



EXECUTIVE SUMMARY

of the

25 & 26 SEPTEMBER, 2020 COUNCIL MEETING

COLLEGE OF PHYSICIANS AND SURGEONS OF SASKATCHEWAN

The Council of the College of Physicians and Surgeons of Saskatchewan operates under an explicit set of governance policies. It strives to make its work as transparent as possible to the medical profession and to the general public.

Those portions of Council's deliberations that are not confidential are open to observation by any person subject to space availability in the meeting room.

At the conclusion of each Council meeting an Executive Summary of the meeting is widely distributed to the district medical associations, related organizations and the public media. This Executive Summary provides a brief overview of issues discussed, decisions made, and/or actions taken by the Council. If any person wishes more detailed information about any of the issues which are not subject to confidentiality constraints, these can be obtained by contacting Ms. Sue Waddington, Executive Assistant to the Registrar, at 101 – 2174 Airport Drive, Saskatoon, Saskatchewan, S7L 6M6, phone (306) 244 7355, Fax (306) 244 2600, or email OfficeOfTheRegistrar@cps.sk.ca.

1. Council acknowledged that the land on which we gather is Treaty 6 Territory, the traditional territory and home of the Cree, Dakota, Saulteaux and Métis Nations. We would like to affirm our relationship with one another now and for the future, and our role in guiding the profession to achieve the highest standards of care to benefit all people in this territory equally.
2. Council adopted the agenda and while no items were moved from the open to the closed agenda or vice versa, Council directed that personal information be redacted from document Info 205_20, if it is requested.
3. Council reviewed the minutes from the June 19 and 20 meeting of Council. There were no changes.
4. Council received a report from the Associate Registrar on the actions taken in relation to the "For Action Items" from the previous meeting.

5. Council reviewed, discussed and approved Monitoring Reports from the Registrar with respect to:
 - a. The Registrar's advancement of Council's End – 5 - Medical Profession Prepared for the Future;
 - b. The Registrar's Compliance with Council's Executive Limitation Policies pertaining to:
 - (i) EL – 3 - Financial Planning;
 - (ii) EL – 4 - Financial Condition;
 - (iii) EL – 5 - Asset Protection;
 - (iv) EL – 8 - Compensation and Benefits.
6. Council received an update from the committee pertaining to policy development on End-of-Life Care. Council directed the Registrar to write to the CEO of the SHA encouraging participation of another senior member of the SHA in this End of Life Care Committee, as this care is often provided in an SHA facility.
7. Council received a verbal update from the committee working on the Physician/Medical Students with Blood-Borne Viral Infections Policy and Bylaw 24.1. Some consultation feedback has been received; however the Physician Health Program has not yet had an opportunity to meet and review the draft policy and bylaw. The committee will meet in early October to review the consultation feedback and hopes to provide the updated Policy for Council's consideration at the November Council meeting.
8. Council received a report from the working group on Prescribing: Access to the Pharmaceutical Information Program (PIP) or Electronic Health Viewer (eHR) Policy on the feedback received during the consultation phase. The policy on access to PIP or eHR viewer was approved with a sunset date of 3 years. The policy establishes an expectation that physicians who prescribe or order medications have active login capability with either the PIP or the eHR viewer. The policy also recommends that physicians view a patient's medication profile prior to prescribing, particularly if the physician is prescribing opioids or other psychoactive medications.
9. Council received an update from the working group on Physicians Accessing Patient Specific Information from Electronic databases policy. Council directed the Registrar to arrange a meeting with the Ministry of Health, including the College of Medicine, to express concerns about the lack of progress in implementing the previous request for amendments to the Health Information Protection Act (HIPA) Regulations.
10. The working group on the Referral-Consultation Process provided a draft document for consideration. The committee proposed the document be initially adopted as a guideline with consideration as to whether it should become a policy some time in the future, once registrants have an opportunity to refine their practices to comply with these recommendations. It was noted that there has been work completed by other organizations in Saskatchewan developing referral/consult tools and it will be essential to consult broadly. The draft guideline was approved in principle and it will be sent out for broad consultation.

11. The Deputy Registrar, Dr. Werner Oberholzer, provided an update on the progress of the working group on Medical Practice Coverage Policy. The policy was approved in principle to be sent out for stakeholder consultation. One area of concern with the policy was whether the document could be read as indicating it would be acceptable to have a telephone message advising patients to go to the emergency department without an option for the patient to deal with the physician at the clinic. Council is expecting specific feedback to this concern.
12. A guideline on Physician Use of Social Media was approved in principle for the purpose of stakeholder consultation. The guideline has been modelled on the work of the College of Physicians and Surgeons of Alberta with elements from the College of Physicians and Surgeons of BC and Ontario's documents.
13. Council adopted changes to Executive Limitation 6 – Interaction with Members of the Public and changes to the document Communication Strategy for Discipline Matters. The changes clarify that the Registrar's Office can disclose information about ongoing investigations to organizations and persons who have an interest in receiving that information. This may include organizations such as the Saskatchewan Health Authority, the College of Medicine or another physician regulatory authority.
14. The working group on Developing Better Communication with Physicians provided an update to Council. Additional information is being sought with respect to how other medical regulatory authorities communicate with their physicians. The working group is exploring the practicality of establishing a physician portal for the College to communicate with physicians.
15. The working group on Developing Better Communication with Patients provided additional information from a webinar put on by CLEAR which explored the work of the International Association for Public Participation (IAP2) spectrum. Ms. Deborah Wright, Registration Services Director, has been added to the working group for her expertise in engaging the public.
16. Administrative Bylaw amendments relating to six committees set out in document info 187_20 were approved. The College will notify the government and update the bylaws on the website and notify committee chairs of the expectation of an annual report to the Council.
17. The Administrative Bylaw amendment related to the Finance Committee was approved. The Finance Committee is renamed the Finance and Audit Committee and the bylaws will be updated on the website. This committee will now be advisory to Council rather than to the Registrar, and the Chair will be a Council member. It will also have the responsibility to meet with the auditor and provide a report to Council. It will review the current Investment policy, any unbudgeted capital expenditures and provide its recommendations to Council. An annual report will be required.
18. New terms of reference pertaining to each of the committees identified in document info 190_20, other than the Compensation and Benefits Review Committee, were approved. The committees affected are the Expert Advisory Committee on Blood-Borne Communicable Diseases, the Registration Committee, the Annual General Meeting Committee, the Kendel Service Award Committee, and the Truth and Reconciliation Committee. The new terms of reference establish an expectation that the committee will

provide an annual report to the Council. Suggested changes to the Compensation and Benefits Review Committee will be brought back for the November meeting.

19. The Registrar provided an update on the progress made since the last Council meeting with respect to implementing some of the recommendations set out in the SIPPA Report. Council expressed no concern with the proposed direction to deal with the post-SIPPA process described in document Info 219_20.

20. The Deputy Registrar, Dr. Werner Oberholzer, advised Council of a request from the College of Paramedics that Council approve protocol amendments pertaining to an expansion of the scope of practice for paramedics, to assist with palliative care in the province, and in particular to support palliative care patients in their homes. Council approved the scope of practice expansion for paramedics.

21. Council received a report from the Registrar outlining some of the current work related to the new strategic plan.

22. Ms. Beckie Wills presented the quarterly financial statements to the period ending 30 June, 2020.

23. Council approved the amendment to the general Executive Limitation – EL - 1. An additional paragraph was added to EL – 1, as follows:

"The Council or the Executive Committee may authorize the Registrar to breach any of the Executive Limitations contained in EL-2 through EL-15, subject to any terms that the Council or the Executive Committee concludes are appropriate."

24. Ms. Beckie Wills presented the draft budget to Council for 2021. The budget was approved as presented.

25. The following dates were approved for Council meetings in 2021:

January 22 & 23
March 19 & 20
June 18 & 19
September 17 & 18
November 19 & 20

26. Mr. Salte, the Associate Registrar, provided a report to Council pertaining to the request of the Network of Interprofessional Regulatory Organizations (NIRO) for amendments to the health professions template legislation, to address some of the deficiencies in that legislation. Mr. Salte reported that while the CPSS is not governed by template legislation, several of these proposed amendments are appropriate for **The Medical Profession Act, 1981**. Council supported a request to the Government of Saskatchewan to make similar amendments to **The Medical Profession Act, 1981** as are requested by NIRO.

27. Council received a report from the Associate Registrar on the registration of podiatric surgeons. Council was advised that no decision needed to be made at this time and noted that once the College of Physicians and Surgeons of British Columbia's bylaws are finalized, the CPSS will review the two sets of bylaws and identify any differences,

and return to Council with the suggestion that the requirements in British Columbia and Saskatchewan be harmonized.

28. Dr. J. Leontowicz was found guilty of unprofessional conduct following a hearing before the discipline hearing committee. A Penalty Hearing occurred at the June Council meeting and a penalty was imposed, however the matter of costs had been deferred to the September Council meeting. A Penalty Hearing pertaining to costs was held at this meeting. Dr. Leontowicz made submissions on his own behalf and Ms. Rochelle Wempe made submissions on behalf of the Registrar's Office. Council imposed the following cost order:

- (i) *Pursuant to Section 54(1)(i) of The Medical Profession Act, 1981 the Council directs that Dr. Leontowicz pay the costs of the investigation and penalty hearing in the amount of \$96,577.10.*
- (ii) *The payment to be made in full on or before December 31, 2025.*

Draft reasons for the decision will be prepared. The penalty imposed will be posted on the College website.

29. An application from Dr. M. Sayeed to amend the terms of a previous undertaking was refused. Draft reasons for the decision will be prepared.

30. Council approved amendments to the College's OATP Standards and Guidelines. Council accepted the addition of two appendices as an update to the College's Opioid Agonist Therapy Program Standards and Guidelines for the Treatment of Opioid Use Disorder. The appendices include:

- Managed Opioid Withdrawal Using Slow Release Oral Morphine During Methadone Induction;
- Buprenorphine/naloxone (bup/nx) Microdosing.

The amended OATP standards will be updated on the College website.

31. A request from a physician to be referred to as a specialist in sleep medicine was refused. Draft reasons for the decision to be prepared for consideration by the Executive Committee.

32. Council considered a request from Lumeca, a virtual care company, to amend the policy "Clinics that Provide Care to Patients Who Are Not Regular Patients of the Clinic" to release them of the obligation to notify the patient's regular family physician of the care provided. Council declined the request.

33. Council considered a possible bylaw amendment with respect to permitting physician resignations from practice. Council approved the proposed amendment to Bylaw 3.3 in principle to allow for stakeholder consultation.

34. Council discussed an evaluation process for the Registrar/CEO.

35. Council received a report from the Associate Registrar on the status of bylaws submitted to the Ministry.

36. Council reviewed and approved a draft reprimand for Dr. J. Leontowicz. The reprimand was delivered verbally by the President to Dr. Leontowicz and will be posted on the College website.
37. Council approved the minutes from the closed session of Council's meetings on the 19 & 20 June, 2020.
38. The President provided a report on the actions taken by the Executive Committee since the June Council meeting.
39. The President chaired a discussion pertaining to the Executive Committee workload. The Registrar provided some information from other medical regulatory authorities pertaining to this issue. The matter will be revisited at the November Council meeting.
40. A draft reprimand pertaining to Dr. Ziarko was approved by Council. The reprimand will be provided to Dr. Ziarko and posted on the College website.
41. Council approved draft reasons for the decision pertaining to the penalty imposed on Dr. Ziarko at the June meeting of Council. The reasons will be provided to Dr. Ziarko and posted on the College website.
42. Council approved draft reasons for the decision pertaining to the penalty imposed on Dr. J. Leontowicz at the June meeting of Council. The reasons will be provided to Dr. Leontowicz and posted on the College website.
43. Council heard an application from Dr. M. Horri to remove restrictions on his practice. Dr. Horri's application was refused and draft reasons for the decision will be prepared.
44. Section 60 of **The Medical Profession Act, 1981** sets out circumstances in which the College can release information obtained through a review of the Quality of Care Advisory Committee. Such decisions can be made by Council, or can be delegated to the Registrar. Council determined that decisions under Section 60 of **The Medical Profession Act, 1981** whether to release information arising from the Quality of Care Advisory Committee will be delegated to the Registrar, subject to an expectation that she will report any such decisions to the Council at its next meeting.
45. Council considered a report from legal counsel, and provided direction to remove a member of the Discipline Committee.
46. Council considered a complaint registered by a physician against a physician, and deferred a decision on further action, pending the outcome of other proceedings.
47. Council amended charges with respect to an action against Dr. A. Cadili. The amended charges will be posted on the College website.
48. Council amended charges with respect to an action against Dr. R. Patel. The amended charges will be posted on the College website.

49. Council amended charges with respect to an action against Dr. A. Paul. The amended charges will be posted on the College website.
50. Council considered a preliminary inquiry committee report and laid a charge of unprofessional conduct against Dr. A. Narang. Council approved synoptic charges to be posted on the College website.
51. Council received a presentation from Dr. Alika Lafontaine on Racialization in Canadian Healthcare.

Council reviewed a document from the Registrar with respect to developing a diversity action plan. One letter and one petition were received from Saskatchewan physicians with respect to racism in medicine. A committee was appointed to determine the College's approach to systemic racism.

52. Mr. Salte provided an update on the outstanding discipline cases.
53. Dr. Oberholzer provided an update on the quality of care tracker.
54. The President/Registrar will send a letter to the Minister of Health and the SHA expressing concern about the implications of physicians treating symptomatic patients in their clinics.
55. Staff were directed to address the concerns relating to the operation of the WebEx system and report back to Council.