

Non-Disciplinary Complaint Resolution Agreement and Undertaking

("Agreement and Undertaking")

BETWEEN:

Shelly Maneja, Lic. # 2566

("Investigated Person")

- and -

Julie Therou Zechel

("Complaints Director")

WHEREAS:

- a) The College of Opticians of Alberta (the "College") is a corporation pursuant to the *Health Professions Act*, R.S.A. 2000, c. H-7 ("HPA").
- b) The Investigated Person is a regulated member of the College and was a regulated member at all material times.
- c) On December 1, 2020, the College received a written complaint (the "Complaint") dated November 30, 2020, from the Complainant indicating that the Investigated Person may have engaged in unprofessional conduct including but not limited to failing to respect the dignity of professional relationships with colleagues.
- d) During the College's follow-up investigation, the Investigated Person acknowledged that she was unclear in her patient communications and apologized for her conduct.
- e) The Complaints Director, under the authority of s. 55(2)(a.1) of the HPA, has obtained consent from the Complainant and the Investigated Person to attempt to resolve the Complaint as an alternative to this matter proceeding to a hearing.

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

1. The Investigated Person Hereby acknowledges that:

- a. She failed to be clear in her patient communications; and
 - b. Her conduct constitutes “unprofessional conduct” as defined in the HPA
2. The Investigated Person hereby acknowledges and agrees that:
 - a. Her conduct warrants a caution; and
 - b. Undertakes to ensure her compliance with the COA Standards of Practice and Code of Ethics going forward.
3. Pursuant to s. 119 of the HPA, the College will comply with its disclosure obligations and may publish information related to the Complaint and this Agreement and Undertaking in the College’s Annual Report or other College publications.
4. The Investigated Person acknowledges that if a further complaint is received by the College after the date of this Agreement and Undertaking:
 - a. A copy of this Agreement and Undertaking, and any information relating to it, may be considered by the Complaints Director for the purpose of determining appropriate action with respect to any further complaints;
 - b. If a further complaint against the Investigated Person is resolved pursuant to section 55(2)(a.1) of the HPA, a copy of this Agreement and Undertaking may be referred to in any resolution agreement reached between the Investigated Person and the College to resolve the complaint;
 - c. If a further complaint against the Investigated Person results in a hearing before a Hearing Tribunal with a finding of unprofessional conduct respecting that complaint, that the circumstances surrounding the Complaint and this Agreement and Undertaking may be considered by the Hearing Tribunal for the purposes of determining penalty, regardless of the passage of time.
5. If the Investigated Person fails to comply with the terms of this Agreement and Undertaking, the Complaints Director may treat the non-compliance as the basis for a new complaint pursuant to s. 56 of the HPA and act on the new complaint pursuant to s. 55.
6. The Investigated Person acknowledges that she has had the opportunity to consult with legal counsel and acknowledges that she voluntarily enters into this Agreement

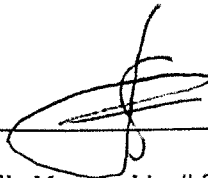
and Undertaking and that successful completion of the Agreement and Undertaking will constitute a full and complete resolution of the Complaint.

7. This Agreement and Undertaking shall be binding upon and inure to the benefit of the parties hereto and their respective heirs and successors.

IN WITNESS WHEREOF the Parties have executed this Non-Discretionary Complaint Resolution Agreement and Undertaking:

Nov. 24, 2022

Date

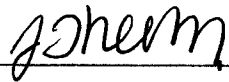


Shelly Meneja, Lic. # 2566

Mediated by:

Dec. 15/2022

Date



The Complaints Director on behalf of the
College of Opticians of Alberta