



## **EXECUTIVE SUMMARY**

**of the**

**17 & 18 JUNE, 2022 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 agenda for the Open Session as presented.
3. Council reviewed and approved the minutes from the Friday 18 and Saturday 19 March, 2022 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-1-Healthy Public Policy; and

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

- (i) EL – 11 – Public Image;
- (ii) EL – 12 – Partnerships and Interorganisational Relationships;
- (ii) EL – 13 – Information Management.

6. Council considered a request to amend the terms of a physician's undertaking with the College. Council approved the revised undertaking.
7. Council considered and approved in principle an amendment of the College's bylaws pertaining to Advertising. The proposed amended Bylaw 27.1 will be circulated for stakeholder consultation.
8. Council considered a report from the committee tasked with reviewing the policy *Completion of Third-Party Forms and Certification of Work Absence/Accommodation due to Illness or Injury*. The committee proposed an amended policy focused on expectations and recommended an additional guidance document be developed to convey additional detailed guidance. The amended policy was approved in principle for the purpose of stakeholder consultation.
9. Council considered a report from the committee working on revising the guideline *Medical Examinations by Non-Treating Physicians*. The previous guideline has been revised to a focused policy with a recommendation that an additional guidance document be developed to include additional guidance from the College. Council approved the amended policy in principle, for stakeholder consultation.
10. Council received a report from the Nominating Committee Chair Dr. Alan Beggs, that the committee has not yet had an opportunity to discuss possible processes to assist and encourage individuals to seek election to the Council.
11. Mr. Burton O'Soup, Chair of the Truth and Reconciliation Committee, provided an update on the progress of the committee's work. A proposed Statement of Commitment was approved by Council. Council directed the Registrar to work with the dignitaries of the Indigenous organizations to request a ceremony to publicly sign the Statement of Commitment acknowledging the College's commitment. Council also wished to consider a flag raising ceremony.
12. Council received a report from Dr. Oladapo Mabadeje, the Chair of the Diversity and Bias Committee, outlining the progress of its work including potential partnerships to carry out a survey and identify educational resources.
13. Council appointed Ms. Carolyn Hlady as a member of the committee reviewing the policies *Performing Office-Based Insured Procedures/Performing Office-Based Non-Insured Procedures* and the committee reviewing the request from the College of Registered Nurses of Saskatchewan to amend bylaw 23.3.
14. Council reviewed the proposed amended guideline/policy on *Physicians in Public Health Emergencies* and adopted it in principle as a guideline for the purpose of stakeholder consultation.

15. Council approved the guideline *Patient-Physician Relationship* and set a sunset date of 5 years.
16. Council approved the revised policy *Ending the Patient-Physician Relationship* and set a sunset date of 5 years.
17. Council approved the revised policy on *Physicians-Surgeons Leaving Practice* and set a sunset date of 5 Years.
18. Council appointed a committee to review issues of compliance with after-hours care expectations. The committee will be comprised of Mr. J. Howlett, Dr. O. Igbekoyi, Dr. Y. Kasim, Dr. R. Basi, Dr. A. Snyman, Dr. W. Oberholzer and Ms. Sheila Torrance. A request will be made to Dr. Veronica McKinney in her role with Northern Medical Services to participate.
19. Council approved the audited financial statements. The report was provided by Ms. Beckie Wills, Director of Finance and Accounting on behalf of the Chair of the Finance and Audit Committee, Dr. J. Maslany.
20. Council approved KPMG as the auditor for 2022.
21. Council received a report on the implementation of the strategic plan, with a detailed report given by Ms. Nicole Bootsman, Pharmacist Manager of the PRP/OATP, on goal #4 *Optimal physician prescribing of Opioids*.
22. An update on Goal #1 focusing on the development of the website was provided by Mr. Tim Edwards, IT/Office Manager. Council approved a refresh of the website.
23. Council received a presentation from Studio Jensen and approved a new logo. Work will continue on this logo as part of a rebranding and visual identity project.
24. Council reviewed and approved changes to the Opioid Agonist Therapy Standards and Guidelines, as set out in Information 95\_22.
25. Council reviewed and approved changes to the Opioid Agonist Therapy Standards and Guidelines and the six policies related to approval to prescribe Opioid Agonist Therapy as set out in info 65\_22.
26. Council directed the Registrar to explore options for accommodating the 2020, 2021 and 2022 cohorts of Senior Life recipients by considering separate events in Saskatoon and Regina.
27. Council approved the draft annual report as presented by the Communications Officer, Ms. Caro Gareau.
28. Council received a presentation on Recovery from Substance Use Disorder from Dr. Morris Markentin. The presentation outlined the current gaps in the healthcare system when managing patients with substance use disorder.

29. Council conducted a penalty hearing pertaining to Dr. S. Ziarko. Dr. Ziarko admitted three charges including: failing to send samples of a patient's lesion for examination by histology, failing to exercise reasonable care to ensure that billings for laboratory services were consistent with the payment schedule, and failing to take reasonable care to ensure that her claims payments for virtual codes were consistent with the payment schedule.

Submissions on behalf of the Registrar's Office were made by Mr. Bryan Salte and submissions on behalf of Dr. Ziarko were made by Mr. Nicholas Cann.

Council imposed penalty that included administration of an in-person reprimand, a 6 month suspension, a fine and payment of costs. The penalty will be posted on the College website.

Draft reasons for the decision will be prepared for Council's consideration at the September Council meeting.

30. Council supported the Registrar's decision to rescind the emergency declaration as of July 15, 2022.

31. Council received and approved annual reports from the various Standing Committees of Council.

32. Council conducted a penalty hearing pertaining to Dr. A. Cadili. Dr. Cadili admitted unprofessional conduct in relation to his involvement with the Clear Health Inn.

Submissions were made on behalf of the Registrar's Office by Ms. Rochelle Wempe, and on behalf of Dr. Cadili by Mr. S. Hopley.

A joint recommendation for penalty was accepted and Council imposed penalty consisting of a written reprimand, a 4 month retroactive suspension, successful completion of a course on ethics/professionalism and payment of costs. The penalty will be posted on the College website.

33. Council conducted a penalty hearing pertaining to Dr. I. Muhammad. Dr. Muhammad admitted three charges of unprofessional conduct: altering patient records and submitting them to the Joint Medical Professional Review Committee (JMPRC), being untruthful to the JMPRC about the authenticity of the start/stop time entries in those records, and billing codes 40B and 41B for counselling when she had not recorded the start and stop times which is a requirement to bill those codes.

Submissions were made on behalf of the Registrar's Office by Mr. Bryan Salte and submissions were made on behalf of Dr. Muhammad by Ms. R. Bodani.

Council imposed penalty consisting of a written reprimand, a 2 month suspension, successful completion of a course on ethics/professionalism, successful completion of the Medical Services Branch billing modules, a fine and payment of costs. The penalty will be posted on the College website.

Draft reasons for the decision will be prepared for Council's consideration at the September Council meeting.

34. Council conducted a penalty hearing pertaining to Dr. G. Dalshaug. Dr. Dalshaug admitted unprofessional conduct in that he altered patient records to remove the name of the surgeon who acted as a surgical assistant in cardiac surgeries and substituted his name which resulted in him being paid for services he did not provide.

Submissions on behalf of the Registrar's Office were made by Mr. Bryan Salte and submissions on behalf of Dr. Dalshaug were made by Mr. Collin Hirschfeld.

Council imposed penalty which included a written reprimand, a 6 month suspension, successful completion of a course on ethics/professionalism, a fine and payment of costs. The penalty will be posted on the College website.

Reasons for the decision will be prepared for Council's consideration at the September Council meeting.

35. Council reviewed the *Patient-Physician Communication Guideline* which had reached its sunset date and appointed a committee to provide further review and recommendations. The members of the committee include Dr. Overli-Domes, Ms. C. Hlady, Dr. A. Beggs, Dr. A. Snyman, Dr. O. Mabadeje, Dr. W. Oberholzer, Dr. V. Olsen and Ms. R. Wempe.
36. Council approved the revised *Sale of Products by Physicians Policy* and set a sunset date of 3 years.
37. Council approved the revised *Informed Consent in Determining Capacity to Consent Policy* and set a sunset date of 5 years.
38. Council appointed a committee to review the *Medical Practice Observation/Experience Guideline*. The Committee will be comprised of a physician involved in undergraduate medical education such as Dr. Meredith McKague, Mr. Jeff Howlett, Dr. Sarah Mueller, Dr. Franklin Igbekoyi, Dr. Yusuf Kasim, Dr. Werner Oberholzer and Ms. Sheila Torrance.
39. Council rescinded the guideline *Unplanned Pregnancy*. It further directed Ms. Wempe to review the *Conscientious Objection* policy for consideration of whether changes are necessary as a result of that rescission.
40. The *Role of Legal Counsel Policy* was reviewed and Council directed it be brought back for consideration at the September Council meeting with an expansion of the description of the role of outside legal counsel to the Council or to the Executive Committee.
41. Council approved a Code of Conduct for the Discipline Committee.
42. Council received a report from the Director of Registration Services, Ms. D. Wright, on the Medical Council of Canada's project - Educational Registration Application. Council supported the College's continued involvement in this project.
43. Council was provided an update on the Labour Mobility Legislation and its effect on current registration and licensure processes. Council supported the approach proposed by the Registrar's Office.

44. Council agreed to hold an educational session in connection with the Annual General Meeting in November. Further consideration will be given to anti-racism as the focus of the educational session.
45. Council considered a document from the Deputy Registrar on the *Application for the Administration of Ketamine in Community-Based Practice with Possible Ketamine Guidance Document* and directed Dr. J. Maslany and Dr. B. Brownbridge to review it.
46. Council received a report that all bylaws adopted by the Council are now in effect.
47. Council adopted the agenda as presented for the 18 June, 2022 Closed Session of Council.
48. Council reviewed and approved the minutes from the Friday 18 March, 2022 Closed Session of Council.
49. Council received a Report on Actions Taken by the Executive Committee since the last Council meeting.
50. Council approved a written reprimand for Dr. B Zimmermann. The reprimand will be provided to Dr. Zimmermann and posted on the College website.
51. Council approved reasons for its decision imposing penalty on Dr. B Zimmermann. The reasons will be provided to Dr. Zimmermann and posted on the College website.
52. Council considered a preliminary inquiry committee report and approved the matter to be resolved through alternate dispute resolution without a charge of unprofessional conduct.
53. Council considered two preliminary inquiry committee reports and deferred a decision on possible action related to a conflict of interest until a review of the conflict of interest bylaw takes place. Council determined no action would be taken with respect to the remainder of the issues in the preliminary inquiry committee reports.
54. Council considered and adopted tools pertaining to assessing Council meetings and fellow Councilors.
55. Council received an update on the progress of the cases contained in the Discipline Tracker from legal counsel, Ms. Torrance.
56. Council received an update on the Quality of Care Tracker from the Deputy Registrar, Dr. Werner Oberholzer.
57. Council received a report from the Registrar outlining the College's participation in FMRAC's Integrated Risk Management and the Risk Register.
58. Council reviewed a request from the College of Medicine Continuing Medical Education Department pertaining to funding for a sponsored Wellness Leadership Role in the College of Medicine CME Division. Council approved the request in principle with an expectation that there will be further information provided related to the deliverables, etc.

59. Council engaged in a meeting assessment.

60. Mr. Salte, Associate Registrar provided the list of the "For Action Items" arising from the meeting.