

**IN THE MATTER OF:**

***The Paramedics Act, 2007, Ch. P-0.1 and Carlos Vidreiro, member number 30042***

**NOTICE OF FORMAL COMPLAINT AGAINST CARLOS VIDREIRO**

TO: Carlos Vidreiro  
[REDACTED]  
Cambridge, Ontario [REDACTED]  
Email: [REDACTED]  
Tel.: [REDACTED]

**WHEREAS:**

AT ALL TIMES material to the charge set out in this document, you, Carlos Vidreiro ("Vidreiro"), were on the Register as an Advanced Care Paramedic, registry number 30042, and were a member of the Saskatchewan College of Paramedics ("SCoP");

AND, the Professional Conduct Committee of the SCoP ("PCC") made a written report recommending that the Discipline Committee hear and determine the formal complaint as follows, that:

**Charge Number 1**

You, Vidreiro, are alleged to be guilty of professional misconduct contrary to section 25 of *The Paramedics Act, 2007*, c. P-0.1, in that between March 31, 2014, and May 30, 2014, you refused to sign three Authorization for Release of Information forms sent to you by the SCoP as part of its investigation of a complaint against you for professional incompetence and misconduct. Despite an initial letter sent to you on March 31, 2014, a second letter sent to you on May 14, 2014, and a telephone conversation of May 15, 2014 requesting the return of the signed authorization forms, you have failed to provide true and complete information to the SCoP regarding reports required by it.

Section 25 of *The Paramedics Act, 2007*, states as follows:

***Professional misconduct***

*25 Professional misconduct is a question of fact, but any matter, conduct or thing, whether or not disgraceful or dishonourable, is professional misconduct within the meaning of this Act if:*

- (a) it is harmful to the best interests of the public or the members;*
- (b) it tends to harm the standing of the profession;*
- (c) it is a breach of this Act or the bylaws; or*
- (d) it is a failure to comply with an order of the professional conduct committee, the discipline committee or the council.*

## Charge Number 2

You, Vidreiro, are alleged to be guilty of professional misconduct contrary to section 25 of *The Paramedics Act, 2007*, c. P-0.1, in that between October 4, 2013 and May 30, 2014, you failed to inform the SCoP of your most current address for purposes of communication between you and the SCoP.

Alternatively, if you did provide the SCoP with your most current address for purposes of communication between you and the SCoP, you failed to accept the registered letters sent to you by the SCoP on October 4, 2013, on March 31, 2014, and on May 14, 2014.

Section 50 of *The Paramedics Act, 2007* states, in its relevant parts, as follows:

### ***Service of notices, etc.***

*50(1) Unless otherwise provided for in this Act or the bylaws, any notice or other document that is required to be served pursuant to this Act may be served by:*

*(...)*

*(b) registered mail addressed to the last business or residential address of the person to be served that is known to the executive director.*

*(2) A notice or document sent by registered mail is deemed to have been served on the seventh day following the date of its mailing, unless the person to whom it was mailed establishes that, through no fault of that person, the person did not receive the notice or document or received it at a later date.*

*(...)*

Pursuant to subsection 50(2) of *The Paramedics Act, 2007*, the SCoP adopted regulatory bylaws that are relevant to this case as follows:

### **8 Statutory Committees**

*The statutory committees of the college are Professional Conduct Committee and Discipline Committee.*

*(1) Professional Conduct Committee*

*(...)*

*(g) The professional conduct committee shall take appropriate action including:*

*(...)*

*(iii) requesting any person to answer any questions and to produce any records, notes, books, papers or other documents or things in the person's possession or under their control that are or may be relevant to the report or allegation being investigated;*

### **10 Standards of Conduct**

*Every member shall comply with the "Code of Professional Conduct" listed as Appendix A.*

*(2) A member shall provide true and complete information to the College regarding all applications and reports required by the College. Failure to*



*do so may constitute professional misconduct pursuant to section 25 of The Paramedics Act.*

The Code of Professional Conduct of SCoP members states, in its parts relevant to this case, the following:

***Responsibilities to the Profession***

*All members must:*

*(...)*

*(3)Conduct and present oneself in such a manner so as to encourage and merit the respect of the public for members of the profession.*

*(...)*

*(5)Recognize that self-regulation of the profession is a privilege and that each practitioner has a continuing responsibility to merit the retention of this privilege.*

*(...)*

*(9)Observe the rules of professional conduct set out in the Code in the spirit, as well as in the letter.*

**Particulars of the Professional Misconduct are as follows:**

1. A member, RW, filed a report alleging professional misconduct on your part. The report was received by the SCoP on July 24, 2013. This report pertains to an incident that is alleged to have occurred on July 12, 2013, at approximately 20:00.
2. The member, RW, filed an Occurrence Report with the employer regarding an allegation of misconduct on your part on July 12, 2013, at 20:00.
3. As a result of the report, the PCC began an investigation. It ordered its support staff member, Dale Backlin, to obtain documentation from the employer, ██████████ Health Region. He interviewed witnesses to the alleged incident, which was the subject matter of the report.
4. On October 4, 2013, Dale Backlin, on behalf of the PCC, sent a letter to you, advising of the complaint report and asking for your response.
5. On December 6, 2013, you responded to Dale Backlin in writing. This letter indicated an address of ██████████ Cambridge, Ontario, ██████████. Prior to that date, your contact address at the SCoP was ██████████ New Hambrul, Ontario, ██████████. You had failed to advise the SCoP of the change of address.
6. Dale Backlin had a telephone conversation with you on February 12, 2014. Dale Backlin advised you that the investigation remained open since the employer stated that you would not respond to its communications regarding the allegation of July 12, 2013.
7. During April and May 2014, Dale Backlin continued the investigation by contacting your prior employers to determine if similar complaints had been received. The three employers required your written authorization before releasing the information to the PCC.
8. A letter dated March 31, 2014, was sent to you via registered mail at ██████████ Cambridge, Ontario ██████████. It contained three Authorization for Release of Information forms for your signature, authorizing your three prior employers to release information to the PCC. The letter of March 31, 2014, and enclosed Authorization for Release of Information forms were returned to the PCC as being unclaimed by you.

9. A letter dated May 14, 2014, was sent to you via registered mail at [REDACTED], Cambridge, Ontario [REDACTED], again requesting signature of the three Authorization for Release of Information forms and warning you that failure to respond to the PCC constitutes professional misconduct contrary to *The Paramedics Act, 2007*, and the Bylaws. You were advised that at the meeting of the PCC of April 23, 2014, a decision had been made to charge you with professional misconduct for failing to respond to the PCC request for information during an investigation.
10. On May 15, 2014, at 12:30, Dale Backlin called you by telephone and spoke to you about your need to respond to the PCC request and to sign the Authorization for Release of Information forms. You advised Dale Backlin that you would not sign the Authorization for Release of Information forms. You were advised of the seriousness of failing to comply with this request from the PCC.
11. As of July 11, 2014, you have failed to return the signed Authorization for Release of Information forms to allow the PCC to conduct a proper investigation.

**NOW THEREFORE TAKE NOTICE THAT** the Discipline Committee will hear the charges and such evidence as may be tendered with respect to them at **9:30 a.m. in the forenoon on Monday, October 20, 2014, at the Travelodge Hotel (4177 Albert Street), Coach Room, in Regina, Saskatchewan.**

**AND FURTHER TAKE NOTICE THAT** at the said time and place you have the right to be present with counsel and a support person.

**AND FURTHER TAKE NOTICE** if in default of you attending at the said time and place, the Discipline Committee may, on proof of service of this notice on you and/or your legal counsel, proceed with the hearing of said charge and the evidence with respect to it.

**AND FURTHER TAKE NOTICE THAT** if the Discipline Committee finds you guilty of professional misconduct, the Committee may order one or more of the following pursuant to section 31 of *The Paramedics Act*:

***Disciplinary powers***

*31(1) Where the discipline committee finds a member guilty of professional misconduct or professional incompetence, it may make one or more of the following orders:*

- (a) an order that the member be expelled from the college and that the member's name be struck from the register;*
- (b) an order that the member's licence be suspended for a specified period;*
- (c) an order that the member's licence be suspended pending the satisfaction and completion of any conditions specified in the order;*
- (d) an order that the member may continue to practise, but only under conditions specified in the order, which may include, but are not restricted to, an order that the member:*
  - (i) not do specified types of work;*



*(ii) successfully complete specified classes or courses of instruction;*

*(iii) obtain medical or other treatment or counselling or both;*

*(e) an order reprimanding the member;*

*(f) any other order that the discipline committee considers just.*

*(2) In addition to any order made pursuant to subsection (1), the discipline committee may order:*

*(a) that the member pay to the college, within a fixed period:*

*(i) a fine in a specified amount not exceeding \$5,000; and*

*(ii) the costs of the investigation and hearing into the member's conduct and related costs, including the expenses of the professional conduct committee and the discipline committee and costs of legal services and witnesses; and*

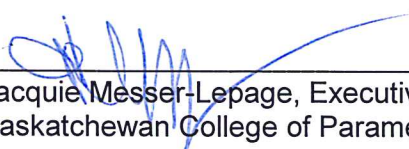
*(b) where a member fails to make payment in accordance with an order pursuant to clause (a), that the member's licence be suspended.*

*(3) The executive director shall send a copy of an order made pursuant to this section to the member whose conduct is the subject of the order and to the person, if any, who made the complaint.*

*(4) Where a member is expelled from the college or a member's licence is suspended, the executive director shall strike the name of the member from the register or indicate the suspension on the register, as the case may be.*

*(5) The discipline committee may inform a member's employer of the order made against that member where that member has been found guilty of professional misconduct or professional incompetence.*

**DATED** at Regina, Saskatchewan, this 7<sup>th</sup> day of August, 2014.

  
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Jacquie Messer-Lepage, Executive Director/Registrar  
Saskatchewan College of Paramedics