



AGREEMENT AND UNDERTAKING

BETWEEN:



(the "Registrant")

- and -

Complaints Director of the College of Naturopathic Doctors of Alberta
(the "Complaints Director")

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WHEREAS:

- a) The College of Naturopathic Doctors of Alberta (the "College") is a body incorporated pursuant to the *Health Professions Act*, R.S.A. 2000, c. H-7 ("*HPA*").
- b) The Registrant is a regulated member of the College and was a regulated member at all material times.
- c) The Registrant is employed by Essence Wellness Clinic in Calgary Alberta.
- d) On November 16, 2020, the College received a written complaint, (pursuant to s. 54(1) of the *HPA*) from Green Shield Canada (the "Complainant"), indicating that the Registrant engaged in conduct that in the opinion of the Complainant was unprofessional conduct.
- e) The former complaints director initiated an investigation into the complaint.
- f) The investigation identified concerns regarding the Registrant's lack of oversight on billing matters.
- g) The investigation cautioned the Registrant to ensure that she is following the College's requirements regarding billing records as identified in the *Standard of Practice: Record Keeping*.
- h) The investigation cautioned the Registrant to ensure that she is following the College's requirements regarding patient medical records as identified in the *Standard of Practice: Record Keeping*.
- i) The investigation cautioned the Registrant to ensure that her practice follows the principles of naturopathic medicine to the best of her ability. These principles are:
 - 1. First, do no harm—*Primum non nocere*
Provide the most effective health care with the least risk.
 - 2. Self-healing power of nature—*Vis medicatrix naturae*
Recognize, respect, and promote the body's inherent power to heal itself.
 - 3. Treat the causes—*Tolle causum*
Strive to diagnose and remove the causes of illness rather than eliminate or suppress symptoms.
 - 4. Doctor as teacher—*Docere*
Educate patients, inspire rational hope, and encourage self-responsibility for health.
 - 5. Treat the whole person—*Tolle totum*
Take into account all the influences on health for each person I treat.

6. Health promotion, the best prevention—*Praevenire*
Promote health as a way to prevent disease for individuals, and local and global communities.
- j) The Complaints Director, under the authority of s. 55(2)(a.1) of the *HPA*, has obtained consent from the Complainant to attempt to resolve the complaint.

IN CONSIDERATION OF the terms and conditions set out herein, the parties hereby agree as follows:

1. The Registrant will provide written confirmation to the Complaints Director, on or before June 1, 2023, confirming that she has reviewed and understood the following:
 - i. The College's *Code of Ethics*;
 - ii. The College's *Standards of Practice*;
and
 - iii. The College's *Guidelines*.
2. The Registrant will provide written confirmation to the Complaints Director, on or before June 1, 2023, that confirms she is solely responsible for her billing records and cannot delegate without oversight;
3. The Registrant will provide written confirmation to the Complaints Director, on or before June 1, 2023, that confirms she has access to or has retrieved and will maintain all of her patient charts, including appointment and billing records, created within the last ten years;
4. The Registrant will take a College-approved or Complaints Director approved refresher course on Records Keeping and provide evidence to the Complaints Director of course completion on or before September 1, 2023;
5. Provided that the Registrant complies with all the terms of this Agreement and Undertaking, and successfully completes the requirements outlined in paragraphs 1 to 4 above within the specified time frames, the Complaints Director will stay the investigation and will not refer the complaint or any of the concerns regarding the Registrant's conduct to a hearing;
6. In the event the Registrant fails to comply with the terms of this Agreement and Undertaking, the Complaints Director may refer that non-compliance and/or the complaint and any concerns regarding the Registrant's conduct to a Hearing Tribunal pursuant to Part 4 of the *HPA*, notwithstanding non-adherence to any time limit set out in the *HPA*;
7. The College may publish, without the Registrant's name but with the clinic's name, this Agreement and Undertaking and information related to the complaint in the College's Annual Report or other College publications;
8. The College will provide a copy of this Agreement and Undertaking to the Complainant;
9. The Registrant acknowledges that this Agreement and Undertaking and the circumstances surrounding the complaint will be used in any future discipline proceedings with the College; and
10. The Registrant acknowledges that this Agreement and Undertaking will be retained on her file.

I, the Registrant, acknowledge that I have had the opportunity to consult with legal counsel. I hereby acknowledge that I voluntarily enter into this Agreement and Undertaking and I understand that the successful completion of the Agreement and Undertaking will constitute a full and complete resolution of the complaint.

Date

June 12, 2023

Date

College of Naturopathic Doctors of Alberta

Per: _____

Logan Corkin
Complaints Director