



— COLLEGE OF —
CHIROPRACTORS
— OF ALBERTA —

Complaint Resolution Agreement Admission and Orders of:

Dr. Chelsey Fricker

On:

August 15, 2023

Posting expiration date:

August 15, 2033 (10 years from date of posting)

COMPLAINT RESOLUTION AGREEMENT

Pursuant to section 55(2)(a.1) of the *Health Professions Act*

BETWEEN

Dr. Chelsey Fricker ("Dr. Fricker")

---and---

Ms. Kerstin Hurd, Complaints Director for the College of Chiropractors of Alberta (the "Complaints Director")

BACKGROUND MATTERS

- A. The College of Chiropractors of Alberta or CCOA (the "College") is the regulatory body for the profession of chiropractic pursuant to the *Health Professions Act*, R.S.A. 2000, c. H-7 ("HPA"). The parties agree that for the purposes of this agreement, the term "College" shall include the College of Chiropractors of Alberta and all predecessor colleges under prior applicable legislation.
- B. On or about August 3, 2022, the College received a complaint (the "Complaint") from [REDACTED] (the "Complainant") concerning the conduct of Dr. Fricker.
- C. On August 9, 2022, the then Complaints Director notified Dr. Fricker of the Complaint and requested a response.
- D. The Complaints Director appointed an investigator who conducted an investigation pursuant to Part 4 of the HPA.
- E. The Complaints Director believed there was sufficient evidence of unprofessional conduct to refer the matter to a Part 4 HPA discipline hearing.
- F. The Complaints Director, under the authority of s. 55(2)(a.1) of the HPA, has proposed this Complaint Resolution Agreement (the "Agreement") to Dr. Fricker in an attempt to resolve the Complaint as an alternative to this matter proceeding to a Part 4 HPA discipline hearing.

COMPLAINT RESOLUTION AGREEMENT

IN CONSIDERATION OF the terms and conditions set out herein, the Complaints Director and Dr. Fricker hereby agree, and Dr. Fricker hereby acknowledges that:

- 1. At all times concerning the conduct in question, Dr. Fricker was a regulated member of the College.
- 2. Dr. Fricker acknowledges that:

- a. On, or about June 23, 2022, Dr. Fricker may have failed to use appropriate judgment, knowledge, and skill in her provision of treatment to the Complainant. Without adequately considering the history and information in the Complainant's file, Dr. Fricker provided treatment which may have resulted in rib fractures.
 - b. On, or about June 23, 2022, Dr. Fricker failed in her professional duty by not responding appropriately by making a referral when the Complainant reported harm resulting from the treatment Dr. Fricker provided.
3. In consideration of the Complaints Director staying a referral of the Complaint to a Part 4 HPA hearing tribunal:
- a. Dr. Fricker will voluntarily furnish an apology letter, in accordance with s. 26 of the Alberta Evidence Act, for delivery to the complainant within 30 days of the CRA (a copy of which may be retained by the CCOA in the member file). The apology letter must be approved by the Complaints Director.
 - b. Within 6 months of the date of the CRA, Dr. Fricker will successfully complete the following patient communications online course (the "Course") and will provide evidence of successful completion to the Complaints Director: <https://www.cpepdcc.org/cpep-courses/enhanced-patient-communication-building-compassion-communication-and-trust-2/> Dr. Fricker is responsible for all costs associated with completing the Course and it shall not count towards her College Continuing Competency Program requirements.
 - c. Publication of the CRA with Dr. Fricker's name on the College's website for 10 years. Publication with the name of practitioner is mandatory according to College Bylaws.
 - d. Dr. Fricker agrees and acknowledges that in the event she fails to comply with any term of this Agreement, the College may initiate a new complaint under s. 56 of the HPA.

I, Dr. Chelsey Fricker, have had the opportunity to seek legal advice from a lawyer in relation to this matter, and hereby acknowledge that I voluntarily enter into this CRA with the Complaints Director.

Date

July 28/2023

Dr. Chelsey Fricker

August 15, 2023

Date

Kerstin Hurd, Complaints Director
College of Chiropractors of Alberta