

WHAT IS AN INVESTIGATION?

An investigation is a formal process to determine whether a physician's conduct was unprofessional as defined by the *Health Professions Act* (HPA). An investigation can provide physicians with valuable feedback and an opportunity to make practice improvements, or it may result in discipline.

WHEN AN INVESTIGATION IS REQUIRED

We use investigations when the Complaints Director believes more information is needed on complaints involving management of care or serious allegations.

Unprofessional conduct is defined in the *Health Professions Act*. The most common conduct referred for evaluation includes:

- Displaying a lack of knowledge, skills or judgment in the provision of professional services.
- Contravening the *Health Professions Act*, the *Code of Ethics & Professionalism* or the CPSA *Standards of Practice*.
- Failure or refusal to comply with the requirements of the Continuing Competence program.
- Failure or refusal to comply with a request from or co-operate with an investigator.
- Conduct that harms the integrity of the regulated profession.


Investigations are mandatory for complaints involving serious allegations about competency issues, ethical issues, boundary violations or criminal behaviour. Conduct that may be perceived as abrupt, harsh or inappropriate may not rise to the threshold of unprofessional conduct.

When CPSA accepts a complaint, it's either considered a priority file or is diverted to the pending queue. A priority file will immediately be assigned to an investigator, while those in the pending queue are assigned based on caseloads and availability of investigators and resources.

Investigations are
a formal process
**available under
the HPA**

HOW AN INVESTIGATION WORKS

1. The investigator will review all the collected information and if necessary, clarify facts by:
 - requesting additional information,
 - meeting with and/or interviewing you
 - meeting with and or interviewing the physician
 - meeting with others who may have supporting information, and/or
 - sending the file out for an expert opinion.

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2. The investigator will prepare an Investigation Report for the Complaints Director.
 3. The Complaints Director will review the Investigation Report:
 - If there is insufficient or no evidence of unprofessional conduct, no further action is necessary and the complaint is dismissed. Both the complainant and physician are notified.
 - If the Investigation Report supports the allegation of unprofessional conduct, the Complaints Director will either:
 - a. Get your consent to work collaboratively with the physician to resolve the issues with education and/or assessment and peer review, OR
 - b. Refer the complaint to CPSA's Hearings Director for a hearing.

FREQUENTLY ASKED QUESTIONS

Will CPSA contact me during the investigation?

- Yes, we will send you progress letters every 60 days.
- The investigator assigned to your file may contact you to get additional information.

Do I get to see the physician's response to CPSA?

No, information we collect for an investigation is not released to complainants. However, the investigator often quotes the physician's response and includes a summary of it in the Investigation Report.

Will I know the outcome of the investigation?

Yes. The Complaints Director will send you a letter explaining the findings, the decision and next steps.

Our investigation
process is **fair,**
consistent and
open.

Still have questions? See more FAQs
on our website at cpsa.ca.