



## **EXECUTIVE SUMMARY**

**of the**

**19 & 20 NOVEMBER, 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, 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 with an agreement to redact patient personal health information from document Info 210\_21 if there is a request for a copy of the document.
3. Council reviewed and approved the minutes from Friday 17th & Saturday 18 September, 2021 Open session of the meeting of Council.
4. Council received a report from the Associate Registrar Mr. Bryan Salte on actions taken in relation to the "For Action Items" from the previous meeting.
5. Council reviewed and approved Monitoring Reports from the Registrar with respect to:
  - (a) The Registrar's Advancement of Council's END-6 - Professionally-Led Regulation;

(b) The Registrar's Compliance with Council's Executive Limitation Policies pertaining to:

- (i) EL-14 - Development of Policies Governing the Practice of Medicine;
- (ii) EL-15 - Approval of Externally Generated Policies Governing the Practice of Medicine.

6. Council received a report from Ms. Sheila Torrance on the proposed amendment of Bylaw 3.1 pertaining to Health Related Renewal Questions. The bylaw had been previously approved in principle and was circulated for additional feedback. Council accepted the recommended revisions and approved the amended bylaw, which will be submitted to the Ministry for approval.
7. Council received a report from Ms. Sheila Torrance on stakeholder feedback pertaining to the proposed amended Physician Use of Electronic Communications Guideline. Council approved the amendments to the guideline and set a sunset date of November 2022 when it is expected that the Telemedicine Policy will be reviewed.

A question was raised whether the information in this guideline should be incorporated into a broader policy that includes telemedicine/virtual care. The question will be revisited at the time of the review of the Telemedicine Policy.

8. Council considered an application for reinstatement of licensure for Dr. R. P. Masekoameng. Submissions on behalf of Dr. Masekoameng were made by Mr. G. Green. Submissions on behalf of the Registrar's Office were made by Mr. Bryan Salte. The following resolution was adopted by Council:

*Council directs the Dr. Ramatsie Petrous Masekoameng's licence to practise medicine in the province of Saskatchewan be restored conditional upon the following:*

- a) *Dr. Masekoameng will provide a certificate of professional conduct from the College of Physicians and Surgeons of Alberta and the Health Professions Council of South Africa and the information in those certificates is consistent with his response to the questions asked and provided in support of his application.*
  - b) *Dr. Masekoameng will pay the applicable licensing fee.*
9. Council received a verbal report on the work of the End of Life Guideline Committee. The committee is currently considering the feedback to its consultation request and will bring back a final document for the January Council meeting.
  10. Council received a report from Ms. Sheila Torrance on the proposed policy "Responsibility for a Medical Practice". The Council considered feedback from the committee's consultations and approved the policy in principle for a second time. Due to the substantive nature of the revisions to be considered, including the requirement to have a designated Medical Director in any multi-physician clinic outside of any facility designated pursuant to *The Facility Designation Regulations*, whether providing primary care or specialist/consultant services, the Council directed a second round of stakeholder consultations be undertaken before consideration of adopting the policy. It was noted that an educational process will be necessary to ensure physicians understand the requirements going forward.

11. Council considered the sunset review date on the CPSS Policies "Performing Office-Based Insured Procedures" and "Performing Office-Based Non-Insured Procedures" and determined that the policy on "Responsibility for a Medical Practice" needs to be completed prior to revising these policies. These policies will be brought back to Council to conclude the sunset review process once the Responsibility for a Medical Practice policy has been approved in final form.
12. The Governance Committee on Developing Better Communication with Physicians provided a verbal update on its work. This work includes drafting a survey to send to the membership as to what the membership believes would lead to better communication with the College. Additional work includes monitoring the informatics on the website, social media and Facebook.
13. Mr. Burton O'Soup, Chair of the Truth and Reconciliation Committee, provided Council an update of the committee's work and a presentation on the United Nations Declaration on the Rights of Indigenous People (UNDRIP) document. Council directed that this document be formally recognized by the College of Physicians and Surgeons of Saskatchewan as a foundational document in its work.
14. Council considered an amendment to Bylaw 2.5 - Regular Licensure of Physicians who achieve Certification with the Royal College following the Practice Eligible Route. Council adopted the following resolution:

*The Regulatory Bylaws of the College of Physicians and Surgeons of Saskatchewan are amended by rescinding bylaw 2.4(d) and substituting the following:*

*(d) If the physician has completed postgraduate medical training elsewhere than in Canada or the United States of America:*

  - (i) the physician has successfully completed a period of practice while under a provisional licence: and,*
  - (ii) the physician has either met the requirements of paragraph (c)(i) or c(ii); or*
  - (iii) the physician has attained certification by the Royal College of Physicians and Surgeons of Canada (RCPSC) through the Practice Eligible Route of the Royal College of Physicians and Surgeons of Canada (RCPSC); or*
  - (iv) the physician has been successful in an assessment which demonstrates to the satisfaction of the Council that the applicant has appropriate skill, knowledge and suitability to practise independently.*
15. Council received a report from the Associate Registrar Mr. Bryan Salte pertaining to the sunset date of the Medical Assistance in Dying Policies. At its June meeting the Council approved amendments to the two policies entitled Medical Assistance in Dying Policy: Patient's Death Is Reasonably Foreseeable and Medical Assistance in Dying Policy: Patient's Death Is Not Reasonably Foreseeable. Council is aware that the policies will have to be reviewed in March 2023 when there will be new criteria and expanded eligibility for MAiD. Council set a sunset date of March 2023 for these two policies.
16. Council reappointed Dr. Nora McKee as one of two College appointees to the Joint Medical Professional Review Committee for a further three-year term.
17. Council appointed Dr. Melanie Orvold and Ms. Dhvani Thakkar to the Discipline Committee.

18. Council received a general update on the College of Physicians and Surgeons of Saskatchewan's implementation plan with respect to its strategic goals. Mr. Tim Edwards provided a detailed update of his work in IT that supports strategic goal #1 "An Integrated Information Technology and Information Management Platform to effectively support College decision-making, program evaluation, and engagement with members and the public." He also provided details as to what steps have been accomplished with respect to the specific initiatives within the goal.

Ms. Debra Wright also provided detailed supporting material on goal #3 "Enhanced College Supervision, Assessment, and Support of International Medical Graduates (IMGs) moving from a provisional to a regular licence".

19. Council determined it would amend Bylaw 18.1 to reflect Health Canada's Section 56 Exemption. This will permit physicians to give verbal prescriptions for Prescription Review Program medications, subject to the limitations set out in the proposed amendment.
20. Bylaw 18.1 is amended with the addition of *(f) Notwithstanding paragraphs (c) to (e), a physician can provide a verbal prescription for drug to which the Prescription Review Program applies if the physician concludes that it isn't reasonably possible to provide a written prescription or electronic prescription. The physician must include the information required by paragraph (c) in the verbal prescription.* The bylaw amendment will be submitted to the Ministry for its approval.
21. Council approved in principle, an amendment to Bylaw 18.1 (g) to remove the specific requirements for part-fills for Baclofen, Chloral Hydrate, Gabapentin, Oxybutynin, Pregabalin, Lemborexant and Zopiclone. Council approved the amendments in principle to facilitate the consultation process with the most likely change to Bylaw 18.1 being that there will be two lists of PRP medications. One list will contain those medications which federal legislation requires be subject to detailed part-fill requirements, while the second list will not be subject to those requirements.
22. Council was provided information that suggests that physician answering machines may not provide the information that is compliant with the policy on after-hours availability. When Council adopted the amended policy Medical Practice Coverage in March 2021, it directed that the College would not take active enforcement for a period of one year to provide educational feedback respecting these expectations. While a DocTalk article discussing this issue has been published, Council directed that reminder letters be sent to physician clinics about expectations for information on answering machine messages prior to the end of the "grace" period of March 2022.
23. Council conducted its Annual General Meeting and received a report on the activities of Council from the President, Dr. Olawale Franklin Igbekoyi and a report on the operations of the College from the CEO, Dr. Karen Shaw.
24. Council received a request from Dr. M. A. R. Sayeed to amend the terms of his undertaking with the College. Council approved the change to increase his weekly hours of work to 30 hours and increased the maximum number of patients seen to 25 patients per day. Council declined the other requested changes; to alter the chaperone requirement in a specific circumstance, and to alter the frequency of reporting.

Reasons for the Decision will be prepared and brought back to the January Council meeting for approval.

25. Council considered and amended the Reasons for Decision pertaining to Dr. Oladipo, which were previously approved on September 18, 2021.
26. Council considered an Appeal of the Registrar's Decision with respect to Licensure for Dr. A. Maroofi. Council upheld the Registrar's decision on licensure and Reasons for the Decision will be prepared and presented to Council for approval at the January meeting.
27. Council received a report from Ms. Beckie Wills on behalf of the Finance and Audit Committee pertaining to the quarterly financial statements to the period end 30 September, 2021.
28. Council received an update from Mr. Salte on the status of bylaws.
29. Council adopted the in-camera agenda for the 20 November, 2021 as presented.
30. Council adopted the in-camera session minutes for Friday 17 and Saturday 18 September, 2021.
31. Council received a report from the President Dr. Igbekoyi on "Actions taken by the Executive Committee" since the previous Council meeting.
32. Council considered a Preliminary Inquiry Committee report and charged a physician with unprofessional conduct arising from the operation of a facility that provided cosmetic services. The charges allege that the physician failed to comply with College bylaws related to services provided by facility employees and failed to provide appropriate supervision and oversight over those employees.
33. Council considered a Preliminary Inquiry Committee report and laid a charge of unprofessional conduct against a physician for removing medications from Regina General Hospital. Council determined the matter could be dealt with by way of post-charge alternate dispute resolution with the terms being approved by the Registrar. Those terms include the physician providing an apology to the Chief of Staff of the facility, taking an ethics course, being referred to the Physician Health Program and paying the costs of the investigation. Council directed that a letter be sent from the Registrar concerning the inappropriate treatment of a spouse.
34. Council considered a Preliminary Inquiry Committee report, declined to lay a charge of unprofessional conduct against a physician and directed that the matter be disposed of by way of a letter from the Registrar.
35. Council reviewed the Preliminary Inquiry Committee report and laid a charge of unprofessional conduct against a physician relating to the following: inadequate medical record-keeping, inappropriate billing, failing to review and/or act on urine drug screens, providing pre-signed blank prescription forms to pharmacy staff, failing to make himself available to provide medical care to his patients, inappropriately permitting and/or authorizing staff to provide services in relation to his patients with the staff not being appropriately licensed or qualified, and failing to exercise due diligence to ensure staff

are appropriately licensed, qualified, assessed, and supervised to provide services to his patients.

36. Council approved Reasons for Decision related to a decision not to charge a physician with unprofessional conduct.
37. Council approved Reasons for Decision related to Dr. A. Ernst. The reasons will be posted on the College website.
38. Council approved the terms of the reprimand and Reasons for Decision pertaining to Dr. A. Narang. The reprimand and reasons will be posted on the College website.
39. Council approved the terms of the reprimand and Reasons for Decision pertaining to Mr. H. Zhu. The reprimand and reasons will be posted on the College website.
40. Council considered a request to reconsider its decision to defer a matter. Council determined that the matter would be dismissed without further action as it was not in the public interest to pursue. Reasons for the Decision will be written for consideration of approval at the January meeting.
41. Council received an update on the progress of cases on the discipline tracker from the Associate Registrar.
42. Council received a report from the Deputy Registrar on the progress of cases reviewed within the Quality of Care process.
43. Council affirmed the Nominating Committee's decision to award the Dr. Dennis Kendel Distinguished Service Award for 2021 to Dr. John Froh.
44. Council will discuss the matter of College awards at its January Council meeting.
45. Council received a verbal report on matters arising from the annual report of the Joint Medical Professional Review Committee.
46. Council approved the College issuing a statement outlining the College's expectation that physicians who are not fully vaccinated and who provide in-person care will advise patients of that fact in advance of any in-person attendance.
47. Council directed that at a future meeting it wished to discuss what can be done to address surgical backlog as a result of Covid.