

COMPLAINTS COMMITTEE

Policy Title	Policy Number
Cost Recovery	CC-5
	Date of Approval
	July 17, 2013
Responsible Authority	Date of Revisions
CMLTM Council	Reviewed (no changes) March 4, 2015 Revised June 21, 2017
Complaints Committee	Page(s)
	1 of 2

The Complaints Committee may order cost recovery for expenses which occur out of monitoring compliance to a maximum as outlined in the Medical Laboratory Technologist Act.

In cases where a member has entered into an agreement with the College, he or she may be responsible to pay all or part of the costs incurred by the College in monitoring compliance with the conditions imposed on his or her right to practice medical laboratory technology. The Complaints Committee may also order a member to pay all or part of the costs of an investigation.

The following are costs which may be recovered (but not limited to),

- Fees and expenses for experts, investigators and auditors whose reports or attendances were reasonably necessary for the investigation,
- Fees, travel costs and reasonable expenses of any witnesses required to appear,
- Fees for retaining a reporter and preparing transcripts of the proceedings, and
- costs of service of documents, long distance telephone and facsimile charges, courier delivery charges and similar miscellaneous expenses;
- Expenses reimbursed to members of the Council or the Complaints Committee;
- Costs incurred by the College in providing Legal Counsel for the College and the Committee or the Council, whether or not Counsel is employed by the College.

When considering cost recovery, the following factors shall be considered:

- Complaint history of the member including previous cost orders issued to the member;
- Cost orders given in similar cases;
- Whether some or all of the allegations made against the member have been proven;
- Aggravating or mitigating factors in the investigation, monitoring, or appeal process;
- Cooperation or lack of cooperation from the member throughout the process.

Where a decision of cost recovery is made, the Complaints Committee or the Council, as the case may be, shall fix a deadline for the payment of the costs to the College, and may make any order as to payment terms as it deems just including the consequence(s) of nonpayment.