

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

A Hearing Tribunal of the Alberta College of Paramedics (the “College”) held the sanctions phase of the hearing in writing.

Present were:

The members of the Hearing Tribunal:

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

A. Ben Khaled, Independent Legal Counsel for the Hearing Tribunal

Introduction

1. The Hearing Tribunal issued a decision on June 20, 2025 regarding the conduct of Igor Cardoso (the “Merits Decision”). The Hearing Tribunal found that the following allegations against Mr. Cardoso were proven and amounted to unprofessional conduct under the *Health Professions Act* (“HPA”):

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”)
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 College registration fees.
3. On or about December 20, 2023, you provided inaccurate and/or misleading information to the Director of Finance of the College in respect of the matters in charges 1 and/or 2 above.
4. You failed and/or refused to co-operate with a Part 4 HPA investigator of the College 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.

2. The Hearing Tribunal directed the Complaints Director and Mr. Cardoso to make written submissions as to any appropriate orders, and whether it should direct the Hearings Director to provide a copy of the Merits Decision to the Minister of Justice pursuant to section 80(2) of the HPA. The Hearing Tribunal received:

- a. Written Submissions of the Complaints Director dated August 15, 2025;
- b. Response Submissions of Mr. Cardoso dated August 25, 2025; and
- c. Reply Submissions of the Complaints Director dated August 28, 2025.

Submissions of the Complaints Director

Sanctions

3. The Complaints Director began by noting the Hearing Tribunal's authority to make orders under section 82 of the HPA. The Complaints Director submitted that the following orders were appropriate considering the circumstances of the case:

- a. Mr. Cardoso will be reprimanded. The Hearing Tribunal's sanctions decision ("Sanctions Decision") will constitute the reprimand.
- b. Mr. Cardoso's registration and practice permit will be cancelled, effective the date of the Sanctions Decision.
- c. Prior to reinstatement of Mr. Cardoso's registration and practice permit, he must:
 - i. Successfully complete the "PROBE: Ethics & Boundaries Program" two-day ethics course (the "Course"), all at Mr. Cardoso's sole cost and expense, and the Course will not count towards his continuing education requirements with the College; and
 - ii. Complete to the satisfaction of the Complaints Director a fitness assessment evaluation, all at Mr. Cardoso's sole cost and expense. Any assessors must be approved by the Complaints Director.
- d. Should Mr. Cardoso successfully apply for the reinstatement of his registration and practice permit, he must provide criminal record checks on the anniversary of the date his registration is reinstated for a period of three years.

- e. The Merits Decision and Sanctions Decision will be published with Mr. Cardoso's name on the College's website for a period of five years from the date of the Sanctions Decision.

4. The Complaints Director outlined the College's mandate under section 3 of the HPA and the fundamental purposes of sanctions. The purpose of sanctions in professional regulation is to ensure that the public is protected from unprofessional conduct and to maintain the integrity of the profession. These goals are achieved by ensuring the public is not at risk of harm from continuing conduct by the member, by ensuring that the public has confidence in the profession, and by sending an appropriate message to other members regarding conduct that is found to be unacceptable.

5. The Complaints Director referred the Hearing Tribunal to *Jaswal v. Newfoundland (Medical Board)*, 1996 CanLII 11630 (NL SC) ("*Jaswal*"), which describes sanctioning factors that discipline tribunals can consider. The Complaints Director made submissions on the following factors that apply to this case:

- The nature and gravity of the proven allegations: Mr. Cardoso's unprofessional conduct included assaulting and biting Mr. Q, accompanied by repeated death threats pronounced by Mr. Cardoso using strong language. After Mr. Q was able to flee, Mr. Cardoso then took the opportunity to rummage around in Mr. Q's vehicle and steal Mr. Q's personal belongings. The aggressive assault on and theft from a member of the public is undoubtedly serious in and of itself.

Mr. Cardoso then made repeated attempts to use the credit cards he stole from Mr. Q to pay his registration fees with the College. When College personnel investigated the circumstances surrounding the payment, Mr. Cardoso was deceptive and lied about how he came to meet Mr. Q and provided false explanations for why Mr. Q's credit card was used to pay his registration fees. When the College Investigator was able to interview Mr. Cardoso after he ignored her initial attempts at contacting him, Mr. Cardoso stated that he knew nothing about any assault or theft, only to reverse course when he was confronted with video footage from inside Mr. Q's vehicle.

Mr. Cardoso's unprofessional conduct was continuing and deliberate. His repeated deception inhibited the College's ability to determine proportionate responses to the allegations being made against him and frustrated the College's ability to protect the public.

- The presence or absence of any prior complaints or convictions: Mr. Cardoso has no discipline history with the College. However, his initial application for registration with the College was submitted in December 2023, and the facts surrounding his registration were the subject matter of his unprofessional conduct.

- The role of Mr. Cardoso in acknowledging what occurred: Mr. Cardoso largely withdrew himself from the hearing process, and unnecessarily prolonged the hearing, resulting in avoidable extra costs. Mr. Cardoso has also not provided any acknowledgement of responsibility and has demonstrated a blatant disregard for the hearing process.

Mr. Cardoso was not present at the start of the rescheduled April 23, 2025 hearing date, and the Complaints Director made an application under section 79(6) of the HPA to proceed in Mr. Cardoso's absence. However, late in the morning on the rescheduled hearing date and well after the hearing was underway, Mr. Cardoso logged into the videoconference meeting.

Mr. Cardoso's actions during the rescheduled hearing demonstrated a disinterest in the hearing process. Mr. Cardoso appeared to have logged in using his phone while he was on a construction jobsite with a colleague. On repeated occasions throughout the rescheduled hearing, Mr. Cardoso appeared to set his phone down, put his phone in his pocket, or talk with colleagues, resulting in him at times not immediately responding to questions from the Hearing Tribunal.

- Serious financial or other penalties as a result of the allegations: As of August 2, 2024, Mr. Cardoso was subject to a direction to cease practicing under section 118 of the HPA, which was never removed. Mr. Cardoso has likely suffered some measure of financial or other penalty associated with the allegations made against him.
- The need to promote specific and general deterrence: The sanctions orders must make it abundantly clear to Mr. Cardoso and other members of the paramedicine profession that this conduct is unacceptable. Regulated members must maintain their professional responsibilities at all times, especially in their dealings with members of the public and the College. Serious sanctions are warranted, both as a matter of specific and general deterrence.
- The need to maintain the public's confidence in the paramedicine profession: Mr. Cardoso's failure to practice and act with integrity undermined public confidence in the profession. The sanctions orders made by the Hearing Tribunal must clearly demonstrate to the public that the College takes these matters seriously and convey a message that the College is committed to upholding its legal obligations under the HPA.
- The degree to which the unprofessional conduct falls outside the range of permitted conduct: Contrasting Mr. Cardoso's actions with the high professional standards applicable to health professionals, there is little doubt that the proven allegations of unprofessional conduct significantly departed from what is expected of aspiring and actual paramedics. Mr. Cardoso's conduct clearly falls outside the range of acceptable conduct, not just for members of the paramedicine profession, but members of the public more generally.

Costs

6. The Complaints Director referred the Hearing Tribunal to the decision in *Charkhandeh v College of Dental Surgeons of Alberta*, 2025 ABCA 258 ("*Charkhandeh*"), which sets out the framework that is applicable to administrative tribunals making costs awards, noting that costs awards should only be considered after the discipline tribunal has determined a fit sanction.

7. The Complaints Director noted that *Charkhandeh* makes clear that there is no presumption for the regulator or the registrant to bear any amount of costs, and the discretion to make an award of costs should be exercised in a principled, transparent, and reasonable manner. *Charkhandeh* also provides that the expenses incurred by the regulator must be fair and reasonable, having regard to the nature of the investigation, the allegations, and the hearing process. It must also be reasonable to transfer the burden of those costs to the professional, with the ultimate award being proportionate to the issues involved and the circumstances of the member, and the burden placed on them.

8. The Complaints Director made submissions on the following factors outlined in *Charkhandeh* that administrative tribunals should consider:

- The number of allegations and overall success of the parties: The Complaints Director was wholly successful in proving each allegation of unprofessional conduct contained in the notice of hearing.
- The length and extent of the hearing: The hearing proceeded over two days after an adjournment was granted on the morning of the initial hearing date to give Mr. Cardoso an opportunity to obtain legal counsel. Mr. Cardoso then proceeded to show up late to the rescheduled hearing after the Complaints Director had already made an application under section 79(6) of the HPA and opted not to call any witnesses or make closing submissions.
- The types of expenses incurred and their reasonableness: The Complaints Director provided that the costs of the investigation and hearing to the date of their submissions amounted to \$32,664.82, broadly broken down as follows:
 - i. \$20,843.05 – Legal Fees (Complaints Director’s Counsel)
 - ii. \$9,259.60 – Legal Fees (Independent Legal Counsel)
 - iii. \$2,439.67 – Court Reporting Expenses
 - iv. \$122.50 – Transcription Expenses Related to Investigation Report
- Unreasonable and/or inefficient conduct of the parties: The Complaints Director referred to their submissions that Mr. Cardoso was disinterested in the hearing process and failed to direct his full attention to addressing the allegations made against him.

- The circumstances of the regulated member and the burden a costs award would place on them, and whether a costs award would be disproportionate or “crushing”: Mr. Cardoso’s circumstances may result in a costs award placing a burden on him, as would any costs award for a regulated member. However, the costs award proposed by the Complaints Director would not be disproportionate or “crushing” given the matters in issue.

9. The Complaints Director submitted that it would be appropriate to order Mr. Cardoso pay costs in the amount of \$19,598.89, representing 60% of the costs of investigation and hearing. The costs are payable over a period of two years from the date of the Sanctions Decision, provided that if Mr. Cardoso fails to pay the costs within that time period, Mr. Cardoso will not be eligible to apply for his registration and practice permit to be reinstated until the entire balance of the costs is paid in full.

Section 80(2)

10. The Complaints Director submitted that there are reasonable and probable grounds to believe that Mr. Cardoso has committed a criminal offence based on the proven allegations of unprofessional conduct. The Complaints Director supported a direction being made to the Hearings Director pursuant to section 80(2) of the HPA.

Submissions of Mr. Cardoso

11. Mr. Cardoso fully accepted the Hearing Tribunal’s findings of unprofessional conduct and does not seek to relitigate the facts. However, Mr. Cardoso stated that the sanctions proposed by the Complaints Director are excessive, punitive, and inconsistent with the Hearing Tribunal’s statutory obligation to impose proportionate, rehabilitative measures when public protection can be achieved through conditions and monitoring.

12. Mr. Cardoso detailed his battle with substance use disorder involving crack cocaine, crystal methamphetamine, oxycodone, and fentanyl since he was a teenager, which has eroded his personal and professional life. He also noted that he suffered a near-fatal overdose in March of 2025. Following this event, he entered an inpatient addiction program, completed treatment, and has remained sober. Mr. Cardoso advised that he continues to attend therapy and recovery programs and offered to provide the Hearing Tribunal with evidence of ongoing rehabilitation.

13. Mr. Cardoso submitted that the allegations concerning Mr. Q were first revealed to him during the College’s hearing, and seeing the evidence caused overwhelming shame and horror. Mr. Cardoso explained that, at the time of the events, he was so impaired that he had no memory of the events and no ability to distinguish right from wrong. Mr. Cardoso submitted that following the hearing, he relapsed briefly but has since recommitted himself to recovery and has made measurable progress.

14. Mr. Cardoso also submitted that addiction could mitigate sanctions, provided that the regulated member demonstrates insight, remorse, and rehabilitation. Mr. Cardoso noted that he has no prior discipline, no patients were harmed by his conduct, and his actions, though serious, occurred in the context of a treatable illness.

15. Mr. Cardoso argued that disciplinary measures must relate to professional duties and public protection, and not to punish purely private conduct. He submitted that cancelling his registration for conduct that occurred in his personal life and did not involve the practice of paramedicine or patient care risked overreach by the Hearing Tribunal.

16. Mr. Cardoso indicated that he has been unable to retain legal representation, which has undermined his ability to respond meaningfully in this case. Mr. Cardoso relied on the decision in *Baker v Canada (Minister of Citizenship and Immigration)*, [1999] 2 SCR 817 ("*Baker*"), in that fairness requires decision-makers to consider barriers to participation, especially where the stakes include livelihood and reputation.

17. Mr. Cardoso advised that in determining his position on sanctions, he undertook a review of College precedents and other Canadian authorities, which show lesser penalties with rehabilitative outcomes for more serious conduct that involved direct patient-related unprofessional conduct:

- a. *Decision of the Hearing Tribunal of the Alberta College of Paramedics - Courtney Kossatz*, dated March 19, 2023;
- b. *Elk Point Case (In the Matter of Donald Hingley and Ryley Pals)*, *Alberta College of Paramedics*, 2020;
- c. *Professional Conduct Committee of the Saskatchewan College of Paramedics v Bodnarchuk*, 2015 SKCA 81; and
- d. *Charkhandeh*.

18. Mr. Cardoso also referred the Hearing Tribunal to academic literature to support that structured rehabilitation is a key component of professional discipline and that discipline should prioritize recovery when public protection can be maintained.

19. Recognizing that public protection is paramount, Mr. Cardoso submitted that he was willing to accept the following orders that balance accountability, rehabilitation, and the public interest:

- a. A defined suspension period, with the opportunity for conditional reinstatement once clear evidence of fitness to practice is demonstrated.
- b. Collaborative relapse monitoring, including confidential reporting and support mechanisms, to ensure public safety while respecting privacy.

- c. Submission of reasonable and periodic proof of ongoing therapy and sobriety, with flexibility to accommodate work and treatment schedules.
- d. Completion of an approved ethics and professionalism program, voluntarily undertaken at his own expense.
- e. Publication that is limited to what is necessary for transparency and public trust, without unnecessarily harming future employment prospects.
- f. Costs in accordance with *Charkhandeh*, to be paid through a manageable, interest-free payment plan to avoid undue hardship.

20. Mr. Cardoso concluded that he deeply regrets his actions. Mr. Cardoso asked that he not escape consequences of his actions, but that he be allowed a chance to rebuild as a safe, ethical practitioner under close supervision.

Reply Submissions of the Complaints Director

Addiction Issues and Rehabilitation

21. The Complaints Director recognized that a substance use disorder can have an impact on the sanctions that are imposed for proven unprofessional conduct. However, a regulated member bears the onus of demonstrating that there was a connection or link between the disorder and the misconduct for such disorder to be considered in determining the appropriate sanctions. Furthermore, there is an obligation to accommodate a regulated member's disability to the point of undue hardship. The nature of the unprofessional conduct may be so egregious that no remedy short of revocation is appropriate.

22. The Complaints Director submitted that Mr. Cardoso has not met the onus of establishing that there was a connection or link between his alleged disorder and the proven unprofessional conduct. There is no evidence of what caused Mr. Cardoso's impairment at the time he assaulted and stole from Mr. Q, and there is no expert evidence on the impact of Mr. Cardoso's specific substance use disorder.

23. The Complaints Director also submitted that the evidence demonstrated Mr. Cardoso was aware he had committed the assault and theft, used Mr. Q's credit cards for his own personal gain, and invented false explanations to try to divert the College from finding out the truth of the events that took place.

24. The Complaints Director noted that while they are mindful of rehabilitation as a component of professional discipline, this is a case of egregious unprofessional conduct that is most appropriately addressed through the sanctions orders sought by the Complaints Director.

Jurisdiction and Procedural Fairness

25. The Complaints Director recognized that the Hearing Tribunal already found that there is a sufficient nexus between the conduct complained of and Mr. Cardoso's role as a professional in the Merits Decision.

26. The Complaints Director submitted that the duty of procedural fairness set out in *Baker* does not create a right to legal representation as a requirement to conduct an administrative proceeding. The Complaints Director directed the Hearing Tribunal to paragraph 30 of *Baker* and submitted that the key to analyzing whether someone was afforded sufficient participatory rights is whether "*considering all the circumstances, those whose interests were affected had a meaningful opportunity to present their case fully and fairly.*"

27. The Complaints Director claimed that Mr. Cardoso has been given a meaningful opportunity to present his case fully and fairly, including that he was provided:

- a. adequate notice of the discipline proceedings and the evidence the Complaints Director would rely on;
- b. the opportunity to participate in the hearing;
- c. an adjournment to allow him the opportunity to obtain legal counsel and prepare for the rescheduled hearing date; and
- d. reasons for the findings of unprofessional conduct, allowing him to formulate sanctions submissions.

28. The Complaints Director submitted that the College has wholly complied with the duties of procedural fairness owed to Mr. Cardoso, and his lack of legal representation is not a factor that should weigh into determining the appropriate sanctions in his case.

Precedents

29. The Complaints Director distinguished the cases relied upon by Mr. Cardoso in his submissions to offer useful comparators to his case, noting that the facts are incomparable to Mr. Cardoso's matter and some of the decisions proceeded by way of a joint submission regarding sanctions.

30. The Complaints Director provided the *Decision of the Hearing Tribunal of the Alberta College of Paramedics - Shalanna Ayton*, dated April 12, 2022, where the College previously ordered cancellation of a regulated member's registration and practice permit in circumstances where a member engaged in serious unprofessional conduct concerning issues with registrations and conduct towards the College.

31. The Complaints Director noted that under section 45.1(2)(a) of the HPA, a regulated member cannot make an application for reinstatement following cancellation earlier than three years after the date of cancellation. The Complaints Directors concluded that in the event the Hearing Tribunal determines that a suspension should be substituted in place of cancellation, the appropriate suspension period would be three years.

Direction of the Hearing Tribunal for Additional Evidence

32. Following its deliberations on September 18, 2025, the Hearing Tribunal considered Mr. Cardoso's offer to provide additional evidence of ongoing rehabilitation, as noted in paragraph 12. The Hearing Tribunal directed Mr. Cardoso to provide the evidence by November 17, 2025 and noted that if it did not receive a submission or response, the Hearing Tribunal could make a decision based on the information before it at that time.

33. Mr. Cardoso did not provide the evidence, or any further submissions as directed by the Hearing Tribunal. The Hearing Tribunal considered the Hearing Director's correspondence, and whether it was satisfied that Mr. Cardoso had received the direction.

34. On November 4, 2025, the Hearings Director, Ms. Holly Rose, emailed Mr. Cardoso at the email addresses that the College had for him on record, enclosing a copy of the Hearing Tribunal's direction. The email addresses were also the same email addresses to which the Hearings Director sent the videoconference link for the hearing on November 28, 2024 and April 23, 2025. Mr. Cardoso ultimately attended the hearing on those days.

35. Based on the information provided by the Hearings Director, the Hearing Tribunal is satisfied that Mr. Cardoso was provided with a copy of its direction for further written submissions and evidence, and that he did not respond to the Hearing Tribunal's request.

Decision of the Hearing Tribunal on Sanctions and Costs

Evidence regarding Mr. Cardoso's Substance Abuse Disorder

36. Mr. Cardoso took the position that the sanctions sought by the Complaints Director were excessive. He indicated that he suffered a substance abuse disorder, that he was impaired at the time of his unprofessional conduct, and that sanctions should favour rehabilitation.

37. The information as to any substance abuse disorder that Mr. Cardoso experienced was adduced solely during the sanctions phase of the hearing, which was held in writing. Neither party requested an in-person hearing, though the Hearing Tribunal invited them to do so.

38. The Hearing Tribunal recognizes that Mr. Cardoso was self-represented throughout the proceedings and may not recognize the distinction between written arguments and evidence. However, a fair process demands that Mr. Cardoso have an opportunity to meaningfully present his case.

39. As summarized in paragraphs 12 and 13, Mr. Cardoso detailed the impacts of his substance abuse disorder. Mr. Cardoso also offered to provide medical records related to his substance abuse disorder. However, when the Hearing Tribunal directed him to do so, he did not respond. As a result, there is no objective evidence of Mr. Cardoso's substance abuse disorder before the Hearing Tribunal. There are only Mr. Cardoso's written statements, which have not been tested.

40. The Hearing Tribunal notes that Mr. Cardoso had multiple opportunities throughout the hearing process to provide evidence about his substance abuse disorder. Mr. Cardoso did not provide any information or documentation during the hearing, despite the participatory rights offered to him and detailed in paragraph 49. Mr. Cardoso also chose not to raise his personal and health-related challenges until his submissions on sanctions.

41. The Complaints Director took the position in reply that Mr. Cardoso did not satisfy the evidentiary onus required to establish that there was a connection between his alleged disorder and the unprofessional conduct.

42. The Hearing Tribunal must determine whether the evidence before it proves that Mr. Cardoso had a drug addiction at the time of his unprofessional conduct, and whether there is a sufficient link between his addiction and his unprofessional conduct. If the Hearing Tribunal finds that both are proven, it may be appropriate to take a rehabilitative approach in ordering sanctions.

43. The Hearing Tribunal gave serious consideration to whether it could accept Mr. Cardoso's written submissions as evidence. The Hearing Tribunal's decision has the potential to have a significant impact on Mr. Cardoso, as he stands to lose his status as a member of the paramedicine profession. To ensure Mr. Cardoso has an opportunity to meaningfully participate and to present his case, the Hearing Tribunal is prepared to accept the information presented in his written submissions as evidence. However, the Hearing Tribunal is mindful that the information was not tested in cross-examination and that there was no objective, medical evidence to corroborate the information presented. Additionally, the Hearing Tribunal notes that portions of Mr. Cardoso's submissions appear to contradict its findings in the Merits Decision, such as when Mr. Cardoso asserts that he first found out about the events of December 2, 2023, during the College's hearing process rather than during his July 11, 2024 interview with the College's investigator. The Hearing Tribunal notes the contradictions to be highly concerning. These factors lessen the weight that can be attributed to Mr. Cardoso's statements.

44. The Hearing Tribunal is prepared to accept that Mr. Cardoso has or previously had a drug addiction. However, even if Mr. Cardoso had an addiction, the Hearing Tribunal must still determine whether there is a sufficient link between his addiction and his unprofessional conduct.

45. While Mr. Cardoso indicated that he was impaired at the time of his unprofessional conduct in relation to Allegation 1, his written submissions were not clear as to the cause of the impairment. Mr. Cardoso did not say what type of substance he had taken to cause his impairment, whether that be one of those he lists as part of his substance abuse disorder or some other substance such as alcohol. This detail is consistent considering Mr. Cardoso further admitted that he had no memory of the events due to his impairment. However, Mr. Cardoso's lack of memory also adds to the Hearing Tribunal's difficulty in assessing the cause of Mr. Cardoso's conduct. Mr. Cardoso also provides no evidence of an impairment in relation to the remaining three findings of unprofessional conduct in Allegations 2, 3, and 4. The Hearing Tribunal finds that there is inadequate evidence to establish that Mr. Cardoso's unprofessional conduct arose from his drug addiction.

46. The primary function of this disciplinary hearing is to protect the public from Mr. Cardoso continuing to engage in unprofessional conduct, and from other members of the profession engaging in similar conduct. The Hearing Tribunal cannot be satisfied based on the limited information before it that Mr. Cardoso's conduct arose because of his drug addiction. Accordingly, the Hearing Tribunal is not persuaded that sanctions rehabilitating Mr. Cardoso's drug addiction alone will ensure that his unprofessional conduct does not continue.

Sanctions

47. The Hearing Tribunal considered the parties' submissions. After serious consideration, the Hearing Tribunal agrees that the sanctions originally proposed by the Complaints Director are appropriate and proportionate to Mr. Cardoso's proven unprofessional conduct.

48. Although Mr. Cardoso states that he fully accepts the Hearing Tribunal's findings of unprofessional conduct, a portion of his submissions, summarized at paragraph 13, seemingly challenged the Merits Decision. The Hearing Tribunal will not consider submissions that reargue the Merits Decision, and the focus of the Sanctions Decision will be to address the appropriate sanctions given Mr. Cardoso's unprofessional conduct and to consider whether a cost order is warranted in the circumstances.

49. The Hearing Tribunal agrees that *Baker* provides for participatory rights as part of the duty of fairness. The Hearing Tribunal advised Mr. Cardoso of his right to legal counsel on November 28, 2024, and granted him an adjournment to provide him an opportunity to retain legal counsel. During the rehearing on April 23, 2025, Mr. Cardoso was provided a recap of events that occurred prior to his late attendance, and did not object to continuing with the hearing, but instead chose to continue in the absence of legal counsel. Mr. Cardoso was given full opportunity to make submissions, call evidence, and cross-examine the Complaints Director's witnesses, but chose not to prior to his written submissions on sanctions. The Hearing Tribunal finds that it satisfied its procedural fairness obligations and provided Mr. Cardoso a meaningful opportunity to present his case fully and fairly.

50. The Hearing Tribunal notes that both parties referred to the *Jaswal* decision in their submissions in considering the appropriate sanctions. Consideration of the *Jaswal* factors in this case weighs in favour of a severe sanction:

- a. The nature and gravity of the proven allegations: The conduct at issue was extremely serious. Mr. Cardoso's assault on and theft from Mr. Q alone demonstrated a profound disregard for the core principles of public protection. After his conduct in relation to Allegation 1, Mr. Cardoso went on to commit a series of offences that were deliberate, planned, and involved repeated efforts to falsify information and misrepresent facts to secure membership in the profession. Viewed holistically, his conduct was not a momentary lapse in judgment or an impulsive act.

The evidence demonstrated that Mr. Cardoso made multiple attempts to validate false information, including by providing untrue statements to members of the College. His conduct reflected a clear lack of honesty and integrity. The fact that the unprofessional conduct did not relate to direct patient-related care does not minimize its seriousness. In a profession that relies fundamentally on public trust and ethical decision-making, such conduct runs contrary to the College's mandate to protect the public.

- b. The presence or absence of any prior complaints or convictions: Mr. Cardoso's conduct involves nearly the entirety of his registration period in the profession. The unprofessional conduct occurred in the days leading up to Mr. Cardoso's initial registration in the profession on December 30, 2023 and the months following, with the final allegation occurring on or about July 11, 2024. This is not a case involving a member with an unblighted registration history that could provide reassurance to the College or the public for his continued practice.
- c. The role of Mr. Cardoso in acknowledging what occurred: The Hearing Tribunal finds that Mr. Cardoso has demonstrated limited understanding of and has not acknowledged his unprofessional conduct. While his written submissions contained statements suggesting acceptance of responsibility, he contradicted this through subsequent explanations and attempts to minimize his behaviour. One example of this is Mr. Cardoso's submission that the allegations concerning Mr. Q were first revealed to him during the conduct hearing. This cannot be the case based on the evidence that was before the Hearing Tribunal, particularly the evidence of the College's Investigator, who showed Mr. Cardoso video footage from inside Mr. Q's vehicle, which he acknowledged was him. True acknowledgement of conduct in this case requires Mr. Cardoso to appreciate why his conduct is unprofessional, and the Hearing Tribunal is not confident that Mr. Cardoso has reached that point.
- d. The presence or absence of any mitigating circumstances: As discussed above, it is not proven that Mr. Cardoso's conduct occurred as the result of a drug addiction. Therefore, his drug addiction is not a mitigating factor. The Hearing Tribunal is not aware of any other mitigating circumstances.

- e. The need to maintain the public's confidence in the paramedicine profession: Public confidence in the profession depends on the assurance that only individuals of honesty and integrity are permitted to practice. The Hearing Tribunal finds that Mr. Cardoso's conduct is fundamentally inconsistent with the ethical obligations of a paramedical professional, who is entrusted to provide emergency medical care to vulnerable individuals. The nature of his conduct makes it impossible for the profession or the public to have confidence in his current suitability to practice.
- f. The degree to which the unprofessional conduct falls outside the range of permitted conduct: Mr. Cardoso's unprofessional conduct is clearly outside the range of acceptable behaviour. The unprofessional conduct raises significant concerns with Mr. Cardoso's ability to make sound judgment and think clearly. These characteristics, coupled with his deliberate deception, raise serious concerns about his current ability to practise safely and ethically in the paramedicine profession.
- g. The range of sentences in similar cases: The Hearing Tribunal reviewed the precedents provided by the parties in their submissions. The unique circumstances of Mr. Cardoso's case distinguish it from others, making it very difficult to rely on the precedents for guidance on sanctions.

51. The Hearing Tribunal acknowledges that cancellation is a serious sanction that should not be considered lightly. However, it agrees that cancellation is appropriate in this case, as Mr. Cardoso's conduct was incompatible with continuing as a regulated member of the College. Cancellation is also necessary to protect the public and the integrity of the profession of paramedicine.

52. As both parties outline in their submissions, Mr. Cardoso's prospects for rehabilitation are relevant to the determination of sanctions. Nevertheless, the Hearing Tribunal has limited information to suggest that rehabilitation is appropriate and expected to effectively ensure Mr. Cardoso practices in the profession in a safe manner to warrant a suspension.

53. The requirement that Mr. Cardoso complete the Course prior to his reinstatement is also appropriate in the circumstances of the case. Mr. Cardoso will be educated and reflect on his ethical obligations and why his conduct was unprofessional to complete the Course. This education will protect the public against unprofessional conduct, should Mr. Cardoso apply for reinstatement as a regulated member in the future.

54. The completion of a fitness assessment evaluation prior to reinstatement and provision of annual criminal record checks for a period of three years on reinstatement are also crucial to demonstrating Mr. Cardoso's fitness to practice, particularly given the time away from the profession. With the heightened concerns of Mr. Cardoso's ability to practice paramedicine in light of the proven unprofessional conduct, there must be safeguards in place to ensure the protection of the public.

55. For these reasons, the Hearing Tribunal makes the sanctions orders sought by the Complaints Director. The Hearing Tribunal went on to consider whether it would be appropriate to order Mr. Cardoso to pay a portion of the costs of the investigation and hearing.

56. The Complaints Director also noted that the Merits Decision and the Hearing Tribunal's decision on sanctions would be published with Mr. Cardoso's name in accordance with the College's Conduct Policy "Publishing of Hearing Decisions and Complaint Resolution Agreements and Undertakings." The Hearing Tribunal accepts that publication with names is appropriate in this case, as it promotes transparency and accountability.

Costs

57. The Hearing Tribunal can order costs under section 82(1)(j) of the HPA. The Hearing Tribunal notes that both parties identified *Charkhandeh* as the guiding authority on costs in this matter. The Hearing Tribunal recognized that there is no presumption on which party should bear any amount of costs of the investigation and hearing.

58. In determining the appropriateness of a cost order, the Hearing Tribunal considered the following factors:

- a. The number of allegations and overall success of the parties: The Complaints Director was wholly successful in proving the four allegations against Mr. Cardoso, and that they amounted to unprofessional conduct.
- b. The length and extent of the hearing & types of expenses incurred and their reasonableness: The proceedings required two days of hearings after an adjournment on the first day of the hearing that was allowed in order for Mr. Cardoso to retain legal counsel. On the second day of the hearing, Mr. Cardoso was not present when the hearing started and so the Complaints Director was required to prepare for and make an application under section 79(6) of the HPA.

The quantum of the costs and types of expenses incurred in the investigation and hearing provided in the Complaints Director's submissions are reasonable considering the circumstances of the case. The Hearing Tribunal recognizes that some of these costs incurred include transcription expenses related to the investigation, court reporting expenses, and fees for legal counsel.

- c. Unreasonable and/or inefficient conduct of the parties: Mr. Cardoso's conduct during the hearing contributed to the complexity of the proceedings, and he did not take steps to minimize the costs of the investigation and hearing, unrelated to exercising his right to defend himself. Generally, Mr. Cardoso did not participate in the discipline process in a meaningful way.

Mr. Cardoso attended the hearing on November 28, 2024 and requested that the hearing be adjourned to allow him an opportunity to seek legal counsel. He then did not attend the rescheduled hearing on April 23, 2025, until after the Complaints Director made an application to proceed in his absence under section 79(6) of the HPA. He arrived partway through the testimony of the Complaints Director's witnesses. After his arrival, the Hearing Tribunal found Mr. Cardoso's conduct disruptive as there were a number of times when the hearing would pause to ensure Mr. Cardoso was still present and to wait for a response to questions from the Hearing Tribunal.

- d. The circumstances of the regulated member and the burden a costs award would place on them, and whether a costs award would be disproportionate or "crushing": The Hearing Tribunal considered Mr. Cardoso's submissions that costs be paid through a manageable payment plan to avoid undue hardship, but notes that Mr. Cardoso did not provide a specific timeline for payment or additional evidence of his ability to pay in his submissions.

The Hearing Tribunal recognizes that Mr. Cardoso's personal circumstances may result in a costs award placing a burden on him. Nevertheless, the two-year period for payment of costs is reasonable and will provide Mr. Cardoso sufficient time to manage the financial burden. A cost order of \$19,598.89, while onerous, is reasonable in the circumstances of the case and does not reflect a crushing or unduly onerous financial obligation.

59. Considering all of the factors above, the Hearing Tribunal agrees that it is appropriate for Mr. Cardoso to pay costs of \$19,598.89 payable over a period of two years from the date of the Sanctions Decision.

Orders

60. For the above reasons, the Hearing Tribunal makes the following orders:

- a. Mr. Cardoso will be reprimanded. The Sanctions Decision will constitute the reprimand.
- b. Mr. Cardoso's registration and practice permit will be cancelled, effective the date of the Sanctions Decision.
- c. Prior to reinstatement of Mr. Cardoso's registration and practice permit, he must:
 - i. Successfully complete the Course, all at Mr. Cardoso's sole cost and expense, and the Course will not count towards his continuing education requirements with the College; and

- ii. Complete to the satisfaction of the Complaints Director a fitness assessment evaluation, all at Mr. Cardoso's sole cost and expense. Any assessors must be approved by the Complaints Director.
 - d. Should Mr. Cardoso successfully apply for the reinstatement of his registration and practice permit, he must provide criminal record checks on the anniversary of the date his registration is reinstated for a period of three years.
 - e. The Merits Decision and the Hearing Tribunal's decision on sanctions will be published with Mr. Cardoso's name on the College's website for a period of five years from the date of the Sanctions Decision.
 - f. Mr. Cardoso will pay costs in the amount of \$19,598.89, representing 60% of the costs of investigation and hearing. The costs are payable over a period of two years from the date of the Sanctions Decision, provided that if Mr. Cardoso fails to pay the costs within that time period, Mr. Cardoso will not be eligible to apply for his registration and practice permit to be reinstated until the entire balance of the costs is paid in full.
61. The Hearing Tribunal is of the opinion that there are reasonable and probable grounds to believe that Mr. Cardoso has committed a criminal offence. As such, the Hearing Tribunal directs the Hearings Director to provide a written copy of the Merits Decision and its decision on sanctions to the Minister of Justice in accordance with section 80(2) of the HPA.

For the Hearing Tribunal of the Alberta College of Paramedics



Allisa Wright, Chair

Dated December 6th, 2025