

Saskatchewan College of Paramedics
Consensual Complaint Resolution Agreement

BETWEEN:

Mr. Erik Marcoux, Advanced Care Paramedic (ACP)
Registry No. 19311 (the Member)

AND:

THE PROFESSIONAL CONDUCT COMMITTEE (the PCC)
OF THE SASKATCHEWAN COLLEGE OF PARAMEDICS (the College)

Whereas the Saskatchewan College of Paramedics received a written complaint from one of its members alleging that on September 16, 2017, while providing care to a patient, the Member took pictures of a patient's injured arm with his personal cell phone and shared the images with other staff members at WPD Ambulance where he was working; and

Whereas the complaint was referred to the PCC for review and investigation in accordance with subsection 27(1) of *The Paramedics Act*; and

Whereas the evidence obtained by the PCC in the course of its investigation establishes that the Member did take two pictures as alleged and showed the images to several people at his workplace, and the Member acknowledges having done so; and

Whereas as a result of its investigation the PCC is of the opinion that the Member would be found guilty of professional misconduct, as this term is defined in section 25 of *The Paramedics Act*, on the grounds that on September 17, 2017 he displayed conduct harmful to the public and/or the profession and/or in breach of the bylaws of the College by taking pictures of a patient's injury on his personal cell phone and showing those images to others, without the fully informed consent of the patient, contrary to the Code of Professional Conduct, thus in contravention of section 10(1) of the College's Regulatory Bylaws; and

Whereas the PCC is of the opinion that no further action with respect to the matter under investigation is warranted because the Member and the Complainant have consented to its resolution on the terms contained in this Agreement;

Now, therefore, the PCC and the Member agree as follows:

1. Term and Undertakings

1.1. This agreement remains in effect until the Member has completed the undertakings set out in paragraph 1.2.

1.2. The Member undertakes to:

(a) complete *The Health Information Protection Act* (HIPA) Bootcamp course provided by the executive Director of the College, at the Member's own cost, within 6 months of the signing of this agreement;

(b) provide to the Chair of the PCC an essay of not less than 1000 words and containing at least three formal references discussing the issue of confidentiality and what it means to

the paramedic profession, both in direct patient contact and otherwise, not later than 2 months after completing the HIPA Bootcamp course; and

(c) pay the sum of \$500.00 to the College as a contribution toward the cost of the investigating the complaint against him, within 30 days after the signing of this agreement.

2. Disclosure and Notification

- 2.1. Disclosure of this agreement shall be in accordance with *The Paramedics Act* and the College's policies that may exist from time to time.
- 2.2. The existence of this agreement between the College and the Member shall be recorded on the register of the College until the term of the agreement expires.
- 2.3. The PCC and the Executive Director of the College shall receive and keep a signed copy of the agreement for their records.
- 2.4. The College shall mail a copy of this agreement to the complainant and the Member's employer where applicable.
- 2.5. This agreement shall be posted to the College's website.
- 2.6. Any Canadian paramedic regulator may be notified of the agreement while it is in effect.

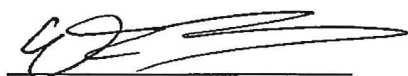
3. Consequences of Breach of Undertaking

- 3.1. The Member acknowledges and understands that, if the PCC has reason to believe the Member has breached an undertaking contained in this agreement, the PCC will investigate the matter as a new complaint in accordance with *The Paramedics Act*.

4. Conclusion of Undertaking

- 4.1. If the PCC is satisfied that the Member has substantially complied with the terms and undertakings in this agreement, the PCC will consider the undertakings to be concluded and shall inform the Member in writing that:
 - 4.1.1. the Member is in compliance with the terms and undertakings have been satisfactory; and
 - 4.1.2. the notation on the register regarding this agreement has been removed.

This agreement was signed by the Member on the 16 day of June, 2019.



Erik Marcoux
Registry Number 19311



Witness

This agreement was signed on behalf of the PCC on the 26th of JUNE, 2019.



Ryan Smith
Chair, Professional Conduct Committee
Saskatchewan College of Paramedics



Witness