



# THE COLLEGE OF MEDICAL LABORATORY TECHNOLOGISTS OF ONTARIO (CMLTO)

## ICRC # 02

### Appointment of Investigator(s)

Inquiries, Complaints & Reports Committee

DATE APPROVED BY COMMITTEE	:	October 23, 2025
PUBLICATION DATE	:	October 23, 2025
DATE REVIEWED	:	
DATE REVISED	:	
NEXT REVIEW DATE	:	October 23, 2028
REVIEW FREQUENCY	:	3 years
KEY WORDS	:	
LEGISLATIVE REFERENCES	:	<i>Regulated Health Professions Act, 1991</i>
REFERENCE MATERIALS	:	
APPENDICES	:	
COLLEGE CONTACT	:	Megan MacQuarrie, Senior Director, Regulatory Programs  John Tzountzouris, Registrar & CEO
COMMITTEE CHAIR SIGNATURE	:	
		Walter Hewus      October 23, 2025



## 1.0 INTRODUCTION

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The Inquiries, Complaints and Reports Committee's (ICRC) mandate is to investigate complaints and reports made to the College about a Registrant, and to decide how the complaint or report is to be resolved. ICRC's decisions on complaints or reports may require the appointment of an investigator as per Sections 75 to 79 of the Health Professions Procedural Code (the Code).

An investigator may be external or internal to the College. At the end of the investigation, an investigator's report is sent to the College and provided to the Registrant for submissions. Following any submissions, the report is brought to the ICRC for their consideration. An investigator report is a useful tool in determining the details of a particular case. They may include interviews, documents, notes, emails, and other resources relevant to the case.

## 2.0 BACKGROUND

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The Code, which is Schedule 2 to the *Regulated Health Professions Act, 1991*, describes the Registrar's Power of Investigation. These are detailed in sections 75 to 79 of the Code.

## 3.0 THE POLICY

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There are four ways by which an investigator is appointed:

- The Registrar believes on reasonable and probable grounds that the Registrant has committed an act of professional misconduct or is incompetent and requests an investigator appointment via a Registrar's report.
- If the ICRC receives information from the Quality Assurance Committee about a Registrant and requests the Registrar to conduct an investigation.
- A complaint is filed against a Registrant and ICRC requests the Registrar to conduct an investigation.
- Emergency situations\*

\*There are emergency situations that occur where the Registrar can appoint an investigator, without ICRC's approval, if the Registrar believes on reasonable and probable grounds that the Registrant's conduct exposes or



is likely to expose patients to harm and that an investigator should be appointed immediately. This occurs if the Registrar determines there is no time to seek approval from the ICRC.

When considering whether to appoint an investigator, the ICRC reviews the case materials which consist of the complaint or report, the Registrar's report with the request to appoint an investigator, and written submissions from the Registrant. The case is discussed, and a decision is reached to approve or deny the appointment of the investigator.

If approved, the College may use an external investigator service or College staff may be appointed as the investigator. Investigators can inspect and copy records, summon records from the Registrant or third parties (such as facilities), issue search warrants, and summon reluctant witnesses to give evidence under oath. Failing to comply with a summons may result in a contempt of court order, among other consequences. Where an investigator is not appointed, ICRC would make other decision(s) that are in alignment with their powers as outlined in the Code.

When an investigation is required, Registrants may also be subject to interim orders. Interim orders may include suspension or terms, conditions, or limitations on a Registrant's certificate of registration during an investigation.

After a section 75 investigation is complete, the investigator will provide the results to the Registrar. The College provides the Investigation Report to the Registrant with details outlining their ability to make written submissions within 30 days.

#### **4.0 PURPOSE (*Intent*)**

To describe how the ICRC reviews and considers requests for the appointment of an investigator.

#### **5.0 SCOPE (*The policy applies to*)**

This policy applies to the ICRC when reviewing a request for the appointment of an investigator.

#### **6.0 COMMITTEE PROCESS AND PROCEDURES (*If applicable*)**



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## **7.0 PRINCIPLES**

## **8.0 DEFINITIONS**

## **9.0 EXCEPTIONS**