



## The Complaints Process - A Guide for Manitobans

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### Protecting the Public

As the professional regulatory body for doctors of chiropractic in Manitoba, the primary responsibility of the Manitoba Chiropractors Association (MCA) is to protect the public. To this end, the MCA utilizes a complaints process as empowered by legislation (The Chiropractic Act) to address allegations of unacceptable conduct and practice by any Manitoba chiropractor. After due process, a chiropractor may face disciplinary action for their conduct. Please note however, that the MCA does not provide any form of financial compensation related to a complaint. If you believe you may have a matter which entitles you to financial compensation, you are advised to seek legal advice. Any such claim would be directed to the chiropractor in question, and not to our Association.

### How Do Complaints Arise?

As a patient, you need to feel that you can talk to your chiropractor in an open and honest manner. This accessibility enables you and your doctor to discuss any problems or misunderstandings as they may arise. Poor communication is the most common element leading up to the lodging of a formal complaint.

If a problem or misunderstanding arises that cannot be resolved by consulting your chiropractor, you may file a complaint with the MCA. Most issues can be resolved by informing or educating the chiropractor, the patient, or both. However there are some situations that may require a more formal investigation and action.

In lodging a complaint, you are asking the Manitoba Chiropractors Association to examine the professional behavior and/or chiropractic care provided by a licensed chiropractor. Within this process, the standard of care may be reviewed and, if deficiencies exist they will be addressed.

### Complaints Process

In order for complaints to be considered by our Committee, they must be **forwarded in writing** and cannot be “anonymous”.

**To submit a complaint, please send your detailed complaint  
identifying the chiropractor involved  
with your full name, address, and telephone number to:**

Manitoba Chiropractors' Association  
Suite 610 – 1445 Portage Avenue  
Winnipeg, Manitoba R3G 3P4  
Fax: 204.942.3010

## **The Complaints Committee**

Legislation structures the Complaints Committee to be comprised of three individuals one of whom is a non-chiropractor lay member. The Complaints Committee members are keenly aware of their legislative responsibilities and strive to perform the following critical functions:

- Collecting facts and information from all parties involved in an official complaint;
- Providing a fair and unbiased outcome for complaints;
- Where appropriate, facilitating informal resolution agreements; and
- Protecting the public interest.

The MCA is responsible for investigating and resolving complaints about chiropractors. Upon receipt of a complaint, the MCA will:

- contact the chiropractor in question and provide him/her with a copy of the complaint.
- contact the complainant and /or other individuals who may have information relevant to the complaint.

The chiropractor in question will be required to provide the Complaints Committee with all relevant information and provide an explanation to the complaint. Because the committee is comprised of volunteers, the review of a complaint can take some time depending on the nature of the issue(s). Please note that all materials collected as part of the complaints process are confidential and cannot be released to the complainant.

Where an informal resolution can be achieved, the Complaints Committee will forward in writing the terms of such proposed resolution to all parties.

## **File Proceeds to Investigation**

If the Complaints Committee does not resolve the complaint to the satisfaction of the parties concerned, or if the complaint is of sufficient substance to merit further review, the Complaints Committee will ask the Board to appoint an Investigation Chair.

The Investigation Chair will review the file and may retain the services of experts to assist in the investigation. Once completed, the Investigation Chair prepares a report with recommendation to the Board:

- a) that no further action be taken; or
- b) That the matter be dealt with by an inquiry pursuant to the Chiropractic Act.

## **Inquiry Committee**

Where the Board directs that the matter be dealt with by an inquiry pursuant to section 43, an Inquiry Panel will be created to sit and hear the case. This process is similar to a Court of Law where witnesses will be called to give testimony. In an Inquiry, the prosecution (the MCA) and the defense (the member) are entitled to attend with legal counsel. Where the member is found by the Inquiry Panel to be guilty of professional misconduct, conduct unbecoming a member, professional incompetence or to have demonstrated incapacity or unfitness to practice chiropractic, the Board will take such action as prescribed in section 47 of the Act.

## **Questions?**

The Association would be happy to answer any questions you may have about the complaints process. Contact the MCA at Tel. (204) 942-3000.