

**IN THE MATTER OF
THE PARAMEDICS ACT AND IN THE MATTER OF A COMPLAINT AGAINST
MICHAEL LACOURCIERE, A MEMBER OF THE SASKATCHEWAN
COLLEGE OF PARAMEDICS**

DECISION

Saskatchewan College of Paramedics

DISCIPLINE COMMITTEE

In attendance:

Discipline Committee Members:

Joel Gritzfeld, MPA, BA Public Representative, Chair

Julie Braaksma, Primary Care Paramedic (PCP)

Tyler Erker, Advanced Care Paramedic (ACP)

Brad Mee, Advanced Care Paramedic (ACP)

Faith Baron, Stevenson Hood Thornton Beaubier LLP, counsel for the Discipline Committee

Merrilee Rasmussen, Rasmussen & Co., counsel for the Professional Conduct
Committee

Jennifer Williams, Director of Professional Practice and Research, Saskatchewan
College of Paramedics

A. INTRODUCTION

1. On or around October 23, 2020, the Saskatchewan College of Paramedics (the “**College**”) received a complaint regarding the conduct of Michael Lacourciere, a member of the College (the “**Member**”). A second complaint was submitted on or around May 26, 2021. As contemplated under section 27(1) of *The Paramedics Act* (the “**Act**”), the Professional Conduct Committee (“**PCC**”) conducted an investigation, and this culminated in the PCC issuing a written report (the “**Report**”), dated July 7, 2022, to the Discipline Committee of the College (“**Discipline Committee**”) recommending that the Discipline Committee hear and determine the formal complaint against the Member set out in Schedule A of the Report (the “**Formal Complaint**”).
2. The Formal Complaint reads as follows:

Charge 1

That Michael Lacourciere is alleged to be guilty of professional misconduct contrary to section 25 of *The Paramedics Act*, in that, on October 22, 2020 he engaged in a verbal altercation with his neighbours, SM and EM, during which he mocked their accents and told them to go back to their home country, in contravention of the Code of Professional Conduct contained in Appendix A to the Regulatory Bylaws of the Saskatchewan College of Paramedics, compliance with which is required by Section 10 of those Bylaws, and in particular contravention of the following provisions of the Code of Professional Conduct:

- (a) items 2 and 5 under the heading “Principles of Ethical Behavior for All Members”; and/or
- (b) items 2, 3, 5 and 9 under the heading “Responsibilities to the Profession”;

Charge 2

That Michael Lacourciere is alleged to be guilty of professional incompetence and/or professional misconduct contrary to section 24 and/or section 25 of *The Paramedics Act*, in that on June 16, 2021 in relation to a patient he attended and to which Patient Care Report (PCR) #X93756 applies, he:

- (a) administered Haldol and Midazolam in circumstances where their use was not appropriate, contrary to the indications for their use as found in the Drug Monographs posted on the website of the Saskatchewan College of Paramedics and used by his employer, La Ronge Emergency Medical Services, and/or contrary to the Clinical Practice Protocols, Agitated Patients, compliance with which is required pursuant to section 23 of *The Paramedics Act*;
- (b) administered Haldol to a patient intravenously contrary to the requirements for its administration as set out in the Drug Monographs posted on the website of the Saskatchewan College of Paramedics and used by his employer, La Ronge Emergency Medical Services; and/or
- (c) administered two 5 mg doses of Midazolam but failed to correct the PCR, which stated that one 10 mg dose had been administered, before signing PCR #X93756, contrary to the Documentation Guidelines of the Saskatchewan College of Paramedics;

Charge 3

That Michael Lacourciere is alleged to be guilty of professional incompetence and/or professional misconduct contrary to section 24 and/or 25 of *The Paramedics Act*, in that on June 16, 2021 in relation to a patient he attended and to which PCR #X05721 applies, he:

- (a) administered Haldol to a patient with abdominal pain, contrary to the Clinical Practice Protocol, Acute Abdominal (Non-Traumatic), compliance with which is

required pursuant to section 23 of *The Paramedics Act*; and/or

(b) administered Haldol to a patient intravenously contrary to the requirements for its administration as set out in the Drug Monographs posted on the website of the Saskatchewan College of Paramedics and used by his employer, La Ronge Emergency Medical Services.

3. A Notice of Hearing was delivered to the Member and the Member acknowledged service on May 1, 2023. The Notice of Hearing stated that the hearing would take place in La Ronge on May 23 and 24, 2023, as per a previous request by the Member, which was granted by the Discipline Committee. However, in the meantime, the Discipline Committee was informed that the Member and counsel for the PCC had come to an agreement on facts and a joint submission on penalty. The Member also indicated that he did not wish to appear at the hearing.
4. Therefore, the Discipline Committee convened on May 23, 2023, *via Teams videoconferencing*, to hear and determine the Formal Complaint against the Member (the “**Hearing**”).
5. Prior to the Hearing, the PCC submitted an Agreed Statement of Facts with Exhibits, and Joint Submission on Penalty, signed by counsel for the PCC and the Member (the “**Agreed Statement of Facts and Joint Penalty Submission**”). In it, the Member agreed that the Hearing could proceed virtually and that the Discipline Committee could proceed in his absence. The parties also acknowledged that the Discipline Committee was properly constituted and had jurisdiction to conduct the Hearing.
6. The Agreed Statement of Facts and Joint Penalty Submission indicated that the PCC was withdrawing Charge 1 and the Member was pleading guilty to Charge 2 and Charge 3, as contained in the Formal Complaint., The Agreed Statement of Facts and Joint Penalty Submission is attached as Appendix A to this decision.
7. In light of the admission of the charge against the Member contained in the Formal Complaint, the Discipline Committee did not require further evidence at the Hearing. Counsel for the PCC submitted that the penalty agreed upon is appropriate, as the courses the Member will be required to complete directly address the incompetence/misconduct of the Member. Further, the costs order of \$1,200.00 and the length of time granted to pay it are appropriate because the Member cooperated with the investigation and, since he is currently not practicing, his ability to pay is diminished.
8. The Discipline Committee met briefly *in camera*, whereupon further questions were raised about a possible error in the Agreed Statement of Facts as well as how the course provider and course selections were selected. The Discipline Committee reconvened the hearing to address these questions, whereupon it was acknowledged that there was an error in the Agreed Statement of Facts: the Member has been registered as an Advanced Care Paramedic since July 2018 (and not since December 31, 2022). Further, the selected course provider had delivered programming and courses in the past for the College and tailors the courses in order to address the incompetence/misconduct of the Member.
9. The Discipline Committee met again *in camera* and determined to accept the Agreed Statement of Facts as proven (subject to the correction noted above) and also accepted the Joint Penalty

Submission as appropriate. The Hearing was reconvened and the decision communicated to the parties, with this written decision and order to follow in due course.

B. FACTS

7. The Agreed Statement of Facts sets out the background facts of the events that led to the Formal Complaint, as agreed to by the parties, subject to the correction explained above at paragraph 3 of the Agreed Statement of Facts. As noted above, this document is attached as an appendix to this decision, hence there is no need to reproduce it here. Suffice to say, the Member agreed that his conduct regarding the events described in the Agreed Statement of Facts constitutes professional incompetence and professional misconduct contrary to sections 24 & 25 of the Act, in that such conduct is a violation of two Practice Protocols, specifically contravention with the “Agitated Patients” and “Acute Abdominal (Non-Traumatic)” Protocols. The member was also in contravention of the Drug Monographs used by the Member’s employer, La Ronge Emergency Medical Services, and Documentation Guidelines for the Saskatchewan College of Paramedics.

C. ISSUES FOR DETERMINATION

8. The Discipline Committee identified the following issues for determination:
 1. Whether, in light of the facts and circumstances of this case, the Discipline Committee finds the Member guilty of professional incompetence and professional misconduct?
 2. If the answer to the above is in the affirmative, whether the Discipline Committee accepts the joint penalty proposed in the Joint Penalty Submission as appropriate in the circumstances?

D. ADMISSION OF CHARGES

9. As noted above, the Member admitted Charge 2 and Charge 3 against him as contained in the Formal Complaint. In doing this, he admitted that his conduct regarding the events described in the Agreed Statement of Facts constituted professional incompetence and professional misconduct contrary to sections 24 & 25 of the Act. The Discipline Committee accepts this and finds the Member guilty of professional incompetence and professional misconduct.

E. JOINT SUBMISSION ON PENALTY

10. As the Discipline Committee has accepted the Member’s admission of the charge against him and found him guilty of professional incompetence and professional misconduct, the next issue is that of the appropriate penalty. Subsection 31(1) of the Act sets out the different orders that the Discipline Committee can make where it finds a member guilty of professional incompetence and/or professional misconduct. Clause 31(1)(f) of the Act allows the Discipline Committee to make “any other order that the discipline committee considers just.”
11. The Joint Penalty Submission was as follows:

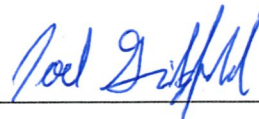
1. The Member shall, at his own expense, complete the following on-line courses provided by A-Line Medical Training within 6 months of the date of the Discipline Committee's Order:
 - (a) Documentation Standards for Prehospital Providers; and
 - (b) Sedation Medications and Administration
 2. The Member shall pay costs related to the investigation in the amount of \$1,200.00, to be paid within 24 months of the date of the Discipline Committee's Order.
 3. If the Member fails to complete the course or pay the costs described in paragraph 12.1 and 12.2 within the times provided those paragraphs, his licence shall be suspended until he does comply.
12. In *Rault v. Law Society of Saskatchewan*, 2009 SKCA 81, the Saskatchewan Court of Appeal held that a discipline committee must consider joint submissions on penalty unless it can be demonstrated that they are unfit, inappropriate, unreasonable and/or contrary to the public interest. See also *Pankiw v. Board of Chiropractors' Association of Saskatchewan*, 2009 SKQB 268.
13. The Discipline Committee carefully considered the Joint Penalty Submission as to disposition and concluded that the proposed sanctions are reasonable and appropriate in the circumstances. The Discipline Committee noted that the joint submission pertaining to penalty serves to protect the public interest in that it demonstrates to members of the College and the public that proper handling and administration of medications is expected to be conducted with full knowledge and understanding of the medications being administered and that all documentation practices be conducted in accordance with the standards set out by the College. Further, the sanctions serve as a general deterrent to dissuade other members from acting in a similar way. By requiring the Member to take educational courses related to conduct and professional practice, the penalty aims to provide a learning opportunity to the Member to guide future conduct.
14. The Discipline Committee therefore accepted the Joint Penalty Submission as appropriate and reasonable.

F. ORDER

15. The Member shall:
1. The Member shall, at his own expense, complete the following on-line courses provided by A-Line Medical Training within 6 months of the date of the Discipline Committee's Order:
 - (a) Documentation Standards for Prehospital Providers; and
 - (b) Sedation Medications and Administration

2. The Member shall pay costs related to the investigation in the amount of \$1,200.00, to be paid within 24 months of the date of the Discipline Committee's Order.
 3. If the Member fails to complete the course or pay the costs described in paragraph 12.1 and 12.2 within the times provided those paragraphs, his licence shall be suspended until he does comply.
16. The Discipline Committee commends the efforts of the parties to bring this matter to a satisfactory conclusion.

Dated at the City of Moose Jaw in the Province of Saskatchewan this 28th day of June, 2023.



**JOEL GRITZFELD, MPA, BA,
Chair, Discipline Committee**