



Interim Practice Directive 7: Requests for Citation

1. Purpose

This practice directive explains:

- who may request a citation;
- what the regulatory college (College) must file with the request;
- how the Director of Discipline (Director) reviews the request and decides whether to issue a citation;
- what happens if the Director issues the citation; and
- what happens if the Director does not issue the citation.

2. Authority

The Health Professions Discipline Tribunal (Discipline Tribunal) operates under the Health Professions and Occupations Act (HPOA). When this practice directive mentions a section number, it refers to a section in the HPOA, unless it says otherwise.

3. Scope and application

This practice directive applies to a request for citation made by a College and the steps that follow that request. If the College requests approval of a consent resolution at the same time it requests a citation, follow Practice Directive 8: Combined Request for a Section 139 Consent Resolution and a Request for a Citation for requirements in that circumstance.

4. Definitions

For this practice directive:

- **Citation:** a written citation issued by the Director under section 164.
- **Request for citation:** a regulatory college's request under section 136(2)(b) asking the Director to issue a citation.
- **Request package:** the documents and records filed with a request for citation under this practice directive.



5. Who may request a citation and how to file

5.1 Who may request a citation

Only a College may request a citation.

5.2 How to file

The College must file the request package in accordance with Practice Directive 6: Initial Request Submission Requirements.

6. What the College must file

When the College files a request for citation, the College must file a single request package that meets the filing requirements in Practice Directive 6: Initial Request Submission Requirements and includes:

- **Request for Citation:** a cover document that identifies the respondent, the College file reference (if any), the alleged misconduct with reference to the applicable section(s) of the HPOA, and reasons for the request.
- **Investigation Committee's assessment notice:** the investigation committee's assessment notice and any reasons directing the College to request a citation.
- **Proposed allegations:** the proposed allegations to be included in the citation following Practice Direction 7A: Registrar's Proposed Allegations.
- **Section 137 documents and records:** all documents and records described in section 137(1), and any identity protection order and reasons that section 137(2) requires.
- **Overview:** an overview of the allegations and the key evidence the College relies on; and
- **Identity Protection Order:** whether an identity protection order exists - if so, identify the order.

If the College discovers an error or omission after filing, the College must file a corrected document or record promptly and clearly identify what it replaces.

7. Director review

7.1 Changes to the proposed citation

If the Director requires changes to the proposed allegations, the Discipline Tribunal gives directions to the College that set out:



- the required revisions; and
- the deadline to file a revised proposal.

7.2 Director may request additional information

The Director may request additional information or submissions from the College, the respondent, the complainant, or another person who has an interest.

A person who receives a request under this heading must file the requested material by the deadline set by the Discipline Tribunal.

7.3 Timing and delay

The Director may delay deciding whether to issue a citation if:

- the substance of the matter to be heard is the subject of another proceeding; or
- the Director decides a delay is necessary to address changes to the proposed citation or an issue about varying an identity protection order.

If the Director delays a decision, the Discipline Tribunal notifies the College in writing and, where practicable, identifies the next procedural step.

8. College updates after filing

8.1 Summary protection orders and new evidence

After the College files a request for citation:

- if a summary protection order is made, the College must give the Director a copy of the order and the reasons, as section 138(1) requires;
- if new evidence becomes available, the College must give the Director all information and records related to the new evidence, as section 138(2)(a) requires.

If the investigation committee directs the College to request that the Director cancel a citation based on new evidence, the College must file that request promptly under section 138(2)(b).

9. Decision outcomes

9.1 Citation issued

If the Director issues a citation, the Director prepares the citation in writing and includes the information required by section 164(1):



- the respondent's name;
- the allegations made against the respondent;
- the date after which section 139 proposals for consent resolution may no longer be made, also called the Consent Resolution Deadline;
- the hearing date, time, and location (if applicable), and information about the hearing process; and
- the information required by section 164(1)(e) about proceeding in the respondent's absence.

The hearing date may be changed after the citation is issued.

9.2 Citation not issued

If the Director does not issue a citation, the Discipline Tribunal gives written notice to the College, the respondent, and to each person who has an interest in the discipline hearing.

10. Service and notices after a citation is issued

10.1 Service on the respondent

The Director serves the citation on the respondent in the prescribed manner, and as soon as reasonably practicable after giving a copy to the College.

Service methods and proof of service are addressed in Practice Directive 1: Filing and Service.

10.2 Notice to other interested persons

After serving the respondent, the Director gives written notice to each person who has an interest in the discipline hearing, other than the respondent and the College, as section 165 requires.

The Director gives this notice after serving the respondent with the citation, and no fewer than 14 days before the hearing date.