

Appeals and Discipline Policy
Member Discipline

Revision date: January 9, 2018

Any Member may be subject to disciplinary action by the Corporation, up to and including expulsion of a Member from the Corporation, for violating either the Code of Ethics or the Code of Conduct of the Corporation; for an act of negligence in the practice of the Profession; or for any other matter that is deemed contrary to the public interest or the best interest of the Corporation.

Responsibilities

Appeals and Discipline Committee

The Appeals and Discipline Committee (“the Committee”) of the Board of Directors is responsible for hearing all complaints made against Members and for initiating disciplinary reviews of Members under circumstances as provided for below. The Committee will make recommendations to the Board of Directors with respect to all complaints received and disciplinary reviews initiated.

Board of Directors

The Board of Directors is responsible for determining, based on the Committee’s recommendations, disciplinary actions to be taken by the Corporation with respect to all complaints received or disciplinary reviews initiated.

Members

It is the responsibility of each Member to report to Sonography Canada if there has been:

- a. A finding of negligence or malpractice against the Member by a court or in a civil proceeding or lawsuit,
- b. A finding of a Member having either pleaded guilty or having been found guilty of a criminal offence,
- c. A disciplinary action taken against a Member by a provincial regulatory college. Reporting of such actions must be submitted to the Executive Director of Sonography Canada, in writing, within 30 days of such finding or disciplinary action.

Submitting a Complaint

Any Member or member of the public may submit a complaint against a Member provided the complaint is:

- Made within ninety (90) days of the incident(s) upon which the action is based, and
- Submitted in writing, including all supporting documentation, addressed as follows:

Executive Director
Sonography Canada
P.O. Box 1220
Kemptville, ON K0G 1J0

Disciplinary Review Initiated by the Committee

The Committee may, at its discretion, initiate a disciplinary review of a Member upon receipt of:

- A report from the Member
- A report from the Public
- A report or a complaint from a provincial regulatory college
- A formal request from the Board of Directors.

Complaint Review Process

1. Sonography Canada shall notify the Member who is the subject of the charges of such a complaint within 30 days of receipt of the complaint.
2. The Committee shall convene a hearing, either in person, or by way of teleconference, to hear the complaint, within forty-five (45) days of the Member being notified of the complaint.
3. The Committee shall provide to the Member at least fifteen (15) days before the hearing, a notice stating the date, time, and place the hearing will be held.
4. The Member may attend the hearing to provide evidence and/or may provide written submissions in their defence.
5. The Member is responsible for all costs which they may incur. If the hearing is to be held in person, the Member may request to be heard by way of teleconference. In the event that the Committee recommends that action not be taken against the Member, then the Committee may, at their discretion, award to the Member some or all reasonable travel costs of participating in the hearing.
6. The Committee may receive evidence in any manner it considers appropriate, and the Committee is not bound by rules of law respecting evidence applicable to judicial proceedings.
7. After review of the evidence and having provided the Member with reasonable opportunity to participate in the hearing, the Committee shall make its recommendations to the Board of Directors within 30 days of the hearing date. The Board will then render its decision in the matter at the next scheduled meeting of the Board.
8. The Committee shall record the Board's decision and its reasons for it in writing and provide a copy of those reasons to the Member affected within 30 days of the Board's decision.
9. If the Board decides to terminate, suspend or otherwise change the Member's status, such an order will be effective upon receiving proof that the Member has been provided with the written reasons for doing so.
10. In the event that a member of the Board has a formal complaint brought against them, the Board shall assign all duties of such Board member to another member of the Board pending review and disposition of the charges.

Decisions of the Board of Directors

The decision of the Board of Directors is final.