



Health Professions Review Board

Practice Directive 8

The Review Board Hearing (Stage 1 and Stage 2) For Inquiry Committee Disposition Reviews and Registration Committee Reviews

Written Hearing

Review board hearings take place entirely by written submissions and parties do not typically meet face-to-face with the review board.

At any time during the written hearing, the review board might seek clarification directly from parties on specific issues, or ask the parties questions and direct them to answer the questions in their submissions or in a separate reply.

Stage 1

1. The review board chair sends the parties a letter starting the written hearing.
2. The complainant/applicant is invited to review the college's record of investigation and submit a detailed written argument to support their request for review. This is called a statement of points – for more information, see:
 - a. Complainant's Statement of Points for an Inquiry Committee Disposition review
Model statement of points for Complainants in a Review of an Inquiry Committee Disposition
 - b. Applicant's Statement of Points for a Registration Decision review
Model Statement of Points for Applicants in a Review of a Registration Decision
3. The complainant/applicant may request that the review board consider additional information that is not already in the record: Complainants use [Form 11](#) and applicants use [Form 10](#).
4. Colleges and/or registrants are not required to make submissions at this stage.
5. The review board chair assigns a member of the review board (called the panel chair) to conduct the review.
6. The panel chair considers the application for review, the college's record of investigation/registration file and the complainant/applicant's statement of points. The panel chair also considers requests to admit additional information.

7. The panel chair may decide to issue a Stage 1 decision confirming the inquiry committee disposition or registration committee decision without further process.¹ Once the decision is issued, the hearing is finished, and the review is complete.

A panel chair cannot refer the matter back to the college² at Stage 1.³ Many review board decisions confirm a college disposition at Stage 1, and never move to Stage 2.

Stage 2

1. If, after considering the hearing material, the panel chair determines that they need further information or submissions in order to make a decision, they will send the parties a letter directing the matter to a Stage 2 hearing and asking the college and/or registrant for submissions on the application for review.
2. Colleges/registrants may apply for summary dismissal at this stage, but a determination on such an application may be postponed until the panel chair's final decision.
3. The panel chair will give the college and/or registrant an opportunity to respond to the complainant/applicant's statement of points. Submissions proceed as follows:
 - a. the college and/or registrant will have the right to object to the admission of the complainant's documents;
 - b. the college will be asked to provide the review board and the other parties with its written submissions in response to the Statement of Points and information provided by the complainant/applicant at Stage 1;
 - c. the registrant will be asked to provide the review board and the other parties their written submissions in response to the statement of points and information provided by the complainant/applicant at Stage 1; and
 - d. the complainant/applicant will be given a right of final reply but, reply submissions can only respond to issues raised in submissions received from the college and/or the registrant (i.e. new issues cannot be raised in the final reply).
4. Once submissions are closed, the panel chair will consider the hearing material, and issue a final decision.



David Hobbs, Chair
October 5, 2022

¹ In an Inquiry Committee investigation matter, if the panel chair is satisfied that the investigation was adequate and the disposition was reasonable based on the information before them, they will issue a decision on the merits confirming the college disposition under s.50.6(8)(a) of the Health Professions Act. In a Registration Committee matter, if the panel chair is satisfied based on the information before them that the registration decision ought to be confirmed, they will issue a decision on the merits confirming the college registration decision under s.50.54(9)(a) of the *Health Professions Act*

² Under s.50.54(9)(b) or (c) [in a registration decision review], or under s.50.6(8)(b) or (c) of the Act [in a complaint disposition review]

³ Rule 44 and Rule 3 (definition of stage 1 hearing) of the Rules of Practice and Procedure for reviews under the Health Professions Act, R.S.B.C. 1996, c. 183