

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 you with valuable feedback and an opportunity to make practice improvements, or it may result in discipline.

WHEN AN INVESTIGATION WORKS BEST

We use investigations for complaints surrounding management of care, including when a complaint:

- extends over a long period of time (multiple visits),
- involves complex medical conditions or serious outcomes
- involves multiple physicians and/or multiple medical records
- is brought forward by a third party (e.g. Workers' Compensation Board, Protection for Persons in Care) OR
- when the complainant is not entitled to receive the patient's medical information, or is not willing to engage in CPSA's Resolve with Consent process.

Investigations are also mandatory for complaints involving serious allegations about competency issues, ethical issues, boundary violations, or disruptive or criminal behavior.

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

HOW AN INVESTIGATION WORKS

CPSA's Complaints Director will choose to investigate a complaint when additional information is necessary to determine if there is any evidence of unprofessional conduct as defined by the HPA. Our investigation process is fair, consistent and open, and includes the following steps:

1. CPSA's Complaints Director investigates or appoints an investigator to look into matters further.
2. A CPSA complaint navigator will contact the complainant, when possible, to clarify the issues and to determine the desired outcome.
3. A complaints inquiry coordinator will notify you in writing of the complaint, provide you with a copy of the complaint letter and ask you to respond in writing. The coordinator will also write to others who were identified as possibly having additional information relevant to the complaint.

4. 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 complainant
 - meeting with others who may have supporting information, and/or
 - sending the file out for an expert opinion.
5. The investigator will prepare an Investigation Report for the Complaints Director.
6. The Complaints Director will review the Investigation Report:
 - If there is no or insufficient evidence of unprofessional conduct, no further action is necessary and the complaint file is closed.
 - If the Investigation Report supports the allegation of unprofessional conduct, the Complaints Director will either:
 - a. Get the complainant's consent to work with you collaboratively 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.

Our investigation
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consistent and
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FREQUENTLY ASKED QUESTIONS

What should I include in my response to CPSA?

- Describe in general the circumstances involved.
- Specifically address all the issues identified in your letter from CPSA.
- Explain the reasons for your actions and opinions expressed, and outline any extenuating factors.
- Include a copy of all the supporting medical documentation you have relevant to the complaint. This may include visit notes, consultations, investigation results and or ER records.
- You can also contact the Canadian Medical Protective Association for advice on your response. Ensure you respond by the date identified in your letter from CPSA. If you anticipate a delay in responding, notify us as soon as possible.

What should I write if I'm not the physician named in the complaint?

Provide any information you have that will assist us in understanding the circumstances surrounding the complaint and/or assist us in resolving the complaint.

Will I be asked for additional information during the complaints process?

Yes, we may ask you to respond to additional questions to help clarify information.

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