

Kahnawake Health Care Profession Law

Regulation II

Complaints against Health Professionals Practicing under a Community Organization Permit

- 1.1 In the event a person wishes to lodge a complaint against a health professional practicing under a Community Organization Permit, they will send a letter of complaint to the Community Organization for whom the professional works.
- 1.2 The Community Organization will contact the complainant and explain to the complainant the internal complaint policy that will be used to deal with the complaint.
- 1.3 If at the end of the complaint procedure, the complainant is dissatisfied with the outcome, the complainant may request that the Onkwata'karitáhtshera Committee review the complaint.
- 1.4 The Onkwata'karitáhtshera Committee will review the complaint and make their recommendations to the Mohawk council of Kahnawá:ke.

Complaints against Health Professionals Practicing under a Private Permit

- 2.1 In the event a person wishes to lodge a complaint against a health professional practicing under a Private Permit, they will send a letter of complaint to the Permit Inspector.
- 2.2 The Permit Inspector will, within five (5) working days of having received the letter of complaint acknowledge receipt of the letter and forward the letter to the Onkwata'karitáhtshera Standing committee.
- 2.3 The Onkwata'karitáhtshera Standing committee will first determine whether the complaint should also be forwarded to the relevant professional order, to the Kahnawake Peacekeepers or to any other body within or outside the Territory.
- 2.4 The Onkwata'karitáhtshera Standing committee will confirm in writing receipt of the complaint to the Complainant.

- 2.5 A copy of the complaint will be forthwith transmitted to the Permittee who is the object of the complaint.
- 2.6 The Onkwata'karitáhtshera Standing committee will examine the complaint within forty-five (45) days. This period may be prolonged at the discretion of the Onkwata'karitáhtshera Standing committee. The Complainant will be informed of any such extension.
- 2.7 The Onkwata'karitáhtshera Standing committee will decide within 7 days of receipt of the complaint whether or not to take the complaint to a hearing. The Onkwata'karitáhtshera Standing committee will study any relevant documents and shall hear any testimony it considers useful. Should a hearing take place, both the Permittee and the Complainant will be informed of the time and place of the hearing and both parties will be provided an opportunity to express their views.
- 2.8 The Onkwata'karitáhtshera Standing committee will give the Permittee and the Complainant (7) working days notice of the hearing. The Permit Inspector will serve the required notice form personally or by registered mail to the Permittee at the address shown in the Permit application and to the Complainant. If either party does not appear at the hearing after having been served, an exparte decision will be issued.
- 2.9 As soon as the hearing has taken place, the Onkwata'karitáhtshera Standing committee will render its recommendations in the form of a report to the Permit Inspector. The Permit Inspector will within five (5) working days of having received the report, issue a copy of the report to the Permittee, the Complainant and the Mohawk Council of Kahnawake.
- 2.10 If the Permittee or the Complainant is dissatisfied with the outcome of the recommendations, either party can within ten (10) days of having received a copy of the recommendations, request that Onkwata'karitáhtshera review the recommendations.
- 2.11 Onkwata'karitáhtshera will review the recommendations of the Onkwata'karitáhtshera Standing committee, within fifteen (15) days of having received the abovementioned request.
- 2.12 Onkwata'karitáhtshera may uphold, revoke or vary the Onkwata'karitáhtshera Standing committee's recommendations and their decision will be final. Onkwata'karitáhtshera will forward their decision to the Permittee, the Complainant, the Permit Inspector and to the Mohawk Council of Kahnawá:ke.