

IN THE MATTER OF *THE PARAMEDICS ACT* AND BYLAWS AND IN THE MATTER OF
A COMPLAINT AGAINST SANDY REDIRON AND CHARLENE ROY

PENALTY DECISION

Discipline Committee of the Saskatchewan College of Paramedics

Discipline Committee Members:

Jamie Struthers, Q.C., Public Representative, Chair
Andrew Taylor, EMT-Paramedic, Member
Mike Hengstler, EMT-Paramedic, Member

Legal Counsel for the Discipline Committee: Merrilee Rasmussen Q.C.
Legal Counsel for the Professional Conduct Committee: Roger Lepage

INTRODUCTION:

[1] The hearing by the Discipline Committee of the Saskatchewan College of Paramedics (the "College") into the complaints against Sandy Rediron and Charlene Roy, both Members of the College, was convened in the Travelodge, Regina, Saskatchewan, at 1:00 p.m. on March 30, 2012, being the location, time and date agreed to by the parties.

[2] Sandy Rediron and Charlene Roy were not present at the hearing. Roger Lepage was present representing the College's Professional Conduct Committee (the "PCC"). M. Lepage filed Agreed Statements of Facts and draft Penalty Orders, which were signed as consented to by the Members. Full particulars of these documents are contained in the Discipline Committee's Interim Decision in this matter, dated April 5, 2012.

[3] In its Interim Decision, the Discipline Committee accepted the pleas of guilty by Mr. Rediron and Ms Roy to each of the charges made against them but expressed its serious concerns about the recommendations contained in the joint submission as to penalty, and in particular about the length of the suspensions proposed.

[4] Because of the decision of the Saskatchewan Court of Appeal in *Rault v Law Society of Saskatchewan*¹ which requires the Discipline Committee to give serious consideration to the joint submissions of the parties and to not diverge from those joint submissions in the case of a penalty recommendation unless the penalty proposed is unfit or unreasonable or contrary to the public interest, and there are good and cogent reasons for doing so,² the Discipline Committee determined that it should not proceed without providing the Members a further opportunity to make representations in support of the joint recommendation as to penalty and in particular to provide argument as to why the penalty proposed was not unfit or unreasonable or contrary to

¹2009 SKCA 81

²*Ibid*, at ¶13.

the public interest. The Discipline Committee therefore ordered that the hearing be reconvened on a date to be fixed by the Committee for the purpose of hearing representations from the parties as to the adequacy of the joint submission as to penalty in light of the relevant aggravating and mitigating factors present in this case.

[5] The hearing was reconvened on May 24, 2012 by conference call, and both Members, as well as counsel for the PCC participated in that conference call. In the course of the proceedings on that date it became clear that neither of the Members was entirely in agreement with the Agreed Statements of Facts that they had signed. The Discipline Committee therefore adjourned for a further period of time for this issue to be addressed between the Members and counsel for the PCC.

[6] The hearing was reconvened again on June 7, 2012. At that time, counsel for the PCC withdrew all of Charge 2 and particulars 1, 2, 3(a), 3(d), 3(f) and 3(h) as contained in Charge 1 of the formal complaint against the Members. The Members confirmed their guilty pleas with respect to the remainder of the charges.

SUBMISSIONS OF THE PARTIES WITH RESPECT TO PENALTY:

[9] Counsel for the PCC argued that the penalty should be equal for both Members and that a six month suspension was appropriate, retroactive to March 30, 2012, when the Members were actually suspended by their employer, as well as costs of \$5,000 to each Member, to be paid in monthly instalments of \$500, commencing on January 1, 2013, until paid in full, with licence suspension to follow if not paid as required.

[10] Counsel for the PCC had previously advised the Discipline Committee that Mr. Rediron and Ms Roy had co-operated fully with the College, taking responsibility for their actions and agreeing to the facts and disposition to be submitted to the Discipline Committee, thus considerably reducing the costs to the College. As well, Mr. Rediron and Ms Roy work for the same employer, providing ambulance service in [REDACTED] and area. On the other hand, counsel submitted that these were serious charges and there were several of them.

[11] Mr. Rediron agreed to the payment of \$5,000 in costs, but felt a two month suspension was more appropriate because of the lack of ambulance service to the community. Ms Roy also agreed to the payment of the \$5,000 costs. She was prepared to accept a six-month suspension. She advised the Discipline Committee that she had been suspected by her employer on April 5, 2012.

ANALYSIS:

[12] The Discipline Committee is of the view that the penalties ordered must be proportional. The charges against the two Members are not the same. While there is no doubt that it is professional misconduct for Ms Roy to sign forms with false information for the purpose of obtaining more compensation from her employer, these actions do not place the health or safety

of patients in danger. On the other hand, Mr. Rediron knowingly hired and utilized unqualified individuals as EMRs, thus placing the health and safety of patients in jeopardy because they were attended by persons who did not have the education, training or experience to function in that capacity. For this reason, the Discipline Committee has concluded that differing lengths of suspension are appropriate to recognize the relative seriousness of the conduct that forms the basis of the charges to which the Members have pled guilty, as set out in its Order below.

[13] The Discipline Committee has taken the Members' co-operation with the process into account in setting the award of costs against each of them in the amount agreed to by the parties, and the period of time to pay as also agreed.

ORDER:

[14] On the basis of the above reasons and pursuant to section 31 of *The Paramedics Act*, the Discipline Committee of the Saskatchewan College of Paramedics, having found Sandy Rediron to be guilty of professional misconduct in relation to the particulars set out in paragraph 3(a) of Charge Number 1 and Charge Number 3, as outlined in the notice of hearing, Orders as follows:

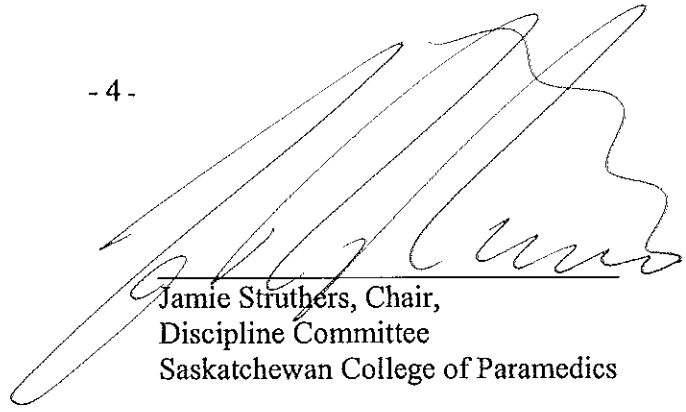
1. Sandy Rediron is hereby suspended for the period commencing on April 1, 2012 and ending on September 30, 2012; and
2. Sandy Rediron shall pay costs to the College in the total amount of \$5,000, payable in monthly instalments of \$250, commencing on January 1, 2013 and ending on August 1, 2014, and, if any such monthly payment is not made, the whole amount remaining unpaid shall thereupon become due and payable and his licence shall be suspended until the remaining amount is paid in full.

[15] On the basis of the above reasons and pursuant to section 31 of *The Paramedics Act*, the Discipline Committee of the Saskatchewan College of Paramedics, having found Charlene Roy to be guilty of professional misconduct in relation to the particulars set out in paragraphs 3(b), 3(c), 3(e), 3(g), 3(f) and 3(j) of Charge Number 1, as outlined in the notice of hearing, Orders as follows:

1. Charlene Roy is hereby suspended for the period commencing on April 5, 2012 and ending on the date of this Order; and
2. Charlene Roy shall pay costs to the College in the total amount of \$5,000, payable in monthly instalments of \$250, commencing on January 1, 2013 and ending on August 1, 2014, and, if any such monthly payment is not made, the whole amount remaining unpaid shall thereupon become due and payable and her licence shall be suspended until the remaining amount is paid in full.

DATED at Regina, Saskatchewan:

July 3, 2012
Date



Jamie Struthers, Chair,
Discipline Committee
Saskatchewan College of Paramedics