

**Risk Assessment Framework
Inquiries Complaints and Reports Committee**

Version Date: November 25, 2021

As part of our ongoing transparency initiatives and in an effort to meet the objective of the College Performance Measurement Framework (CPMF) related to assessing risk related to inquiries, complaints and reports, the College of Chiropractors of Ontario (CCO) is providing the public, and chiropractors with more information about how the Inquiries, Complaints and Reports Committee (ICRC) makes decisions. In evaluating cases, the ICRC now uses a risk assessment framework to guide the committee in reaching an outcome. This means that in evaluating each and every complaint and Registrar’s investigation report, the committee will consider the degree of risk to a patient safety. The ICRC will explain their analysis of risk in their written reasons for decision, which each party will receive.

Degree of risk to patients/public is a measurement the ICRC is using to determine which cases pose a moderate or high risk and require a public outcome versus those that pose a low risk will result in a non-public outcome.

Depending on the facts of the case, the risk assessment tool helps the ICRC to measure its level of concern including aggravating and mitigating factors such as:

Aggravating Factors	Mitigating Factors
Prior History	No prior history
Intent	No intent
Deception/dishonesty/motive concealment	Not intent to deceive/dishonesty
No willingness to address the issues	Willingness to address the issues
Lack of cooperation	Cooperation
Years of experience	Years of experience
No remorse	Remorse
Character/reputation	Character/reputation
Harm to the public/patient	No harm to the public/patient
No admission	Voluntary admission
Lack of rehabilitation potential	Remediation in progress
Number of concerns/allegations	Number of concerns/allegations
Financial gain	No financial gain
Economic harm	No economic harm
Likelihood of recurrence	Likelihood of recurrence

The CCO recognizes that both chiropractors and member of the public would benefit from having more information about the factors considered by the ICRC in its decision making. For example, the ICRC will consider how a chiropractor responds to a complaint. Did they share any insight? Was their response professional?

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Together with some of the other regulatory health colleges, transparency principles were developed to help shape recommendations for what additional information about health care providers should be made available to the public.

The purpose of the framework is to ensure consistent, fair and transparent decision making that is guided by the ICRC's analysis and assessment of risk.

Definition of Outcomes

No Action

- Outcome is reflective of no or minimal risk
- Information does not support taking any regulatory action
- This outcomes does not appear on the public register

Advice and Recommendation

- Outcome is reflective of low risk
- Low risk-Unlikely to have a direct impact on patient care, safety, or the public interest
- Provided to the member where some room for improvement has been identified
- Can include best practice advice and/or recommendations to review particular standards, CCO publications, etc.
- This outcomes does not appear on the public register

Specified Continuing Education or Remediation Program (SCERP)

- Outcome is reflective of moderate risk
- Moderate risk-clinical issues requiring remediation or significant improvement through hands on courses, mentoring, assessment and/or evaluations
- A requirement for a member to upgrade his or her skills in a clinical area of practice
- SCERP's will include a period of practice monitoring at the member's expense
- SCERP's relate to clinical issues that can have a direct impact on patient care and safety
- This outcome appears on the public register

Undertaking

- Outcomes is reflective of moderate or high risk
- Moderate risks-clinical issues requiring remediation or significant improvement through hand on courses, mentoring assessments and/or evaluations
- High Risk-clinical issues requiring restrictions or conditions on practice
- A voluntary agreement between the member the CCO in which the member agrees to upgrade his or her skills in a clinical area of practice;

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- Undertakings can be used where a SCERP is not available when mitigating factors indicate that a voluntary approach is preferable
- Undertakings will include a period of practice monitoring
- Undertakings relate to clinical issues that can have direct impact on patient care and safety
- This outcomes appears on the public register for the length of time the undertaking is in place

Oral Caution

- Outcome is reflective of moderate risk
- Moderate risk-concerns related to an aspect of the member's conduct or practice that can have a direct impact on patient care, safety, or the public interest if not addressed
- Provided to the member when significant concerns are present or significant improvement is needed in his or her practice
- The member is required to attend in person before a panel of the ICRC to be formally cautioned which includes a statement of the ICRC's concerns and direction as to how to conduct him or herself in the future
- A caution can be used alone or in combination with other outcomes (e.g. SCERP's Undertaking)
- This outcome appears on the public register

Interim Order

- Outcome is reflective of high risk
- High risk-serious concerns that the member's conduct exposes or is likely to expose patients to harm or injury
- This outcome appears on the public register

Referrals to the Discipline Committee

- Outcomes is reflective of high risk
- High risk – serious concerns regarding the member's conduct or practice that likely to have a direct impact on patients care, safety or the public interest, concerns cannot be addressed through other remedial actions or previous remedial actions have been attempted unsuccessfully
- The member is referred for a formal public hearing before the Discipline Committee
- The outcome appears on the public register