

Discipline Committee

Terms of Reference

1. Authority

The Discipline Committee ("the Committee") is established pursuant to sections 23, 24 and 25 of *The Medical Laboratory Technologists Act, 1995* (the "Act").

2. Purpose

The purpose of the Discipline Committee is to hear and adjudicate complaints referred to it by the Counselling and Investigation Committee (CIC) concerning the conduct or competence of a registrant of the College of Medical Laboratory Professionals of Saskatchewan (CMLPSK).

3. Definitions

For the purposes of these Terms of Reference:

- **Complaint:** An allegation or concern regarding professional misconduct or professional incompetence.
- **Professional Misconduct:** Conduct that harms or risks harm to the public, undermines the integrity of the profession, or contravenes the Act, regulations, bylaws, standards, or policies of CMLPSK.
- **Professional Incompetence:** A demonstrated lack of knowledge, skill, or judgment that significantly compromises the safe practice of medical laboratory technology.
- **Registrant:** An individual who is currently or was previously registered with CMLPSK.
- **Hearing:** A formal proceeding conducted by the Discipline Committee to consider evidence and submissions respecting a complaint.

4. Mandate and Responsibilities

The Discipline Committee is responsible for:

- Conducting hearings into complaints referred by the Counselling and Investigation Committee;
- Determining whether a registrant is guilty of professional misconduct or professional incompetence;
- Making findings of fact and law without reference to a court, as authorized by the Act; and
- Imposing or recommending appropriate dispositions as permitted by legislation.



The Committee shall act at all times in the public interest and in accordance with the principles of procedural fairness and natural justice.

Where evidence of potential criminal conduct arises during a hearing, the Committee shall ensure that the matter is brought to the attention of CMLPSK, which may notify the appropriate authorities.

5. Decisions and Outcomes

Following a hearing, the Discipline Committee may take one or more of the following actions, as authorized by the Act:

- Dismiss the complaint;
- Find the registrant guilty of professional misconduct or professional incompetence;
- Impose conditions, restrictions, or limitations on a registrant's licence;
- Require remediation, monitoring, assessment, or continuing education;
- Accept a voluntary surrender of licence;
- Impose any other sanction, fines or order to expel or suspend a registrant as permitted under legislation.

Written Decisions

- The Committee shall issue a written, signed decision setting out findings, reasons, and any orders made.
- The decision shall be provided to the registrant and to the person, if any, who made the complaint.
- The Committee may authorize publication of the decision or a summary thereof, in accordance with legislation and CMLPSK policy.

6. Composition

The Discipline Committee is appointed by Council and consists of:

- A minimum of five (5) members;
- A majority of members who are practicing registrants of CMLPSK;
- At least one public representative appointed to Council by the Lieutenant Governor in Council pursuant to subsection 8(1) of the Act.

Restrictions

- No member of the Counselling and Investigation Committee may serve on the Discipline Committee.

To support continuity and effective panel formation, CMLPSK will seek to appoint a minimum of six (6) committee members.



Panels

- Each complaint is heard by a panel consisting of not fewer than three (3) Discipline Committee members.
- A majority of panel members must be practicing registrants.
- A panel has the same authority and powers as the full Discipline Committee.

7. Eligibility

Committee members must:

- Be practicing or non-practicing registrants of CMLPSK or a public representative as outlined in the composition section, as applicable;
- Be in good standing with the College; and
- Maintain eligibility throughout their term.

8. Term of Appointment

- Members are appointed for a three (3) year term.
- Members may be reappointed for one additional three (3) year term.
- A member whose term expires while participating in a hearing may continue to serve until the matter is concluded.

9. Chair

The Chair is responsible for:

- Presiding over hearings and meetings;
- Ensuring proceedings comply with the Act, bylaws, policies, and these Terms of Reference; and
- Facilitating fair, orderly, and efficient hearings.

In the absence of the Chair, Council or the Committee may appoint an Acting Chair.

10. Meetings and Hearings

- The Committee meets on an as-needed basis when complaints are referred for hearing.
- Hearings may be conducted in person or virtually.
- Legal counsel and support staff may attend as required.
- Hearings are public unless otherwise directed under the Act.

11. Confidentiality

- All Committee deliberations, records, and communications are confidential, except as required or permitted by law.



- Members must comply with applicable privacy legislation, CMLPSK bylaws, and policies.

12. Conflict of Interest

Committee members must:

- Disclose any real, potential, or perceived conflict of interest; and
- Recuse themselves from any hearing or decision where a conflict exists or may reasonably be perceived.

13. Reporting

- A written, signed decision is issued for each hearing.
- Decisions are provided to the complainant, registrant, and Council.
- Publication of decisions or summaries is at the discretion of the Discipline Committee, subject to legislation and policy.

Approval and Version Control

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