

**IN THE MATTER OF THE *HEALTH PROFESSIONS ACT*, BEING CHAPTER H-7  
OF THE REVISED STATUTES OF ALBERTA, 2000**

**AND IN THE MATTER OF A TRIBUNAL HEARING REGARDING THE CONDUCT OF IGOR  
CARDOSO, A REGULATED MEMBER OF THE ALBERTA COLLEGE OF PARAMEDICS**

**DECISION OF THE HEARING TRIBUNAL OF THE  
ALBERTA COLLEGE OF PARAMEDICS – FILE #24-01**

The hearing of the Hearing Tribunal was held on November 28, 2024 & April 23, 2025, via videoconference.

Present were:

The members of the Hearing Tribunal of the Alberta College of Paramedics (the “College”):

- A. Wright, Chair, Regulated Member;
- S. Branagan, Regulated Member;
- D. Wilson, Public Member; and
- C. Freeman, Public Member.

Also present were:

- J. Kirk, Complaints Director for the College;
- T. Maxston, Legal Counsel for the Complaints Director;
- I. Cardoso, the Investigated Member;<sup>1</sup>
- A. Ben Khaled; Independent Legal Counsel for the Hearing Tribunal;
- A. Reid, Hearing Facilitator; and
- A. Vidal, Court Reporter.

**Opening of the Hearing**

1. The hearing opened on November 28, 2024, and all participants present introduced themselves. Mr. Cardoso was present on November 28, 2024. The parties advised there were no objections to the members of the Hearing Tribunal.

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<sup>1</sup> Mr. Cardoso attended on November 28, 2024. He was not present at the opening of the hearing on April 23, 2025; however, he later attended following the testimony of Mr. Matthew Aspden and part way through the testimony of Mr. Q.

## **Preliminary Issues**

### ***Application for an Adjournment on November 28, 2024***

2. Mr. Cardoso requested an adjournment of the hearing to allow him an opportunity to seek legal counsel. The Complaints Director consented to the adjournment application.

3. The Hearing Tribunal adjourned briefly to consider Mr. Cardoso's application. The Hearing Tribunal determined that it would be appropriate to give him an opportunity to obtain legal counsel.

4. When the Hearing Tribunal returned to the hearing, it advised the parties that it would grant the adjournment application.

### ***Application to Proceed in the Absence of Mr. Cardoso on April 23, 2025***

5. The Hearing Tribunal reconvened the hearing on April 23, 2025. Mr. Cardoso did not attend the hearing nor did any representative attend on his behalf. Mr. Maxston made an application under section 79(6) of the *Health Professions Act* (the "HPA") to proceed in Mr. Cardoso's absence.

6. Mr. Maxston referred the Hearing Tribunal to section 79(6), which allows the hearing to proceed in the absence of an investigated person if there is proof that an investigated person received notice to attend the hearing. He advised that a notice can be served by way of personal service, certified or registered mail in accordance with section 120(3). Mr. Maxston submitted that section 120(3) should not be read restrictively, and sufficient service can include other methods, such as email, which is one method used to communicate with Mr. Cardoso.

7. Mr. Maxston called Ms. Holly Rose, the Acting Hearings Director, as a witness to support the application. The Acting Hearings Director spoke to several written communications she sent to Mr. Cardoso, which were marked as Exhibits 1 - 8. The evidence showed:

a. The Acting Hearings Director sent a Letter and Amended Notice to Attend and Produce for a hearing on April 23, 2025 to Mr. Cardoso by registered mail and email on January 13, 2025 (the "January Notice"). The January Notice indicated that the hearing was to commence at 9:00 a.m. via videoconference.

b. The Acting Hearings Director testified that the mailing address and email addresses on the January Notice were the same as those in the College's records. She confirmed that she had used the same mailing address in September 2024 to provide notice for the November 28, 2024 hearing date.

- c. The January Notice sent by email was confirmed delivered on January 13, 2025. An Outlook delivery confirmation email was marked as an Exhibit. The Acting Hearings Director confirmed that she had no reason to believe the email was not delivered.
- d. The January Notice sent by registered mail was confirmed delivered on January 16, 2025. The signed Canada Post delivery confirmation was marked as an Exhibit.
- e. The Acting Hearings Director discovered that a new mailing address for Mr. Cardoso was entered into the College's records. She explained that Mr. Cardoso would have done a profile update to submit the new mailing address to the College.
- f. The Acting Hearings Director sent a Letter and Amended Notice to Attend and Produce to Mr. Cardoso at the new mailing address by registered mail on February 7, 2025 (the "February Notice"). The February Notice indicated that the hearing was to be held on April 23, 2025 via videoconference, and would begin at 9:00 a.m.
- g. The February Notice was confirmed delivered on February 11, 2025. The signed Canada Post delivery confirmation was marked as an Exhibit. The Acting Hearings Director noted that the delivery was signed for by an "IC".
- h. The Acting Hearings Director emailed Mr. Cardoso the videoconference link for the hearing one week prior to April 23, 2025. She had no reason to believe that her email was not delivered.

8. Mr. Maxston submitted that the evidence was sufficient to allow the Hearing Tribunal to proceed with the hearing in Mr. Cardoso's absence. He further submitted that the testimony of the Acting Hearings Director clearly showed that the February Notice was sent to Mr. Cardoso using the updated contact information he provided the College and that it was signed for by an "IC", which is Mr. Cardoso's first and last initials.

9. The Hearing Tribunal adjourned to consider the application. The Hearing Tribunal was satisfied that Mr. Cardoso received notice of the April 23, 2025 hearing. The January Notice was sent to Mr. Cardoso's email address, which was previously used for him to attend the hearing in November 2024, and the Acting Hearings Director received an Outlook delivery confirmation. The February Notice was also sent to Mr. Cardoso by way of registered mail to the updated mailing address on Mr. Cardoso's College records and was signed for using his initials.

10. The Hearing Tribunal was not aware of any circumstances that would suggest Mr. Cardoso could not attend the hearing. The Hearing Tribunal granted the Complaints Director's application, and the hearing proceeded on April 23, 2025, in the absence of Mr. Cardoso.

## **Allegations**

11. At the hearing, the Allegations against Mr. Cardoso were as follows:

1. On or about December 2, 2023, you:
  - a. Verbally and/or physically assaulted a member of the public ("Mr. Q"); and/or
  - b. Stole various items from Mr. Q, including a credit card owned by him (the "Credit Card")

Which constitutes unprofessional conduct under section 1(1)(pp)(ii), (iii) and/or (xii) of the *Health Professions Act* including breaching Alberta College of Paramedics Code of Ethics sections 3.2 (Practice in Accordance with Legislation) and 3.3 (Maintain Good Character and Reputation).

2. On or about December 4, 2023, you used the Credit Card without Mr. Q's knowledge and/or authorization in order to pay your Alberta College of Paramedics registration fees.

Which constitutes unprofessional conduct under section 1(1)(pp)(ii), (iii) and/or (xii) of the *Health Professions Act* including breaching Alberta College of Paramedics Code of Ethics sections 3.2 (Practice in Accordance with Legislation) and 3.3 (Maintain Good Character and Reputation)

3. On or about December 20, 2023, you provided inaccurate and/or misleading information to the Director of Finance of the Alberta College of Paramedics in respect of the matters in charges 1 and/or 2 above.

Which constitutes unprofessional conduct under section 1(1)(pp)(ii), (iii), and/or (xii) of the *Health Professions Act* including breaching Alberta College of Paramedics Code of Ethics section 4.7 (Collaborate with the Alberta College of Paramedics).

4. You failed and/or refused to co-operate with a Part 4 Health Professions Act investigator of the Alberta College of Paramedics by:
  - a. On or about January 29 to February 13, 2024, failing to respond and/or respond in a timely manner; and/or
  - b. On or about July 11, 2024, providing inaccurate and/or misleading information in respect of the matters in charges 1 and/or 2 above.

Which constitutes unprofessional conduct under section 1(1)(pp)(ii), (iii), (vii)(B) and/or (xii) of the *Health Professions Act* including breaching Alberta College of

Paramedics Code of Ethics sections 3.2 (Practice in Accordance with Legislation) and 4.7 (Collaborate with the Alberta College of Paramedics).

### **Evidence Before the Hearing Tribunal**

12. The Complaints Director entered the following documents and videos as exhibits:

- Exhibit 1: Letter and Amended Notice to Attend and Produce to I. Cardoso, dated January 13, 2025;
- Exhibit 2: Email to I. Cardoso, dated January 13, 2025;
- Exhibit 3: Email confirmation of the email to I. Cardoso being delivered, dated January 13, 2025;
- Exhibit 4: Registered mail receipt from the letter sent to I. Cardoso, dated January 13, 2025;
- Exhibit 5: Registered mail tracking receipt, signed January 16, 2025;
- Exhibit 6: Letter and Amended Notice to Attend and Produce to I. Cardoso, dated February 7, 2025;
- Exhibit 7: Registered mail receipt from the letter sent to I. Cardoso, dated February 7, 2025;
- Exhibit 8: Registered mail tracking receipt, signed February 11, 2025;
- Exhibit 9: Amended Notice to Attend and Produce, dated January 13, 2025 (the "Notice of Hearing");
- Exhibit 10: Email from M. Aspden, Director of Finance and Operations to M. Montpetit, Senior Complaints Officer, dated January 3, 2024;
- Exhibit 11: Screenshot from Alinity showing a payment made by I. Cardoso on December 4, 2023, and fraud dispute questionnaire;
- Exhibit 12: Screenshot from Alinity showing attempted payments made by I. Cardoso on December 4, 2023;
- Exhibit 13: Email from M. Aspden to M. Montpetit, dated December 20, 2023;
- Exhibit 14: Videos of the interior of Mr. Q's taxicab;
- Exhibit 15: Chain of emails between M. Montpetit and I. Cardoso, from January 29, 2024 to February 13, 2024;
- Exhibit 16: Chain of emails between K. Nelms, M. Montpetit, and T. Ford, from February 15, 2024 to February 23, 2024;
- Exhibit 17: Video interview of I. Cardoso by M. Montpetit;

13. The Complaints Director called the following witnesses over the course of the hearing:

- a. Matthew Aspden,
- b. Mr. Q and
- c. Monique Montpetit.

## Testimony of Matthew Aspden

14. Mr. Aspden stated that he has worked for the College as the Director of Finance and Operations for the past seven to eight years. Mr. Aspden explained that his role involves anything related to the financial management of the College, including reconciling bank deposits and supervising day-to-day financial operations.

15. Mr. Aspden testified that he submitted a complaint to the College on January 3, 2024. The complaint concerned Mr. Cardoso's unauthorized use of a credit card to pay his registration fees. The complaint was shown in an email from Mr. Aspden to Ms. Montpetit on January 3, 2024.

16. Mr. Aspden explained that a screenshot of the College's membership database, Alinity, showed that a \$499 payment for member registration fees was made by Mr. Cardoso on December 4, 2023, using a Visa credit card bearing Mr. Q's name.

17. Mr. Aspden also explained that he received a fraud dispute questionnaire from the College's merchant regarding a \$499 member registration payment submitted by Mr. Cardoso. Mr. Aspden notes that on the fraud dispute questionnaire, a comment indicated that the cardholder was robbed and the cardholder's card was used to make this transaction.

18. Mr. Aspden detailed that a second Alinity software screenshot showed a history of Mr. Cardoso's attempted payments on December 4, 2023 using various credit cards, all bearing some variation of Mr. Q's name. Mr. Aspden elaborated that the attempts involved different credit cards, including MasterCards and Visas. Mr. Aspden noted that the final attempt listed involved the payment at issue detailed in Exhibit 11.

19. Mr. Aspden testified that there were a number of red flags in Mr. Cardoso's case, including the comment in the fraud dispute questionnaire concerning the card member being robbed and beaten, as well as about eight different credit cards being attempted over a period of approximately 13 minutes.

20. Mr. Aspden confirmed that he had called Mr. Cardoso by phone to inquire about the payment made and previous unsuccessful payments on December 4, 2023. Mr. Aspden noted that his colleague was also present for the call, and he documented it by way of an email dated December 20, 2023, to Ms. Montpetit.

21. Mr. Aspden detailed that, during the call, he did not go into detail about the payment issues with Mr. Cardoso to allow him to explain the reason for the charge-back request; however, Mr. Cardoso would only mimic the initial information Mr. Aspden provided to him. Mr. Cardoso said there were issues with his card in general, and he provided card numbers that did not align

with the College's records. Mr. Cardoso then explained that he could have made the payments with his mom's, dad's, or a friend's card until he stated that his friend, Mr. Q, made the payment. In response to a request for Mr. Q's contact information, Mr. Cardoso indicated that he did not have any contact information for him and provided various stories of how long the two had known each other and where they had met, including at a tavern and a casino.

22. Mr. Aspden testified that the College did not contest the charge-back request for the \$499 payment and permitted Mr. Cardoso to pay his registration fees through an alternative method to become a registered member with the College.

#### **Testimony of Mr. Q**

23. Mr. Q testified that, on the morning of December 2, 2023, he was working as a taxi driver assigned to a specific pickup from his employer. Mr. Q submits he had a bag of his personal belongings in the cab, which included both current and outdated bank cards, including a Visa card with CIBC and TD.

24. Mr. Q testified that Mr. Cardoso, whom he had never met before December 2, 2023, requested a ride to which Mr. Q apologized and declined as another individual had already booked his service. Mr. Q recalled that Mr. Cardoso then began running at him, and when Mr. Q ran into his car, Mr. Cardoso began kicking and punching the car. Mr. Cardoso then entered the vehicle and began hitting Mr. Q.

25. Mr. Q confirmed his taxicab camera filmed the incident involving Mr. Cardoso on the morning of December 2, 2023. The video was before the Hearing Tribunal and marked as Exhibit 14. Mr. Q reviewed the footage during his testimony and explained Mr. Cardoso hitting, swearing, and uttering death threats at him, and while Mr. Q exited the vehicle, Mr. Cardoso attempted to prevent him from escaping.

26. Mr. Q detailed that following his escape, Mr. Cardoso removed Mr. Q's personal belongings from the vehicle, including his wallet, which contained his credit cards. Mr. Q recalled calling the police on his phone, returning to his vehicle following Mr. Cardoso's departure, and finding that his personal belongings had been taken.

27. Mr. Q confirmed that Mr. Cardoso, present at the hearing, was the individual in the videos.

28. Mr. Q detailed the steps he took following the events on December 2, 2023. Mr. Q confirmed that he filed a police report and requested a charge-back from his bank for payments made with his credit cards that were not authorized by him, including the CIBC Visa credit card payments to the College.

### **Testimony of Monique Montpetit**

29. Ms. Montpetit is the Senior Complaints Officer in the College's Conduct Department. Her role involves professional conduct investigations and supporting the Complaints Director.

30. Ms. Montpetit testified she was appointed as an investigator in the complaint against Mr. Cardoso. Ms. Montpetit confirmed one of the issues she investigated was the source of a payment Mr. Cardoso made for his registration fees in December 2023 and confirmed that his initial payment was charged back to the bank.

31. Ms. Montpetit stated that Mr. Cardoso's initial registration date with the College was December 30, 2023, following payment of his registration fees after the charge-back request.

32. Ms. Montpetit testified that she used Mr. Cardoso's contact information in his member profile in Alinity to email and call Mr. Cardoso as part of her investigation.

33. Ms. Montpetit confirmed that a chain of emails was sent between herself and Mr. Cardoso, starting with her email on January 29, 2024, where she introduced herself to Mr. Cardoso and explained the parameters of her investigation in Exhibit 15. On January 29, 2024, Mr. Cardoso sent an email reply saying that he could not deal with the ordeal and requested the revocation of his license. Ms. Montpetit replied on January 31, 2024, confirming the investigation would move forward regardless of permit cancellation and requested Mr. Cardoso clarify if he wanted to proceed with the cancellation of his permit.

34. Ms. Montpetit stated that she did not receive a response from Mr. Cardoso to her January 31, 2024 email. On February 8, 2024, she sent a follow-up email requesting a response regarding his intention to revise his practice permit and to discuss a potential resolution to the complaint. Ms. Montpetit testified that she had also attempted to call Mr. Cardoso, but he did not respond, so she had advised Mr. Cardoso in the February 8 email that she had left him a voicemail. By February 13, 2024, Ms. Montpetit had not received a response from Mr. Cardoso, so she sent another follow-up email regarding his lack of participation in the investigation process and requested that he contact her as soon as possible.

35. Ms. Montpetit testified that following Mr. Cardoso's lack of a response, she forwarded his request to cancel his permit to the College's Registrar. She detailed that on February 15, 2024, the College's Registrar lead, K. Nelms, emailed Mr. Cardoso to advise that his request was approved and cancellation had been processed. On February 16, 2024, Mr. Cardoso replied to K. Nelms' email indicating he had not finalized his decision to cancel his current permit, that he had been dealing with personal issues, and his phone had been stolen. Mr. Cardoso also provided his phone number so he could be contacted.

36. Ms. Montpetit indicated that the email chain was forwarded to the College's Registrar, Mr. Ford. She noted that Mr. Cardoso's practice permit was ultimately reinstated.

37. Ms. Montpetit testified that she held and recorded a video interview between herself and Mr. Cardoso on July 11, 2024. She presented information to Mr. Cardoso concerning the charge-back payment and provided him with an opportunity to explain the payment. She also advised Mr. Cardoso about the allegations of assault and theft, to which he replied that he did not know anything about that. Ms. Montpetit showed Mr. Cardoso the video footage from inside Mr. Q's car during the interview, and Mr. Cardoso indicated that he was the individual in the video footage, albeit in a non-sober state. The video of Ms. Montpetit's interview with Mr. Cardoso was included in the hearing exhibits as Exhibit 17.

#### **Submissions of the Complaints Director**

38. Mr. Maxston reviewed the evidence related to each of the Allegations. With respect to Allegation 1(a), Mr. Maxston indicated that the evidence before the Hearing Tribunal shows Mr. Cardoso assaulted Mr. Q on December 2, 2023. With respect to Allegation 1(b), Mr. Maxston submitted that, based on the evidence, it was logical to infer that Mr. Cardoso stole Mr. Q's card since it was no longer in Mr. Q's possession when Mr. Cardoso used it to pay the College.

39. With respect to Allegation 2, Mr. Maxston submitted that Mr. Cardoso used Mr. Q's card to pay his College registration fees, and Mr. Q had no knowledge of it and clearly did not authorize its use.

40. With respect to Allegation 3, Mr. Maxston submitted that it was clear Mr. Cardoso was deceptive in his explanation of the charge-back request, how he knew Mr. Q, and how he had used Mr. Q's card.

41. With respect to Allegation 4(a), Mr. Maxston submitted that Mr. Cardoso had the capacity to respond to Ms. Montpetit's requests from January 29 to February 13 and simply chose not to. On Allegation 4(b), Mr. Cardoso made several statements in his July 11, 2024 interview with Ms. Montpetit that were contrary to these facts, including how he met Mr. Q and whether he was aware of assault or theft.

42. Mr. Maxston explained that Allegation 4 occurred while Mr. Cardoso was a regulated member after his initial registration date of December 30, 2023, Allegation 1 occurred prior to Mr. Cardoso becoming a regulated member and not while he was acting as a paramedic, and Allegations 2 and 3 occurred in the process of Mr. Cardoso submitting a complete application for registration with the College.

43. Concerning Allegation 1, Mr. Maxston raised the decisions in *Erdmann v Complaints Inquiry Committee*, 2013 ABCA 147 ("Erdmann"), which confirm that regulated members can be disciplined for conduct outside of their practice. Mr. Maxston directed the Hearing Tribunal to paragraph 29 of *Erdmann*, which states:

*“...reprehensible conduct outside actual practice of the profession may render a professional person liable to disciplinary action if it can be said to be significantly more reprehensible in someone of his particular profession than in the case of others.”*

44. Mr. Maxston also discussed the decision in *The College of Physicians & Surgeons of Alberta v. Ali*, 2017 ABCA 442 ("Ali"), where the Court of Appeal affirmed the reasoning *Erdmann*. He directed the Hearing Tribunal to paragraph 100 of *Ali*, which states:

*“The law is clear that conduct outside the actual practice of a professional can amount to unbecoming conduct so long as there is some nexus with the professional practice...”*

45. On the issue of whether antecedent conduct dating registration can be disciplined, Mr. Maxston referred the Hearing Tribunal to the decision in *Stolen v. B.C. (College of Teachers)*, 1994 CanLII 583 (BC SC) ("Stolen") where at page 16, the Court comments:

*“...Membership does not give rise to immunity nor provide a shield against all past conduct. An exaggerated example would be a person who was an undetected serial killer who gained membership, but was later caught and convicted...”*

*“...the Respondent in proper circumstances may have a jurisdiction to inquire into a pre-membership event or conduct...”*

46. Mr. Maxston also noted that the case in *Association of Professional Engineers of Ontario v. Leung*, 2018 ONSC 4527 ("Leung") describes how the Court reviewed some prior decisions and identified some examples of where pre-membership conduct could be considered in conduct proceedings. The first is conduct seen as continuing into the time of membership, and the second is conduct that resulted in the fraudulent procurement of a license, which negatively affects the individual's fitness to practice.

47. Mr. Maxston submitted that, based on the authorities provided, the Hearing Tribunal has jurisdiction to find Mr. Cardoso to have committed unprofessional conduct in respect of his off-duty conduct that predated his membership for two reasons. Firstly, the conduct had a clear nexus to the registration process by which Mr. Cardoso became a regulated member in that the assault

and theft brought Mr. Cardoso to be in possession of Mr. Q's credit cards, he then used the credit card to pay his registration fees and then deceived Mr. Aspden when questioned about the source of the payments. Secondly, Mr. Maxston submitted that Mr. Cardoso's conduct is of such an egregious nature that it bears on his fitness to practice, and the College did not know the extent of his misconduct until it conducted a thorough investigation following his licensure.

48. Mr. Maxston recognized the high degree of trust the College places in health professionals and the public protection mandate under the HPA. Mr. Cardoso should not be able to use his non-membership as a shield against all past conduct, particularly where there is a clear nexus in the process by which he became a regulated member, and this conduct clearly bears on his fitness to practice paramedicine.

49. Mr. Maxston concluded that the evidence establishes and substantiates findings of unprofessional conduct in relation to the Allegations.

### **Submissions of the Investigated Member**

50. Mr. Cardoso attended the hearing on April 23, 2025. However, he did not call any witnesses and chose not to make closing submissions.

### **Decision of the Hearing Tribunal on Unprofessional Conduct**

51. The Hearing Tribunal carefully considered the evidence of the witnesses, the documents entered as exhibits, and the Complaints Director's submissions.

52. The Hearing Tribunal also considered that many of the facts were uncontested by Mr. Cardoso. However, the Hearing Tribunal recognizes the Complaints Director bears the burden of proving that the conduct in the Allegations occurred.

53. The Hearing Tribunal also considered the applicable legal principles concerning off-duty conduct, as outlined in *Erdmann* and *Ali*, which provides that where the alleged conduct occurred outside of professional duties, the Hearing Tribunal must assess whether a sufficient nexus exists between the personal conduct and the professional obligations of the regulated member. Additionally, the Hearing Tribunal considered the legal principles in *Stolen* and *Leung* on its jurisdiction to inquire into a regulated member's pre-membership conduct.

54. The Hearing Tribunal finds that the Allegations in the Notice of Hearing were factually proven on a balance of probabilities, and that the proven Allegations constitute unprofessional conduct as defined in sections 1(1)(pp)(ii), (iii), (vii)(B), and (xii) of the HPA.

## **Reasons for Findings of the Hearing Tribunal**

**Allegation 1: On or about December 2, 2023, Mr. Cardoso: a. Verbally and/or physically assaulted Mr. Q; and/or b. Stole various items from Mr. Q, including a credit card owned by him.**

55. The Hearing Tribunal finds that Allegation 1 is proven on a balance of probabilities.

56. With respect to Allegation 1(a), the Hearing Tribunal reviewed the video evidence from inside Mr. Q's taxicab on December 2, 2023 and agrees that Mr. Cardoso is the person who entered Mr. Q's taxicab. The Hearing Tribunal finds that the video evidence, along with Mr. Q's testimony detailing the events, clearly established that Mr. Cardoso punched and bit Mr. Q, pulled Mr. Q's beard and hair, and grabbed Mr. Q as Mr. Q attempted to flee from the vehicle. Mr. Cardoso also expressed repeated verbal threats of violence such as "I will fuck you up" and death threats against Mr. Q stating, "I'll fucking kill you".

57. With respect to Allegation 1(b), the video evidence also showed that after Mr. Q left the taxicab, Mr. Cardoso grabbed multiple items and took the items with him. Mr. Q's testimony detailed several of his possessions taken from the taxicab, including his credit cards. The Hearing Tribunal accepted the testimony of Mr. Aspden, who reviewed payments by Mr. Cardoso for his College registration fees using credit cards under Mr. Q's name. The Hearing Tribunal also accepted the testimony of Mr. Q, who indicated that his credit cards had gone missing following the events on December 2, 2023, and denied making or authorizing payments to the College. The Hearing Tribunal finds that Mr. Cardoso had stolen the credit card from Mr. Q's taxicab.

58. While Mr. Q initially did not know Mr. Cardoso prior to the events of December 2, 2023, he was able to identify Mr. Cardoso at the hearing, confirming that Mr. Cardoso and the man who had attacked him on December 2 were the same.

59. The Hearing Tribunal reviewed the recording of Ms. Montpetit's interview with Mr. Cardoso from July 11, 2024. When Ms. Montpetit asked Mr. Cardoso whether he was the man in the video, Mr. Cardoso initially said, "[he] cannot claim that person is [him] in that video because of the state that person is in is not who [he is] as a person," before confirming that the person in the video is "obviously" him.

60. The Hearing Tribunal finds that Mr. Cardoso's actions on December 2, 2023 breached sections 3.2 and 3.3 of the College's Code of Ethics, which states a paramedic's responsibility includes that they:

*3.2 Practice in accordance with legislation including the Health Professions Act of Alberta, Paramedic Professions Regulation, Code of Ethics, Standards of*

*Practice and all other documents and policies used to govern the paramedic profession*

*3.3 Maintain good character and reputation by fostering a professional identity, following the Code of Ethics and Standards of Practice, and demonstrating honesty and integrity in all interactions*

61. The Hearing Tribunal emphasized that this conduct deeply undermined the integrity of the profession. Mr. Cardoso's assault on a member of the public, followed by theft and unauthorized use of their credit card, is conduct that would be unacceptable for any member of the public, let alone an individual training to enter a trusted health profession.

62. With respect to section 3.3, the Hearing Tribunal recognized that there was a lot of evidence put forward concerning Mr. Cardoso's lack of honesty. Mr. Cardoso's conduct failed to demonstrate honesty and integrity through his communications with College staff, particularly in the constantly changing story of who paid for his registration fees and how he came to know Mr. Q.

63. The Hearing Tribunal found that not only was section 3.3 of the Code of Ethics breached, but Mr. Cardoso's action ran contrary to other documents and policies used to govern the paramedic profession and his actions undermined the integrity of the profession and compromised public safety by directly harming a member of the public.

64. In a profession responsible for responding to members of the public in crisis, the Hearing Tribunal finds Mr. Cardoso's physical assault and death threats to be very serious, unprofessional conduct. Mr. Cardoso was in the process of registering with the College, and he would have been aware of the standards expected of a paramedic.

65. The Hearing Tribunal considered the decisions in *Erdmann* and *Ali*, and is satisfied that there is a sufficient nexus between the conduct outside of Mr. Cardoso's practice and his role as a professional. Furthermore, while the conduct occurred before Mr. Cardoso's membership, the Hearing Tribunal finds that it falls within its jurisdiction to consider unprofessional conduct. As noted above, Mr. Cardoso's conduct on December 2 occurred during a period in which he was actively seeking registration, and he used the stolen credit card, stolen following his assault on Mr. Q, to obtain membership. As such, the Hearing Tribunal finds a direct link between Mr. Cardoso's registration to the unprofessional conduct and cannot disconnect it from his role as a professional.

66. Based on the evidence, the Hearing Tribunal finds that the conduct in Allegation 1 constitutes unprofessional conduct under sections 1(1)(pp)(ii), (iii) and (xii) of the HPA.

**Allegation 2: On or about December 4, 2023, Mr. Cardoso used Mr. Q's credit card without Mr. Q's knowledge and/or authorization in order to pay his College registration fees.**

67. The Hearing Tribunal finds that Allegation 2 is proven on a balance of probabilities.

68. As discussed in Allegation 1, the Hearing Tribunal heard from Mr. Aspden, who reviewed payments by Mr. Cardoso for his College registration fees on December 4, 2023, using credit cards under Mr. Q's name.

69. Mr. Q confirmed he was the owner of the credit used to make the payments to the College, but he did not make any payments to the College and never authorized anyone else to do so. As such, Mr. Q reported the payment in question as fraud to CIBC and submitted a charge-back request.

70. The Hearing Tribunal was also provided copies of the College's records showing that Mr. Cardoso made several attempts to pay his registration fees with various credit card numbers, as well as the successful payment and corresponding fraud dispute questionnaire. The fraud dispute questionnaire includes a certification that the cardholder denies authorizing or participating in the disputed transaction and comments that the cardholder had been beaten and had his credit cards stolen.

71. The Hearing Tribunal acknowledged that the timing of the payment was only two days after the assault and that the card was taken from Mr. Q during that incident, which clearly connected the conduct in Allegations 1 and 2. The Hearing Tribunal finds that this could not be a coincidence.

72. The Hearing Tribunal, again, finds that Mr. Cardoso's actions breached sections 3.2 and 3.3 of the College's Code of Ethics, as noted in Allegation 1. Mr. Cardoso's misuse of a member of the public's credit card is conduct that is inconsistent with a professional's responsibilities to uphold the integrity of the profession and foster public protection.

73. The Hearing Tribunal considered the decisions in *Stolen* and *Leung* and recognized that the conduct occurred during Mr. Cardoso's payment for registration with the College. Mr. Cardoso's actions involved him engaging in dishonest conduct and doing so in direct pursuit of becoming a member of the profession, which raises serious concerns of his fitness to practice. Therefore, the Hearing Tribunal is satisfied with its jurisdiction to consider Mr. Cardoso's pre-membership conduct.

74. Based on the evidence, the Hearing Tribunal finds that the conduct in Allegation 2 constitutes unprofessional conduct under sections 1(1)(pp)(ii), (iii) and (xii) of the HPA.

**Allegation 3: On or about December 20, 2023, Mr. Cardoso provided inaccurate and/or misleading information to Mr. Aspden in respect of the matters in Allegations 1 and/or 2.**

75. The Hearing Tribunal finds that Allegation 3 is proven on a balance of probabilities.

76. The Hearing Tribunal heard from Mr. Aspden who detailed his call to Mr. Cardoso on December 20, 2023 concerning the December 4 payment. The Hearing Tribunal was also presented with a copy of an email from Mr. Aspden to Ms. Montpetit summarizing Mr. Aspden's call with Mr. Cardoso. During his conversation with Mr. Aspden, Mr. Cardoso informed him that there was fraud associated with his own card (a card that actually belonged to Mr. Q), that the card he had used could have belonged to a number of people, and differing accounts as to how he met Mr. Q.

77. The Hearing Tribunal appreciated that the exhibits and testimony from the witnesses were consistent throughout and corroborated with one another, which supported its findings in relation to Allegations 1 and 2. During his conversation with Mr. Aspden, Mr. Cardoso provided information contrary to the Hearing Tribunal's findings. The Hearing Tribunal finds those statements were inaccurate and attempts to mislead Mr. Aspden.

78. The Hearing Tribunal also finds that Mr. Cardoso's actions breached section 4.7 of the College's Code of Ethics, which states a paramedic's responsibility to the profession includes:

*4.7 Collaborate with the Alberta College of Paramedics to fulfill all legislative responsibilities*

79. The College has responsibility under section 3(1)(c) of the HPA to enforce standards for registration of the regulated profession. The Hearing Tribunal recognizes that this responsibility includes ensuring that regulated members meet the financial obligations associated with the registration process, including payment of registration fees honestly and without deception.

80. The Hearing Tribunal determined that Mr. Aspden gave Mr. Cardoso multiple opportunities to clarify his December 4 payment and subsequent charge-back request. However, Mr. Cardoso continued to provide dishonest and evasive responses to Mr. Aspden as he tried to fulfill his responsibilities as Director of Finance for the College. These repeated attempts to deflect accountability demonstrate a clear failure to act with the honesty and transparency expected of a regulated professional.

81. The Hearing Tribunal, again, considered the decisions in *Stolen* and *Leung* as it relates to Allegation 3 and is satisfied in its ability to consider the pre-membership conduct. Similar to Allegation 2, the Hearing Tribunal recognizes that Mr. Cardoso's conduct occurred during the

registration process, whereby Mr. Cardoso was providing inaccurate and misleading information in response to the payment of his registration fees.

82. Based on the evidence, the Hearing Tribunal finds that the conduct in Allegation 3 constitutes unprofessional conduct under sections 1(1)(pp)(ii), (iii) and (xii) of the HPA.

**Allegation 4: Mr. Cardoso failed and/or refused to co-operate with Ms. Montpetit by: a. On or about January 29 to February 13, 2024, failing to respond and/or respond in a timely manner; and/or b. On or about July 11, 2024, providing inaccurate and/or misleading information.**

83. The Hearing Tribunal finds that Allegation 4 is proven on a balance of probabilities.

84. With respect to Allegation 4(a), the Hearing Tribunal heard from Ms. Montpetit concerning her email exchanges with Mr. Cardoso and attempts to contact him by phone and email to no response. The Hearing Tribunal was provided copies of the emails between Ms. Montpetit and others from the College and Mr. Cardoso from January 29 to February 16. Following Ms. Montpetit's email on January 31, 2024, she had not received a response from Mr. Cardoso despite her requests for a response on February 8 and 13.

85. With respect to Allegation 4(b), Ms. Montpetit also detailed the events of her interview with Mr. Cardoso on July 11, 2024, where Mr. Cardoso had provided information contrary to the Hearing Tribunal's findings in relation to Allegations 1 and 2. The Hearing Tribunal finds that the information Mr. Cardoso provided Ms. Montpetit was inaccurate and misleading, much like the information he had provided Mr. Aspden.

86. The Hearing Tribunal finds that Mr. Cardoso's actions breached sections 3.2 and 4.7 of the College's Code of Ethics.

87. Mr. Cardoso has a responsibility to comply with a request of or co-operate with an investigator under the section 1(1)(pp)(vii)(B) of the HPA. The College also has a responsibility under the HPA to act on complaints under Part 4 of the HPA, and once the Complaints Director appoints an investigator to conduct an investigation, that responsibility extends to the investigator.

88. The Hearing Tribunal determined that Mr. Cardoso's responses were evasive and manipulative and showed a continued lack of accountability from the events related to Allegation 3. This was also evident when K. Nelms sent Mr. Cardoso an email on February 15, 2024 concerning the cancellation of his license, and he had then sent a response email to K. Nelms the following day, suggesting Mr. Cardoso's intentional decision not to respond to Ms. Montpetit in her role as an investigator for the College during the period of January 29 to February 13, 2024.

89. The Hearing Tribunal emphasized that paramedics are entrusted with caring for vulnerable individuals and are expected to act with honesty, transparency, and cooperation. Mr. Cardoso's conduct demonstrated a disregard for these expectations and was not aligned with the character and integrity required of a regulated member of the College. His conduct undermines the integrity of the paramedicine profession as a whole and the trust that the public places in paramedics.

90. The College's ability to conduct an investigation into allegations of unprofessional conduct is a critical aspect of self-regulation. Cooperation with an investigation is essential to upholding the public's trust and the integrity of the profession in the College's ability to self-regulate. Mr. Cardoso's failure to co-operate with Ms. Montpetit in the investigation process challenges the College's ability to protect the public, which requires the College to investigate complaints and members to co-operate in those investigations.

91. Based on the evidence, the Hearing Tribunal finds that the conduct in Allegation 4 constitutes unprofessional conduct under 1(1)(pp)(ii), (iii), (vii)(B) and (xii) of the HPA.

## **CONCLUSION**

92. For the reasons set out above, the Hearing Tribunal finds all the Allegations in the Notice of Hearing are proven, and Mr. Cardoso's proven conduct is unprofessional conduct under the HPA.

93. The Hearing Tribunal is prepared to receive the parties' written submissions on sanctions. Given the serious nature of Mr. Cardoso's conduct, the Hearing Tribunal will also consider whether it should direct the Hearings Director to provide a copy of this written decision to the Minister of Justice pursuant to section 80(2) of the HPA. The parties are also asked to make submissions on this issue.

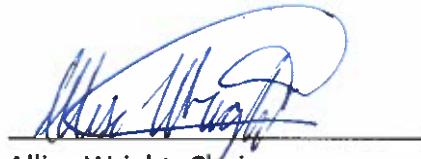
94. If either the Complaints Director or Mr. Cardoso object to proceeding by written submissions and would like to proceed by oral submissions via videoconference, they may make a request within 2 weeks of receipt of this written decision. The Hearing Tribunal will consider the request, and if it agrees to proceed with oral submissions, the Hearings Director will schedule a hearing date.

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95. In the absence of a request for a hearing date, the Hearing Tribunal directs that the parties provide their written submissions to each other and the Hearings Director as follows:

- a. The Complaints Director will provide their written submissions three weeks from the date they receive the Hearing Tribunal's written decision;
- b. Mr. Cardoso will provide his written submissions within one week of the Complaints Director's written submissions;
- c. The Complaints Director may submit a written reply within one week of Mr. Cardoso's written submissions.

For the Hearing Tribunal of the Alberta College of Paramedics

A handwritten signature in blue ink, appearing to read "Allisa Wright", is written over a solid blue horizontal line.

Allisa Wright, Chair

Dated June 20<sup>th</sup>, 2025