

ACAC v Dr. Curtis Wall - Case Description

Dr. Curtis Wall is a chiropractor in Calgary. He has been providing quality care to his patients for over 20 years. He has never been disciplined for unprofessional conduct.

Like most health profession regulatory bodies, the Alberta College of Chiropractors (ACAC) enthusiastically and uncritically embraced government public health restrictions in the spring of 2020, imposing on the chiropractors they regulate onerous, harmful, and scientifically unproven conditions in order to provide care to their patients and earn a living. In the case of the ACAC, this included a requirement that chiropractors wear a mask at all times, no exceptions, even for those with a disability or religious belief that rendered them unable to wear a mask. In this, the ACAC went further than any relevant government mask mandate, which at least exempted those with disabilities.

When the ACAC mask mandate was imposed upon chiropractors in May 2020, Dr. Wall wore a mask for several weeks in an attempt to comply. However, he discovered wearing a mask while working caused him anxiety and other health problems, negatively impacting patient care. Given the harm wearing a mask caused him, and understanding the ineffectiveness of masks, he decided in June 2020 to not wear a mask while working. His patients were understanding, and some were thankful because they appreciated being treated by someone not wearing a mask. Unsurprisingly, there is no evidence any of his patients were ever harmed in any way by Dr. Wall's decision to not wear a mask.

Unfortunately, in November 2020, someone complained to Alberta Health Services (AHS) about Dr. Wall not wearing a mask in his clinic. True to form, AHS immediately closed Dr. Wall's clinic and refused to open it until a month later, depriving him of income and Dr. Wall's patients of his chiropractic treatment for an entire month. Naturally, AHS complained to the ACAC.

Despite Dr. Wall informing the ACAC that he hadn't been wearing a mask while working because of his inability to do so due to health conditions, the ACAC responded to Dr. Wall working without a mask by attempting to suspend his licence to practice. Such licence suspensions are reserved for rare and urgent circumstances involving a high risk of harm to members of the public, such as when there is evidence a professional is stealing from their patients, showing up to work intoxicated, or sexually abusing their patients. Fortunately, the ACAC was not successful in suspending Dr. Wall's licence.

Even though Dr. Wall has provided medical verification of a disability that renders him unable to wear a mask, the ACAC has demanded the matter go before a 5-member tribunal for a full hearing to determine if Dr. Wall acted unprofessionally and if he should be disciplined.

Dr. Wall has submitted as scientific evidence in the form of expert reports demonstrating the ineffectiveness of masks in preventing the transmission of respiratory infections and the harms caused by masks. These include reports from a Respiriologist, Virologist Dr. Byram Bridle, and workplace safety expert, Chris Schaefer. Several of Dr. Wall's patients have also provided their evidence to the ACAC in support of Dr. Wall's decision to not wear a mask.

A hearing was originally scheduled for the week of July 19, 2021, at the request of the ACAC. Dr. Wall provided his expert evidence by the end of April 2021, as requested by the ACAC, and was prepared to proceed to a hearing on July 19. However, in early July, the ACAC demanded an adjournment of the hearing because it did not yet have any expert evidence prepared. The hearing has been adjourned to September 1, 2021.

Any general requirement to wear a mask is unjustified in light of the scientific fact they are ineffective. But any requirement to wear a mask under the threat of professional discipline that allows for no exceptions for those medically unable to wear a mask is even more unreasonable, oppressive, and discriminatory.

Defending Dr. Wall against the ACAC is civil liberties lawyer, James S. M. Kitchen. Liberty Coalition Canada is assisting Dr. Wall with his legal expenses and encourages supporters to donate toward Dr. Wall's case.