainant, the name of the complainant and the nature of the complaint are shared with the denturist.

What happens next?

A complaint is fully and impartially investigated by College staff or an appointed investigator. Any investigation is limited to the specific complaint.

An investigation includes written submissions from both the complainant and the denturist and any other denturists or healthcare practitioners who have treated or consulted on the patient's treatment. An investigator may also formally contact third-party insurers.

As part of its investigation, the ICRC may request medical records, and other relevant information from other regulated healthcare professionals. The ICRC may also engage an expert to provide further information pertinent to the complaint and investigation.

Once the investigation of a complaint is complete, the ICRC considers all the information before it and makes a decision based on that information.

How long is the Complaint Process?

The time taken for the ICRC to receive, investigate and render a decision on a complaint varies with the complexity of the matter. Under the legislation, the ICRC is required to render a decision on a complaint within 150 days of receipt of the complaint. Should the disposition of a complaint take longer than 150 days, the College will provide notice to the complainant and the denturist.

Does the Complainant or the Denturist meet with the ICRC?

No. The ICRC conducts a review of the documentation associated with a complaint.

What are the possible outcomes?

The legislation allows the ICRC to make the following decisions:

- **TAKE NO FURTHER ACTION:** If the denturist's conduct and/or actions meet reasonable and acceptable standards of practice or if there is insufficient information for the Committee to make a decision, then no further action is taken. No further action may also be taken when the Committee is satisfied that a complaint was frivolous, vexatious, made in bad faith, or otherwise an abuse of process.

- **PROVIDE A VERBAL CAUTION:** In cases where of a more serious nature, the ICRC can require the denturist to appear before the panel of the ICRC to receive an oral caution.

- **REQUIRE THE DENTURIST TO COMPLETE A SPECIFIED CONTINUING EDUCATION OR REMEDIATION PROGRAM (SCERP):** If the ICRC believes that a denturist would benefit from further training or education, it may order or direct the denturist to participate in a specific training or educational program.

  UNDERTAKING: The ICRC may propose that the denturist sign an undertaking to complete a course or have their practice assessed or monitored. Undertakings are voluntary but failure to comply with an undertaking is professional misconduct.

- **REFER THE MATTER TO A PANEL OF THE ICRC TO INQUIRE INTO THE CAPACITY OF THE DENTURIST:** If, when considering an initial complaint, the ICRC identifies concerns about the denturist's health or capacity that may be affecting their ability to practise, the ICRC can refer the matter to a panel of the ICRC that is assembled specifically to determine whether or not there are concerns about a denturist's capacity.

- **REFER SPECIFIC ALLEGATIONS OF PROFESSIONAL MISCONDUCT OR INCOMPETENCE TO THE DISCIPLINE COMMITTEE:** If, after its investigation, the ICRC believes that the denturist is incompetent or has committed acts of professional misconduct, the matter is referred to the Discipline Committee.

Can the ICRC award money or damages?

No. The law governing health professions only permit the Committee to make decisions about a denturist's conduct and actions. The ICRC cannot award compensation of any kind. Only the court has the authority to award compensation. If you are considering legal action against a denturist, please contact a lawyer.

What happens once the ICRC makes a decision?

Once the ICRC reaches a decision, the complainant and the denturist are sent a written copy of the decision.

Are ICRC decisions available to the public?

Yes. When the ICRC decides to refer allegations of professional misconduct to the Discipline Committee, requires a registrant to attend a caution, or requires the registrant to complete a specified continuing education or remediation program (SCERP), a notation of this information is posted on the denturist's profile in the Public Register.

Is there an appeal process?

Yes. If either the complainant or the denturist is dissatisfied with the ICRC decision on a matter, an appeal can be requested. Appeals of ICRC decisions are considered by the Health Professions Appeal and Review Board.

ICRC decisions resulting in a referral to either the Discipline Committee or the Fitness to Practise Committee cannot be appealed.

Can Information Gathered by the College be used in Court?

No. In accordance with the legislation, no report or decision of a proceeding is admissible in a civil proceeding.

Do I need a Lawyer?

A complainant is not required to have legal representation to file a complaint or take part in the complaints process, but they have the right to seek legal representation if desired.

CONTACT THE COLLEGE

If you would like to speak with someone about the conduct of a denturist or about the complaints process, please contact the College:

College of Denturists of Ontario
Attention: Complaints
175 Bloor Street East, Suite 601, North Tower, Toronto, ON M4W 3R8
Email: complaints@denturists-cdo.com • **:** 416-925-6331 ext. 225 • 1-888-236-4326
Visit our website: https://denturists-cdo.com/