



## **EXECUTIVE SUMMARY**

**of the**

**29 & 30 NOVEMBER AND 1 DECEMBER, 2019 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 Metis 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 reviewed the Minutes from the Friday 13 and Saturday 14 September, 2019 Council meeting and approved the minutes with one amendment pertaining to the 2020 budget request from PEP for additional funding.
3. Council received a report on the actions taken in relation to the "For Action Items" from the previous meeting. Council was reminded that the staff code the "For Action items" green if they have been completed, yellow if they are in progress and red if there has been any undue delay.

4. Council reviewed and discussed 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; and
    - (ii) EL – 15 – Approval of Externally Generated Policies Governing the Practice of Medicine.
5. Council considered a report on the framework for a risk management approach to regulation from the Associate Registrar.
6. Council received a report from the Associate Registrar on the development of the Telemedicine Policy considering stakeholder feedback. The policy with amendments to the draft policy discussed at the meeting was adopted. A sunset date of 3 years was approved. The policy will be placed on the website and published in DocTalk in an upcoming issue.
7. Council received an update from Ms. Sheila Torrance with respect to the management of physicians affected with blood-borne viruses and the review of the relevant regulations and the health-related renewal questions. Stakeholders have provided relevant policy documents and the committee will meet in the near future to discuss the information received and provide a draft policy for consideration in January, 2020.
8. Council received a report from the working committee on Mandatory Use of PIP/Education/Prescription Forgery Strategies. The Council approved in principle developing a policy that requires physicians to have credentials to access the Pharmaceutical Information Program (PIP) and the electronic Health Record Viewer (eHR Viewer). There was a short discussion about the need to educate physicians with respect to the uptake of the use of the eHR viewer and the Pharmaceutical Information Program (PIP). Ms. Torrance was added to the committee to assist with drafting the policy. Mr. Tim Edwards, IT/Office Operations Manager will be consulted with respect to the IT wording.
9. Council received a report from the committee working on Communications by Ms. Caro Gareau, Communications Officer with respect to the preferred option to publish Doctalk. Council supported the preferred option of publishing 3 issues with alternate publication dates for 2020.
10. Council heard an application from Dr. A. Ali for restoration of his licence. Submissions were made on behalf of Dr. Ali by Mr. D. Kraushaar and Mr. Salte presented on behalf of the Registrar's Office. Council's decisions are as follows:

*Dr. Ali's licence is restored subject to him signing the undertaking as agreed upon by Council.*

*Council directs that its order of September 7, 2013 indefinitely suspending Dr. Ali from the privileges of a duly qualified medical practitioner is rescinded.*

The undertaking includes the requirement Dr. Ali practice only under supervision, see only male patients and limit his practice to a maximum of 25 patients per day. Dr. Ali will also be required to sign a resignation that will become effective if he breaches any of the terms of his undertaking.

11. Council approved amendments to Bylaw 8.1 addressing sexual misconduct. The Bylaw defines what constitutes sexual misconduct and establishes criteria to assess whether a person who has been a patient continues to be a patient for the purpose of prohibiting sexual misconduct with a patient. It also defines failing to respect patient privacy as a form of misconduct.
12. Council approved in principle a revised policy on sexual boundaries for the purpose of consultation with the profession and the public.
13. Council reaffirmed its direction for the Registrar to arrange to have a speaker or speakers to address Council on the topic of sexual misconduct by physicians for the January meeting.
14. Council received an update on the work of the Truth and Reconciliation Committee from the Chair, Mr. Burton O'Soup. Mr. O'Soup expressed his gratitude to the College and the SMA for the purchase of the Treaty Six and Métis Flags for the building and boardrooms.

Council will invite officials from FSIN to celebrate the College's relationship with First Nations and Métis communities at the March Council meeting. This will include confirming the CPSS's reconciliation efforts and recognizing that the College of Physicians and Surgeons of Saskatchewan and the Saskatchewan Medical Association will fly the Treaty Six and Métis flags.

Mr. O'Soup also acknowledged the participation of Dr. W. Oberholzer and Dr. P. Butt in the opioid summit held in Kamsack.

15. Council received an update from the committees working on governance issues.
  1. Developing Better Communication with Physicians
  2. Developing Better Communications with Patients
  3. Developing Expected Competencies for Councilors and Establishing a Process to Assist with Recruitment
  4. Developing a Better Method for Councilor Assessment
  5. Additional Standing Committees – What Committee? What Constitution?

Council approved a Councilor assessment process to be trialed and collated for reporting at the January meeting.

Council agreed to develop a communications strategy to reinforce ethical expectations to medical students.

16. Council approved an amendment to Bylaw 18.1 The Prescription Review Program. The amendment added a number of medications to the list of medications subject to the program. The additions are: Diacetylmorphine, Remifentanil, Sufentanil, Tapentadol,

Diphenoxylate, Tramadol, Zolpidem, Zopiclone, Oxybutynin, Baclofen, Ketamine and all previously exempted Codeine products. These additions will meet the recommendations of the Provincial Auditor and also the other stakeholders who have identified these drugs as drugs of potential misuse and abuse. This regulatory bylaw has been forwarded to the Ministry for approval.

17. Council reviewed the quarterly financial statements for the period end 30 September, 2019 with Ms. Beckie Wills, Director of Finance and Accounting.
18. Council held its Annual General Meeting. The President reported on Council's accomplishments and the Registrar provided an overview with respect to operational accomplishments throughout the year.
19. Council received a presentation from Dr. B. Clapson with respect to a review of the supervision and summative assessment processes and tools, focusing on the post SIPPA CPSS processes.
20. Council appointed a committee of Dr. Brownbridge, Dr. Mabadeje, Dr. Kasim, Dr. Clapson, Dr. Oberholzer and Dr. Shaw and a representative of the College of Medicine to review the post SIPPA CPSS assessment processes.
21. Council reviewed a recommendation from the Associate Registrar with respect to amendments to the College's Confidentiality Policy. The Council approved the policy as amended with a sunset date of 5 years. The amended policy will be placed on the website.
22. Council reviewed a recommendation from the Associate Registrar with respect to amendments to the College's Guideline *Transfer of Medical Records*, accepted the amendments in principle to allow for consultation with the Saskatchewan Medical Association since this is a shared guideline.
23. Council received a report from the Registrar with respect to the November reporting on the strategic plan:
 

*STRATEGIC PRIORITY 1: OPTIMIZE PRACTICE EXCELLENCE*  
*Objective C4: Improve Quality of Practice Standards, Policies and Guidelines Published for the Profession*

*STRATEGIC PRIORITY 2: ENHANCE AWARENESS AND TRUST OF THE COLLEGE*  
*Objective I2: Ensure all Bylaws are Current and Relevant*
24. Council reviewed a video presentation on prescription forgeries and approved in principle an amendment to Bylaw 17.1 to require hand-written prescriptions and EMR-generated prescriptions that are given directly to patients to be signed with a "wet" signature. The proposed amendment will be circulated for consultation and reviewed again at the January 2020 Council meeting. Council recognised that education will need to be provided to physicians with respect to the Bylaw 17.1 amendment and the College of Medicine CME Department will work with the CPSS and the Saskatchewan College of Pharmacy Professionals (SCPP) to develop an appropriate education course with the potential of learning credits.

25. Council directed that an educational session be arranged for the March meeting related to the safe injection sites and the future developments related to safe opioid use.
26. Council considered the use of victim impact statements and decided to develop a policy with respect to the use of such statements. The Council committee that is currently working on the sexual boundaries policy will develop the draft policy for Council review.
27. Council reviewed the Conflict of Interest Guideline that had previously been approved and set a sunset date of 5 years.
28. Council reviewed the Website Terms of Use & Privacy Policy that had previously been approved and set a sunset date of 3 years.
29. Council received a report from the Registrar with respect to a request from the Canadian Family Physicians of Canada pertaining to protecting family medicine related terminology in Saskatchewan. The Council acknowledges that the title “family medicine” is not a protected title in Saskatchewan and further acknowledges the concern that non-physicians may be using the title. Council confirmed its perspective that it is important that patients are able to easily identify family physicians who are medical doctors, and differentiate them from other providers. The College will provide a statement of support to the CFPC to assist in their lobbying efforts for a legislative amendment to limit the use of the title family medicine to licensed physicians.
30. Council received a report from Ms. Torrance on the ADR Policy and discussed the consultation feedback. The amendments to the policy were approved with a sunset date of 5 years. The policy will be placed on the website.
31. Council reviewed the College’s Communication Strategy for Information Sharing between Agencies and approved principles related to informing third parties such as the Saskatchewan Health Authority and the College of Medicine about College disciplinary actions that may affect the activities of the third party
32. Council reviewed a report from Dr. Oberholzer with respect to the Saskatchewan College of Paramedics’ request for protocol expansion to include changes to the shock protocol and suctioning of nasogastric/orogastric tubes during inter-facility transfer. Council approved the two protocols.
33. Council reviewed a request from the Ministry to respond to a possible amendment of **The Paramedics Act** to remove the requirement that CPSS Council approve protocols for treatment by paramedics. Based on the current information Council has, Council decided not to support the proposed amendment. Section 23 of The Act which currently states: “*A practising member who provides an emergency treatment or administers a medication must do so in accordance with any protocol respecting the provision of emergency treatment or administration of medication by a paramedic, an emergency medical technician or an emergency medical responder that are approved by the College of Physicians and Surgeons of Saskatchewan*” should remain.
34. Council received an update on the status of bylaws. All regulatory bylaws adopted by the Council prior to the September, 2019 meeting have now come into effect. The 90 day period for the Minister to approve or veto the regulatory bylaw amendments from the

September Council meeting has not yet arrived, however the College has not been advised of any significant concerns related to the September, 2019 bylaw amendments.

35. Council considered the recommendations of a Preliminary Inquiry Committee report and directed that a physician not be charged, but that the matter be dealt with by way of ADR. The Executive Committee is to determine the terms of the ADR.
36. Council received a report from the Registrar with respect to an appeal to Council from a Quality of Care Advisory Committee decision. Council upheld the decision of the Quality of Care Advisory Committee and dismissed the appeal. Reasons for the Decision are to follow.
37. Council approved the minutes of the 14 September, 2019 Closed Session of Council.
38. Council received a report from the President with respect to actions taken by the Executive Committee of Council since its last meeting in September.
39. Council adopted reasons for its decision at the September meeting to dismiss an appeal to Council from a decision of the Quality of Care Advisory Committee.
40. Council adopted reasons for the penalty decision imposed on Dr. Cardoso-Medinilla at its June meeting. The reasons will be posted on the College website.
41. Council adopted reasons for the penalty decision imposed on Dr. A. Ernst at its September meeting. The reasons will be posted on the College website and Dr. Ernst will attend a future Council meeting for the reprimand to be administered in person.
42. Council adopted reasons for the penalty decision imposed on Dr. El-fellani Mohammed at its September meeting. The reasons will be posted on the College website.
43. Council adopted reasons for its decision to refuse to authorize an amendment to Dr. Horri's undertaking which would have allowed him to practice in a long term care facility and remove the requirement for signage regarding the need for a chaperone when attending female patients.
44. Council adopted reasons for its decision to refuse to approve an expanded scope of practice for Dr. K. Hetherington. Council had declined a request from Dr. Hetherington at its September meeting to approve a scope of practice change to include laser therapy treatment for stress urinary incontinence.
45. Council adopted a reprimand imposed as part of the penalty on Dr. A. Ernst at its September meeting. The reprimand will be posted on the College website.
46. Council adopted a reprimand imposed as part of the penalty on Dr. El-fellani Mohammed at its September meeting. The reprimand will be posted on the College website.

47. Council participated in a Strategic Planning exercise. The four areas that Council will be working on in developing its next 5 year plan include:
- i) An integrated information technology and Information management platform to support College decision- making, program evaluation, and engagement with members and the public.
  - ii) A robust College process to assess and support physicians for competence and performance throughout their careers.
  - iii) Enhanced College supervision, assessment and support of International medical Graduates (IMGs) moving from provisional to regular licensure.
  - iv) Optimal physician prescribing of opioids.
48. Council appointed Mr. B. Gibson to the Discipline Committee.
49. Council appointed Dr. Joan Baldwin as the Chair of the Discipline Committee.
50. Council received a report from the Associate Registrar on the status of outstanding discipline files.