

Discipline Case 2019-08 Summary

On three separate occasions in 2020, the Discipline Committee (DC) met via Zoom related to case #2019-08, the SVMA Professional Conduct Committee vs Dr. Ken Habermehl. At the May 29, 2020 hearing, the DC heard evidence with regard to the four charges as stated in the Formal Complaint submitted by the PCC. On June 12, 2020, the DC deliberated and determined in-camera Dr. Habermehl's standing in relation to each charge while also dealing specifically with a concern raised by Dr. Habermehl regarding the time required to complete the investigation into the complaint against him. Briefs of law were requested from both the Assessor and legal counsel for the PCC in advance of the hearing and were submitted to the DC for consideration. On July 15, 2020, the DC heard submissions regarding penalty and costs. Dr. Habermehl chose not to attend, or be represented at the May 29th and July 15th hearings for which Notices of Hearings were sent and either denied or returned unopened.

In its Formal Complaint, the Professional Conduct Committee (PCC) indicated there was evidence Dr. Habermehl may be guilty of professional misconduct based on information and a written complaint submitted by a member of the SVMA.

The complaint involved numerous provincial and international emails sent by Dr. Habermehl alleging wrongdoing and corruption within the SVMA which were deemed to be offensive and egregious. Further, Dr. Habermehl accused the reporting services company contracted by the SVMA of tampering with transcripts of a hearing without proof. Dr. Habermehl also failed to cooperate and comply with numerous requests made by the PCC.

The Discipline Committee found Dr. Habermehl to be in contravention of the SVMA Bylaws and *The Veterinarians Act, 1987* in three of the four charges.

The penalty, as imposed by the DC, was as follows:

1. Suspension. As Dr. Habermehl has resigned, reinstatement would only be considered upon medical evidence as to his suitability to return to practise submitted to the Chair of the PCC from a licensed mental health professional approved by the Chair of the PCC.
2. No fine.
3. Pay to the SVMA the costs of the investigation and hearing into the member's conduct and related costs, including the expenses of the Professional Conduct Committee, the external investigators appointed by Council, the Discipline Committee, and the costs of legal and reporting services.
4. If Dr. Habermehl fails to pay said costs as ordered by December 31, 2020, the Registrar is directed to file a statement certifying the amount to the local registrar of the court.