



## Discipline Hearing Summary

### Jennyfer Corneau

This matter was heard by a Panel of the Discipline Committee (the "Panel") of the College of Medical Laboratory Technologists of Ontario (the "College") on February 24, 2025.

#### **Allegations**

The Allegations against Jennyfer Corneau ("the Registrant") were set out in the Notice of Hearing ("NOH") dated July 25, 2024, and reads as follows:

At all material times the Registrant was a duly Practising Medical Laboratory Technologist Registrant in Ontario.

1. It is alleged that from in or around August 1, 2023 to in or around November 20, 2023, the Registrant accessed the health records of approximately 151 patients for reasons unrelated to her care of those patients.
2. It is also alleged that the Registrant also accessed and made modifications to the Registrant's own health record.

#### **Alleged Professional Misconduct**

3. It is alleged that the above conduct constitutes professional misconduct pursuant to clause 51(1)(c) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, more particularly, the following paragraphs of section 1 of Ontario Regulation 752/93 under the *Medical Laboratory Technology Act, 1991*:

Paragraph 2 (contravening a federal, provincial or territorial law, a municipal by-law or a regulation, rule or by-law of a hospital if the law, by-law, regulation or rule is relevant to the Registrant's suitability to practise, more particularly, the *Personal Health Information Protection Act, 2004*); and/or

- a. Paragraph 16 (failing to maintain the standard of practice of the profession); and/or



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- b. Paragraph 20 (engaging in conduct or performing an act relevant to the practice of medical laboratory technology that, having regard to all circumstances, would reasonably be regarded by the Registrants as disgraceful, dishonourable or unprofessional).

### **Summary of Evidence**

The Discipline Panel was provided with an Agreed Statement of Facts ("ASF") that set out as follow:

- At all material times the Registrant was a duly Practising Medical Laboratory Technologist Registrant in Ontario.
  1. It is agreed that from in or around August 1, 2023, to in or around November 20, 2023, the Registrant accessed the health records of approximately 151 patients for reasons unrelated to her care of those patients.
  2. It is also agreed that the Registrant also accessed and made modifications to the Registrant's own health record.

### **Registrant's Admission of Professional Misconduct**

The ASF and Admission of Misconduct included a plea inquiry in which the Registrant stated that she understands the nature of the allegations against her, that by admitting the allegations against her, she is waiving the right to have the College prove the case against her and the right to have a hearing, that any agreement with the College about the proposed penalty does not bind the Discipline Committee, and that the Panel's decision and a summary of its reasons including reference to her name will be published in the College's annual report and will be published in the College's publication and on its website. The Registrant also stated that having had the benefit of legal advice, she was executing the ASF and Admission of Misconduct voluntarily.

The Panel also conducted an oral plea inquiry at the Hearing, and was satisfied that the Registrant's admission was voluntary, informed, and unequivocal.

The College submitted that the Registrant's admitted conduct similarly constituted a breach of the standard of practice of the profession of medical laboratory technology and conduct that Registrants of the profession would reasonably regard as disgraceful, dishonourable and unprofessional.

The Registrant admitted that she breached patient privacy and confidentiality and stated that she is remorseful for her actions.



## Findings

On the basis of the Registrant's admissions of professional misconduct and the facts set out in the ASF and Admission of Professional Misconduct, and having regard to the advice of its independent counsel, the Panel concluded that there is a sufficient grounds to find that the Registrant engaged in each of the acts of professional misconduct described in the NOH and the Panel should make those findings.

Accordingly, the Panel found that the Registrant engaged in professional misconduct pursuant to Clause 51 (1)(c) of the Health Professions Procedural Code, Schedule 2 to the Regulated Health Professionals Act, 1991, and as defined in the following paragraphs of section 1 of Ontario Regulation 752/93 under the Medical Laboratory Technology Act, 1991:

- i. Paragraph 2 (contravening a federal, provincial or territorial law, a municipal by-law or a regulation, rule or by-law of a hospital if the law, by-law, regulation or rule is relevant to the Registrant's suitability to practise, more particularly, the *Personal Health Information Protection Act, 2004*); and/or
- ii. Paragraph 16 (failing to maintain the standard of practice of the profession); and/or
- iii. Paragraph 20 (engaging in conduct or performing an act relevant to the practice of medical laboratory technology that, having regard to all circumstances, would reasonably be regarded by the Registrants as disgraceful, dishonourable or unprofessional).

## Penalty

The Panel was presented with a Joint Submission on Penalty and Costs. The Joint Submission was signed by the Registrant and College counsel and sets out the parties' joint proposal. The Panel accepts the Joint Submission and accordingly makes the following order:

1. The Registrant is required to appear before a Panel of the Discipline Committee immediately following the hearing of this matter to be reprimanded, with the fact of the reprimand and the text of the reprimand to appear on the public register of the College.
2. The Registrar is directed to suspend the Registrant's certificate of registration for a period of three (3) months, to commence on the date of this Order.



3. The Registrar is directed to impose the following specified terms, conditions or limitations on the Registrant's certificate of registration:
  - a. The Registrant must successfully complete (i.e., unconditional pass) the PROBE course within 6 months of the date of this Order, at the Registrant's expense;
  - b. The Registrant must successfully complete the Canadian Society for Medical Laboratory Science's Introduction to Ethics and Professionalism for Medical Laboratory Science course, within 6 months of the date of this Order, at the Registrant's expense; and
4. The Registrant is required to pay the College costs in the amount of \$1,000.00, which can be paid in 24 monthly installments, with the first payment due within 30 days of the date of this order.

### **Reasons for Penalty**

The Panel was satisfied that the penalty order proposed in the Joint Submission was within the range of appropriate penalties for professional misconduct of the kind that engaged in by the Registrant. Further, the Panel was satisfied that the penalty order proposed in the Joint Submission addressed the goals of specific deterrence (ensuring that the Registrant will not engage in similar professional misconduct in the future).

The Panel was therefore satisfied that accepting the Joint Submission would not be contrary to the public interest, nor would doing so bring the administration of justice into disrepute; and the Panel accepted the advice of its independent counsel, who advised us as to the governing principles and endorsed the Joint Submission as calling for a penalty order that was within the appropriate range of penalty and further, that accepting it would be in the public interest.

In light of the reasons set out above, and having given due regard to the written submissions of the parties and the documents submitted to us in support of those submissions, it was the Panel's view that it should accept the Joint Submission.