

**COLLEGE OF PARAMEDICS OF NOVA SCOTIA**  
**SUMMARY OF DECISIONS OF HEARING COMMITTEE**

Re: Adam McCannel, Reg #32248  
Merits Decision Date: November 16, 2023  
Penalty Decision Date: March 21, 2024  
Costs Decision Date: April 25, 2024  
Decision: Revocation

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Adam McCannel was a paramedic licensed to practise paramedicine in Nova Scotia. This matter arose because of actions taken by Mr. McCannel following his suspension by the College.

**CHARGES**

Following a thorough investigation, the College charged Mr. McCannel with the following six counts of conduct unbecoming:

**Count 1** From July 23, 2021 to July 18, 2022, Mr. McCannel engaged in conduct that, having regard to all the circumstances, would reasonably be regarded by members as conduct unbecoming the profession by stating on his public Facebook account and through emails inappropriate, disrespectful and unprofessional comments regarding the College, Investigation Committee members, staff and representatives, including but not limited to:

- a. a July 23, 2021 email to the College's legal counsel and the College's investigator wherein Mr. McCannel stated, "As an obvious aside, if the case was just, why is the committee and its hired agents behaviour look blatantly corrupt? Just case, just prosecution. It is supposed to work that way, if you doing it right."
- b. an August 18, 2021 email wherein Mr. McCannel stated, "CPNS has failed to carry out its duty to act along with Mr. Kowalsczyk's corruption of public office or is it completing a corrupt act while in public held office, which is any office where the power of a NS Supreme Court Justice can be exercised without jurisprudence overseeing the proceedings."
- c. an October 2, 2021 email to the College's legal counsel wherein Mr. McCannel stated, "So I will find a way to break this college and Mr Karl Kowalczyk by this 090 and all subsequent violations and procedures not adhered too."
- d. an October 3, 2021 email to the College's legal counsel wherein Mr. McCannel stated:
  - i. "Karl Kowalczyk is not going to remain its head, and there is no way I don't seek every and all possible legal action against himself and the institution for its willful participation in the Bungay attack solely so Karl Kowalczyk could get another shot in while in a position of power, against a former student that proved him wrong once and he never got over it."

- ii. “So his actions are subject to oversight, or we have a dictatorship and not a college. I always thought Karl Kowalczyk was too comfortable being a Corporal and a dictator than a medic.”
  - iii. “House cleaning is long overdue at CPNS, the second most corrupt self regulating body in Nova Scotia, the weaker cousin to the most corrupt, NSCN.”
- e. a November 2, 2021 Facebook post wherein Mr. McCannel stated, “This is supposed to be super secret and private stuff, I face 6 months in jail and a 2000.00 fine per and I don’t give one last fuck for the standing of such hallow and corrupt people who parades themselves around in ‘Salmon’ coloured shirts on our dime...Mr. Karl Kowalczyk loves a good salmon coloured shirt...”
- f. a November 5, 2021 Facebook post wherein Mr. McCannel stated, “Most of my comments are layered...the story is about being gas lit. It sucks to experience and to have Karl Kowalczyk use this lying piece of garbage against me to keep from working...Too fucking far.”
- g. a November 5, 2021 Facebook post wherein Mr. McCannel stated, “CPNS and Karl choose to be hatchet men for NSCN”.
- h. a November 17, 2021 Facebook post wherein Mr. McCannel stated, “CPNS is not really much more than the firing squad for company ‘anomalies’ such as myself.”
- i. a November 24, 2021 Facebook post wherein Mr. McCannel stated, “I want to take that power away from ... Karl Kowalczyk ... they ruin truly good and honest professions and the integrity of the entire healthcare system.”
- j. a December 12, 2021 Facebook post wherein Mr. McCannel stated:
- i. “But to break free of his horrible corrupt system at NSCN and CPNS that leads to indefinite suspensions without hearings, rights of the respondent violated at CPNS.”
  - ii. “Stay safe paramedics, not only does the college not have your back, they have knives selected from the Nurses College to stab you with should you seek out of turn. Good luck with your corrupt colleges.”
  - iii. “This hostile situation is made much worse by having integrity of CPNS violated to the very foundation of the college and thru Executive Director Karl Kowalczyk”.
- k. a February 23, 2022 Facebook post wherein Mr. McCannel stated, “Yet as a Paramedic, no current as my corrupt self regulator has stacked its ‘Malicious Prosecution’ along with violations of my Human Rights, as every

action taken against myself had been solely due to my PTSD, which I have lived with since 4 years of age. Clearly discrimination.”

- I. a March 30, 2022 Facebook post wherein Mr. McCannel stated:
  - i. “I have him and the nurses College and Karl Kowalczyk breaking the law, 126(1) of the criminal code of Canada...”
  - ii. “I have been punished to the extreme for reporting the unethical and or unsafe practices of my ex sister in law, D. Bungay and Kowalczyk at my college.”
- m. a March 31, 2022 email to the College’s legal counsel wherein Mr. McCannel stated, “Please tell Karl, wear Salmon, so when he lies under oath his skin will match his shirt, making it obvious when he does it. It plays well.”
- n. a May 29, 2022 email to members of the Investigation Committee and the Minister of Health and Wellness wherein Mr. McCannel stated, “You’re a shame to the profession and your lack of integrity is transparent and I will hold you accountable.”
- o. a May 30, 2022 email to the Minister of Health and Wellness and other third parties wherein Mr. McCannel stated, “These crimes all hinged on Karl Kowalczyk being the ace in the hole at CPNS.”
- p. a June 8, 2022 email to the members of the Investigation Committee, the Minister of Health and Wellness, and other third parties wherein Mr. McCannel stated:
  - i. “He [Karl Kowalczyk] could not square that with him being a paid paramedic, paid to testify in court, and he was not prepared and he did not self acknowledge this, instead, lied essentially, passing off his testimony as legitimate, all of it, when in fact he was destroying the integrity and public trust in the profession of Paramedicine, in court in transcripts forever.”
  - ii. “It’s impossible not to connect that you, Ryan Colleen and John and Jim, knew this and hid or out failed to acknowledge it as a clear conflict of interest and acted to cover it up by black balling me.”
  - iii. “That provable act of bad faith was then completed by Ryan Brown as the President of the College and acting Registrar with the cooperation and vote of the Vice President’s and current presidents spouse and she failed to declare that conflict of interest and then voted in favour of her hidden conflict of interest in multiple ways that not implicate herself, her spouse and the College President in crimes, thru the Investigation Committee votes and decisions advised by the most comprised lawyers I have ever heard.”

- iv. “Seems almost impossible to believe that in CPNS you have, but this is the first time you brought in NSCN and they are career criminal types like Ryan Baxter, Kowalsczyk and Mackay.”

**Count 2** From September 14, 2021 to July 18, 2022, Mr. McCannel engaged in conduct that, having regard to all the circumstances, would reasonably be regarded by members as conduct unbecoming the profession by contravening section 39(1) of the *Paramedics Act* in that he disclosed confidential information from the College’s professional conduct process on Facebook and via email, including, but not limited to:

- a. the identity of the individual who reported potential concerns regarding the Mr. McCannel’s conduct to the College; and
- b. a photo of the individual’s letter of report dated November 25, 2020.

**Count 3** From November 18, 2021 to April 20, 2022, Mr. McCannel engaged in conduct that, having regard to all the circumstances, would reasonably be regarded by members as conduct unbecoming the profession by failing to adhere to and comply with the Interim Injunction Order issued against him by The Honourable Justice C. Richard Coughlan on November 12, 2021, in that he disclosed confidential information from the College’s professional conduct process on Facebook and via email, including, but not limited to:

- a. the identity of the individual who reported potential concerns regarding the Mr. McCannel’s conduct to the College; and
- b. a photo of the individual’s letter of report dated November 25, 2020; and

**Count 4** On December 23, 2021, Mr. McCannel engaged in conduct that, having regard to all the circumstances, would reasonably be regarded by members as conduct unbecoming the profession in that he was found in contempt of court beyond a reasonable doubt by The Honourable Justice John A. Keith for breaching the term of the Interim Injunction Order restraining and enjoining him from disclosing complaints and information from the College’s professional conduct process.

**Count 5** From February 4, 2022 to June 18, 2022, Mr. McCannel engaged in conduct that, having regard to all the circumstances, would reasonably be regarded by members as conduct unbecoming the profession by failing to adhere to and comply with direction to refrain from directly emailing the members of the Investigation Committee, contrary to section 44(3) of the *Paramedics Act*.

**Count 6** Mr. McCannel has demonstrated a pattern of ungovernable conduct by engaging in the conduct set out in allegations 1 – 5.

## **DECISION ON MERITS**

On November 16, 2023, the Hearing Committee found Mr. McCannel committed conduct unbecoming with respect to the emails and Facebook posts made after he became aware of an injunction issued against him on November 12, 2021. That conduct established counts 1, 2, and 3. The Hearing Committee found that Mr. McCannel's contempt of court established count 4 of the charges.

The Hearing Committee found Mr. McCannel's actions did not amount to conduct unbecoming with respect to count 5, and that count 6 was not properly before the Committee.

### **Evidence before the Hearing Committee**

Mr. McCannel first qualified as a Primary Care Paramedic and later as an Advanced Care Paramedic. He obtained his first qualification at the Maritime School of Paramedicine, where he graduated second in his class.

In March, 2019, after eight years of working as a paramedic, Mr. McCannel was suffering from chronic pain which was serious enough he found it difficult to work. Accordingly, at that time, he contacted the College of Paramedics of Nova Scotia ("CPNS") and advised them that he was unable to work. For a period of time, Mr. McCannel was disabled and not physically capable of practicing paramedicine because of his physical health condition, starting in 2019.

For a period, Mr. McCannel was also not mentally capable of practicing paramedicine. He was hospitalized for a period in July, 2020, and in November, 2020.

In November 2020, another regulator made a complaint to the College about Mr. McCannel.

An important issue in considering the emails and posts made by Mr. McCannel is whether Mr. McCannel believed in good faith in the comments he was making, and whether that makes a difference in whether the comments tend to bring discredit on the practice of paramedicine. An allegation made in good faith, with a reasonable basis cannot support a finding of professional misconduct.

Mr. McCannel initially acted in good faith.

With respect to the breaches which occurred after the injunction was served on him, Mr. McCannel was not acting in good faith, but in the knowledge he was doing something that had been prohibited by the court. It was flagrant conduct unbecoming.

Mr. McCannel's accusations, unfortunately, went well beyond a good faith belief in the underlying facts. It was fair for him to complain about delays in the process; it was entirely unwarranted for him to make allegations of corruption without any evidential basis at all. As time went on, Mr. McCannel made increasingly inappropriate, exaggerated and factually wrong statements by email and Facebook.

## Conduct Unbecoming Charges

- a) *Count 1: Making inappropriate, disrespectful and unprofessional comments regarding the College, Investigation Committee members, staff and representatives via email and on Facebook*

The Hearing Committee found Mr. McCannel guilty of conduct unbecoming with respect to the following communications:

- *November 24, 2021 Facebook post*

[Mr McCannel reviews (for five and a half pages) why he believes the allegations against him should not have been brought, and the fact that they should have been promptly resolved. He then observes]:

Your attempt to destroy my life, it nearly worked...but it didn't. when you do things like that it only works if you have the position of power to do so.

**I want to take that power away from [the person who complained against him] and Karl Kowalczyk. They ruin truly good and honest professions and the integrity of the entire healthcare system.**

- *December 12, 2021 Facebook post*

Attention all Paramedics registered or licensed to practice in Nova Scotia.

Attention all due paying members of the Nurses College

Starting fresh and with energy to make a positive change in my life. **But to break free of this horrible corrupt system at NSCN and CPNS that leads to indefinite suspensions without hearings, rights of the respondent violated at CPNS.**

My confidential information submitted to NSCN as part of their complaint process was shared with in 48 hours to CPNS. A breach of confidentiality asked for and promised by the CEO of NSCN while her senior director violated that same confidential information by sending outside of NSCN.

...This is illegal...

I am seeking to have this information to the news and before the courts with my goal to have a full Judicial Inquiry as to why the Executive Director and College Council of CPNS silently gave up independence which was just given by EHS and hand it over to NSCN thru using their lawyer....

**Stay safe Paramedics, not only does the college not have your back, they have knives selected from the Nurses College to stab you with should you seek out of turn. Good luck with your corrupt colleagues....**

We are absolutely able to fulfil many roles in ER's around the province and have proven very successful at it, yet Nurses have stated to me, in person, that it would be 'over their dead body to have paramedics working inside an ER'.

**This hostile situation is made much worse by having integrity of CPNS violated to the very foundation of the college and thru Executive Director Karl Kowalczyk.**

- *February 23, 2022 Facebook post*

There are 2 paramedics and one public person on the committee...where they can indefinitely suspend you license to be a paramedic while having an indefinite investigation to which they will also never grant a hearing...

Since the NS Public Inquiries Act was broken, to enable to breaking of the NS Human Rights Act, the Paramedics Act and Nurses Act...I am quiet happy to break the Paramedics and Nurses act, in the most insignificant manner to make this information available to the public.

What I am describing is the machinations of the the second system of government that exists under the surface in Nova Scotia if you make a significant complaint, with grounds about the misconduct of a High Level Nurse, one that has a PHD and is professional instructor of you to be trained nursing students...

Yet as a paramedic, no current as my corrupt self regulator has stacked its "Malicious Prosecution" along with violations of my Human Rights, as every action taken against myself had been solely due to my PTSD, which have lived with since 4 years of age.

Clearly discrimination.

Plus both the Nurses College and my self regulating body abuses and broke the NS Judicial Inquiries Act to make it possible to share my confidential information and identify in one NS Judicial Inquiry submitted as a complainant and then issue that information to another NS Judicial Inquiry, all by having one lawyer over see this act.

- *May 29, 2022 email to the College's legal counsel, the Investigation Committee and the Minister of Health*

Who is tasked with contacting [Public Prosecution Service] and HPC white collar crimes at CPNS when college council members are possibly responsible for a breach of confidential information while I was unconscious and under his care?

...All subsequent acts confirm that malice is implied.

**...Your a shame to the profession and your lack of integrity is transparent and I will hold you accountable.**

- *May 30, 2022 email to the Minister of Health, Mr McCannel's union and 2 representatives of his employer*

**The union is in a catch 22**

I have no idea how the union is going to defend the Breach [o]f my information by union members of a union member, that breach conducted for the direct benefit of the executive of the College of Paramedics and the Board of EMC Inc... (He then describes what he believed occurred)

**These crimes all hinged on Karl Kowalczyk being the ace in the hole at CPNS.**

▪ *June 8, 2022 email*

[Mr McCannel explains that he appeared at the McInnes Cooper offices to schedule a meeting because he was not permitted to contact Mr Kowalczyk] So why did you choose not to receive my proffered legal documents and written request to have the meeting you now want... that had it occurred in November, the entire time in NS Supreme Court could have been avoided easily.

So to protect the members of the committee, the college and the government and the public, I will be adding the Minister of Health and including the members of the committee in all communications from now on, as you have failed to adhere to your clients instructions as your client made self evidence in his sworn court room testimony...

**He [Karl Kowalczyk] could not square that with him being a paid paramedic, paid to testify in court, and he was not prepared and he did not self acknowledge this, instead, lied essentially, passing off his testimony as legitimate, all of it, when in fact he was destroying the integrity and public trust in the profession of Paramedicine, in court in transcripts forever.”**

**It’s impossible not to connect that you, Ryan Colleen and John and Jim, knew this and hid or out failed to acknowledge it as a clear conflict of interest and acted to cover it up by black balling me.**

Now I am a Whistle Blower. I think you all must be deaf...

*b) Count 2: Disclosing confidential information about the College’s professional conduct process on Facebook and via email*

The fact of publication in breach of the injunction clearly was conduct unbecoming. However, a member of the public who was aware of the content of what Mr. McCannel published—that he had deliberately chosen to publish the complaint against him in violation of a court order would think less of the practice of paramedicine as a result. The Hearing Committee found Mr. McCannel guilty of count 2.

*c) Counts 3 and 4: Failing to adhere to and comply with an Interim Injunction Order and being found in contempt of court*

In respect of counts 3 and 4, the Hearing Committee recognized that Mr. McCannel had already been punished for his failure to adhere to and comply with the injunction, and for being found in contempt of court. It accepted, however, that Mr. McCannel would not be inappropriately penalized if these counts proceeded. The Hearing Committee reasoned that the purpose of the



finding of contempt of court was to protect the administration of justice. In contrast, the purpose of the conduct unbecoming charges was to assist the regulator in determining whether Mr. McCannel could suitably remain a member of the profession.

The Hearing Committee unequivocally accepted that Mr. McCannel's deliberate breach of the injunction and being found in contempt of court bring discredit upon the practice of paramedicine.

*d) Count 5: Failing to adhere to and comply with direction to refrain from directly emailing members of the Investigation Committee*

With respect to count 5, the Hearing Committee acknowledged that Mr. McCannel owed his regulator a duty to co-operate in the professional conduct process. However, because the process is confidential, no member of the public would have any information about Mr. McCannel's conduct. The Hearing Committee thus concluded that Mr. McCannel's conduct could not bring discredit upon the profession, and therefore did not amount to conduct unbecoming.

*e) Count 6: Demonstrating a pattern of ungovernable conduct*

With respect to count 6, the Hearing Committee acknowledged that Mr. McCannel did not behave appropriately in his dealings with the Hearing Committee or counsel. He used inappropriate language, made offensive remarks, ignored directions, and had to be muted so that others could speak. He repeatedly failed to answer questions directly. For instance, when asked a simple question about an exhibit, he responded with an offensive tirade unrelated to the question. The Hearing Committee commented that Mr. McCannel could not take direction.

However, after reviewing the relevant provisions of the *Paramedics Act* and corresponding Regulations, the Hearing Committee concluded that neither the Act nor the Regulations authorized the Hearing Committee to consider a charge of ungovernability. The Hearing Committee noted that even if it had such authority, the regulations do not provide authority for punishing ungovernability.

The Hearing Committee therefore concluded that it had no jurisdiction to consider the sixth count.

### **DECISION ON PENALTY**

In its decision on penalty, the Hearing Committee accepted that Mr. McCannel was ungovernable. Mr. McCannel's conduct before the Hearing Committee was further evidence that he is unwilling to take direction. Mr. McCannel disregarded the directions from the Investigation Committee, from the College, from the College lawyer, from the Court injunction and from the Hearing Committee in the discipline proceedings. Mr. McCannel's repeated refusal to take direction was an important consideration in determining penalty.

In a regulated profession, while Mr. McCannel may disagree or object to the directions given to him, the success of the regulatory process requires that he obeys his regulator.

The point is explained this way:

A finding of ungovernability is based on a case-by-case analysis in which the guiding principle is the public interest. Members of a profession must be willing to be governed by their regulator; otherwise, the public cannot be protected. A demonstrated inability or unwillingness to abide by the decision of a regulatory body will support a finding of ungovernable conduct.

*Kuny v. College of Registered Nurses* 2017 MBCA 111, para 7

Mr. McCannel's conduct showed that he had little insight into his different breaches and had not learned his lesson. It is unlikely he will abide by the directions of the College in future.

The ability of the College to protect the public and ensure the integrity of the profession depends on the willingness of members of the College to do what they are directed to do. The Hearing Committee did not believe Mr. McCannel would follow direction from the College at all. As Mr. Baxter put it, given Mr. McCannel behaved as he did in front of the Hearing Committee, what would Mr. McCannel do on a roadside with a vulnerable patient whom he had a disagreement with?

The College must be able to maintain the confidence of the public that it can effectively regulate its members. If it is to be a self-governing profession, the public must have confidence that it can effectively regulate its members. Allowing Mr. McCannel's deliberate mockery of the Court injunction and the College directions to go unpunished would not enhance public confidence in the profession.

At the time of the hearing, Mr. McCannel had been suspended for about 32 months. Taking into account the recommendation for a five-year suspension from the College, the Hearing Committee ordered revocation should be for a further 28 months, until August 1, 2026.

Accordingly, Mr. McCannel:

- a. is reprimanded for each of the four breaches he was found guilty of, pursuant to s. 83(h) of the Regulations;
- b. has his registration revoked effective March 21, 2024 and the Registrar is directed to remove Mr McCannel's name from the appropriate rosters pursuant to s. 83 (a) of the Regulations; and
- c. shall be permitted to re-apply to the college on or after August 1, 2026 on successful completion of an ethics course approved by the College pursuant to s. 83 (i) of the Regulations.

### **DECISION ON COSTS**

In consideration of Mr. McCannel's financial constraints and the College's need for fair administration, the Hearing Committee ordered Mr. McCannel to pay costs in the amount of \$400 per month over a period of five years to the College, totaling \$25,000. The Hearing Committee also ordered that the cost of Mr. McCannel's ethics course, if successfully completed, could count towards the costs payment (to a maximum of \$3,500).