



## For Employers, Homeopaths and Colleagues

### When is a report filed?

The *Regulated Health Professions Act* (RHPA) requires certain people to file a mandatory report if they believe that a homeopath has committed an act of professional misconduct, is incompetent or is suffering from a health condition that may affect their ability to practice (incapacity).

This fact sheet describes those obligations. (There are additional mandatory reporting obligations in cases of sexual abuse of clients by a homeopath. These obligations are addressed in a separate fact sheet).

The following people must make a report:

- An employer of a homeopath;
- An associate or partner of a homeopath (including those who hire a homeopath on a contract basis, cost sharing associates, shareholders of a professional corporation);
- A facility that offers privileges to a homeopath. (Homeopaths will rarely if ever have privileges)

The following events trigger a mandatory report:

- Termination of the homeopath's employment on the basis of professional misconduct, incompetence or incapacity.
- Dissolution of the partnership or association with the homeopath on the basis of professional misconduct, incompetence or incapacity.
- Revocation, suspension or restriction of the privileges of the homeopath on the basis of professional misconduct, incompetence or incapacity.
- An intention to terminate the employment or revocation of the privileges of the homeopath on the basis of professional misconduct,

incompetence or incapacity but the homeopath resigned or voluntarily relinquished the privileges before formal action was taken.

The mandatory report must be made within thirty days of the triggering event. The report is made to the Registrar of the College.

#### What information should the report contain?

The report must include the name and contact information for the person filing the report and the name of the homeopath who is the subject of the report. As the Registrar must determine if an investigation is warranted, it is helpful if the reports include information related to the incident/s that led to the action.

#### What happens if I as the employer or associate fail to submit the report?

Section 93.4 of the RHPA suggests that one is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 if they do not file a report in accordance with the reporting obligations.

#### What happens once the College receives the report?

Once the College receives the report, the College will contact the homeopath to advise him/her that a report has been received. The College will discuss the process with the homeopath and provide them with the opportunity to ask questions related to the process. The homeopath is then sent a summary or copy of the report and information related to the process.