



## **EXECUTIVE SUMMARY**

**of the**

**22 & 23 JANUARY, 2021 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](mailto: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, Sauteaux 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 open agenda and while no items were moved from the open to the closed or vice versa, Council directed that identifying data be redacted from Info 20\_21, Info 27\_21, and Info 29\_21 prior to being released to the public if requested.
3. Council reviewed the minutes from the November 20th and 21st, 2020 meeting of Council. The minutes were adopted without amendments.
4. Council received a report from the Associate Registrar on the actions taken in relation to the "For Action Items" from the November 20 & 21, 2020 Council meeting.

5. Council reviewed, discussed and approved Monitoring Reports from the Registrar with respect to:
  - a. The Registrar's advancement of Council's End – 1 – The Mission of the College; and
  - b. The Registrar's advancement of Council's End – 2 – Public Protection; and
  - c. The Registrar's Compliance with Council's Executive Limitation Policies pertaining to:
    - (i) EL – 1 – General Executive Constraint;
    - (ii) EL – 2 – Treatment of Staff;
    - (iii) EL – 6 – Interaction with Members of the Public.
6. Council adopted a further amendment to bylaw 2.13 Podiatric Surgery Permits, which had been adopted in principle at its November meeting to reflect the current training for podiatric surgeons. The additional amendment adopted included paragraph (f), as follows:

(f) The provisions of bylaw 26.1 apply to podiatric surgeons and any reference in that bylaw to physicians apply with any necessary change to podiatric surgeons.
7. Council received a report from Ms. Sheila Torrance on behalf of the committee working on the Referral-Consultation Process Guideline. The guideline had been approved in principle at the September 2020 Council Meeting for the purpose of consultation. Council accepted the further refinements of the guideline based on the feedback from the consultation process and adopted the guideline with a sunset date of 3 years.
8. Council received a report from Ms. Sheila Torrance on behalf of the committee working on the Physician Use of Social Media Guideline. The guideline had been approved in principle at the September 2020 Council meeting, for the purpose of consultation. Council considered the issues that had been raised through the consultation process and directed the committee to consider its response to the consultation received and bring the revised guideline back to the next Council meeting for consideration of approval.
9. Council received a report from Ms. Sheila Torrance on behalf of the Committee working on Physicians/Medical Students with Blood-Borne Viral Infections Policy and Bylaw 24.1. Council had approved the redrafted policy and bylaw in principle at its March 2020 Council meeting for the purpose of consultation, however, consultation was delayed until the summer months due to Covid-19. The consultation process yielded a number of suggestions for amendments. Council considered these further refinements to the policy and because the amendments were substantial, approved both the policy and the bylaw in principle a second time, to allow a further focused consultation with stakeholders. The committee will bring the policy and bylaw back for Council's review at its next meeting.
10. Council reviewed the CPSS Guideline "Patient-Physician Communication using Electronic Communications". This guideline was due for review in 2018 and was to be reviewed in conjunction with the Telemedicine Policy. There was a delay in the review of the Telemedicine Policy, as work that was being completed at the national level was to inform our work. Council directed a committee be formed to review this guideline. The members of the committee include Dr. Mark Chapelski, Dr. Franklin Igbekoyi, Dr. Alan

Beggs, Dr. Dapo Mabadeje, Dr. Yusuf Kasim and Ms. Sheila Torrance. Other interested members may be added.

11. Council received a verbal update from Mr. Bryan Salte on behalf of the End of Life Care Committee. Thanks were expressed for the work completed to date by the committee, as it has been extensive. There are several outstanding important issues that the committee needs to further discuss and it will bring its recommendations back to the next Council meeting for review.
12. The President outlined the process as to how the Election of the Executive Committee of Council would occur due to the virtual environment.
13. Council received a report from Mr. Salte on behalf of the committee working on Standards for Primary Care. Council approved the amended standards and adopted the sunset date of 2023 to align with the sunset date of the related policy; *Clinics that Provide Care to Patients Who are Not Regular Patients of the Clinic*. It was felt that these two should be reviewed contemporaneously. Council considered the issue of guidance pertaining to multiple physician clinics and directed that this matter be considered by the committee working on the Referral-Consultation process guideline.
14. Council approved amendments to GP-8 Council and Committee Expenses to compensate Executive Committee members for some of their preparation time.
15. Council received a report from Dr. Dapo Mabadeje, Chair of the Committee on Diversity and Bias. Council approved the mandate of this committee as follows:
  - a. Support the Council/College (Registrar) to identify barriers to diversity and inclusion in its operations.
  - b. Support Council/College (Registrar) to address issues of racial discrimination through culturally appropriate complaints/investigation processes.
  - c. Support members of the College to improve knowledge of diversity, bias and inclusion.

Mr. Burton O'Soup, Chair of the Truth and Reconciliation Committee, was added as a committee member. Council approved this committee as a standing committee and directed that the committee bring back recommended terms of reference to the March Council meeting.

16. Council received a report from the Registrar on behalf of the Working Group on Informatics. The committee proposed to Council that consideration be given to a symposium on informatics that might be an opportunity to better understand what informatics is, the current environment and whether there is a current roadmap, current gaps and what future gaps might be, considering the role of virtual care and artificial intelligence. Council approved consideration of the symposium and directed the committee survey the various stakeholders for interest in cohosting and participating.
17. Council reviewed the Standard on Assisted Reproductive Technologies and considered minor amendments suggested by experts who work in this domain of practice. Council adopted the amended standard with a sunset date of 5 years.

18. Council reviewed the existing bylaws related to advertising and directed a committee be established to review the matter and develop a new Bylaw. The committee is comprised of Dr. Brian Brownbridge, Mr. Ken Smith, Mr. Femi Ogunrinde, and Mr. Bryan Salte. Other interested members may be added.
19. Council received a report from Mr. Tim Edwards IT/Office Manager, on Council Security. Mr. Edwards made a number of recommendations to Council that will be phased in.
20. Council reviewed the governance policy CR-3 Council-Registrar Relationship. Council approved the proposed amendments to add additional methods of review of the Registrar's performance to the current method of evaluation through the monitoring of compliance with Ends and Executive Limitations.
21. Council received a report from the President and Ms. Caro Gareau, Communications Officer, on behalf of the DocTalk Committee on proposed changes to the format of DocTalk. Council approved recommendations from the committee to change the format to be shorter with a focus on fewer articles and to separate the articles from the Prescription Review Program to its own publication. It is hoped with these changes the format will entice more readership. Council members were encouraged to join this committee.
22. Council received an extensive report from the Deputy Registrar Dr. Werner Oberholzer on the process for follow-up of pathology reports indicating possible cancer.
23. Ms. Nicole Bootsman, Pharmacy Manager, PRP presented a document for Methadone for Analgesia Practice Standards and Guidelines. Council approved the document and thanked her for her excellent work.
24. Council considered amendments to Bylaw 17.1 and 18.1 pertaining to minimum standards for written and verbal medication prescriptions issued by physicians, and references to pharmacy technicians. It was noted that the College's Bylaw 17.1 permits certain actions that do not align with what the Saskatchewan College of Pharmacy Professionals permit their pharmacists and pharmacy technicians to do. The amendments to Bylaw 17.1 and 18.1 were approved in principle to allow consultation with the stakeholders.
25. Council approved amendments to Bylaw 18.1 The Prescription Review Program, to clarify that the panel of drugs monitored "apply to all dosage forms of the following their salts and/or enantiomers, in all dosage forms, as a single active ingredient or as a combination product, except where indicated otherwise:"
26. The Registrar provided an update on the progress of the CPSS implementation plan related to the new strategic goals.
27. Dr. Alan Beggs, Chair of the Nominating Committee, provided the list of nominees for appointments to College committees. Council appointed the following individuals to the following committees:

**Advisory Committee on Medical Imaging**

Dr. D. McIntosh - Chair  
Dr. I.C. Waddell  
Ms. Maureen Kral  
Ms. Bev Kellington  
Dr. D. Dewa  
Dr. Greg Kraushaar  
Dr. L. Wesson  
Dr. Abdulaziz Almgrahi – ad hoc member  
Dr. Chris White  
Dr. Adriana Gourgaris  
Dr. Tiffany Buglass

**Committee on Family Practitioner Interpretation of Electrocardiograms**

Dr. R. Chernoff (Chair)  
Dr. J. Akhtar  
Dr. P. Schwann  
Dr. J. de Villiers

**Quality of Care Advisory Committee**

Dr. J. Kriegler – Chair  
Dr. J. Nel  
Dr. J. Hey  
Ms. Jill Beatty  
Mr. Don Ebert  
Ms. Tania Horkoff

**Practice Enhancement Program Committee**

Dr. B. Laursen – Co-Chair  
Dr. G. Carson – Co-Chair  
Dr. A. Muller  
Dr. K. Holfeld  
Dr. Y. Nataraj  
Dr. I. Radevski

**Finance & Audit Committee**

Dr. B. Brownbridge  
Dr. P. Hanekom  
Dr. S. Kasset  
Dr. G. Stoneham  
Mr. L. Chabot  
Dr. J Maslany

**Health Facilities Credentialing Committee**

Dr. Jeff Blushke – Chair  
Dr. G. R. Morris  
Dr. Syed Asif Ali  
Dr. Alan Beggs

**Nominating Committee**

Dr. P. Hanekom  
Dr. A. Beggs  
Dr. A. Snyman  
Dr. Y. Kasim  
Mr. F. Ogunrinde

**Legislative Review Committee**

Dr. M. Chapelski - Chair  
Dr. E. Tsoi  
Dr. A. Beggs  
Mr. B. O'Soup

**EAC on BBV**

Dr. T. Diener  
Dr. M. Markentin  
Dr. S. Sanche  
Dr. M. Niazi

**Registration Committee**

Dr. G. Stoneham – Chair  
Dr. P. Venkata  
Dr. E. Tsoi  
Dr. M. Chapelski  
Dr. A. Saxena  
Dr. A. Adewumi  
Dr. O. Mabadeje

**Compensation and Benefits Committee**

Mr. Femi Ogunrinde - Chair  
Dr. Grant Stoneham  
Dr. Alan Beggs  
Dr. James Fritz  
Current President of Council

**Discipline Committee Members**

Dr. Joan Baldwin – Chair  
Dr. L. Malhotra  
Dr. Stewart McMillan  
Dr. Annette Epp  
Dr. Lorne Rabuka  
Dr. Carol Norman  
Dr. David Johnston  
Dr. Chris Ekong  
Dr. James Stempien  
Dr. Oluremi Adefolarin  
Dr. Louis Coertze  
Dr. Ivelin Radevski  
Dr. Chris Almond  
Dr. Dimitri Louvish

Dr. Dorie-Anna Dueck  
 Ms. Alma Wiebe (Lawyer)  
 Mr. Dan Shapiro (Lawyer)  
 Dr. M. Fowler  
 Dr. James Carter  
 Dr. Sharon Leibel  
 Dr. James Cross  
 Dr. Mahmood Beheshti  
 Dr. Brady Bouchard  
 Ms. Leslie Sullivan (Lawyer)  
 Mr. R. Gibbings (Lawyer)  
 Mr. B. Gibson (Lawyer)

28. Council received and reviewed a proposal from Dr. E. Szabo and Dr. K Gowda on the Medical Care Assistance Program. Council directed that a committee be established to assist in revising the program to address Council's concerns. The committee will be comprised of Dr. Brownbridge, Dr. Meiers, Dr. Akinbiyi, Dr. Chapelski, Dr. Mueller, Mr. Ogunrinde, Dr. Shaw and Dr. Oberholzer.
29. Council conducted a penalty hearing pertaining to Dr. Wasim Sheikh. Dr. Sheikh was found to have engaged in unprofessional conduct following an uncontested hearing before the Discipline Hearing Committee. The Charges against Dr. Sheikh are as follows:

*1. The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Wasim Sheikh, namely:*

*You Dr. Wasim Sheikh are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1, and/or bylaw 8.1(b)(ix) and/or bylaw 8.1(b)(xiv) and/or paragraphs 1, 2, 13, 16, 21, and/or 22 of the Code of Ethics contained in bylaw 7.1 of the bylaws of the College of Physicians and Surgeons of Saskatchewan.*

*The evidence that will be led in support of this charge will include one or more of the following:*

- a) On or about the 10th day of February, 2015 you attended an individual, hereafter referred to as "W.T" at a facility in Regina Saskatchewan hereafter referred to as "Nu Image"*
- b) On or about the 10th day of February, 2015 you performed a surgical procedure on W.T.*
- c) W.T. paid Nu Image for the services you performed*
- d) You failed to provide W.T. with the information necessary for W.T. to make an informed choice whether to pay for the surgical procedure;*
- e) You failed to inform W.T. about the options which may have resulted in the surgical services being paid for by Medical Services Branch;*
- f) You caused or permitted W.T. to be charged a fee that was not consistent with The Saskatchewan Medical Care Insurance Act.*

- g) You caused or permitted W.T. to be charged a fee that was excessive in relation to the services performed;
- h) You told W.T. that this procedure was not an insured service covered by Medical Services Branch.

2. The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Wasim Sheikh, namely:

You Dr. Wasim Sheikh are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1, and/or bylaw 8.1(b)(ix) and/or paragraphs 1, 6, 14, 21, and/or 22 of the Code of Ethics contained in bylaw 7.1 of the bylaws of the College of Physicians and Surgeons of Saskatchewan. The evidence that will be led in support of this charge will include one or more of the following:

- a) On or about February 10, 2015 you performed a surgical procedure on W.T.
- b) Following the surgical procedure you sent specimens removed from W.T. to the Regina Qu'Appelle Health Region Pathology Department.
- c) When you sent the specimens, you included the notation "Query basal cell carcinoma. Query squamous cell carcinoma. Query actinic keratosis".
- d) You saw patient W.T. for two follow-up appointments on or about February 18, 2015 and March 18, 2015.
- e) The pathology report dated February 17, 2015 stated, in part, "Overall, there is no definitive evidence of carcinoma or melanocytic lesion. However, the infiltrate raises the differential diagnosis of reactive chronic inflammatory infiltrate versus lymphoproliferative disorder. Because of this, the case will be sent for molecular genetic studies to exclude the latter. Follow-up is advised."
- f) The hemopathology report dated March 10, 2015 stated, in part "'Correlation with clinical, microscopic, and immunophenotypic data is required to determine the significance of the monoclonal T-cell population identified in this study."
- g) The supplemental report dated March 16, 2015 stated, in part: "The morphologic findings raise the suspicion for a T-cell lymphoproliferative disorder which may be primary cutaneous or a systemic process with secondary skin involvement. This should be correlated with clinical and imaging findings."
- h) The supplemental report dated April 28, 2015 stated, in part: "This supplemental report is issued to document discussion with Dr. Wasim Sheikh on this case. As stated in supplemental A report, the presence of a monoclonal T-cell receptor finding suggests either a primary cutaneous T-cell process or a systemic lymphoma affecting skin. This needs clinical correlation and complete workup of the patient."
- i) The report dated May 11, 2015 from the British Columbia Cancer agency stated in part: "highly suggestive of primary cutaneous T cell lymphoma best classified as a folliculotropic variant of mycosis fungoides."
- j) You failed to take appropriate steps to deal with the information contained in those reports.
- k) You failed to report and/or failed to clearly explain the information in those reports to W.T.
- l) At one point you advised W.T. that the biopsy was normal when it was not, and encouraged him to have a "cosmetic" procedure.



3. The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Wasim Sheikh, namely:

*You Dr. Wasim Sheikh are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** s.s. 1980-81 c. M-10.1, and/or bylaw 8.1(b)(ix) and/or paragraphs 1, 2, 6, 14, 15, 16, 21, and/or 22 of the Code of Ethics contained in bylaw 7.1 of the bylaws of the College of Physicians and Surgeons of Saskatchewan.*

*The evidence that will be led in support of this charge will include one or more of the following:*

- a) In March of 2015 you offered to perform a skin grafting procedure on W.T.*
- b) You advised W.T. that the procedure could be provided but that there would be a cost to him for that skin grafting procedure*
- c) You advised W.T. that the cost for the skin grafting procedure would be \$1,800;*
- d) You failed to provide W.T. with the information necessary for W.T. to make an informed choice whether to pay for the skin grafting procedure;*
- e) You failed to inform W.T. about the options which may have resulted in the skin grafting procedure being paid for by Medical Services Branch;*
- f) In March of 2015 Nu Image was a Non Hospital Treatment Facility within the meaning of bylaw 26.1.*
- g) When you offered to perform the skin grafting procedure you had not been granted privileges pursuant to bylaw 26.1 to provide and/or conduct this procedure.*

4. The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Wasim Sheikh, namely:

*You Dr. Wasim Sheikh are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1, and/or bylaw 8.1(b)(ix) and/or paragraphs 1, 2, 13, 16, 21, and/or 22 of the Code of Ethics contained in bylaw 7.1 of the bylaws of the College of Physicians and Surgeons of Saskatchewan.*

*The evidence that will be led in support of this charge will include one or more of the following:*

- a) On or about the 10th day of January, 2017 you attended an individual, hereafter referred to as "G.B." in Swift Current, Saskatchewan.*
- b) On or about the 10th day of January, 2017 you performed a surgical procedure on G.B.*
- c) You charged G.B. a fee for the surgical procedures you performed.*
- d) You charged G.B. a fee of approximately \$900 for the surgical procedures you performed.*
- e) You failed to provide G.B. with the information necessary for G.B. to make an informed choice whether to pay for the surgical procedures.*
- f) You failed to inform G.B. about the options which may have resulted in the surgical services being paid for by Medical Services Branch.*
- g) You caused or permitted G.B. to be charged a fee that was not consistent with The*

*Saskatchewan Medical Care Insurance Act.*

*h) You caused or permitted G.B. to be charged a fee that was excessive in relation to the services performed.*

*5. The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Wasim Sheikh, namely:*

*You Dr. Wasim Sheikh are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1, and/or bylaw 8.1(b)(ix) of the bylaws of the College of Physicians and Surgeons of Saskatchewan.*

*The evidence that will be led in support of this charge will include one or more of the following:*

*a) You failed to maintain records for your patient, G.B. that meet the requirements of bylaw 23.1 of the College bylaws;*

*6. The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Wasim Sheikh, namely:*

*You Dr. Wasim Sheikh are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1, and/or bylaw 8.1(b)(ix) and/or paragraphs 1, 7 and/or 13 of the Code of Ethics contained in bylaw 7.1 of the bylaws of the College of Physicians and Surgeons of Saskatchewan.*

*The evidence that will be led in support of this charge will include one or more of the following:*

*a) That you failed to ensure biopsy specimens of patient G.B. were appropriately prepared, sent to and received by the appropriate laboratory.*

*b) That you represented to patient G.B that biopsy specimens were sent to the appropriate laboratory.*

Submissions were made on behalf of the Registrar's Office by Ms. Rochelle Wempe. Submissions on behalf of Dr. Sheikh were made by Ms. Brittnee Holliday. Council imposed the following penalty on Dr. W. Sheikh:

*The Council of the College of Physicians and Surgeons imposes the following penalty on Wasim Sheikh pursuant to The Medical Profession Act, 1981 (the "Act"):*

*1) Pursuant to Section 54(1)(e) of the Act, the Council hereby reprimands Dr. Sheikh. The format of that reprimand will be in written format.*

*2) Pursuant to Section 54(1)(b) of the Act, the Council hereby suspends Dr. Sheikh for a period of one month, to commence on a date acceptable to the Registrar, due to the pandemic.*

*3) Pursuant to section 54(1)(g) of The Medical Profession Act, 1981, Council requires that within 6 months Dr. Sheikh successfully complete an ethics course on*

professionalism to the satisfaction of the Registrar. Such course shall be completed at the first available date. The programs “Medical Ethics, Boundaries and Professionalism” by Case Western Reserve University, “Probe Program” by CPEP and “Medical Ethics and Professionalism” by Professional Boundaries Inc., are ethics programs acceptable to the Registrar.

4) Pursuant to section 54(1)(g) of *The Medical Profession Act, 1981*, Council requires that within 6 months Dr. Sheikh successfully complete an accredited course on medical recordkeeping, to be approved in advance by the Registrar, and will provide proof of completion. The programs “Medical Record Keeping” by ProBE/CPEP, “Medical Record Keeping” by PACE, “Medical Record Keeping” by PBI, “Medical Record Keeping” by the University of Toronto, and “Medical Record Keeping for Physicians” by the College of Physicians and Surgeons of British Columbia are programs acceptable to the Registrar.

5) Pursuant to section 54(1)(i) of the Act, the Council directs Dr. Sheikh to pay the costs of and incidental to the investigation and hearing in the amount of \$28,947.79. Such payment shall be made in full by 22 January, 2022.

6) Pursuant to section 54(2) of the Act, if Dr. Sheikh should fail to pay the costs as required by paragraph 4, Dr. Sheikh’s licence shall be suspended until the costs are paid in full.

7) Council reserves to itself the right to reconsider and amend the time within which payment of costs must be made set out in paragraph 5 and the right to reconsider and amend the requirements of the retraining or education set out in paragraphs 3 and 4. Such reconsideration shall only be done if requested by Dr. Sheikh.

Reasons for the decision will be prepared for the next Council meeting. The penalty imposed will be published on the College’s website.

30. Council conducted a penalty hearing pertaining to Dr. Tshala Tshiyombo. Dr. Tshiyombo has been found guilty of six charges of professional misconduct following a hearing before the Discipline Hearing Committee. The charges are as follows:

*The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.6 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Tshala Tshiyombo, namely:*

*You Dr. Tshiyombo are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of Section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1 and/or bylaw 7.1 and paragraph 19 and/or paragraph 37 of the Code of Ethics contained in bylaw 7.1 and/or bylaw 8.1(b)(ix) and/or bylaw 8.1(b)(xi), and/or bylaw 8.1(b)(xii) and/or bylaw 23.1(g).*

*The evidence that will be led in support of this charge will include some or all of the following:*

- a) You formerly practised in a medical clinic in Saskatoon, Saskatchewan (hereafter called “the clinic”);

- b) You closed the clinic and ceased practising in Saskatchewan on or about the 31<sup>st</sup> of May, 2019;
- c) You failed to provide appropriate notice to your patients that you intended to close the clinic and cease practising in Saskatoon;
- d) You failed to make appropriate arrangements to allow your patients to seek medical care from another health care provider;
- e) You failed to provide continuity of care for patients for whom you had provided care at the clinic;
- f) You failed to make appropriate arrangements for access to your patient records;
- g) You failed to make appropriate arrangements for the transfer of your patient records;
- h) You failed to respond to one or more inquiries from third parties related to your patient's health information.

The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.6 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Tshala Tshiyombo, namely:

You Dr. Tshiyombo are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of Section 46(o) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1.

The evidence that will be led in support of this charge will include some or all of the following:

- a) On or about May 8, 2019 you advised an employee of the College of Physicians and Surgeons that you would not be closing your medical practice;
- b) That statement was false or misleading;
- c) On or about May 8, 2019 you advised an employee of the College of Physicians and Surgeons that the College would be informed if and when you closed your practice;
- d) That statement was false or misleading;
- e) You did not advise the College that your practice had been closed;
- f) On or about May 8, 2019 you spoke to an employee of the College of Physicians and Surgeons and advised the employee that, if you closed your medical practice, you would follow the appropriate protocols to do so;
- g) You did not follow the appropriate protocols to close your medical practice.

The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.6 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Tshala Tshiyombo, namely:

You Dr. Tshiyombo are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of Section 46(o), section 46(h) and/or section 47(5) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1.

*The evidence that will be led in support of this charge will include some or all of the following:*

- a) *Your legal counsel accepted service on your behalf of a subpoena which required you to appear on June 3, 2019 before the preliminary inquiry committee that was investigating your conduct;*
- b) *You appeared before the preliminary inquiry committee on June 3, 2019;*
- c) *You did not cooperate with the investigation by the preliminary inquiry committee into your conduct;*
- d) *You refused to provide information to the preliminary inquiry committee related to its investigation.*

*The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Tshala Tshiyombo, namely:*

*You Dr. Tshala Tshiyombo are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of Section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1 and/or paragraphs 1 and/or 2 and/or 7 and/or 13 and/or 52 and/or 54 of the Code of Ethics contained in bylaw 7.1 of the Regulatory bylaws of the College of Physicians and Surgeons of Saskatchewan, particulars whereof are that in the course of your professional practice in Saskatoon, you engaged in a pattern of rude, disrespectful and abusive communication with staff members and patients.*

*The evidence that will be led in support of this charge will include some or all of the following:*

- a) *You formerly practised in a medical clinic in Saskatoon, Saskatchewan (hereafter called "the clinic");*
- b) *With respect to a former staff member in the clinic referred to in this charge as Employee 1, you told her that she was lucky to have a job as she was a poor worker and too old to get another job;*
- c) *With respect to a former staff member in the clinic referred to in this charge as Employee 2, you spoke to her very loudly at the reception desk;*
- d) *You told Employee 2 that she was stupid and incompetent, and this was done in front of other staff and patients;*
- e) *When Employee 2 gave you her letter of resignation, you threw it back at her and refused to accept it;*
- f) *With respect to Employee 1 and Employee 2 and other former employees in the clinic, you were very abrupt with them and would yell at them;*
- g) *You expressed frustration at patients if they did not speak English well.*

The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Tshala Tshiyombo, namely:

You Dr. Tshiyombo are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of Section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1. and/or paragraphs 1 and/or 2 and/or 7 and/or 13 of the Code of Ethics contained in bylaw 7.1 of the Regulatory bylaws of the College of Physicians and Surgeons of Saskatchewan and/or bylaw 8.1(b)(ii) and/or bylaw 8.1(b)(vi) and/or bylaw 8.1(b)(xi) of the Regulatory bylaws of the College of Physicians and Surgeons of Saskatchewan, particulars whereof are that in the course of your professional practice in Saskatoon, you directed staff not to conduct certain testing, to falsify records, and to conduct tasks that they were not qualified to perform.

The evidence that will be led in support of this charge will include some or all of the following:

- a) You formerly practised in a medical clinic in Saskatoon, Saskatchewan (hereafter called "the clinic");
- b) You encouraged staff members of the clinic to schedule as many immigration medical examinations as possible;
- c) You advised staff members to dump out urine samples without conducting any testing on those samples;
- d) You advised staff members to record the urine testing as "normal" despite not being tested;
- e) You advised staff members to not conduct formal vision testing on patients attending for the purpose of immigration medical examinations;
- f) You advised staff members to record the vision testing as "normal" despite not being tested;
- g) You advised staff members to complete the online physicians' "grading" portion of the immigration medical examinations despite the fact they were not licenced physicians and were not qualified to do so.

The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Tshala Tshiyombo, namely:

You Dr. Tshiyombo are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of Section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** S.S. 1980-81 c. M-10.1. and/or paragraphs 7 and/or 48 and/or 52 of the Code of Ethics contained in bylaw 7.1 of the Regulatory bylaws of the College of Physicians and Surgeons of Saskatchewan, particulars whereof are that in the course of your professional practice in Saskatoon, you forged or falsified a document submitted in

*relation to an employee's complaint to the Government of Saskatchewan – Labour Relations and Workplace Safety - Employment Standards.*

*The evidence that will be led in support of this charge will include some or all of the following:*

- a) You formerly practised in a medical clinic in Saskatoon, Saskatchewan (hereafter called "the clinic");*
- b) A former staff member in the clinic, referred to in this charge as Employee 1, submitted a complaint to the Government of Saskatchewan - Labour Relations and Workplace Safety - Employment Standards prior to the termination of her employment in the Clinic;*
- c) You directed another former staff member, referred to in this charge as Employee 2, to prepare a letter to Employment Standards in response;*
- d) After the letter dated March 7, 2018 had been prepared by Employee 2, you altered the letter and/or falsified Employee 2's signature prior to having the letter submitted to Employment Standards.*

Dr. Tshiyombo is no longer licensed to practice in Saskatchewan. She did not appear and was not represented by legal counsel. Submissions on behalf of the Registrar's Office were made by Ms. Sheila Torrance. Council imposed the following penalty on Dr. Tshiyombo:

*The Council of the College of Physicians and Surgeons of Saskatchewan imposes the following penalty on Dr. Tshala Tshiyombo pursuant to The Medical Profession Act, 1981 (the "Act"):*

- 1) Pursuant to Section 54(1)(e) of the Act, the Council hereby reprimands Dr. Tshiyombo. The format of that reprimand will be in writing and provided in-person at a time to be determined in the future.*
- 2) Pursuant to Section 54(1)(a) of the Act, the Council hereby strikes the name of Dr. Tshala Tshiyombo from the register and revokes her licence.*
- 3) Pursuant to section 54(1)(i) of the Act, the Council directs Dr. Tshiyombo to pay the costs of and incidental to the investigation and hearing in the amount of \$32,775.16.*

Reasons for the decision will be prepared for the next Council Meeting. The penalty imposed will be published on the College's website.

31. Council reviewed a request from Dr. Velestuk to extend the length of time to pay costs. Council approved an extension to the period of time.
32. Council approved Bylaw 3.3 Resignations from Practice. This bylaw is an appropriate and useful tool to assist the College if a physician submits a resignation of their registration with the College and then fails to meet their ethical and professional responsibilities related to licensure. Communication will be developed and sent to physicians so they understand this bylaw is limited to dealing with the resignation of licensure and is not related to service or other employment concerns.

33. Council approved the closed agenda without amendments.
34. Council reviewed and approved the closed minutes of the Friday 20 and Saturday 21 November, 2020 Council meeting.
35. Council received a report from the President on "Actions taken by the Executive Committee" since the previous Council meeting.
36. A reprimand pertaining to Dr. T Coneys was approved by Council. The reprimand will be provided to Dr. Coneys and posted on the College website.
37. Council approved reasons for its decision to reject Dr. Solgi's application to appeal to Council the decision of the Registrar to suspend his provisional license on March 23, 2020. The reasons will be sent to Dr. Solgi and posted on the College website.
38. Council considered a Preliminary Inquiry Committee Report and laid six charges of unprofessional conduct against a physician, relating to multiple attendances with 6 female patients between 2007 and 2018. The charges allege inappropriate stethoscope examinations, inappropriate touching and making inappropriate comments/asking inappropriate questions. Full charges will be posted on the College website.
39. Council considered a Preliminary Inquiry Committee Report and laid charges against a physician. The physician was charged with two charges of unprofessional conduct. The first charge alleges that he inappropriately billed MSB in one instance in 2017 where the patient should have been billed directly. The second charge alleges his medical records failed to meet the requirements of Bylaw 23.1, and that he either caused or permitted excessive testing and billing in a number of circumstances over a period of time.
40. Council was informed that the Ministry is making arrangements to meet to discuss proposed *HIPAA* amendments that have been outstanding for some time.
41. Mr. Salte provided an update on the outstanding discipline cases.
42. Dr. Werner Oberholzer provided an update on the Quality of Care cases.
43. Several topics were raised during the environmental scan including the work at the national level on artificial intelligence and virtual care and the opportunity to join webinars as pre-education to the annual general meeting of FMRAC's educational session in June on Artificial intelligence and Virtual Care.

Council was also advised that the national work on discrimination and racism continues and there is a continuation of the discussion supported at the federal government level on indigenous racism. There have been a number of webinars supported by the certifying colleges, the College of Family Physicians of Canada and the Royal College of Physicians and Surgeons of Canada and the Medical Council of Canada. The first in this Anti-Black Racism Webinar Series was entitled Black Lives Matter in Medicine: Critical Race Theory, Historical Roots and Legacies Of Anti-Black Racism. Councilors were encouraged to participate in these webinars and links will be provided to recorded copies where possible.



44. Mr. Salte provided a list of "For Action Items".

45. Council elections were held and the following were elected to the Executive Committee of Council:

President:	Dr. Olawale Franklin Igbekoyi;
Vice President:	Dr. Brian Brownbridge;
Public Member:	Mr. Burton O'Soup;
Members at large:	Dr. Sarah Mueller; and Mr. Femi Ogunrinde