



TRANSPARENCY BACKGROUND

College of Midwives of Ontario

1. Origins of the Transparency Initiatives

1.1. AGRE Transparency Initiative

In 2012, the colleges of [dental surgeons](#), [optometrists](#), [pharmacists](#), [physicians](#), [nurses](#) and [physiotherapists](#) formed a new collaborative group: the Advisory Group for Regulatory Excellence (AGRE) with the purpose of making recommendations for changes to the Ontario health professions regulatory framework to enhance public protection. This work was prompted by a series of prominent articles launched by the Toronto Star criticizing health regulators for a lack of transparency.

AGRE partners compared processes among Ontario's health regulatory Colleges and conducted a survey to better understand the type of information the public would find useful when making decisions related to their health care. The survey results (aka Pollara Report) showed that:

- The public wants **similar information about different health care professionals**;
- The public considers it important to have information about the conduct and practice of members of the profession. The most important pieces of information to the public are **criminal convictions, registration/license status, and complaints that resulted in formal disciplinary and/or educational action**;
- As the severity of the outcome increases, so does the importance of the outcome on the decision of the public to receive care from the health care professional;
- The public does not want a lot of information, but does **want to know basic details**.

AGRE used the survey results to develop a recommended two-phased approach for the implementation of changes and the disclosure of specific information regarding decisions and processes to the public.

Phase 1 focused primarily on enhancing the consistency and clarity of existing information including notices of discipline committee hearings, publicly available criminal findings of guilt and criminal charges, certain bail conditions, and the identity of non-members who are practicing illegally.

Phase 2 focused specifically on the potential provision of information relating to outcomes of the College's Inquiries, Complaints and Reports Committee (ICRC).

1.2. Government Requirement

In October 2014 transparency was brought to a new level when the Minister of Health and Long-Term Care, Dr. Eric Hoskins, sent a letter to all health regulatory Colleges outlining his commitment to enhanced regulatory transparency and requiring all health regulatory colleges to respond with their plans to enhance transparency. He expressed hope that the colleges would work collaboratively with the Ministry to implement transparency steps to "maintain the public's trust in Ontario's health care system". At the same time, the Minister noted: "I reserve the right to take any and all necessary measures to ensure that the public interest remains paramount, including exercising the powers reserved to me under ... the RHPA including the ability to require Councils to do anything that, in my opinion, is necessary or advisable to carry out the intent of the RHPA and the health profession Acts."

CMO responded with a letter, approved by Council at its November meeting, outlining the College's transparency-related current and future initiatives. At the same meeting, Council amended the CMO's strategic plan to make transparency a key strategic priority. In subsequent months, the College's Investigations, Complaints and Reports Committee (ICRC) and Registration Committee held "transparency" meetings and made decisions on what they will recommend to Council.

1.3. Creating Foundation for Transparency Decisions

At early stages of its transparency work, AGRE decided that all recommendations for change would be based on a common set of principles. These principles, known as Transparency Principles, and all further work on transparency has been developed collaboratively, based on evidence collected and reviewed by the AGRE working groups.

Evidence included reviews of the current practices of Ontario health regulators; the current practices in other jurisdictions and with other professions; and recent legislative initiatives in Ontario geared towards enhancing transparency of professional regulation (e.g. the Protecting Students Act, 2014, the Legal Profession Act, 2013, and Enhancing Patient Care and Pharmacy Safety Act, 2013). These legislative initiatives are reflective of society's changing expectations for transparency as it relates to the regulation of professions.

At its November meeting, the CMO's Council accepted the Transparency Principles to serve as the foundation for further work. All other Ontario health regulators have adopted Transparency Principles.

Principle 1: The mandate of regulators is public protection and safety. The public needs access to appropriate information in order to trust that this system of self-regulation works effectively.

Principle 2: Providing more information to the public has benefits, including improved client choice and increased accountability for regulators.

Principle 3: Any information provided should enhance the public's ability to make decisions or hold the regulator accountable. This information needs to be relevant, credible and accurate.

Principle 4: For information to be helpful to the public, it must: (a) be timely, easy to find and understand; (b) include context and explanation.

Principle 5: Certain regulatory processes intended to improve competence may lead to better outcomes for the public if they happen confidentially.

Principle 6: Transparency discussions should balance the principles of public protection and accountability, with fairness and privacy.

1.4. Risk Assessment Framework for ICRC Outcomes

To support a collaborative risk-based approach to the identification of what additional information will be provided to the public about college members, a risk framework was developed by AGRE partners. The risk framework identified that under the current provisions, only high-risk matters (e.g. referral to discipline) were available to the public. Based on the commitment already made to provide more information about members to the public, the AGRE partners came to consensus that:

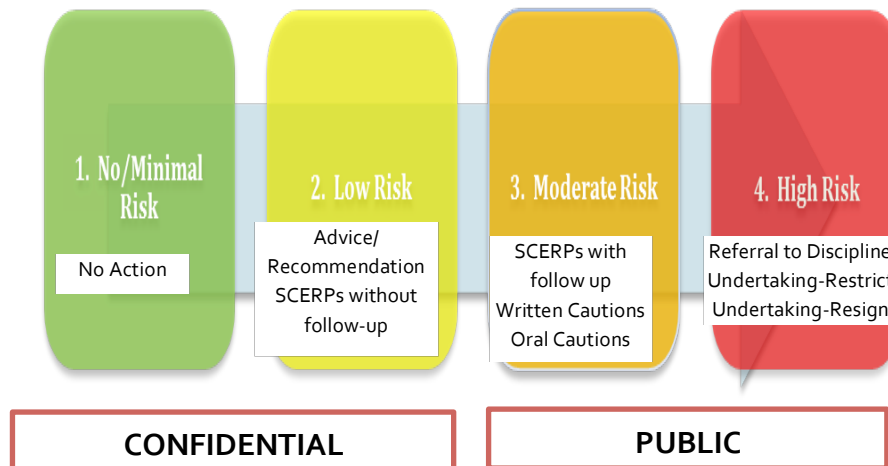
1. No Action; Advice; Recommendation; and Remedial agreement will still remain confidential.
2. Oral Cautions, SCERPs, Undertakings that Restrict Practice that are currently confidential will become public.
3. Undertakings to Resign, Referrals to discipline, Interim orders that are already public will remain public.

In February, Council agreed that the risk assessment framework developed by AGRE would serve as the foundation for Council's further work. All other Ontario health regulators have adopted this framework.

Current Model:



New Proposed Model:



1.5. The CMO's Public Register

Section 23 of the Health Professions Procedural Code (the Code) requires colleges to post certain information about members on the public register. Additionally, the CMO Register by-law (section 15.02) makes additional member information public.

Transparency Backgrounder

Current	Proposed Additions
Information made public pursuant to the Section 23 of the Code	CMO has identified possible additions to the public register that are also being considered/were approved by other health regulators.
✓ Name, business address, etc.	✓ Findings of guilt
✓ Class of registration and status	✓ Charges
✓ TCLs in effect/revocations/suspensions	✓ Bail conditions
✓ Referrals to discipline	✓ Registration history with other regulators
✓ Results of discipline and fitness hearings	✓ Alternate Practice Arrangements
✓ Findings of professional negligence	✓ Names of second birth attendants
✓ Undertakings to resign and never reapply	✓ Past practice locations
✓ Information that is required to be kept in the register in accordance with the by-laws	✓ SCERPs (with a monitoring component)
Additional member information pursuant to CMO Register by-law	✓ Written Cautions
✓ Finding of professional misconduct, incompetence or incapacity made by another regulatory body in or outside Ontario	✓ Oral Cautions
✓ Name of each hospital, birth centre and health facility in Ontario when member has privileges	✓ Resignations while under investigation

2. Findings of Guilt

A finding of guilt is a ruling made by a judge. A judge will make a finding of guilt in one of two situations: (1) an accused had pled guilty and accepts facts that amount to a criminal offence; (2) the Crown has proven at a trial that an accused committed a criminal offence. Except in certain cases, if a judge makes a finding of guilt, the judge will give the offender a sentence. Depending on the type of sentence given, the judge may also register a conviction against the offender.

- Is by-law change needed in order to ask the member to provide the info?
 - X No, already in section 15.05 (b) of the by-law (members provide information with respect to criminal findings made against them after June 4, 2009)
- Is by-law change needed to make the information public?
 - ✓ Yes

2.1. Recommendations from Council

1. Publish all criminal findings or findings under the *Health Insurance Act* or the *Controlled Drugs and Substances Act* against members, **made on or after March 1, 2016.**

2. If finding is under appeal include notation of that fact until appeal concluded. If criminal finding overturned then remove entire notation (unless member wants the fact of the finding having been overturned to stay on the register for a period).
3. If the Member is pardoned, add a notation to that effect.

Proposed by-law wording:

15.02 – Additional Public Register Information

In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:

...

(p) where a criminal finding or a finding under the Health Insurance Act or the Controlled Drugs and Substances Act was made against the Member on or after March 1, 2016,

- I. a notation of that fact,
- II. a summary of the finding and penalty,
- III. the date of the decision,
- IV. where the finding or penalty is under appeal, a notation to that effect until the appeal is finally disposed of,
- V. any such summary shall be removed if the decision on finding and penalty is overturned or if the Member is pardoned, unless the Member wishes the summary and fact of successful appeal to be maintained on the register for a period,
- VI. no information shall be included in contravention of a court-imposed publication ban known to the College;

3. Charges

Charge is a formal accusation made by a governmental authority asserting that an individual has committed an offense. This is a preliminary step to prosecution.

The justice system can sometimes take a very long time to proceed. Charges may be pending against a person for years before there is an actual disposition. The public would like to know if a midwife has been charged with an offence.

Many would argue that posting charges goes against the presumption of innocence. The presumption of innocence, however, does not imply that charges must be secret. And in fact they are not. Charges and court records are considered public records and access is readily available at the court records room where the charges were brought and where the trial occurred. This information is also available online through searchable public record databases. Moreover, every day the news includes items about people who have been arrested and charged with offenses but who have not yet had their day in court.

- Is by-law change needed in order to ask the member to provide information relating to criminal charges against them?
 - ✓ Yes
- Is by-law change needed in order to make the information public?
 - ✓ Yes

3.1. Recommendations from Council

1. Publish all criminal charges or charges under the Health Insurance Act or the Controlled Drugs and Substances Act that are laid by police against the member **on or after March 1, 2016**.
2. The information would be removed either after an acquittal or a criminal finding which would replace the fact of the charge on the public register.

Proposed by-law wording

15.02 – Additional Public Register Information

In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:

...

(q) where a criminal charge or a charge under the Health Insurance Act or the Controlled Drugs and Substances Act was laid against the Member on or after March 1, 2016:

- I. a notation of that fact,
- II. a summary of the charge including the date it was laid,
- III. any such summary shall be removed if the Member is acquitted, the charge is withdrawn or the charge has been superseded by a finding,
- IV. no information shall be included in contravention of a court-imposed publication ban known to the College;

4. Bail Conditions

Bail is written permission from a court, allowing a person charged with an offence to be out of jail while they wait for their trial, or some other result in their case (such as a guilty plea or a withdrawal of their charges).

Bail conditions are those restrictions on a person who has been charged with an offence; they stay in place until the trial has occurred (or the charges are dropped).

- Is by-law change needed in order to capture information from members about bail conditions?
 - ✓ Yes

- Is by-law change needed in order to make the information public?
 Yes

4.1. Recommendations from Council

1. Post bail conditions (complete wording) that are in place **on or after March 1, 2016**.
2. Put onus on member to update when bail conditions are removed.
3. Remove from public register when bail conditions no longer in place.

Proposed by-law wording:

15.02 – Additional Public Register Information

In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:

...

(r) a summary of any currently existing conditions or restrictions, including effective date, relating to the custody or release of the Member imposed by a court or other lawful authority on or after March 1, 2016, excluding any information that would contravene a court-imposed publication ban known to the College;

5. Registration History with Other Regulators (inside or outside Ontario)

- Is by-law change needed in order to make info public?
 Yes, if the College wants to include the simple fact of registration elsewhere (discipline history in other jurisdictions is already captured by section 15.02(k) of by-laws)
- Is by-law change needed in order to capture the info?
 No, if the College changes the by-law that makes the information public (because the CMO by-law section 15.05(a) says members must provide info to CMO that CMO is required to maintain in register)

5.1. Recommendations from Council

1. Post all known current or past licenses to practice in Ontario or other jurisdictions or professions on the public register, if public in other jurisdictions.
2. Information will be posted starting March 1, 2016 for new and current members
3. A member should update the College when status in other jurisdiction changes.

Proposed by-law wording:

15.02 – Additional Public Register Information

In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:

...

(s) the Member's registration or licensure history in any profession in any jurisdiction to the extent that the information is publicly available in that other jurisdiction;

6. Past Practice Locations

Currently, CMO makes public each member's current practice location. Including past location on the public register would allow public to contact appropriate practice for charts; would allow public and CMO to better keep track of locums. It would also make member's practice history more accurate and complete.

- Would by-law change be needed to capture information?
 - x Technically no, since by-law 15.05(f) requires members to advise CMO of "all other places where the Member practices midwifery"; should theoretically capture historical places of practice but only if member has routinely updated CMO
 - ✓ But would be clearer if 15.05(f) said "...where the Member does practise or has practised midwifery..."
- Would by-law change be needed to include information on public register?
 - ✓ Yes, currently by-law only lists current practice locations

7.1 Recommendations from Council

1. Post past practice locations for all members and relevant dates when they were at those practices
2. Clarify if past position was as locum/associate/partner/etc.

Proposed by-law wording:

15.02 – Additional Public Register Information

In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:

...

(t) all past midwifery practice locations in Ontario, including the Member's position at that location (e.g., sole proprietor/associate/locum);

7. Alternate Practice Arrangements

The Alternate Practice Arrangement (APA) program has been developed by the College to support inter-professional care models and in response to requests from midwives for flexibility in the delivery of midwifery care. It is intended to support those midwives who have innovative proposals to contribute to the health care needs of their community, or who require flexible work options to remain in the profession. Currently there are two types of APAs. Applications for both types are reviewed and approved by the CMO staff.

Type 1: A midwife or midwifery practice works within a modified primary care model with other health care professionals and/or;

Type 2: A midwife or midwifery practice works with a with a second birth attendant who is not a registered midwife (See separately under **Section 8: Second Birth Attendants**).

- Would a by-law change be needed to make APA Type 1 information public?
 - ✓ Yes
- Would a by-law change be needed to capture the information from members?
 - ✓ No, CMO already has information because it approves all APAs

7.1. Recommendations from Council

Publish a summary of any Alternate Practice Arrangement approved by the College.

Proposed by-law wording:

15.02 – Additional Public Register Information

In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:

...

(u) a summary of any Alternate Practice Arrangements approved by the College with respect to the Member;

8. Names of Second Birth Attendants

The Second Birth Attendant is someone (other than an Ontario registered midwife) who is authorized by the CMO to assist at midwife-attended births. Second Birth Attendants are approved through the CMO's Alternate Practice Arrangement (APA) program (see section 7) and fall under APA Type 2: a midwife or midwifery practice works with a with a second birth attendant who is not a registered midwife. A second birth attendant is not permitted to provide prenatal or postpartum care

beyond the “immediate” postpartum period.

- Would a by-law be needed to capture the information?
 - X No, already have authority to get info pursuant to 15.5(h) - names of member’s “employees” to be provided to CMO
- Would a by-law change be needed to make the information public?
 - ✓ Yes

8.1. Recommendations from Council

Publish the names and designations of all current second birth attendants, starting **April 1, 2016**.

NOTE: Members must provide the CMO with a written consent of a second birth attendant to publish their name on public register.

Proposed by-law wording:

15.02 – Additional Public Register Information

In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:

...

(v) the names and designations of all current second birth attendants who work with the Member;

9. Specified Continuing Education or Remediation Program

ICRC may order a **Specified Continuing Education or Remediation Program (SCERP) with a monitoring component** when a serious concern requiring a midwife to upgrade her skills has been identified. At present, SCERPS are confidential and are issued when the ICRC believes that the member may benefit and change their conduct through remediation. Recipients of Letters of Professional Conduct, however, are privy to a member’s SCERP details. Once a SCERP is completed, it is removed from a Letter of Professional Conduct.

9.1. Recommendations from Council

SCERPs requiring follow-up are usually issued for cases involving moderate risk conduct. As such, the Council believes SCERPs that include a monitoring component should be posted on the public register going forward. Such a change will require an amendment of the College's by-law.

NOTE: SCERPs that do not include a monitoring component are generally reserved for conduct of low risk and should remain confidential. No change to the College by-laws is required.

General Information	<p><u>Publish</u> a 'barebones' summary of the matter which includes:</p> <ol style="list-style-type: none"> a) The summary topic of the conduct in question (e.g. communication issue, clinical concern, etc.), b) The number of clients affected by the Member's conduct, c) The date of the Panel's decision, d) The date the SCRP was completed to the satisfaction of the Registrar. <p><u>Do not publish</u> whether this investigation arose from a complaint, mandatory report, or Registrar's Investigation.</p>
Duration on the Register	<p><u>Publish</u> on the public register within 5 days of mailing and emailing the signed decision to the parties.</p> <p><u>Remove</u> from the public register the later of:</p> <ol style="list-style-type: none"> a) date the SCRP was completed to the satisfaction of the Registrar, or b) 2 years from the date the SCRP was issued.
Appeals	<p><u>If the ICRC's decision is appealed to HPARB</u>, the College will publish a note on the public register that the ICRC's decision is under appeal.</p> <p><u>If HPARB overturns the ICRC's decision</u>, the College will publish a note that the ICRC's decision was overturned by HPARB. The College will also remove the summary information about the case from the public register. The College will also provide a link to the HPARB decision on the public register. The Member may request in writing to the College to have the information about the SCRP removed from the public register if the decision does not include any other public dispositions that were upheld.</p> <p><u>If HPARB returns the matter for reconsideration by the ICRC</u>, the summary information will remain on the public register until the ICRC reconsiders the matter. The College will provide a note on the public register that the decision to issue a SCRP is suspended until the ICRC reconsiders that matter. The College will also provide a link to the HPARB decision on the public register.</p> <p><u>Judicial reviews</u> would work in the same way as HPARB appeals.</p>
Effective Date	Cases opened after March 1, 2016.
Proposed by-law wording	<p>15.02 – Additional Public Register Information</p> <p>In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 4 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:</p> <p>...</p>

o) where a decision of a panel of the Inquiries, Complaints and Reports Committee with respect to the Member resulting from a complaint made or Registrar's investigation begun on or after March 1, 2016, orders a specified continuing education or remediation program that includes a monitoring component,

- (i) a notation of that fact,
- (ii) a summary of the concern and a summary of the contents of the specified continuing education or remediation program,
- (iii) the date of the panel's decision,
- (iv) if applicable, a notation that the panel's decision is under review or appeal, which notation shall be removed once the review or appeal is finally disposed of,
- (v) the information placed on the register pursuant to paragraph (o) shall be removed from the public register on the later of: a) two (2) years from the date of the panel's decision, or b) upon completion, to the satisfaction of the Registrar, of the specified continuing education or remediation program (unless the panel decision was overturned on appeal or review, in which case the information will remain on the register along with a link to the appeal decision unless the member requests that the information be removed, in which case it will be removed);

10. Caution in Writing (Written Caution)

Written caution is issued when the conduct in question is considered "moderate risk". Written cautions are written directly into the decision and therefore issued at the same time as the ICRC's final decision. The ICRC may decide to issue a written caution by itself, or may also decide to issue a written caution in conjunction with another disposition. Currently, written cautions issued against a member are confidential. At the same time, recipients of Letters of Professional Conduct are privy to written cautions, until it is removed.

10.1. Recommendations from Council

CMO's ICRC considers a disposition of a written caution a serious disposition, slightly less serious than an oral caution. Council recommends that Written Cautions be published on the public register. Such a change will require an amendment of the College's by-law.

General Information

Publish a 'barebones' summary of the matter which includes:

- a) The summary topic of the conduct in question (e.g. communication issue, clinical concern, etc.),
- b) The number of clients affected by the Member's conduct,

	<p>c) The date of the Panel’s decision, d) The summary content of the caution, <u>Do not publish</u> whether this investigation arose from a complaint, mandatory report, or Registrar’s Investigation.</p>
Duration on the Register	<p><u>Publish</u> on the public register within 5 days of mailing and emailing the signed decision to the parties.</p> <p><u>Remove</u> from the public register 2 years from the date the decision was issued.</p>
Appeals	<p><u>If the ICRC’s decision is appealed to HPARB</u>, the College will publish a note on the public register that the ICRC’s decision is under appeal.</p> <p><u>If HPARB overturns the ICRC’s decision</u>, the College will publish a note that the ICRC’s decision was overturned by HPARB. The College will also remove the summary information about the case from the public register. The College will provide a link to the HPARB decision on the public register. The Member may request in writing to the College to have the information about the written caution removed from the public register if the decision does not include any other public dispositions that were upheld.</p> <p><u>If HPARB returns the matter for reconsideration by the ICRC</u>, the summary information will remain on the public register until the ICRC reconsiders the matter. The College will provide a note on the public register that the decision to issue a written caution is suspended until the ICRC reconsiders that matter. The College will also provide a link to the HPARB decision on the public register.</p> <p><u>Judicial reviews</u> would work in the same way as HPARB appeals.</p>
Effective Date	Cases opened after March 1, 2016.

Proposed by-law wording

15.02 – Additional Public Register Information

In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:

...

m) where a decision of a panel of the Inquiries, Complaints and Reports Committee with respect to the Member resulting from a complaint made or Registrar's investigation begun on or after March 1, 2016, includes a written caution,

- (i) a notation of that fact,
- (ii) a summary of the concern and a summary of the contents of the caution,
- (iii) the date of the panel's decision,
- (iv) if applicable, a notation that the panel's decision is under review or appeal, which notation shall be removed once the review or appeal is finally disposed of,
- (v) the information placed on the register pursuant to paragraph (m) shall be removed from the public register two (2) years from the date of the panel's decision (unless the panel decision was overturned on appeal or review, in which case the information will remain on the register along with a link to the appeal decision unless the member requests that the information be removed, in which case it will be removed);

11. Caution in Person (Oral Caution)

Oral caution is issued when the conduct in question is considered a moderate to high risk warranting action just shy of a referral to discipline. Oral cautions are written by the Panel separate from the ICRC's decision and are issued some time after the decision has been issued and after the time to a review by HPARB has passed. Complainants do not receive a copy of the caution and are not invited to attend the caution. Currently, oral cautions issued against a member are confidential. At the same time, recipients of Letters of Professional Conduct are privy to the fact that a member received an oral caution, until it is removed.

11.1. Recommendations from Council

Council recommends that these dispositions be published on the public register. Such a change will require an amendment of the College by-laws.

General Information

Publish a 'barebones' summary of the matter which includes:

	<ul style="list-style-type: none"> a) The summary topic of the conduct in question (e.g. communication issue, clinical concern, etc.), b) The number of clients affected by the Member's conduct, c) The date of the Panel's decision, d) The date of appearance for the caution, e) Whether the Member attended the caution, f) The summary content of the caution, <p><u>Do not publish</u> whether this investigation arose from a complaint, mandatory report, or Registrar's Investigation.</p>
Duration on the Register	<p><u>Publish</u> on the public register within 5 days of mailing and emailing the signed decision to the parties.</p> <p><u>Remove</u> from the public register 3 years from the date the oral caution was administered to the Member.</p>
Appeals	<p>If the ICRC's decision is appealed to HPARB, the College will publish a note on the public register that the ICRC's decision is under appeal.</p> <p>If HPARB overturns the ICRC's decision, the College will publish a note that the ICRC's decision was overturned by HPARB. The College will also remove the summary information about the case from the public register. The College will provide a link to the HPARB decision on the public register. The Member may request in writing to the College to have the information about the oral caution removed from the public register if the decision does not include any other public dispositions that were upheld.</p> <p>If HPARB returns the matter for reconsideration by the ICRC, the summary information will remain on the public register until the ICRC reconsiders the matter. The College will provide a note on the public register that the decision to issue an oral caution is suspended until the ICRC reconsiders that matter. The College will also provide a link to the HPARB decision on the public register.</p> <p>Judicial reviews would work in the same way as HPARB appeals.</p>
Effective Date	Cases opened after March 1, 2016.
Proposed by-law wording	<p>15.02 – Additional Public Register Information</p> <p>In addition to the information required to be contained in the register pursuant to subsection 23(2) of the Code, and for the purposes of paragraph 14 of subsection 23(2) of the Code, the register shall contain the following information known to the College with respect to each Member:</p> <p>...</p> <p>n) where a decision of a panel of the Inquiries, Complaints and Reports Committee with respect to the Member resulting from a complaint made or Registrar's investigation begun on or after March 1, 2016, orders a caution in person,</p> <ul style="list-style-type: none"> (i) a notation of that fact, (ii) a summary of the concern and a summary of the contents of the caution, (iii) the date of the panel's decision, (iv) the date the caution was delivered (v) a notation of the member did not appear for the caution (vi) if applicable, a notation that the panel's decision

- is under review or appeal, which notation shall be removed once the review or appeal is finally disposed of,
- (vii) the information placed on the register pursuant to paragraph (n) shall be removed from the public register three (3) years from the date that the oral caution is delivered (unless the panel decision was overturned on appeal or review, in which case the information will remain on the register along with a link to the appeal decision unless the member requests that the information be removed, in which case it will be removed);