



YUKON OSTEOPATHIC ASSOCIATION

Yukon Osteopathic Association Complaints Policy

The responsibility of the Yukon Osteopathic Association is to self-govern the practice of Osteopathy within the Yukon. First and foremost, the YOA is committed to providing safe, effective, and ethical treatment to all residents of the Yukon. In an effort to maintain this commitment, one of the roles of the Association is to resolve complaints involving practitioners fairly and effectively. If you are concerned about the conduct or care you have received from an Osteopathic Manual Practitioner, you have the opportunity to make a complaint to the Yukon Osteopathic Association.

Making A Complaint

Resolving a complaint is achieved by understanding the situation and circumstances surrounding the issue from both the complainant's perspective and the perspective of the practitioner. Notice of complaints to the Yukon Osteopathic Association are researched and reviewed thoroughly to ensure quality health care. Please provide as much information as possible to make sure the matter is clearly explained. Ensure that all the details provided are specific to your complaint. There is no requirement for you to have a lawyer to file a complaint. However, to be reviewed by the YOA, you must provide a complete complaint with all of the necessary information indicated in Section 1 of the YOA Complaints Procedure (below).

When A Complaint Is Received

As a first step in the investigative process, the practitioner identified in your letter will be provided with a copy of the complaint and asked to respond to the board. Once all necessary information has been collected, an investigation of the complaint will be conducted according to Section 2 of the YOA Complaints Procedure (below).

Expectations and Outcomes

The YOA tries to ensure that any problems identified, as a result of an investigation, will be corrected. The possible outcomes of an investigation may include:

- No further action may be taken if the evidence submitted does not support the complaint

- The practitioner may take corrective measures, either by further education or a restriction of practice
- Disciplinary action according to the YOA Bylaws

There are a significant number of situations where complaints arise due to misunderstanding or misinterpretation of the practitioner's actions or instructions. Should this be the case with a matter brought forward, the YOA may:

- Assist in communicating your concerns to the practitioner
- Bring the matter to the attention of the practitioner, ensuring corrective measures are in place

When the investigation has been completed, you and the practitioner will receive a decision in writing from the Yukon Osteopathic Association. The complaint process will not result in financial compensation to you as financial awards are outside the authority of the YOA.

Yukon Osteopathic Association Complaints Procedure

1. Receipt of Complaints

A. A complaint must be made in writing and must include:

1. the complainant's full name and contact information, including their address, phone number, date of birth, and signature;
 - Note: If you are making the complaint on behalf of the patient please provide the same information.
2. the name and contact information of the person(s) against whom the complaint is being made ("Respondent(s)"), as well as any other individuals who may have information regarding the complaint (ex. other practitioners, therapists, witnesses) and their contact information; and
3. a description of the events giving rise to the complaint in as much detail as possible, including the specific events of what occurred between you and the practitioner, the date and location of the incident(s), and any documents that are relevant to your complaint. Please indicate whether your complaint is regarding professional competence (ie. quality of care, medical records or reports) , inappropriate comments or conduct, or misrepresentation of a practitioner. Please include any actions taken to resolve the incident to date
 - Note: A copy of your complaint may be sent to any additional individuals noted in your description.

B. Complaints may be sent to the YOA by email or letter.

C. Upon receipt, the YOA shall forward the complaint to the Chair of the Complaints Committee ("Chair")

2. Investigation of Complaints

- A. The YOA board of directors will appoint members to the complaints committee from the YOA membership and, if necessary, from the CFO community, up to a maximum of five people. Committee members that have a conflict of interest shall recuse themselves from the committee.
- B. The Chair may delegate a member of the Complaints Committee to investigate the complaint or, in an appropriate case, may retain another investigator to do so (“Investigator”).
- C. The Investigator will contact the Complainant to:
 - 1. confirm that the Complainant understands the process and wishes to proceed with the complaint;
 - 2. ensure that the complaint contains all of the necessary information or, if not, request the complainant to revise it; or
 - 3. if appropriate, request that the Complainant provide any additional written information relevant to the complaint, or the names of people who may have such information.
- D. The Investigator will provide a copy of the complaint, and any additional written information, to the Respondent(s) and request a written response, including any relevant written information and, if appropriate the names of people who may have relevant information. The Investigator must specify a date by which the response must be submitted that is no less than one week after the date the complaint was provided to the Respondent(s).
- E. Upon receipt of the response, the Investigator may:
 - 1.
 - 2. contact the Complainant, the Respondent(s) and/or any of the people who may have information relevant to the complaint to gather further information.

- F. The Investigator shall prepare a report containing the complaint, the response, any written information, and a summary of any additional information the Investigator has obtained (Investigation Report).

3. Disposition of Complaints

- A. The Investigator shall submit the Investigation Report to the Chair. The Chair shall forward the Investigation Report to the Complainant and Respondent and provide with them an opportunity to make written submissions.
- B. Upon expiration of the deadline for responses, the Chair shall schedule a time for the Complaints Committee to discuss disposition of the complaint.
- C. The Complaints Committee may discuss the complaint with the Investigator, but the Investigator shall not participate in any deliberations by the Complaints Committee regarding disposition of the complaint.
- D. The Complaints Committee shall consider the complaint and make a recommendation to the Board for disposition of the complaint. If the Complaints Committee is unable to achieve consensus, the Committee may submit more than one recommendation to the Board.
- E. The Chair shall provide the investigation report to the Board, together with the recommendation or recommendations for disposition and any submissions from the parties.
- F. The Board shall consider the material provided by the Chair and determine the disposition of the complaint. Where the Board cannot achieve a consensus, disposition shall be determined by majority vote.
- G. Where the Board determines that the appropriate resolution is a special resolution for expulsion, the procedure for expulsion of a member as set out in Part 2.7.2 of the bylaws shall be followed.

H. The Chair shall notify the Complainant and Respondent(s) in writing of the disposition of the complaint.

Please email your application to:

yukonosteopathicassociation@gmail.com

Subject line: Complaint

Alternatively, you may mail your application to:

Yukon Osteopathic Association

PO Box 20406, Whitehorse, YT Y1A 7A2