

**DISCIPLINE COMMITTEE OF
THE COLLEGE OF AUDIOLOGISTS AND
SPEECH-LANGUAGE PATHOLOGISTS OF ONTARIO**

Deb Zelisko, Chair, Audiologist)	October 28-30, and
Mary Suddick, Speech Language Pathologist)	December 18, 2014, and
Karen Bright, Speech Language Pathologist)	September 2, 2015.
Ruth Ann Penny)	

B E T W E E N:

**COLLEGE OF AUDIOLOGISTS AND
SPEECH-LANGUAGE PATHOLOGISTS OF ONTARIO**

- and -

BRENDA BERGE

ORDER

THIS HEARING, was heard on October 28-30 and December 18, 2014 and September 2, 2015 by a panel of the Discipline Committee at the College of Audiologists and Speech-Language Pathologists of Ontario.

ON READING the Notices of Hearing dated December 7, 2011 and February 3, 2012, and the Exhibits filed, including the Agreed Statements of Facts and on hearing the submissions of counsel for the College of Audiologists and Speech-Language Pathologists of Ontario ("the College"), the Member, Brenda Berge, and the Attorney General (Ontario):

1. **THE DISCIPLINE COMMITTEE DISMISSES** the motion to have the Notices of Hearing struck as a result of the process taken by the College to refer the allegations.

2. **THE DISCIPLINE COMMITTEE FURTHER DISMISSES** the motion by the Member challenging the constitutional validity of section 33 of the Regulated Health Professions Act and its applicability in the circumstances.

3. **THE DISCIPLINE COMMITTEE FINDS** that the Brenda Berge has engaged in professional misconduct within the meaning of paragraphs 16 (inappropriately using a term, title, or designation in respect of the member's practice), 31 (contravening the Act, the Regulated Health Professions Act, 1991 or a regulation under either of them), 34 (improperly advertising or permitting advertising with respect to the member's practice) and 37 (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 by members as disgraceful, dishonourable or unprofessional) of section 1 of Ontario regulation 749/93 under the *Audiology and Speech-Language Pathology Act, 1991*.

4. **THE DISCIPLINE COMMITTEE ORDERS** Brenda Berge to appear before it to be reprimanded, on a date to be fixed.

5. **THE DISCIPLINE COMMITTEE DIRECTS** the Registrar to suspend Brenda Berge's certificate of registration for a period of three (3) continuous months, one (1) month of which shall be remitted. The suspension shall commence on a date to be fixed by the Registrar, although such date shall be within three months of the order taking effect.

6. **THE DISCIPLINE COMMITTEE DIRECTS** the Registrar to impose a term, condition and limitation on Brenda Berge's certificate of registration,

- a. Requiring that she successfully complete a course in ethics, focussing in professional obligations, such as the ProBe course, to the satisfaction of the Registrar, and at the Member's own expense.

- b. Requiring that the Member is to undergo two (2) unannounced inspections at the Member's expense, to a total of \$500.00 per inspection, over the course of 3-years.

7. **THE DISCIPLINE COMMITTEE ORDERS** Brenda Berge to pay to the College its costs fixed in the amount of \$97,595.00, said amount to be payable over three years in accordance with the following schedule: the first \$15,000.00 shall be paid with sixty (60) days of this Order becoming final and the remaining amount shall be paid in two (2) equal installments of \$41,297.50, the first \$41,297.50 payment to be paid twelve (12) months after this Order becomes final and the second \$41,297.50 payment to be paid twenty-four (24) months thereafter.

I, **Deb Zelisko**, sign this Order as Chair of the panel of the Discipline Committee on behalf of the members of the panel that heard this matter.
