



John McIntyre

Senior Associate

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[Health Care Disputes](#)
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Within John's robust health care practice, he routinely represents and advises clients in the health care sector. His practice primarily focuses on medical malpractice, professional regulation, medical staff privileging, mental health law and appellate advocacy.

John has appeared before all levels of civil courts in Ontario, the Supreme Court of Canada, as well as several administrative tribunals including the Ontario Review Board, Health Professions Appeal and Review Board, Landlord and Tenant Board and Hospital Boards of Directors.

Prior to becoming an associate, John summered and articulated with BLG. He previously served as a judicial law clerk to the Honourable Justices MacPherson, Pepall, Benotto, and Miller of the Court of Appeal for Ontario. Before law school, John conducted research and published academic articles on the barriers faced by the LGBT community in accessing supportive mental health care. He was a summer student in the Centre for Addiction and Mental Health (CAMH) Legal Services Department.

Experience

- Regularly represents regulated healthcare practitioners before their regulatory Colleges on complaints and section 75 investigations.
- Represented an intervener before the Supreme Court of Canada on the issue of the appropriate standard of care in negligence (*Armstrong v. Ward*, 2021 SCC 1).
- Acts for the Healthcare Insurance Reciprocal of Canada (HIROC) in defence of medical malpractice claims.

- Represented a hospital at an urgent judicial review defending the hospital's restricted visitor policy during the COVID-19 pandemic (*Sprague v Her Majesty the Queen*, 2020 ONSC 2335).
- Represented a hospital at a contested adjournment and summary judgment motion (*Lewin-Gillies v. York Central Hospital*, 2018 ONSC 883).
- Represented a hospital with Barbara Walker-Renshaw at an appeal setting the law on the meaning of a "significant" increase to the restrictions on the liberty of an NCR accused ((*Re*) *Campbell*, 2018 ONCA 140).
- Represented a hospital with Barbara Walker-Renshaw at an appeal before a five-judge panel setting the law on the use of treatment conditions in the dispositions of incapable NCR accused ((*Re*) *Kalra*, 2018 ONCA 65).
- Represented a physician at an appeal of a decision of the Consent and Capacity Board confirming a finding of incapacity (*H.C. v. Bottas*, 2017 ONSC 3543).
- Represented a hospital and its nursing staff with Anna Marrison at an appeal of a jury verdict regarding causation in an action alleging delayed diagnosis (*Sacks v. Ross*, 2017 ONCA 773), with leave to the Supreme Court of Canada dismissed (2018 CanLII 58471).
- Represented a hospital with Patrick Hawkins at a motion for summary judgment on the basis of an expired limitation period (*Rawsthorne v. Marotta, et al*, 2017 ONSC 2182).

Insights & Events

- Author, "The Court of Appeal for Ontario considers strength of admissions on Requests to Admit", BLG Article, February 2021
- Author, "Supreme Court leaves the standard of care in medical negligence untouched", BLG Article, February 2021
- Author, "Virtual discoveries 101: Eight tips for the COVID-19 age", BLG Article, July 2020
- Author, "Court defers to hospital's decision-making during pandemic", BLG Article, April 2020
- Author, "Suspension of limitation periods and procedural timelines during COVID-19 in Canada", BLG Article, March 2020
- Author, "BLG Contributes to CBA Submissions on LGBTQ2 Health", BLG Article, May 2019
- Author, "ONCA provides clarity on the law of causation in delayed diagnosis", BLG Article, April 2019
- Author, "Court of Appeal Reinforces Evidentiary Principles of Causation", BLG Article, October 2018
- Author, "BC Court of Appeal Creates Exception to Doctrine of Consideration", BLG Article, May 2018
- Author, "Government Imposes Standard Lease on Ontario Landlords as of April 30, 2018", BLG Article, May 2018
- Author, "New Provisions to Protect Patients from Sexual Abuse in Force on May 1, 2018", BLG Article, April 2018
- Author, "Ontario Proposes Regulations To Further Protect Patients From Sexual Abuse", BLG Article, March 2018
- Author, "Court of Appeal for Ontario Provides Guidance on the Dismissal of Frivolous Claims", BLG Article, January 2018
- Author, "Bill 160 Proposes Numerous Amendments to Health Care Legislation in Ontario", BLG Article, November 2017
- Author, "Ontario Government Passes Legislation To Protect Patients From Sexual Abuse And Improve The Regulation Of Health Professionals", BLG Article, June 2017
- Author, "IPC releases guidance on communicating PHI by email", BLG Article, September 2016
- Author, "New legislation coming to protect patients from sexual abuse", BLG Article, September 2016
- Co-Author, "Development of expertise in LGBT mental health service provision: A qualitative study," Medical Education, 2012.

- Co-Author, "Systems-level barriers in accessing supportive mental health services for sexual and gender minorities: Insights from the provider's perspective," Canadian Journal of Community Mental Health, 2011.

Beyond Our Walls

Professional Involvement

- Member, Medico-Legal Society of Toronto
- Member, Canadian Bar Association
- Member, The Advocates' Society

Community Involvement

- Co-Chair of the Board of Directors, Downtown Swim Club (Toronto's LGBTQ2S+ and Allies Swim Club)

Bar Admission & Education

- Ontario, 2015
- MPH, Johns Hopkins University, 2022 (anticipated)
- JD, Queen's University, 2014
- B.Sc. (Hons., with distinction) in Biology and Psychology, McMaster University, 2010

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