

COLLEGE OF DIETITIANS OF BRITISH COLUMBIA

COMPLAINT OUTCOME REPORT

lc06/Case 0602.complt outcome rpt.June 30 06 final (2)

CASE #06-02

Complaint

On March 28, 2006 the Registrar received a telephone call from a former registrant who had not received registration renewal information for the 2006/07 year and realized that he/she had not renewed registration on April 1, 2005 for the 2005/06 year. The former registrant stated that the lack of renewal was an oversight and expressed sincere apologies. The former registrant renewed 2005/06 registration for the three days remaining in the fiscal year and paid the 2006/07 registration renewal fee. The registrant is employed in dietetic food administration and admitted using the protected title "dietitian" over the past year while not registered.

Investigation Process

In accordance with section 33(4) of the *Health Professions Act* (HPA), the Committee, on its "own motion", may investigate a registrant regarding a contravention of the Act, regulations or bylaws. Using a reserved title and practicing without registration contravenes the HPA and the Dietitians Regulation.

Because the registrant was practicing without registration for approximately six months past the current "late registration" date of September 30, legal counsel recommended bringing the matter to the attention of the Inquiry Committee. The registrant's information was provided by the Registrar.

Resolution of Complaint

The Inquiry Committee discussed the matter on June 6, 2006. The Registrar provided information from the registrant regarding practicing dietetics without registration between April 1, 2005 and March 28, 2006 and using the reserved title of "dietitian." The Committee noted that bylaw 54 requires a registrant to notify the college of any change of contact information. On its "own motion", the Committee determined that the registrant had contravened section 13(4) of the *Health Professions Act*, section 4 of the Dietitians Regulation and section 54 of the CDBC bylaws.

Committee members understand that the registrant's action was unintentional and likely resulted from an incorrect email address provided to the College. Because of this, the registrant would not have received registration renewal information last year or this year.

After considering the information provided by the registrant and sections 33(6)(c) and 36(1)(a) of the Act, the Inquiry Committee asked the registrant to sign an Undertaking that acknowledges using the reserved title "dietitian" and practicing dietetics while not registered, and an agreement not to repeat. In accordance with section 62 of the CDBC bylaws, the Undertaking will be stored in the registrant's file for six years, until June 15, 2012.

As required, the case outcome was reported to the Board. The signed Undertaking was received on June 27, 2006. The Outcome Report will be published for registrant information and education.

Legislative Authority for Inquiry Committee Actions

Health Professions Act, sections 33(4)(a), 33(6)(c) and 36(1)(a).