



Code of
Ethical and Professional Conduct
and
Disciplinary Procedures

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Introduction

CACCF is dedicated to the principle that health and human services professionals must demonstrate the highest standards of ethical conduct and professional practice. To that end, the CACCF has adopted this Code of Ethical and Professional Conduct.

Agreement to follow the Code of Ethical and Professional Conduct is a requirement of certification. The CACCF is committed to investigate and sanction those certified professionals who violate this Code. It is the responsibility of the certified professional to become thoroughly familiar with the CACCF Code of Ethics and guide their professional behavior accordingly.

Glossary

Advisory Council: A standing committee of certified professionals who assist the CACCF in meeting its mission by providing feedback and recommendations from representatives of the certified population to the Board of Directors for their approval and action.

Appeal Hearing: A formal hearing conducted when a respondent appeals the decision of the Board of Directors.

Applicant: A person who has submitted an Application for Certification but is not yet certified.

CACCF: An acronym meaning the Canadian Addiction Counsellors Certification Federation.

Certified Professional: Any person who holds any credential issued by the CACCF.

Clear and Convincing Evidence: Evidence presented is credible and convincing, and that memories of witnesses are clear and without confusion. The evidence must create a firm belief and conviction of the truth of the facts presented and, considered as a whole, must convince the CACCF without hesitancy that the applicant will not pose a threat to the safety and/or well-being of others, especially potential clients. Clear and convincing evidence is a heavier burden than the “preponderance of the evidence” standard but less than “beyond a reasonable doubt.”

Code of Ethics: The CACCF Code of Ethical and Professional Conduct and Disciplinary Procedures that applies to all applicants and certified professionals.

Complaint: Means an allegation of misconduct that is contrary to the CACCF Canon of Ethics.

Note: the Board of Directors reserves the right to initiate a Professional Conduct Review (PCR) if the Board of Directors become aware of circumstances that warrants a PCR

Complainant: Means a person who has complained in writing about the professional conduct of a person who holds a membership and/or certification with the CACCF

Consent Order: A voluntary agreement worked out between the Respondent and the CACCF that carries the same weight as a final decision by the Board of Directors.

Consumer: A person seeking or receiving services from an applicant, a certified professional.

Designate: Means a person who has been designated by the CACCF Board of Directors to act for or assist the Executive Director of the CACCF for the purposes of a Professional Conduct Review.

Executive Director: Means a person who is employed as the Executive Director of the CACCF.

Ethical Complaint: A formal notice to the CACCF alleging that an applicant or certified individual violated the CACCF Code of Ethics.

Ethics Committee: A standing committee of the Advisory Council responsible for implementing the CACCF Code of Ethical and Professional Conduct and Disciplinary Procedures.

Ethics Complaint: A formal allegation of a violation of one or more Rule(s) of the CACCF Code of Ethics.

Fraudulent Claim: A fraudulent claim includes but is not limited to charging a consumer or a third-party payer for a service not performed or submitting an account or charge for a service that is false or misleading. It does not include charging for a missed appointment, however it must be identified as a missed appointment on the receipt; thus, not eligible for reimbursement by an insurance provider. Receipts must be addressed to the person who received the treatment, not who paid for the treatment, if they are not the same person.

Hearing Committee: A committee convened by the CACCF Board of Directors to hear, consider, and make recommendations when a respondent appeals the decision of the Advisory Council's Ethics Committee.

Hearing Officer: A non-voting member of the Hearing Committee who presides over the Appeal Hearing.

Immediate Family: A spouse, child, parent, parent-in-law, sibling, grandchild, grandparent or other household members of the certified professional.

PCR: An acronym meaning Professional Conduct Review.

PCR Committee: Means a committee designated by the Board of Directors of the CACCF to conduct a Professional Conduct Review.

Probative Value: Evidence or facts which tend to prove the existence of other facts or issues.

Provincial Association/Board/Chapter: Means a Provincial entity operating under the auspices of the CACCF who is governed under the directives of the Executive Director of the CACCF.

A Provincial Member whose Membership and/or Certification who has previously been issued under a Provincial Association/Board must adhere to the CACCF Canon of Ethics and is subject to a Professional Conduct Review under the terms of the respective Memorandum Of Understanding. The Federated Board of the CACCF governs and oversees all PCR complaints and dispositions

Respondent: Means a person who holds a membership and/or certification with the CACCF who is the subject of a Professional Conduct Review.

Revocation: Means the permanent cancellation of a CACCF Member's membership and/or certification as a result of a Professional Conduct Review decision. A member will not be reimbursed for any membership and/or certification fees when a revocation has been imposed.

Rules: Standards of ethical and professional conduct that apply to all certified professionals.

Sanction: A penalty intended to enforce compliance with the Code of Ethics.

Sexual Misconduct: Engaging, attempting to engage, or offering to engage in any behavior, whether verbal or physical, which is intended to be sexually arousing, including kissing; touching breasts, genital areas, buttocks, or thighs, whether clothed or unclothed; any form of intercourse; or any form of oral sex. Certified professionals are prohibited from sexual misconduct with a consumer, even if the consumer is not assigned to the certified professional and /or a supervisee.

Summary Suspension: An immediate suspension of a certified individual's credential(s) or application for certification when a preponderance of the evidence contained in the ethical complaint supports emergency action while the case is being investigated.

Supervisee: An individual that works under the direct supervision of a certified professional.

Suspension: Means a duration of time recommended by the PCR Committee and approved by the Board of Directors of the CACCF, whose CACCF Member's membership and/or certification is suspended during which time the member's membership and certification is not valid.

In the event that the member's membership and/or certification expires during the suspension period, the member may submit his/her membership and/or certification renewal at the end of his/her suspension period, with full fees and continuing education documentation. A member will not be reimbursed for any membership and/or certification fees when a suspension has been imposed.

Written Reprimand: A sanction that is a formal, written document expressing disapproval and/or providing a warning in regard to the Respondent's behavior.

Rules of Ethical and Professional Conduct

The CACCF Code of Ethics set forth the rules of ethical and professional conduct which all applicants and certified professionals are expected to honor (hereafter referred to as ‘the Rules’). Failure to comply with an obligation or prohibition set forth in the Rules will result in disciplinary action.

Discussion sections accompany some of the Rules. These discussions are intended to interpret, explain, or illustrate the meaning of the Rules, but the Rules themselves remain the authoritative statements of the conduct for which disciplinary action may be imposed.

1. Professional Standards

- 1.1 An applicant or a certified professional shall meet and comply with all terms, conditions, or limitations of any professional credential they hold.
- 1.2 An applicant or a certified professional shall not perform services outside of their area of training, expertise, competence, or scope of practice.

Discussion of Rule 1.2: When a consumer's therapeutic issues are outside their level of professional functioning or scope of practice, the certified professional must refer the consumer to another professional who will provide the appropriate therapeutic approach for the consumer

- 1.3 An applicant or certified professional shall not in any way participate in discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, socio-economic status, political belief, psychiatric or psychological impairment, physical disability, or the amount of previous therapeutic or treatment occurrences.
- 1.4 An applicant or certified professional shall place their application or credential(s) on inactive status for any mental, physical, or behavioral health related adversity that interferes with their professional functioning.

Discussion of Rule 1.4: The private life of an applicant or certified professional remains a personal matter to the same degree as any other person. However, when a personal issue begins to adversely affect professional performance, affecting the quality of service delivered and thus putting the consumer at risk, the applicant or certified professional must take sufficient and timely action to resolve any adversity that interferes with their professional functioning.

- 1.5 An applicant or certified professional shall not practice using their previously attained credentials during the period of any denial, suspension, revocation, probation, or other restriction or discipline on certification, license, or other authorization to practice issued by any certification authority or any province, territory, tribe, or the federal government.
- 1.6 An applicant or certified professional must maintain a high standard of ethical and professional conduct. The moral, ethical and legal standards of behavior of the certified professional are a personal matter to the same degree as they are for any other citizen, except as these may compromise the fulfillment of their professional responsibilities or reduce the public trust in applicants or certified professionals.

2. Criminal Activity

- 2.1 An applicant or certified professional shall report all arrests and employment related incidents, regardless of adjudication to any charge placed upon them. Such report must be received within 72 hours of release from any provincial or federal confinement.

Discussion Rule 2.1: Any public record pertaining to an arrest, charge, disposition or sentencing of a certified professional shall be deemed as conclusive evidence of guilt of the charge for which he or she has been convicted. If that charge relates to the individual's ability to practice in the credentialed discipline, the fact of conviction shall also be proof of violation of this Rule. All proceedings in which the sentence has been deferred, suspended, adjudication withheld, or a conviction expunged shall be deemed a conviction within the meaning of this section.

Discussion Rule 2.2: An applicant or certified professional shall not use, possess, or sell any un-prescribed or illegal substance.

- 2.2 An applicant or certified professional shall comply with all federal and provincial laws.

3. Sexual Misconduct

- 3.1 An applicant or certified professional shall not engage in sexual misconduct with a consumer during the period of time services are being rendered to the consumer and a minimum of five years after the professional relationship has terminated.

Discussion Rule 3.1: This Rule also applies to any consumer of the agency by which the certified professional is employed, regardless of whether or not the consumer is assigned to the certified professional. For purposes of determining if sexual misconduct has occurred, the professional relationship is deemed to continue for minimum of 5 years from the date of the consumer's last professional interaction with the certified professional's employer. "Although the professional relationship is deemed to be terminated 5-years after termination of professional services, the certified professional shall not engage in or request sexual contact with a former consumer at any time if engaging with that consumer would be exploitative, abusive or detrimental to that consumer's welfare"

Discussion rule 3.2: In the situation of providing services to remote areas when the consumer may have had a previous or ongoing relationship with an employee, even though they are not assigned to the consumer. If there has been a previous or ongoing relationship and travelling to another treatment facility is not an option, ruling factors will consider how the relationship began and the circumstances of how the individuals first met.

- 3.2 An applicant or certified professional shall not engage in sexual misconduct with any family member or guardian of a consumer during the period of time services are being rendered to the consumer, or for a period of 5 years following service.

- 3.3 An applicant or certified professional shall not engage a supervisee in sexual misconduct during the period of time the supervisory relationship exists, or for a period of 5 years following service.

4. Fraud-Related Conduct

- 4.1 An applicant or certified professional shall not present fraudulent documents when applying for certification, certification upgrades, or certification renewal.
- 4.2 An applicant or certified professional shall not prepare fraudulent certification documents for certification applicants.
- 4.3 An applicant or certified professional shall not use a title designation, credential or license, firm name, letterhead, publication, term, title, or document which states or implies an ability, relationship, or qualification that does not exist.
- 4.4 An applicant or certified professional shall not practice under a false name or under a name other than the name under which his or her certification or license is held. In the event of a name change, an applicant or certified professional will have 30 days to notify the CACCF of the intention to change their name, and 6 months to provide supporting government issued documents.
- 4.5 An applicant or certified professional shall not prepare, present, or participate in activities related to fraudulent billing or benefit claim under any employee benefit program or insurance policy/program.
- 4.6 An applicant or certified professional shall not produce, publish, create, or partake in the creation of any false, fraudulent, deceptive, or misleading advertisement.

5. Exploitation of Consumers

- 5.1 An applicant or certified professional shall not develop, implement, or maintain exploitative relationships with current or past consumers.

Discussion Rule 5.1: Ethical problems are often raised when a certified professional blends his or her professional relationship with a consumer with another kind of relationship. The nature of the consumer-professional relationship is such that the consumer remains vulnerable to the real or perceived influences of the certified professional. An applicant or certified professional who is in a position to influence a consumer's behavior may not impose their own desires upon the consumer.

Discussion Rule 5.2: In the event where the business partner of a certified professional becomes a consumer, the certified professional must provide proof of relationship before treatment. Proof would include documents such as a business license, tax returns, insurance receipt, or similar with the names of both the certified professional and the consumer, dated previous to the onset of treatment.

- 5.2 An applicant or certified professional shall not misappropriate property from a consumer.

An applicant or certified professional shall not enter into a relationship with a consumer which involves financial gain to the certified professional or a third-party resulting from the promotion or the sale of services unrelated to treatment.

Discussion rule 5.2: In the event where the business partner of a certified professional becomes a consumer, the certified professional must provide proof of relationship before treatment. Proof would include documents such as a business license, tax returns, insurance receipt, or similar with the names of both the certified professional and the

consumer, dated previous to the onset of treatment.

5.3 An applicant or certified professional shall not recommend to a consumer any unnecessary, treatment, procedure, product or service that would be a contraindication of their treatment goals, plans, outcomes or health exceptionalities. The applicant or certified professional will demonstrate due diligence and follow accepted practice principals when making treatment, procedure, product or service recommendations.

5.4 An applicant or certified professional shall not solicit gifts or favors from consumers.

Discussion Rule 5.5: When a certified professional "plays" or "preys" upon the consumer's gratitude for counseling services; or covertly or overtly implies or states that the consumer remains indebted to the certified professional and should "repay" him or her through gifts or other favors, their unique position of trust and responsibility with the consumer becomes jeopardized. Unsolicited gifts may be accepted as long as the monetary value of any gift does not exceed \$10.00 CAD.

5.5 An applicant or certified professional shall not offer, give, or receive commissions, rebates, or any other forms of remuneration for a consumer referral.

6. Safety & Welfare

- 6.1** When a condition of clear and imminent danger exists that a consumer may inflict serious bodily self-harm, an applicant or certified professional shall, consistent with federal and provincial confidentiality laws, take imminent steps to protect the consumer.

Discussion Rules 6.1 and 6.2: If during the course of treating a consumer, an applicant or certified professional becomes aware that a consumer:

- *intends or is likely to commit some act which may result in serious bodily harm to another person or persons and there is a clear and imminent danger of such harm occurring, the certified professional is legally responsible to immediately warn such persons; and/or*
- *intends or is likely to inflict serious bodily harm to himself or herself and that there is a clear and imminent danger of such harm occurring, the certified professional has a legal responsibility to imminently protect the consumer.*

In doing so, the certified professional should be aware that provincial and federal regulations set forth rules concerning the confidentiality of applicant-consumer or certified professional-consumer communications, consumer records, and identifying information.

In cases where the threat is of the commission of a crime on agency premises or against agency personnel, the rules may allow disclosure of the circumstances of the threatened crime and identity of the consumer directly to law enforcement officers.

In some instances, however, it may be necessary for the applicant, certified professional or their agency to make an emergency application to a court for an order permitting disclosure of information concerning the consumer or communications from the consumer before such information can be disclosed.

7. Records Management

- 7.1** An applicant or certified professional shall not falsify, amend, knowingly make incorrect entries, or fail to make timely essential entries into the consumer record.
- 7.2** An applicant or certified professional shall follow all Federal and Provincial regulations regarding consumer records.
- 7.3** An applicant or certified professional shall comply with all federal and provincial confidentiality laws.

Discussion Rule 7.3: Except as may otherwise be indicated in this Code, applicants and certified professionals are expected to refrain from revealing confidential information except as may be authorized by the consumer or required or authorized by law.

Applicants and certified professionals are expected to be familiar with and act in accordance with federal and provincial regulations concerning confidentiality of consumer records and identifying information.

8. Cooperation with the Board

- 8.1** An applicant or certified professional shall cooperate with a CACCF disciplinary investigation or proceeding.
- 8.2** An applicant or certified professional shall not attempt to prevent or interfere with a complaint from being filed or CACCF disciplinary investigation or proceeding to occur. Interference attempts may include but are not limited to:
- a.** the use of threats or harassment against, or an inducement to, any person in an effort to prevent or attempt to prevent a complaint from being filed, prosecuted or completed;
 - b.** the use of threats or harassment against, or an inducement to, any consumer or witness in an effort to prevent them from providing evidence in an investigation, disciplinary proceeding or any other legal action; and
 - c.** the willful misrepresentation of facts before the disciplining authority or its authorized representative.
- 8.3** An applicant or certified professional shall report any violation of the Rules by filing a formal Ethics Complaint with the CACCF. Complaints must be filed within no more than 30 calendar days of becoming aware of the violation.
- 8.4** An applicant or certified professional shall not knowingly file a false or misleading Ethics Complaint or information to the CACCF.
- 8.5** An applicant or certified professional shall comply with all federal and provincial confidentiality requirements when submitting any information to the Board.

Disciplinary Procedures

1. Confidentiality of Proceedings

- 1.1** Except as is otherwise provided herein, all information, notes, reports, transcripts, and any documentation of any kind generated or received during the course of an ethics investigation, including the ethics committee meetings and appeal hearings, shall be kept confidential by the CACCF.
- 1.2** At the initiation of an ethics investigation, the respondent is entitled to a full and complete copy of the ethical canon, and a summary of the complaint.
- 1.3** At the conclusion of an ethics investigation, the respondent is entitled to a full and complete copy of the:
- a.** Investigation Summary Report
 - b.** Ethics Committee's Recommendation for Action
- 1.4** At the conclusion of an ethics investigation:
- a.** The Ethics Committee will send a letter to the complainant stating that The Committee has examined the complaint, conducted a full investigation, and followed up with the respondent.
 - b.** Each person on the PRC will destroy all materials in their possession at the end of the review

process and that the only copies are held by CACCF at their head office.

2. Oversight and Conflict of Interest

- 2.1 The PCR Committee shall conduct investigative activities, including interviewing relevant persons and collecting and receiving evidence and other documents related to the case.
- 2.2 Should any member of the PCR Committee have a conflict of interest with any party to the case, the duties of said person shall be delegated and that person shall be recused from any involvement in the case, including investigation and sanction activities. A full board conflict, or in the case of a Board Member, shall be referred out to a third party investigator.
- 2.3 Should any member of the CACCF Executive Board of Directors have a conflict of interest with any party to the case, the person shall be recused from any involvement in the case, including case review, sanctioning, or voting activities.
- 2.4 The CACCF recognizes that there may be some cultural differences regarding the interpretation of the Code of Ethics. In cases where cultural norms are used as a defense against a complaint, the CACCF may seek the assistance of cultural leaders, teachers, elders, or others to assist in understanding the cultural norms in question. The CACCF will strive to be appropriately sensitive to cultural differences throughout the disciplinary process.

3. Code of Ethics Sanctions

- 3.1 Possible sanctions for violating the Code of Ethics include but are not limited to:
 - a. Written Reprimand
 - b. Summary Suspension
 - c. Consent Order
 - d. Suspension
 - e. Revocation
 - f. Denial of Application for Certification
- 3.2 The CACCF may impose any sanction deemed appropriate for the founded violation(s). There is not a requirement that sanctions are imposed in any particular order, or at all.

4. The Complaint Process

When CACCF is first contacted regarding a complaint about a CACCF Member, the complainant will be encouraged to resolve the problem through the mediation process as described in the next paragraph. If the complaint cannot be resolved informally, it may be necessary to initiate a formal review.

The Board of Directors of the CACCF reserves the right to temporarily suspend a membership and/or certification when it has been determined that exigent circumstances exist that necessitate a temporary suspension where the continuance of a membership and/or certification will put a person or the public at risk.

When a member is subject to another legal process as a result of a professional misconduct complaint, the Board of

Directors of the CACCF reserves the right to halt a Professional Conduct Review until the legal process has been exhausted.

4.1 **Mediation Process**

Complaints which are frivolous or malicious in nature are detrimental to the notion of professionalism in the addictions field and will be treated accordingly. This means that individual complainants will be encouraged to resolve the situation through a process of mediation with the counsellor or, where applicable, the counsellor's supervisor or employer, with or without legal advice provided by the complainant's legal counsel.

4.2 **Basis of Complaints**

Any complaint brought against a CACCF member must be based on a breach of one or more of the components of the CACCF Canon of Ethical Principles. For the purposes of a Professional Conduct Review, a complaint applies to both certified AND uncertified members.

4.3 **Filing a Complaint**

An individual may submit a complaint at any time in their lifetime that they feel appropriate to do so. There is no limitation on timelines.

- a. The individual complainant shall have knowledge of and file a complaint in writing, addressed to the Executive Director. Verbal complaints may be accepted in individual circumstances.
Note: In absence of the Executive Director, the Board of Directors of the CACCF may designate another person for the purposes of the Professional Conduct Review process. This person will be referred as a "Designate"
- b. The complainant must specify the exact nature of the complaint and provide all the details and substantiating evidence regarding the complaint. Describing the event and subsequent actions (did you tell someone else/not come back to work/etc) is sufficient evidence.
- c. The complaint must include a breach of at least one or more of the twelve components of the CACCF Canon of Ethics. As a complainant may not have the knowledge or the ability to determine what component of the Canon of Ethics is breached, this determination will be determined by the Executive Director or referred to the PCR Committee informally for clarification if necessary.
- d. Each written complaint must outline the efforts undertaken, if any, by the complainant to resolve the situation prior to filing the complaint.
- e. The written statement must include substantial information and facts about the complaint.
- f. Complaints must be signed by the complainant and include his/her name, address, and phone number. Complaints may be made anonymously.

Complainants should understand that the counsellor will be provided with a summary of

the complaint.

- g. If the complainant ceases or fails to participate in a review or investigation, the complaint may be dismissed.
- h. If the complainant withdraws their complaint, the Executive Director will ensure the withdrawal is made in writing.

4.4 Process and Filing of a Complaint

a) *Proper Filing*

Once the CACCF office receives a written complaint, the Executive Director will decide if it has been filed in the proper format within twenty eight (28) working days.

If a complaint has not been filed in the proper format, it shall be returned to the complainant with an explanation of why the complaint was not accepted and shall include recommendations to assist the complainant to comply with the PCR guidelines. Delays can be avoided by consulting with the CACCF Executive Director before submitting a complaint.

If the complaint has been filed in the proper form, the Executive Director will forward it to the respondent and all members of the PCR Committee within 10 working (10) days of the receipt of the complaint. The notice to the respondent should inform the respondent that the complaint was received, that the PCR Committee is reviewing it on a preliminary basis; that no action will be taken against the respondent without the respondent having the right to respond. The notice should also advise the respondent to seek legal advice.

- b) If the respondent (member who is subject of the complaint), refuses or does not reply within thirty (30) days after delivery of the correspondence of the complaint, the CACCF reserves the right to proceed in absentia.

An individual shall be considered notified three (3) days after the delivery of the documents by courier , registered mail, or email.

c) *Preliminary Review*

The PCR Committee will acknowledge receipt of the complaint to the complainant and shall meet within thirty (30) days of receipt of the complaint, to determine if the complaint should be investigated.

Please note: No investigation will take place if all appropriate avenues, if any, for informal resolution have not been explored, or if all the needed paperwork has not been received from the complainant. If the circumstances that created the complaint cannot be resolved informally, the PCR Committee may decide that a formal review is necessary.

d) *Formal Investigative Review*

The member or applicant or respondent who is the subject of the complaint (the respondent) will be notified immediately in writing that a formal investigative review is about to take place.

This response will be due in writing thirty (30) days of receipt of notification of the complaint.

Upon receipt of this written statement, the PCR Committee shall meet within thirty (30) days of receipt of the written response to determine if the complaint merits further investigation or dismissal.

The PCR Committee will notify the complainant and the respondent whether the complaint has been found to have merit or has been dismissed. This will happen within ten (10) working days of the PCR Committee's decision. If the complaint is found to have merit, then an investigative review will take place.

In the written statement, the respondent may choose not to contest the complaint and may waive the right to a formal investigative review. In such an instance, the Committee will recommend a course of action and forward the case to the Executive Director for action within thirty (30) days of receipt of this statement.

In the event the respondent feels they are not able to contest the complaint due to illness, or personal issues, and are able to provide documentation supporting such a claim, their membership and certifications will be suspended until they are able to contest the complaint.

In the case where a Third Party Investigator is being used, time lines in this document are suspended.

e) *Further Investigation*

A certified addiction professional appointed by the PCR Committee, and approved by the Board of Directors, conducts the investigation. Relevant information about the counsellor's conduct may be collected from various sources; client and agency records, employer, co-workers, clients or clients' families. A written summary of conduct concerns is prepared by the investigator and provided to the counsellor so that as the respondent, he/she may prepare a reply. Again, the counsellor/respondent should be advised to seek legal advice. The PCR Committee will review the results of the investigation and determine whether the complaint is with or without merit and the proper course of action.

f) *Decisions*

Within thirty (30) days of the completion of the review, the PCR Committee shall forward a letter to each respondent, as advised by the PCR. Decisions could range from a finding of not guilty, to a lifetime revocation of CACCF certification.

g) *Disposition*

The Executive Director shall review the reports and recommendations of the PCR Committee and shall within ten working (10) days of receiving the recommendations take the appropriate action as recommended by the PCR Committee.

In addition the Executive Director will:

- i. Ensure the complainant and the respondent are notified by courier, registered mail or email of the PCR Committee decision(s) as soon as practicable but no later than thirty (30) days of receiving the PCR Committee's decision.

An individual shall be considered notified three (3) days after the delivery of the documents by courier, registered mail or email.

- ii. Ensure compliance of the PCR Committee's decision and recommendations.
- iii. In cases where other dispositions require monitoring (documented supervision with a certified Supervisor/Counsellor, specific education/training, personal counselling), ensure compliance then document and file the appropriate dispositions.
- iv. Ensure the decision of the PCR Committee is properly documented in the Members file for a period of no less than ten (10) years.
- v. All written materials related to the complaint shall be maintained in the CACCF office for a minimum of ten (10) years. In some situations where there has been a major fiduciary breach, the records are held indefinitely.

h) Appeal(s)

The respondent whose membership and/or certification is suspended or revoked, or who has been reprimanded by the Executive Director or subject to other recommendations as directed by the PCR Committee, may appeal the decision to the President of the CACCF Board of Directors according to the "Appeals Process" as outlined below. The respondent must file an appeal within thirty (30) days of the notification of being notified of the PCR Committee decision.

The President of the Board of Directors of the CACCF may take any of the following actions after reviewing the appeal of the respondent:

- i. Uphold the decision of the PCR Committee.
- ii. Affirm the Certification Committee's procedures as valid.
- iii. Rule the Certification Committee's decision not valid based on improper or untimely procedures.
- iv. Reduce or increase the duration of a suspended membership and/or certification
- v. Order reinstatement of a revoked membership and/or certification
- vi. Impose a lesser penalty
- vii. Impose a greater penalty

The decision by the President of the CACCF in the appeal of a Professional Conduct Review is final.

i) *Follow Up*

An addictions counsellor whose membership is suspended or revoked or has conditions imposed or has undertaken a diversion agreement is monitored in accordance with the Committee decision or agreement

REINSTATEMENT: Counsellors who resign or have their membership revoked may apply to the CACCF Board of Directors for reinstatement but are still subject to a PCR.

Publishing Decisions: The PCR education plan includes, subject to obtaining the prior approval of the Board of Directors, publishing abridged versions of the decisions and reasons of the PCR Committee decisions and reasons in order to understand the PCR process and what is meant by unacceptable professional conduct in the field of addiction.

5. Professional Conduct Review Committee

The Board of Directors of the Canadian Addiction Counsellors Certification Federation shall appoint certified counsellors to serve as members of the PCR Committee. No members of the Executive Board of Directors may be appointed to this Committee. The Chair position must be a CACCF Board Member. In making these appointments, the Board will make good efforts to ensure a representative membership on this Committee: certification classification, type of treatment setting, and other demographic factors, including geographic locations.

When a complaint has been filed against a member, certified counsellor or an applicant for membership and/or certification, the Chairperson of the PCR Committee shall notify members of the Committee. The Chair will preside over this Committee and the Secretary of CACCF shall serve as ex-officio member ensuring accurate minutes of the proceedings. The Board of Directors, using procedures outlined in the CACCF by-laws, may replace members of the PCR Committee.

The Board of Directors shall adopt rules to govern the operation and activities of the PCR Committee. These rules will include provisions for travel and reimbursements for expenses incurred for committee business. Reimbursements will be in accordance with the general rules established by the Board of Directors of CACCF.

- a) Authority
The PCR Committee will have the authority to:
 - i) Investigate a complaint, mediating when possible;
 - ii) Determine the validity of the complaint;
 - iii) Dismiss invalid complaints;
 - iv) Conduct a hearing on complaints which appear to have merit;
 - v) Recommend a disposition for a valid complaint to the Executive Director or Designate.

b) Protocol

The PCR Committee will operate within the following parameters: The PCR Committee has

access to all the details of the complaint, and the relevant counsellor files at the CACCF office.

The PCR Committee will meet or act with the presence of quorum: three (3) voting members.

The PCR Committee will meet within 30 days after receiving notification of the respondent, in person or by teleconference, as determined by the Chair in consultation with the President and Executive Director of CACCF

Subject to publication of decisions and reasons in a CACCF publication, all information and communication pertaining to the disciplinary review process shall be held confidential by CACCF Board members, Executive Director, CACCF Staff Members, Certification Committee members, and PCR Committee members.

The PCR Committee may not meet nor take action without the presence of the Chair or his/her designate.

All written materials related to the complaint shall be maintained in the CACCF office. The PCR committee may request a continuance on the established time frames from the Executive Director. The PCR Committee may grant reasonable continuances to the complainant and/or respondent.

In the event the complainant withdraws the complaint, the PCR Committee reserves the right to proceed when, in their opinion, the circumstances of the complaint necessitate a continuance to protect the public and to maintain the integrity of the CACCF Canon of Ethics.

6 Reports to Other Agencies

- 6.1 If during the course of the investigation it appears that criminal misconduct has occurred, the PCR Committee or designee will report such allegations to the appropriate law enforcement agency.
- 6.2 If, during the course of the investigation it appears that provincial law, administrative code, or licensing requirements have been broken, the PCR Committee or designee will report such allegations to the appropriate federal or provincial agency, or other authority.
- 6.3 If the investigation results in sanctions, the PCR Committee or designee may report such findings to other licensing boards, certification boards and/or the employer.



(866) 624-1911
www.caccf.ca