

REGISTRATION AND/OR LICENSING DECISIONS AND APPEALS

AUTHORITY

In accordance with *The Speech-Language Pathologists and Audiologists Act*:

Delegation and Appeal

20(3) Where:

- (a) pursuant to subsection (1), the council has delegated to the registrar the power to do a thing mentioned in that subsection; and*
- (b) a person is aggrieved by a decision of the registrar made in accordance with a delegated power; the person may ask the council to review the decision of the registrar.*
- (4) On a review pursuant to subsection (3), the council shall hear the review and may:*
 - (a) direct the registrar to exercise the power in a manner that the council considers appropriate; or*
 - (b) confirm the registrar's decision.*
- (5) On a review pursuant to subsection (3), the person aggrieved by the decision of the registrar has the right to appear in person before the council in support of the application.*

Notice of Decision of Council

21 The council shall cause the applicant to be informed in writing of its decision pursuant to subsection 20(4).

In accordance with *The College of Speech-Language Pathologists and Audiologists of Saskatchewan Regulatory Bylaws*:

Notice and hearing

22 Pursuant to subsection 20(4) of the Act, an applicant who wishes to request that council conduct a review of a decision of the registrar respecting an application for registration or licensure, must file a written notice of appeal that sets out the grounds on which the applicant alleges that the registrar's decision is in error and is:

- (a) addressed to the council;*
- (b) received at the CSASK office within 30 days after the registrar's decision has been served on the applicant; and*
- (c) accompanied with any documentation necessary to support the allegation.*

In accordance with *The Labour Mobility and Fair Registration Practices Act:**

Internal review or appeal

- 11(1) A regulatory body shall provide a process for an internal review or appeal of a registration decision refusing to register an applicant or registering an applicant with any restrictions, limitations or conditions, within the period determined by the minister, after written reasons for the registration decision are provided to the applicant.*
- (2) A regulatory body shall provide an opportunity for the applicant to make submissions orally, in writing or by electronic means.*

(3) A regulatory body shall ensure that no person who participated as a decision maker with respect to a registration decision participates.

** Note: The Labour Mobility and Fair Registration Practices Act applies only to labour mobility applicants and internationally-trained applicants.*

POLICY

Individuals who are dissatisfied with a registration decision have the right to appeal the decision in accordance with the provisions set out in the following legislation:

- Section 20 and 21 of [The Speech-Language Pathologists and Audiologists Act](#)
- Section 22 of [The College of Speech-Language Pathologists and Audiologists of Saskatchewan Regulatory Bylaws](#); and
- Section 11 of [The Labour Mobility and Fair Registration Practices Act](#).

PROCEDURE

A review by council of a delegated decision is a review of the facts of each case in the context of the Act, the bylaws and the policies of the college to ensure that the delegated decision was properly made, based on the information provided to the Registrar or the Registration and Licensing Committee.

Notice of Appeal

- Individuals may request a review of the registration decision by submitting a written request¹ within 30 days from the date of being notified of the registration decision. Requests should be submitted to the CSASK office and must specify the reason for requesting a council review of the registration decision. The appellant should clearly:
 - Specify the decision in respect of which the review is requested.
 - Explain the reasons for their objection to the decision, referencing the grounds for refusal where applicable, and specifying the desired outcome of the review. Additional documents/evidence to demonstrate that they satisfy the registration requirements may be submitted.
- Any new information that was not made available to the Registrar or the Registration and Licensing Committee prior to making the decision in respect of which a review is requested must first be submitted to the Registrar or the Registration and Licensing Committee for review.

Initial Review

- After reviewing any new information submitted, the Registrar or Registration and Licensing Committee may either:
 - reverse its original decision, in which case the review by council will not be necessary and will not proceed; or
 - confirm its original decision, in which case the review by council will proceed.
- Where a review proceeds, the CSASK staff shall provide the members of council with only the appellant's name and, if applicable, the name of the appellant's supervisor, support persons and proposed witnesses, so that members of council who may have a conflict of interest will be able to declare it in advance.

¹ Registrants who require accommodation (e.g. requesting to submit an oral appeal) should contact CSASK.

- The CSASK Council will acknowledge receipt of the appeal by email and, if requested, provide the applicant with an opportunity to make a verbal presentation to the board.

Appeal Hearing

- The appellant may choose to be represented by legal counsel or to have a support person present at the hearing. A support person is there to provide support and/or to speak on the appellant's behalf in making their representations to council as to why the Registrar's or the Registration and Licensing Committee's decision under review is not correct.
- In rare circumstances, witnesses may be permitted to attend. Witnesses are only able to speak to facts within their knowledge. In advance of the hearing being scheduled, the appellant will be required to provide a brief summary of the nature of the evidence the proposed witnesses would provide and the council will determine whether those proposed witnesses should be heard.
- The CSASK staff shall contact the appellant, members of council, legal counsel for the college, and any other representative on the appellant's behalf, to arrange a date for the appellant to appear before the council as required by subsection 20(4) of the Act.
- Any council member involved in the registration decision shall not participate in hearing the appeal. The council's role in a review/appeal is to review the rationale and outcome for the decision and assess whether the decision was reasonable.
- To assist the council in its review, the Registrar and/or the Registration and Licensing Committee shall prepare a written report for council identifying the decision in respect of which the review was requested, summarizing the relevant facts and briefly explaining the rationale for the decision.
- The Registrar and/or the Registration and Licensing Committee shall make their report available to the appellant and council at least one week prior to the day scheduled for the appellant's appearance before council.
- At the appellant's appearance before council, Registrar will provide a brief oral summary of their written report.
- The Appellant, or legal counsel or other representative on the appellant's behalf, may provide a submission to the council, in writing or verbally or both, as to why the delegated decision should be reversed.
- The council will hear from witnesses that have been approved and there will be an opportunity for the council and the Registrar to ask questions for clarification purposes.
- At the conclusion of the appellant's appearance before council, the council will deliberate in camera. The council will notify the appellant and the Registrar and/or the Registration and Licensing Committee of the decision of the council and supporting reasons in writing as soon as possible thereafter.