

<b>Association of Hearing Instrument Practitioners of Ontario</b>	
Section	<b>Professional Practice</b>
Sub-Section	<b>Professional Practice Committee Policy</b> <span style="float: right;"><b>Revised July 2018</b></span>

**OVERVIEW**

To establish and maintain policies and procedures; to hear all complaints concerning members of the Association and report its findings to the Board of Directors. The Code as set out in Schedule 1 is interpreted and administered by the Professional Practice Committee. The Board of Directors shall have the final authority.

Individuals making complaints of a criminal nature shall be encouraged to report their complaint to the police and to notify the association of the result, at which time appropriate action will be taken.

**SECTION 1.0**

The President, with the approval of the Board of Director’s shall appoint a Committee consisting of a Chair and at least three (3) active, certified members who shall hear all complaints concerning members of the Association which shall be referred to it, and to this end may require any member to appear before it and give evidence concerning such complaint. The Committee may require any evidence given before it to be given under oath of affirmation. The Professional Practice Committee may request the assistance of legal counsel whenever deemed necessary. After hearing any complaints, the Committee shall report its findings to the Board of Directors, together with its recommendations. If required by the Board, the Committee shall meet in person with the Board to advise the board on any matter heard by the Committee.

All complaints regarding the members of this Association shall be in writing, forwarded to the Association’s office and addressed to the Chair, Professional Practice. Once received in writing, the Chair, Professional Practice shall make a preliminary investigation requiring the member to respond in writing about the complaint received within 10 days of receipt of such request. The Chair, Professional Practice shall take this complaint to the Committee which will take either of the following courses of action:

Notify the member complained of in writing to comply with the decision of the Committee. The (complained of) member must notify the Chair, Professional Practice within 10 days by registered mail that they will abide by the committee’s decision and ask such member to desist in the future from acts similar to those complained of. If the member complained of complies with such request, the matter shall be filed for future reference. If the member complained of does not comply with the request of the Chair, Professional Practice, or if in the judgment of the Chair, Professional Practice the compliant is of a serious nature, particularly if the public interest is involved, he/she may at his/her discretion refer the complaint directly or subsequently to the Board of Directors of the Association at the next regularly scheduled meeting.

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**SECTION 1(B)**

The Board of Directors may accept, modify, or reject the recommendations of the Professional Practice Committee and shall direct the Chair to notify the member complained of, of the action of the Board. The member has 10 days of receipt of such decision to respond to the Board’s decision. If the member does not comply with the Board of Directors decision they may elect to appear before the Board of Directors at their next scheduled meeting. To this end, he/she may be represented by counsel, if he/she so desires.

**SECTION 2**

If the Board shall find the complaint justified, it shall take such actions against the party found guilty of an infraction of the rules or Code of Ethics of the Association as they shall deem fitting and proper, in view of the gravity of offence. In its discretion, the Board may, among other things:

- a) File its opinion on the complaint with the Secretary to be held for future reference.
- b) Reprimand the member found guilty and file this complaint as above described.
- c) Fine the member a sum not to exceed \$25,000.00
- d) Suspend the member for a period not to exceed one year from all privileges of the Association provided that such suspension shall not constitute a waiver of dues for the period of suspension, and fine such member a sum not to exceed \$25,000.00
- e) Expel the member from membership and send notification of such expulsion to all appropriate government agencies.

**SECTION 3**

If any member so found guilty and fined shall fail to pay such fine within thirty (30) days, or any further time granted by the Board on good cause shown, he/she shall be automatically expelled from membership.

**SECTION 4**

Decisions reached by the Professional Practice Committee of the Association concerning a member shall, subject to appeal pursuant to Section 5, be binding when confirmed by the Board of Directors.

**SECTION 5**

A disciplined member may appeal the decision of the Board of Directors by notice, in writing within 30 days of receipt of such decision. The appeal must be heard within three weeks of receipt of the request. At such hearing, the member complained of may present evidence on his/her own behalf in answer to the complaint and may present argument

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concerning the complaint. To this end, he/she may be represented by counsel, if he/she desires. The appeal board shall consist of seven persons (none of whom shall have

previously sat on a committee with respect to the specific grievance being considered by the appeal board): two members of the Association appointed by the disciplined member; two members appointed by the Board of Directors; and three non-members of the Association, mutually appointed and agreed upon by the appellant and the Board of Directors. The non-members will consist of representatives of three out of the following five (5) categories:

1. Hard of Hearing Consumer from Ontario
2. Physician, Reg. College of Physicians and Surgeons of Ontario (CPSO)
3. Audiologist, Reg. College of Audiology and Speech Language Pathology of Ontario (CASLPO)
4. A representative from the Canadian Auditory Equipment Association (CAEA) based in Ontario
5. A representative from an Ontario accredited Hearing Health Care, post-secondary Educational Institution

The expense of these seven persons will be carried by the Association. The decision, based on a majority vote of the appeal board, will override any previous decisions on this matter and will be mailed to the disciplined member, the Board of Director's and the complainant within one week of the hearing.