



Counselling & Investigation Committee (CIC)

Terms of Reference

1. Authority

The Counselling and Investigation Committee (CIC) is established pursuant to sections 21 and 22 of *The Medical Laboratory Technologists Act, 1995* (the *MLT Act*).

2. Purpose

The purpose of the Counselling and Investigation Committee is to receive, review, and investigate complaints submitted to the College of Medical Laboratory Professionals of Saskatchewan (CMLPSK) regarding the conduct or competence of a registrant.

3. Key Definitions

- **Complaint:** An allegation or concern regarding professional misconduct or professional incompetence.
- **Professional Misconduct:** Conduct that harms the public, undermines the integrity of the profession, or contravenes legislation, bylaws, standards, or policies.
- **Professional Incompetence:** A significant lack of knowledge, skill, or judgment in the practice of medical laboratory technology.
- **Registrant:** A person that is currently or previously registered with CMLPSK.
- **Investigator:** An individual authorized by CMLPSK to conduct investigations and gather evidence related to a complaint.

4. Mandate and Responsibilities

The CIC is responsible for ensuring that all complaints are investigated in a fair, impartial, and timely manner, with the primary objective of public protection.

All investigations are grounded in the principles of natural justice and procedural fairness, including:

- The right of all parties to present relevant information.
- Timely notice to the registrant of the complaint and an opportunity to respond.
- Impartial and unbiased decision-making.
- Reasoned decisions supported by evidence.
- Timely completion of processes as reasonably possible.



The Committee has a duty to act in the public interest. Where evidence of potential criminal conduct arises, the CIC will notify the appropriate authorities.

5. Scope and Limitations

Receipt of Complaints

- Complaints may be submitted by any person.
- Complaints may be received electronically, or verbally, provided verbal complaints are followed by written confirmation.
- Upon receipt of a complaint:
 - A file is opened.
 - A conflict-of-interest review is conducted.
 - The complainant is notified that the complaint has been received and is provided with an overview of the complaints process.
 - The registrant is notified of the complaint and provided with the specific allegations.
 - The registrant is given 30 days to submit a written response.

Investigation Process

- The CIC may appoint a contracted Investigator.
- The Investigator may:
 - Conduct interviews.
 - Collect documents and records.
 - Conduct site visits where applicable.
- Interviews are audio recorded.
- The Investigator submits a written investigation report to the Committee.

Committee Decision-Making

After reviewing the investigation materials, the Committee may determine any one or more than one of the following:

- Refer the matter to the Discipline Committee.
- Take no further action.
- Refer the matter to mediation.
- Require continuing education or remediation.
- Accept a voluntary surrender of licence.
- Require an undertaking (including conditions, monitoring, or assessment).
- Take any other reasonable action authorized by legislation.



A written, signed decision outlining reasons must be issued and shared with the complainant, registrant, and Council.

6. Composition

The Counselling and Investigation Committee is appointed by Council and consists of:

- A minimum of three persons.
- A majority of members who are practicing registrants.

Restrictions:

- No member of the Discipline Committee may serve on the CIC.

To support conflict management and continuity, CMLPSK aims to appoint a minimum of six members to the Committee.

Panels

- A panel of at least three Committee members is assigned to each complaint.
- Decisions of a panel have the same authority and effect as decisions of the full Committee.

Eligibility

Members must be:

- Practicing or non-practicing registrants of CMLPSK.
- In good standing with the College.
- A majority of committee members must be practicing registrants.

7. Term of Appointment

- Members are appointed for a three-year term.
- Members may be reappointed for one additional three-year term.
- A member who has commenced participation in a complaint investigation may continue to serve until the matter is concluded, even if the term expires.

8. Chair

The Chair is responsible for:

- Presiding over meetings.
- Ensuring adherence to these Terms of Reference.

In the absence of the Chair, an Acting Chair may be appointed.

9. Meetings

- Meetings are held on an as-needed basis in response to complaints.
- Meetings may be conducted in person or virtually with legal counsel present as required.
- The Chair, with support from the CMLPSK office, prepares meeting agendas.



10. Confidentiality

- All investigations, deliberations, assessments, records, and recommendations are confidential.
- Members must comply with all applicable privacy legislation, bylaws, and CMLPSK policies.

11. Conflict of Interest

Committee members must:

- Disclose any real, potential, or perceived conflicts of interest.
- Recuse themselves from any investigation or decision-making where a conflict exists.

12. Reporting

- A written, signed decision is issued for each investigation and shared with the complainant, registrant, and Council.

Approval and Version Control

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