

Item 4.1.55 (a)

April 20, 2020

College of Chiropractors of Ontario
59 Hayden St., Suite 800
Toronto, Ontario
M4Y 0E7



Attention: Dr. Dennis Mizel

Dear Dr. Mizel:

Re: Failure of the CCO to act in the public interest

I am writing to you today to register my distress at what I perceive to be the failure of the CCO to act in the public interest, especially within the context of the current COVID 19 pandemic.

More specifically, I note what appears to be a campaign by the CCO to discredit a member of the public who has used, legitimately, the complaints mechanism of the College to file complaints against members of the chiropractic profession who may be endangering the public. As you are aware, a significant number of practitioners have been promoting the false narrative that chiropractic care offers some degree of protection against COVID 19. A responsible and highly educated member of the public has appropriately filed complaints against these practitioners.

I understand that, in response, the president of the College has written to the Minister of Health and Long-Term Care to complain about the member of the public. Similarly, I believe that the registrar of the College has written to France Gelinias, Critic, Health Care to complain about the member of the public. In both instances, the communications from the CCO failed to use the title of 'Doctor' in reference to the person concerned, and they contained information which was either false or could be perceived as denigrating in regard to this person. It is also my understanding that the Executive Committee of the College has decided to identify the member of public in the College's next annual report to be distributed to all practitioners in the province.

These actions are likely to, and are likely to be perceived as efforts to, dissuade the public from filing legitimate complaints against practitioners. These actions therefore are not simply inconsistent with the mandate of the College, I believe that they constitute the antithesis of acting in the public interest. I cannot, in good conscience, serve on a body which confuses self-interest with the public interest, and so I am submitting my resignation from the Council effective immediately.

Yours sincerely,

Brian Budgett
Elected member, district 4

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April 30, 2020

Via e-mail and mail



FILE COPY

Re: Acceptance of your Resignation from the Council of the College of Chiropractors of Ontario (CCO)

Dear Dr. Budgell:

I am writing to acknowledge receipt of your letter of April 20, 2020 (received April 28, 2020) tendering your resignation from CCO Council, and to confirm my acceptance of your resignation effective immediately.

Thank you for your past contributions to the Council and service to CCO and to chiropractic in general.

However, I categorically reject the assertion in your letter that CCO does not act – and has not acted – in the public interest in the context of the COVID19 pandemic.

As you are well aware, since March 2, 2020 CCO has issued no less than seven public directives to members from the office of the President requiring members to follow Ontario government orders in response to the pandemic. In those communications the College has advised members at length on relevant considerations such as what constitutes essential or emergency care, the opportunities for and limitations of telecare, the standards of practice and guidelines governing advertising and social media, and members' obligation to adhere to the highest standards of professional conduct at all times, to respect the legislative scope of practice and to refrain from making any inappropriate claims for chiropractic.

For the benefit of the public and members, these messages have repeatedly linked to CCO standards of practice and guidelines, as well as the Ontario orders, and to further online resources from the Ministry of Health promoting safe practices during the pandemic.

Moreover, and most recently, CCO publicly and fulsomely communicated the results of the April 14, 2020 meeting of the Inquiries Complaints and Reports Committee (ICRC) that specifically addressed member and public complaints regarding claims made in advertising or social media for chiropractic's benefit in rendering patients less susceptible to COVID-19.

To remind you, in the span of a few short weeks beginning March 2, 2020 CCO issued 74 cease and desist letters in response to inquiries relating to inappropriate advertising and social media posts that resulted in *all* the identified materials being subsequently removed. The ICRC further deliberated 64 complaints in one sitting (compared to 98 for all of 2019) and took appropriate follow-up action on each.



In the interests of transparency and public knowledge, CCO noted what percentage of the complaints came from the public, versus from other members of the college. Significantly not one complaint was received from a chiropractic patient in Ontario. Equally notable, 100% of the public complaints came from a single individual who announced publicly on March 20, 2020 in a tweet (see imaged attached) that indeed he had done so and encouraged “everyone to work together and send the message that it is not okay for health professionals to do this.”

I wrote then and I will reiterate to you here that, as you well know, CCO takes every complaint very seriously, regardless of where – or from whom – it originates. The work of the ICRC is completely agnostic as to origin and focused only on the matter of the complaint before it. Further, you have not been a member of the ICRC so you would or should not have been privy to the specific nature of the complaints being made to CCO or the members’ responses to those complaints.

To be perfectly frank, I find it incredulous that you would conflate this degree of transparency, accuracy and concern for due process as somehow not being in the public interest. Or that you would be surprised that CCO would share this information with the ministry (and opposition members) in addition to the public, when CCO has received correspondence from the individual in question that both the Minister and the opposition health critic have also been copied on. And to add, that you should be so aggrieved that in our correspondence we did not always use the appropriate honorific title for this individual complainant leaves me speechless.

I must say that I am disappointed it has come to this.

CCO is committed to governing the profession in the public interest. As part of that commitment, all Council members must act in accordance with accepted governance principles and adhere to the CCO Code of Conduct.

You were the only Council member who failed to attend any of the governance training sessions held for Council members in either 2019 or 2020. You have also not signed and returned the CCO Code of Conduct Undertakings despite several requests that you do so and your commitment on April 13, 2020 that you would provide your signed undertakings at your earliest opportunity.

It goes without saying this is now moot.

I wish you all the best in your future endeavours.

Sincerely,

Dr. Dennis Mizel, President
College of Chiropractors of Ontario



Ryan Armstrong @ryarmst · Mar 20

This week, I submitted **complaints** against over 30 Ontario chiropractors who have been spreading coronavirus misinformation for profit. This is the time for everyone to work together and send the message that it is not okay for health professionals to do this. Thanks Marc and EBC!



Marc Bronson @MarcBronson13 · Mar 20

We have volunteers at EBC to report to the CCO all questionable immunity and COVID-19 posts. Please forward all images as well as they will be documented for academic purposes as well. @ryarmst @HealthWatch123 @CaulfieldTim. In this public health crisis we all must do our part.

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