



**College of Respiratory
Therapists of Ontario**

**Ordre des thérapeutes
respiratoires de l'Ontario**

DISCIPLINE COMMITTEE HEARING

CRTO vs. Derek Mickle, RRT

Hearing Date: March 18, 2014

Allegations: Failing to comply with an order of a panel of the Inquiries, Complaints and Reports Committee.

Engaging in conduct or performing an act, relevant to the practice of the profession, that, having regard to all the circumstances, would reasonably be regarded as disgraceful, dishonourable and unprofessional.

Member's Response or Plea: Mr. Mickle pleaded guilty and the hearing proceeded on an agreed statement of facts and joint submission on penalty.

Evidence (Agreed Statement of Facts):

After investigating a report made against him, the Inquiries, Complaints and Reports Committee of the CRTO, by decision dated November 15, 2012, ordered Mr. Mickle to attend for a caution and take a specified continuing education or remediation program (SCERP) related to professionalism and ethics. The deadline for completion of the program was June 2, 2013. Despite being granted an extension to complete the requirements, and being reminded of his obligations on several occasions, Mr. Mickle did not comply with the order.

Finding:

A Panel of the Discipline Committee accepted as true the facts in the Agreed Statement of Facts and found that Derek Mickle committed an act of professional misconduct, as defined in paragraphs 26 (failing to comply) and 29 (unprofessional conduct) of section 1 of Ontario Regulation 753/93 [Professional Misconduct] as amended.

Order:

The Registrar was directed to suspend the certificate of registration of Mr. Mickle for a period of 12 weeks, six weeks of the suspension will be served consecutively starting on May 18, 2014, and six weeks of the suspension will be suspended and will not have to be served if Mr. Mickle complies with the requirement to successfully complete, in the opinion of the Registrar, the Professional/Problem-Based Ethics course within nine months of the date of the hearing. Mr. Mickle was directed to pay to the CRTO \$1,800 towards the costs and expenses of investigating and prosecuting this matter.