Alberta College of Medical Diagnostic & Therapeutic Technologists

Hearings Process

Hearings Director receives **Referral for Hearing**

[s. 58(8)(d), 60(4)(b), 66(3)(a), 68(5)(a), 79(4)(b), 82(3)(b) OR 89(5)(c)or(d)]

Referral to Hearing letter sent to investigated member. Letter includes allegations, investigation report and options to proceed.

Referral to Hearing letter sent to complainant.

Within 90 days Hearings Director must **set date** for hearing.

Unless extension per s. 69(b) or (c) or dismissal per s. 69(a)

At least 30 days prior to Hearing

Hearings Director to send **Notice to Attend** to investigated member;
Advise complainant of date, time and location of hearing;
Send notices to attend and notices to produce if witnesses are being called.

[s. 77]

Hearing
Tribunal decides if unprofessional conduct occurred.

[s. 80(1)]

Refer to Attorney General if criminal conduct is suspected.

[s. 80(2)]

Within a reasonable time after hearing concludes

Hearing Tribunal issues **written decision**

[s. 83]

Finding that unprofessional conduct **did not occur.**

[s. 80(1)]

Either party may **appeal** finding to Council.

[s. 87]

See Council Appeal flowchart

Finding that unprofessional conduct **did occur.**

[s. 82]

Orders

[s. 82(1)(a) to (i) and (I)]

and/or

Costs

[s. 82(1)(j)]

and/or

Fines

[s. 82(1)(k)]

If investigated member is found **guilty** of **sexual abuse**, practice permit is permanently cancelled.

[s. 82(1.1)(a)]

If investigated member is found **guilty** of **sexual misconduct**, Tribunal must order suspension of practice permit for a specified period of time.

[s. 82(1.1)(b)]

Orders

[s. 82(1)(a) to (i) and (l)]

and/or

Costs

[s. 82(1)(j)]

and/or

Fines

[s. 82(1)(k)]

Member complies with Orders of the Hearing Tribunal

File closed

Member does not comply with Orders of the Hearing Tribunal

Matter referred to Complaints Director as a new complaint

March 2020