



# Health Professions Review Board

---

## Information Sheet

Applicants Submissions for Licensing Decision Reviews  
Reference: s.318 of the Health Professions and Occupations Act

### 1. What are submissions?

A detailed written argument to support the applicant's request for review

### 2. Why does the review board ask for submissions?

All reviews of licensing decisions start by giving the applicant a copy of the college's complete licensing record (everything the licence committee considered in making its decision regarding the Applicant's licensing application)

Once the applicant has had time to read through the licensing record, the review board gives the applicant an opportunity to make submissions reacting to this new information which they might not have seen before

### 3. Do I have to make submissions?

No. However, you are given an opportunity to make submissions to respond to information in the licensing record, clarify what you want the review board to do for you, and help the review board understand why it should refer the matter back to the licence committee.

For example, under s. 318(1)(b) the review board may refer a matter back to the licence committee if it finds that:

- (i) the licensing decision or the making of the licensing decision was contrary to this Act or the regulations, bylaws or rules;
- (ii) the licensing decision was not made in accordance with the principles of procedural fairness;
- (iii) the applicant's knowledge, skills, ability and judgment are substantially equivalent to the eligibility standards relevant to the class applied for;
- (iv) the applicant is a person to whom the licence committee is obliged, under the Labour Mobility Act, to issue a licence.

#### **4. How should my submissions look?**

There is no special form for submissions, but they should be clear, well-organized and concise. You may wish to use the model submissions on the review board website.

#### **5. How will the Review Board use my submissions?**

The review board may learn salient facts about the licensing process, and the Applicant's reasons for challenging the adverse decision. The Panel Chair may be prompted to issue Stage 2 directions to gain a better understand about what the applicant thinks is wrong with the licensing decision, and whether it was reasonable and fair. The Panel Chair might appreciate knowing about any contact the applicant had with the college to understand the licensing decision and discuss it with the licensing body.

#### **6. What information should submissions include?**

Submissions should include:

- a summary of the main issues: it may be helpful to include background information about the college and its licensing process - do not assume the Review Board knows this
- a statement of the decision that the applicant wants the review board to make, and detailed reasons why the review board should make this decision
- an explanation for why the review board should not confirm the licensing committee's decision
- references (by page number) to information in the licensing decision or record that shows where you believe the college went wrong – perhaps you think the process for how the licensing committee made its decision should have been different, or the licensing committee did not consider things that it should have, or considered things that it shouldn't have
- references to legislation, regulations, by-laws, policy, case law or other legal sources that support your points
- specifics about what you would like the review board to direct the licence committee to do.

#### **7. Can I submit extra documents with my submissions?**

The review board can accept extra documents, but ONLY IF:

- the documents are not already in the licensing record.
- the applicant completes "Form 10: Additional Information" and attaches the extra documents

- the review board decides that it reasonably requires the extra documents for a full and fair disclosure of all matters related to the issues under review

#### **8. What to do with the finished submission**

Send it to the college (if the college has a lawyer, send it to the lawyer instead) and your case manager at the same time.