



4. Practice Review Committee Authority of Panels to Make Orders

*Improved Public Interest
Improved Regulatory Effectiveness and Efficiency*

To better protect the public, APEGA must have the ability to require Members and Permit Holders to maintain acceptable levels of competence and comply with required standards of practice. APEGA must also have the ability to restrict, suspend, or cancel a licence or permit if the Member or Permit Holder fails to comply.

Background

- Currently, the Practice Review Board (PRB) may conduct practice reviews of Members and Permit Holders and has the authority to make orders similar to the orders made by the Discipline Committee.
- A Member or Permit Holder who is the subject of a practice review may appeal any decision or order of the PRB to the Appeal Board.

Why is this Important?

- Moving the authority to issue orders to practice review panels will maintain consistency within the regulatory system and mirrors the current model of having practice review panels with decision-making authority like the Discipline Committee, Appeal Board and the Investigative Committee (proposed).
- APEGA must have the ability to conduct meaningful practice reviews. Having practice review panels with decision-making authority will improve regulatory effectiveness and efficiency.
- Peer review will be maintained. Practice review panels will be formed from members of the Practice Review Committee (PRC).

Proposed
legislative
change

It is recommended the legislation be amended to:

- Allow for submissions from all parties to be made to the practice review panel before the panel issues an order.
- Authorize practice review panels to issue orders to Members and Permit Holders requiring them to remedy deficiencies identified in practice reviews.
- Authorize practice review panels to order that the license or permit of a Member or Permit Holder be restricted, suspended, or cancelled if the Member or Permit Holder does not comply.
- Authorize practice review panels to make other orders related to competence and standards of practice that Members and Permit Holders must comply with, including directing that courses, examinations, tutorials, or other forms of professional development or skills training be taken.
- Authorize practice review panels to refer a matter to the Investigative Committee or Registrar.
- Expressly state that the decision of the practice review panel is final and there is no appeal.

Effects of the
proposed change

- If a Member or Permit Holder appeals a recommendation, or if a practice reviewer refers a matter to a practice review panel, the panel will make the final determination. The activities of this panel are considered a review of the recommendation and as such there will be no further appeal to the Appeal Board available.
- Practice review panels will have the authority to issue orders to Members and Permit Holders requiring them to remedy deficiencies identified in practice reviews.
- Practice review panels will have the authority to order that the licence or permit of a Member or Permit Holder be restricted, suspended, or cancelled if the Member or Permit Holder does not comply.
- It will clearly define the types of orders practice review panels will be authorized to make.