



KATHARINE BYRICK

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[Health Law](#)

[Health Advocacy](#)

[Medico-Legal Defence](#)

[Mental Health Law](#)

[Personal Health Information and Privacy](#)

[Healthcare Risk Management](#)

Education / Bar Admissions

LLB, University of Windsor, 1997

BA (Hons.) in History, University of Western Ontario, 1994

Ontario, 1999

Professional Involvement

Member, The Advocates' Society

Member, Medico-Legal Society of Toronto

Member, Ontario Bar Association, Health Law Section

Member, Ontario Trial Lawyers Association, Medical Malpractice Section, 1999-2001

EXECUTIVE SUMMARY

Katharine Byrick is a member of Health Law Group in the Toronto office of Borden Ladner Gervais LLP.

A considerable portion of Katharine's practice involves defending healthcare organizations and their employees in civil claims. A significant component of Katharine's practice also involves working directly with various healthcare organizations in responding to adverse events, ALC issues, dealing with complicated consent issues including end-of-life, issues involving substitute decision makers, discharge planning and mental health law issues. Katharine has dealt extensively with matters involving the *Health Care Consent Act*, *Substitute Decisions Act*, *Mental Health Act*, and Coroner's investigations and reviews.

Katharine works directly with clinical care teams to provide legal support in challenging situations involving all of the above, as well as with individuals in leadership roles to provide general-level continuing education and support to staff.

Katharine has appeared before the Superior Court of Justice, Divisional Court, Court of Appeal for Ontario, Consent and Capacity Board, and Ontario Review Board. She has also participated in mediations and negotiations and assisted with responses to Health Services Appeal and Review Board and the Information and Privacy Commissioner.

Katharine joined BLG in 2001. She previously articulated with and practised at a firm in London, Ontario.

REPRESENTATIVE WORK

- Represents healthcare organizations and community based healthcare organizations in medical malpractice actions.
- Advises acute care, complex-continuing care, long-term care facilities and community-based organizations to support the development and implementation of patient-centred strategies to deal with situations in which there are challenges relating to discharge planning, end-of-life and treatment and acute treatment and care.
- Represents healthcare providers before the Consent and Capacity Board and on appeals from the decisions of this Board.

- Advises healthcare organizations on the management of adverse events, including disclosure, quality of care review and Coroner's investigations/inquests.
- Advises healthcare organizations in the development and review of policies and procedures on a range of topics including consent, end-of-life, use of restraints, the *Quality of Care Information Protection Act*, disclosure of adverse events and critical incident management.

PUBLICATIONS & PRESENTATIONS

- Author, "Managing Transitions, A Guidance Document — Second Edition", Ontario Hospital Association, September 2018.
- Author, *A Practical Guide to Mental Health and the Law in Ontario*, Ontario Hospital Association, March 2009, updated September 2016 (with Barbara Walker-Renshaw, BLG).
- Presenter, "Myth Busters: Fact and Fiction" and "Communication is Key: A Panel Discussion," Ontario Hospital Association webcast *ALC: Managing the Transitions to Care: Ethical Issues and Regulatory Myths*, February 2013.
- Presenter, "Legislation, discharge planning and decision making," at a Hospital, January 2013.
- Presenter, "The Health Care Consent Act – Legislative Framework and the role of the Consent and Capacity Board" and "The Role of the Substitute Decision Maker and Patient's Family," Ontario Hospital Association webcast *ALC: Managing the Transitions to Care: Communications and Partnership in the Context of Legislation*, November 2012.
- Author, *Practice Guide to Mental Health and the Law in Ontario*, Ontario Hospital Association, March 2009, updated October 2012 (with Barbara Walker-Renshaw, BLG).
- Keynote Speaker, Third Annual Conference: Caring for Diverse Communities, William Osler Health System, October 2012.
- Presenter, "ALC Patients: The legislative framework," Ontario Hospital Association webcast *Alternate Level of Care Patients: Managing the Transitions to Care – The Legislative Framework*, June 2012
- Presenter, series of presentations to Emergency Department staff and mental health program staff on the *Mental Health Act* and practice-specific issues, as well as lead a discussion forum for psychiatrists at a Hospital, September 2011.
- Presenter, "Consent and Capacity: the legal perspective" to staff at a Hospital, August 2011.
- Presenter, "Obstetrical Events: Legal and Risk Perspectives" to members of the Family Birthing Program at a Hospital, June 2011.
- Presenter, "Coroner's Inquests" to regional Risk Management Group, April 2011
- Participant, "An Obstetrical Case Review: The Impact of a Bad Outcome," case study presentation at HIROC conference, November 2010.
- Presenter, "Safety Issues and Medical Needs of Psychiatric Patients: Legal Perspective," Ontario Hospital Association's *Patient Safety and Mental Health*:

Meeting Unmet Needs, Ensuring Patient and Client Safety conference, September 2010.

- Presenter, "Managing Adverse Events," to staff at a Hospital, April 2010.

RANKINGS & RECOGNITIONS

- Recognized in the 2019 edition (and since 2016) of *The Best Lawyers in Canada*® (Health Care Law, Medical Negligence, Personal Injury Litigation).
- Recognized in the 2019 edition (and since 2015) of *The Canadian Legal Lexpert*® Directory (Medical Negligence).

ABOUT BORDEN LADNER GERVAIS LLP

Borden Ladner Gervais LLP (BLG) is a leading, national, full-service Canadian law firm focusing on business law, commercial litigation and arbitration, and intellectual property solutions for our clients. BLG is one of the country's largest law firms with more than 700 lawyers, intellectual property agents and other professionals in five cities across Canada. We assist clients with their legal needs, from major litigation to financing to trademark and patent registration.