

**COMMUNITY CARE AND ASSISTED LIVING APPEAL BOARD**

*Community Care and Assisted Living Act,*  
SBC 2002, c.75

**APPELLANT:** MP, Licensee  
(operating Happy Smiles Daycare)

**RESPONDENT:** Richard S. Stanwick, Chief Medical Officer, Vancouver Island  
Health Authority

**PANEL:** Gord Armour, Panel Chair  
Joan Gignac, Member  
Mary-Ann Pfeifer, Member

**Continuation of Stay Pending Appeal**  
(rendered orally after the first day of hearing)

- [1] The Panel has decided that we will extend the Stay, keeping the same conditions in place that were in the original one, and I would like to read them into the record:
- there be no new or additional enrolments to the daycare;
  - the appellant will fully cooperate with all continued monitoring by Vancouver Island Health Authority;
  - the appellant will comply strictly with this order and any existing conditions attached to the daycare licence;
  - the appellant will ensure that the daycare is in full compliance with the *Community Care and Assisted Living Act* and the *Childcare Licensing Regulation*;
  - the appellant will comply with all Board case management and scheduling requirements for the continuation of this appeal to be heard before the end of September 30th.
- [2] And one additional condition:
- that there be no transportation of children in any motor vehicle for the duration of this Stay.

- [3] And as in the original Stay, to the Health Authority, you may request the Board to vary or lift this order if it has reason to believe that the conditions of the stay are not being complied with in a material respect, or that on any new information the continued operation of the daycare pending the disposition of this appeal of the cancellation decision puts at risk the health and safety of a person in care at the facility.
- [4] So we will extend the Stay until September 30th or such time as the conclusion of this hearing brings down a decision beforehand.

August 29, 2008

Gordon Armour, Panel Chair

Joan Gignac, Member

Mary-Ann Pfeifer, Member