



EXECUTIVE SUMMARY

of the

24 & 25 JANUARY, 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 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 29, Saturday 30 November and Sunday 1 December, 2019 Council meeting and approved the minutes.
3. Council received a report on the actions taken in relation to the "For Action Items" from the previous meeting.
4. Council reviewed and discussed Monitoring Reports from the Registrar with respect to:
 - (a) The Registrar's advancement of Council's END – 1 – The Mission of the College;
 - (b) The Registrar's advancement of Council's END – 2 – Public Protection;
 - (c) The Registrar's Compliance with Council's Executive Limitation Policies pertaining to:
 - (i) EL – 1 – General Executive Constraint; and

- (ii) EL – 2 – Treatment of Staff; and
- (iii) EL – 6 – Interaction with Members of the Public.

5. Council reviewed a guideline pertaining to the Transfer of Medical Records which Council had approved in principle at the November meeting. Changes from the 2014 document were not extensive and primarily related to updating the document to reflect the 2018 CMA Code of Ethics and Professionalism, rather than the 2004 Code of Ethics. Links were also included to legislation. As this document was originally jointly developed with the Saskatchewan Medical Association the College requested consultation with the SMA to ensure they support the guideline as amended. The SMA indicated that they had no suggestions to make in terms of further alterations of the document and supported the revisions. Council approved the guideline with a sunset date of 5 years.
6. Council received a verbal report from the Chair of the Truth and Reconciliation Committee with respect to meeting minutes of the 20 January, 2020 meeting. Highlights of the meeting discussion included the difference in protocol between an outdoor flag raising ceremony which would involve Elders, a drum group and persons appointed to raise the flags compared to the raising of a flag indoors. As the College and the SMA have purchased flags appropriate for indoors the committee has directed that the Registrar reach out to the appropriate officials with the assistance of Ms. Tania Lafontaine to start building the partnerships that would allow a ceremony acknowledging the College's commitment to reconciliation. It is hoped that such a ceremony could occur about June 19, 2020 which will be close to celebrations for National Indigenous Peoples' Day.

The committee also considered additional recognition with respect to the courses that are currently available from the CME Department "Practitioners Role in Indigenous Wellness" and "Building an Awareness of Cultural Humility". The committee also discussed the modules that have been developed by First Nations Métis Health Services and the current accreditation process for receiving credits for continuing medical education programs.

The committee was also advised that the College will be sponsoring the Gathering for miyomahcihowin (Cree) - physical, mental, emotional, and spiritual wellness and mii yoo naa kaa twayk ta mihk (Michif) - thinking with a clear mind which will be happening March 24 – 26, 2020.

7. Council received a report from the Associate Registrar with respect to the Sexual Boundaries Policy and the consultation feedback. Council accepted the draft policy with two changes, adding in under 'former patients' "*In most cases a "reasonable period" will be a minimum of one year after the individual last received medical care from the physician.*" The policy was adopted with a sunset date of 5 years and will be posted on the College website.

The committee will bring a document to the March meeting pertaining to additional guidance on support to the complainants through the process.

8. Council directed Dr. Mark Chapelski to bring a draft policy for redaction of identifying information from public and member consultations for the March meeting of Council.

9. Council approved a bylaw amendment to require ink signatures on prescriptions that are provided directly to patients. This bylaw does not affect prescriptions which are either sent directly to pharmacies generated by an EMR or faxed directly to pharmacies. Council reviewed the feedback and accepted the amendments to Bylaw 17.1 Minimum Standards for Written and Verbal Medication Prescriptions issued by Physicians and included *(d) Handwritten prescriptions given directly to the patient must be signed manually. EMR-generated prescriptions that are printed and given directly to the patient must be counter-signed with a "wet" signature.*
10. Council reviewed a request for suggested amendments of reasons for a previous Council decision to correct errors in the designation Q.C. of legal counsel, to include accurate wording with respect to the order for payment of costs (as jointly submitted) by way of 13 monthly payments; and to reflect that the Registrar's Office and the legal counsel had reached agreements on joint submissions on two issues but not on the remaining issues. The amendments were approved.
11. Council reviewed a request for suggested amendments of reasons for a decision previously adopted at its November meeting with respect to the designation Q.C. being incorrectly assigned after one of legal counsel's name as opposed to the other legal counsel.
12. Council received an update from the committee developing expected competencies for Councillors and establishing a process to assist with recruitment. Council adopted the matrix that was developed and agreed that the committee would continue to work on identifying specific competencies of Councillors.

An overarching document is to be developed to provide the context of a Councillor's job on the Council of the College of Physicians and Surgeons of Saskatchewan.

13. Council previously adopted the 2018 CMA Code of Ethics and Professionalism, with two changes, as a College bylaw. That bylaw came into effect December 2019. A review of Council guidelines and policies was done to identify those that referred to the 2004 CMA Code of Ethics and amend them. In addition, as Council has adopted a Code of Conduct, policies and guidelines were amended to reference this Code of Conduct, where appropriate. The policies which required updating included the following:

- a) Guideline – Patient-Physician Communication
- b) Guideline – Patient-Physician Relationships
- c) Guideline – Patients who Threaten Harm to Themselves or Others
- d) Guideline – Providing Care to Employees or Co-workers
- e) Policy - Clinics that Provide Care to Patients Who Are Not Regular Patients of the Clinic
- f) Policy – Conscientious Objection
- g) Policy – Physicians at Risk to Patients
- h) Policy – Standards for Primary Care
- i) Complementary and Alternative Therapies

Council accepted all proposed revisions.

14. Council reviewed a document pertaining to end of life care and withholding CPR. The recent decision from Ontario (*Wawrzyniak v. Livingstone*, 2019 ONSC 4900) reinforces

the perspective that a patient does not have the right to insist upon CPR or other life sustaining treatment if in the treating physician's opinion that care is not appropriate. Council reviewed the College of Physicians and Surgeons of Ontario's recently amended policy entitled *Planning for and Providing Quality End of Care Life Care*. Council determined it wished to develop policy and constituted a committee consisting of Dr. Chapelski, Dr. Mueller, Dr. Fritz, Dr. Oberholzer, Mr. Ogunrinde, and Mr. Salte with authority for the President to add other individuals.

15. Council amended charges with respect to Dr. J. Velestuk.
16. Council appointed Dr. P. Meiers to the Discipline Committee.
17. Council received a report with respect to the January reporting for the current 5-year Strategic Plan commenting on the following:

STRATEGIC PRIORITY 2: ENHANCE AWARENESS AND TRUST OF THE COLLEGE

Objective I3: Strengthen Customer Service

STRATEGIC PRIORITY 3: OPTIMIZE OPERATIONAL EXCELLENCE

Objective P1: Improve Alignment of Staff with CPSS Priorities

Objective P2: Enhance Personnel Development

Objective P3: Improve Work-Life Harmony for Staff

Council was provided the draft of the new strategic plan with the major goals for 2020 to 2025 outlined as follows:

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.

Goal # 2: A robust College-led process to assess and support physicians for competence and performance throughout their careers.

Goal # 3: Enhanced College supervision, assessment and support of International Medical Graduates (IMGs) moving from a provisional to a regular license.

Goal # 4: Optimal physician prescribing of opioids.

Council was requested to provide additional feedback to Dr. Shaw that will go back to the facilitator and the committee for further development and refinement of the new strategic plan.

18. Council under Section 54 and Section 54.01 of *The Medical Profession Act, 1981* conducted a penalty hearing on Dr. N. Tandon with respect to action taken by the College of Physicians and Surgeons of Ontario. Submissions on behalf of the Registrar's Office were made by Mr. B. Salte and submissions on behalf of Dr. Tandon were made by Mr. M. Wiens. Council adopted the following penalty:

*The Council imposes the following penalty on Dr. Tandon pursuant to sections 54 and 54.01 of **The Medical Profession Act, 1981**:*

1. Pursuant to section 54(1)(c) Dr. Tandon is prohibited from providing primary care in any location in Saskatchewan, including (but not limited to) as a family physician or in a walk-in or urgent care setting.
2. Dr. Tandon is prohibited from providing any insured services as defined by the Medical Services Branch.
3. The Council reserves to itself the right to reconsider and amend the restriction on Dr. Tandon's medical practice as set out in paragraphs 1 and 2.

Reasons for the decision will be drafted for adoption at the March meeting of Council.

19. Council received a presentation from Ms. Lisa Miller and Ms. Sarah Ridley, Executive Director and Counsellor of the Regina Sexual Assault Centre. The education session assisted Council in understanding the different responses from victims who have experienced sexual assault.
20. Dr. Alfred Ernst was present for the administration of an in-person reprimand administered by the President. The reprimand is posted on the College website.
21. Council conducted a penalty hearing pertaining to Dr. M. Zwane. Dr. Zwane admitted charges of unprofessional conduct laid by Council at a previous meeting. The general nature of the charges illustrated that Dr. Zwane had not complied with the College bylaw pertaining to the prescribing of marijuana (Bylaw 19.2) and he had failed to exercise due diligence in relation to his billing to MCIB for those services. Submissions on behalf of the Registrar's Office were made by Mr. B. Salte and submissions on behalf of Dr. Zwane were made by Mr. A. Stonhouse. Council imposed the following penalty:

The Council of the College of Physicians and Surgeons imposes the following penalty on Dr. Mishack Zwane pursuant to The Medical Profession Act, 1981:

1. Pursuant to section 54(1)(e) of The Medical Profession Act, 1981, Council imposes a reprimand upon Dr. Zwane.
2. Pursuant to Section 54(1)(f) of The Medical Profession Act, 1981, Council imposes a fine of \$15,000 on Dr. Zwane, payable forthwith.
3. Pursuant to section 54(1)(g) of The Medical Profession Act, 1981, Dr. Zwane is required to successfully complete an ethics course on professionalism to the satisfaction of the Registrar. Such course shall be completed not later than June 30, 2020. 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, Dr. Zwane is required to successfully complete a prescribing course in a form acceptable to the Registrar on or before December 31, 2020.
5. Pursuant to section 54 (1)(g) of The Medical Profession Act, 1981, Dr. Zwane is required to successfully complete a medical record-keeping course in a form acceptable to the Registrar on or before December 31, 2020.
6. Pursuant to section 54(1)(g) of The Medical Profession Act, 1981, the Council directs that Dr. Zwane will be suspended from the privileges of a duly qualified medical practitioner if he fails to successfully complete the ethics course on professionalism as required and will remain suspended until he successfully completes that course.

7. Pursuant to section 54(1)(g) of The Medical Profession Act, 1981, the Council directs that Dr. Zwane will be suspended from the privileges of a duly qualified medical practitioner if he fails to successfully complete the prescribing course as required and will remain suspended until he successfully completes that course.

8. Pursuant to section 54(1)(g) of The Medical Profession Act, 1981, the Council directs that Dr. Zwane will be suspended from the privileges of a duly qualified medical practitioner if he fails to complete the medical record-keeping course as required and will remain suspended until he successfully completes that course.

9. Pursuant to section 54(1)(i) of The Medical Profession Act, 1981, the Council directs Dr. Zwane to pay the costs of and incidental to the investigation and hearing in the amount of \$8,726.75. Such payment shall be made in full by June 30, 2020.

10. Pursuant to section 54(2) of The Medical Profession Act, 1981 if Dr. Zwane should fail to pay the costs as required by paragraph 10, Dr. Zwane's licence shall be suspended until the costs are paid in full.

11. Council reserves the right to amend the terms of this order by extending the time for payment of the costs, by arranging for the payment of costs over time or by installments, or by reducing or forgiving the payment of the costs and, in the event of such an amendment, the Council may impose such additional conditions pertaining to payment and suspension of Dr. Zwane's licence for the non-payment as may be permitted by The Medical Profession Act, 1981.

Reasons for the decision will be drafted for adoption at the March meeting of Council. The penalty will be posted on the College website.

22. Council conducted a penalty hearing pertaining to Dr. J. Velestuk. Dr. Velestuk admitted to the following charges:

1. Pursuant to section 47.5 of The Medical Profession Act, 1981, the Council directs the discipline committee to hear the following charges of unbecoming, improper, unprofessional or discreditable conduct:

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

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

- a) In approximately December, 2016, you agreed with the College of Physicians and Surgeons that you would not practise medicine;
- b) You returned to medical practice in or about November, 2017 after receiving the permission of the College of Physicians and Surgeons to do so;
- c) You caused or permitted billings to be submitted to Medical Services Branch in the period of February through May of 2017 for Patient Number 1;
- d) You caused or permitted billings to be submitted to Medical Services Branch for services which were not rendered.
- e) You failed to exercise due diligence to ensure that you billed appropriately for medical services which you claimed to have provided to Patient Number 1.

2. Pursuant to section 47.5 of The Medical Profession Act, 1981, the Council directs the discipline committee to hear the following charges of unbecoming, improper, unprofessional or discreditable conduct:

You Dr. Jordan Velestuk 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 30, 2017 Medical Services Branch sent correspondence to you asking for information related to your billings to Medical Services Branch;
- b) On or about June 2, 2017 Carie Dobrescu of Medical Services Branch sent an email to an email address associated with Queen City Medical Clinic which stated "Attached is the list of services referenced in the May 30, 2017, letter. A paper copy is also being mailed out";
- i) On or about June 8, 2017 an email was sent to Carie Dobrescu purportedly from "Chelsea" which stated "Yes, Dr. Velestuk is making the old charts for patients" and "If you want you can email Dr. Rossouw about his locum work, I've copied him in this email";
- j) The email of June 8, 2017 was copied to the email address doc.koos@yahoo.com;
- k) You sent the email of June 8, 2017;
- l) On or about June 8, 2017 Carie Dobrescu sent an email addressed to Dr. Rossouw at the email address doc.koos@yahoo.com;
- m) On or about June 8, 2017 an email was sent to Carie Dobrescu responding to the email of June 8, 2017. The email message was purportedly from Dr. Rossouw;
- n) The email of June 8, 2017 purportedly from Dr. Rossouw stated:
"Yes, I can confirm that I did work at his office during that period. As for the dates, you'll have to give me some time to get back to you. I worked many days, and in addition, did a lot of fax refills for his patients on days that I was and wasn't there. They would have one of the receptionists bring them to me at my house on off days so they wouldn't pile up";
- o) You sent the email of June 8, 2017 purportedly from Dr. Rossouw;
- p) On or about June 8, 2017 a second email was sent to Carie Dobrescu purportedly from Dr. Rossouw;
- q) The second email purportedly from Dr. Rossouw stated:
"I did not bill any services under my number. When I started at the office Dr. Velestuk was away, and his staff wasn't sure how to set me up, so I logged in with his name and we just kept it that way. Is something the matter?";
- r) You sent the second email of June 8, 2017 purportedly from Dr. Rossouw;

3. Pursuant to section 47.5 and/or 47.6 of The Medical Profession Act, 1981, the Council directs the discipline committee to hear the following charges of unbecoming, improper, unprofessional or discreditable conduct:

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

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

- a) In approximately December, 2016, you agreed with the College of Physicians and Surgeons that you would not practise medicine;*
- b) You returned to medical practice in or about November, 2017 after receiving the permission of the College of Physicians and Surgeons to do so;*
- c) You caused or permitted billings to be submitted to Medical Services Branch for the period of December, 2016 through May of 2017;*
- d) Your billings included billings for services that were not rendered.*

4. Pursuant to section 47.5 of The Medical Profession Act, 1981, the Council directs the discipline committee to hear the following charges of unbecoming, improper, unprofessional or discreditable conduct:

*You Dr. Jordan Velestuk 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 23.1 and/or paragraphs 1, 3, 4, 6, and/or 15 of 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 some or all of the following:

- a) You treated a patient identified in this charge by the initials L.B.;*
- b) You failed to meet the standards of the profession in relation to maintaining medical records for L.B.;*
- c) You failed to meet the requirements of bylaw 23.1 in relation to medical records for L.B.;*
- d) You provided L.B. with injections but failed to record what had been injected in your medical records;*
- e) You failed to maintain the standards of the profession by failing to record in your medical records action to be taken to address concerns about stolen prescriptions, a urine drug screen which showed non-prescribed drugs and sale of prescribed medications.*

*5. You Dr. Jordan Velestuk 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 23.1 and/or paragraphs 1, 3, 4, 6, and/or 15 of 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 some or all of the following:

- a) You treated a patient identified in this charge by the initials L.R.;*
- b) You failed to meet the standards of the profession in relation to maintaining medical records for L.R.;*
- c) You failed to meet the requirements of bylaw 23.1 in relation to medical records for L.R.;*

- d) You provided L.R. with injections but failed to record what had been injected in your medical records;
- e) Your medical records for L.R. recorded occasions when L.R. was to receive injections but your medical records do not record whether injections were, or were not, provided;
- f) You provided L.R. with injections but failed to record the location(s) of the injections in your medical records.

6. You Dr. Jordan Velestuk 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 23.1 and/or paragraphs 1, 3, 4, 6, and/or 15 of 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 some or all of the following:

- a) You treated a patient identified in this charge by the initials L.G.
- b) You dispensed ketamine to L.G. but did not record that medication in the EMR medication section;
- c) You provided L.G. with injections but failed to record what had been injected in your medical records;
- d) You provided L.G. with injections but failed to record the location(s) of the injections in your medical records.

7. You Dr. Jordan Velestuk 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 23.1 and/or paragraphs 1, 3, 4, 6, and/or 15 of 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 some or all of the following:

- a) You treated a patient identified in this charge by the initials N.K.;
- b) You provided N.K. with injections but failed to record what had been injected in your medical records;
- c) You provided N.K. with injections but failed to record the location(s) of the injections in your medical records.

8. You Dr. Jordan Velestuk 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 23.1 and/or paragraphs 1, 3, 4, 6, 15 and/or 19 of 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 some or all of the following:

- a) You treated a patient identified in this charge by the initials K.T.
- b) On or about November 14, 2017 you injected a substance or substances into K.T.;

- c) Shortly after receiving the injection K.T. had a reaction to the injected substance or substances;
- d) You attended K.T. when he was in his car;
- e) K.T. was taken to hospital;
- f) You discharged K.T. as your patient;
- g) You failed to meet the requirements of the Code of Ethics in discharging K.T. as a patient;
- h) You failed to meet the expectations contained in the College of Physicians and Surgeons Guideline Patient-Physician Relationships in discharging K.T. as a patient;
- i) You did not provide K.T. with an explanation for discharging him from your practice.

9. Pursuant to section 47.5 of The Medical Profession Act, 1981, the Council directs the discipline committee to hear the following charges of unbecoming, improper, unprofessional or discreditable conduct:

You Dr. Jordan Velestuk 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) You signed an undertaking dated May 1, 2013 to cease medical practice and not to return to the practice of medicine until you received the approval of the College of Physicians and Surgeons to do so;
- b) You signed an Agreement dated June 18, 2013 with the Physician Health Program. Among the terms of that Agreement were that you agreed to the following:
 - Abstain from using any opiates, benzodiazepines, other controlled substances and/or any other prescription drugs except those specifically prescribed for me by my family physician or specialist. If prescribed, I will inform Ms. Senger immediately.
 - Provide anonymous random body fluid samples upon request (up to 5 times/month) for a period of three years.
- c) After you signed the Agreement with the Physician Health Program, the College of Physicians and Surgeons approved you to return to practise;
- d) On November 21, 2014 the Council of the College of Physicians and Surgeons imposed a penalty on you which contained the following term:
Pursuant to section 54(1)(g), Dr. Jordan Alexander Velestuk is hereby required to participate in Physician Support Program of the Saskatchewan Medical Association, to participate in a program of random fluid screening through the Physician Support Program and to follow the recommendations of the program. That requirement will continue indefinitely unless the Council relieves Dr. Velestuk of the requirement;
- e) In the period of April 2014 through June, 2016 you provided a series of urine samples to physicians to be analyzed for drugs;
- f) With the exemption of one sample which was positive for Pseudoephedrine and one sample that was positive for Diphenhydramine, all samples were negative for tested medications;
- g) On one or more occasions you provided urine to be tested that which you did not produce on the date of testing.

10. Pursuant to section 47.5 of The Medical Profession Act, 1981, the Council directs the discipline committee to hear the following charges of unbecoming, improper,

unprofessional or discreditable conduct:

You Dr. Jordan Velestuk are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of Section 46(n) and/or 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) In connection with your practice in Regina, Saskatchewan you prescribed prescription review medications which were stated to be for "office use" or contained a reference to similar effect;*
- b) Some or all of the prescription review medications referenced in paragraph a) were not prescribed for a medical or therapeutic purpose;*
- c) Some or all of the prescription review medications referenced in paragraph a) were used by you.*

Submissions were made by Mr. B. Salte on behalf of the Registrar's Office and by Mr. David Thera on behalf of Dr. Velestuk. Council imposed the following penalty on Dr. Velestuk:

- 1) Pursuant to Section 54(1)(e) of The Medical Profession Act, 1981, the Council hereby reprimands Dr. Velestuk. 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. Velestuk for a period of seven months, retroactive to April 13, 2017;*
- 3) Pursuant to Section 54(1)(f) of the Act, the Council imposes a fine of \$15,000 on Dr. Velestuk. The fine will be payable in full by July 24, 2020.*
- 4) Pursuant to section 54(1)(g) of the Act, Council requires that Dr. Velestuk 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.*
- 5) Pursuant to section 54(1)(i) of the Act, the Council directs Dr. Velestuk to pay the costs of and incidental to the investigation and hearing in the amount of \$20,212.22. The costs will be payable in full by July 24, 2020.*
- 6) Pursuant to section 54(2) of the Act, if Dr. Velestuk should fail to pay the costs as required by paragraph 4, Dr. Velestuk's licence shall be suspended until the costs are paid in full;*
- 7) Pursuant to Section 54(1)(b) of the Act, the Council hereby suspends Dr. Velestuk effective January 24, 2020 and continuing until Dr. Velestuk provides an undertaking to the College, in a form acceptable to the Registrar, that states the following:*

Undertaking related to ongoing practice conditions

- 1. I will practise medicine only in a group practice setting with other family physicians in which I do not have an ownership interest in the practice.*
- 2. I will not prescribe any prescription review program medications.*
- 3. I will practise medicine only while I have retained a College-approved supervisor, who will sign an undertaking in the form attached hereto as Schedule "A" (the "Supervisor"). I will ensure that the signed undertaking is provided to the College.*

4. I will only practise medicine while under supervision which supervision will contain the following elements:
- a) The Supervisor will meet with me on a schedule that the Supervisor thinks appropriate to assess whether I am practising medicine in a safe and appropriate manner.
 - b) The Supervisor may review patient charts during the duration of the supervision. If the Supervisor decides that a chart review is appropriate, I will participate in that chart review;
 - c) If the Supervisor decides that a chart review is appropriate, the Supervisor will keep a log of all patient charts reviewed along with patient identifiers; and d) The Supervisor will provide reports to the College on a quarterly basis, or more frequently if the Supervisor has concerns about my standard of practice or conduct.
5. If I am unable to obtain a Supervisor, I will cease to practise until such time as I have obtained a Supervisor acceptable to the College.
6. I will abide by all recommendations of my Supervisor with respect to practice improvements and education.
7. I consent to the disclosure by my Supervisor to the College, and by the College to my Supervisor, of all information the Supervisor or the College think is necessary or desirable in order to fulfill the Supervisor's undertaking and to monitor my compliance with this undertaking. I consent to the College releasing all information in its possession related to its current investigations into possible unprofessional conduct by me.

Undertaking related to my addiction

10. I will abstain from the use of alcohol, marijuana or any other illicit drugs.
11. I will abstain from using any opioids, benzodiazepines, other controlled substances and/or any other prescription drugs except those specifically prescribed for me by my family physician or specialist who will be fully informed about my history of addiction. If any controlled drugs are prescribed for me, I will inform the Physician Health Program Director immediately.
12. I will maintain a relationship with a family physician, currently Dr. van der Merwe, and follow all treatment recommendations made by my family physician. I will immediately notify the College of a change in my family physician. I authorize my family physician to provide any personal health information to the College if that physician concludes it is appropriate to do so, and I authorize my family physician to provide any personal health information that is requested by the College. This authorization remains irrevocable for as long as I am licensed by the College.
13. I will maintain a relationship with my personal psychiatrist, and follow all treatment recommendations made by my psychiatrist. I will immediately notify the College of a change in my psychiatrist. I authorize my psychiatrist to provide any personal health information to the College if that psychiatrist concludes it is appropriate to do so, and I authorize my psychiatrist to provide any personal health information that is requested by the College. This authorization remains irrevocable for as long as I am licensed by the College.
14. I will maintain a relationship with my addiction medicine physician, currently Dr. Wilma Wildenboer, and follow all treatment recommendations made by my addiction medicine physician. I will immediately notify the College of a change in my addiction medicine physician. I authorize my addiction medicine physician to provide any personal health information to the College if that physician concludes it is appropriate to do so, and I authorize my addiction medicine physician to provide any personal health information that is requested by the College. This authorization remains irrevocable for as long as I am licensed by the College.

15. I agree to maintain regular, but not less than once monthly contact with the Physician Health Program through either the Chair of the Program or the Director of the Program,
16. I will attend 12 step meetings at least twice per week and I will secure an AA sponsor who can confirm my attendance at meetings. I will authorise the AA sponsor to confirm with the College should the College require written confirmation of my attendance at these meetings.

17. I will continue to provide witnessed random body fluid samples once per week thereafter, if all screens have been negative, for the remainder of the time I am licensed by the College.

18. I will submit to hair follicle testing carried out each six months by an agency approved by the College for the remainder of the time I am licensed by the College unless the College relieves me of this obligation. I acknowledge that the cost for these tests must be borne by me.

19. I acknowledge and agree that this undertaking is irrevocable and will remain in effect while I am licensed to practise by the College. I may request the College to amend this undertaking and acknowledge that the College can, in its discretion, accept or refuse my request.

20. If my practice supervisor, any of my attending physicians or the Physician Health Program raise concerns about my fitness to practice due to my addiction or recovery process, I will voluntarily withdraw from practice immediately, until the concern is assessed and resolved.

8. The Council reserves to itself the right to amend any of the terms of this penalty decision, upon application by Dr. Velestuk. Without limiting the authority of the Council, the Council may amend the terms of the required undertaking, and may extend the time for Dr. Velestuk to pay the fine or costs required by paragraph 3 and 5.

9. The Registrar may, at any time, accept an amended undertaking from Dr. Velestuk in substitution for the undertaking referenced in paragraph 7.

Reasons for the decision and written reprimand will be drafted for adoption at the March meeting of Council. The penalty will be posted on the College website.

Dr. Velestuk signed the undertaking and consequently there was no suspension under paragraph 7) above.

23. Council reviewed and approved the appointment of members to the following College Committees:

- Advisory Committee on Medical Imaging
- Committee on Family Practitioner Interpretation of Electrocardiograms
- Quality of Care Advisory Committee
- The Practice Enhancement Committee
- The Finance Committee
- The Health Facilities Credentialing Committee
- The Nominating Committee
- The Legislative Review Committee
- The Expert Advisory Committee on Blood Borne Communicable Diseases
- The Registration Committee
- The Annual General Meeting Committee
- The Compensation and Benefits Committee

The current members of the Discipline Committee were noted and Council was reminded that additional members should be sought to sit on the Discipline Committee.

24. Council received a report from the Registrar with respect to licensure issues pertaining to Canadian-trained specialists who have failed to achieve Royal College certification examinations and/or the Medical Council of Canada examinations.
25. Council reviewed a request from the Resident Doctors of Saskatchewan to review its fees pertaining to moonlighting for residents. Council determined that its fees will remain as currently set.
26. Council received a report from the Associate Registrar on the status of bylaws. The only bylaws outstanding at the present time are those where the 90-day period for the Minister to approve or veto them has not yet passed.
27. Council received a report on the actions taken by the Executive Committee.
28. Council reviewed and approved reasons for the decision to dismiss the appeal from a Quality of Care Advisory Committee decision.
29. Council accepted the reasons for the decision to restore Dr. A. Ali's license.
30. Council reviewed a Preliminary Inquiry Committee report and approved pre-charge ADR, the terms of which will be determined by the Executive Committee.
31. Council reviewed a Preliminary Inquiry Committee report and laid charges of unprofessional conduct against a physician related to excessive charges to patients to receive a copy of their charts.
32. Council received a report from the Associate Registrar on the progress of discipline cases. It was noted that there is approximately a 30% increase in the number of cases being received and reviewed as potential unprofessional conduct as compared to two years prior.
33. Council received a presentation from Mr. Joel Scott on the development of a SIPPA database, a complaints analysis of alternately licensed physicians and the current development of a risk analysis tool along with some information about a summer project looking at PRP prescribing.
34. Council received a report from Mr. Salte on risk-based regulation.
35. Dr. Brownbridge provided a report to Council with respect to a protocol for retaining outside legal counsel services.
36. Dr. Shaw provided information with respect to a letter from the President and Executive Director of the Saskatchewan Registered Nurses' Association on the future of registered nursing in Saskatchewan.

Dr. Shaw also updated Council that the SRNA has indicated it wishes to be a funder in the Prescription Review Program going forward.

37. Council received a report from Dr. A. Beggs on the process for Councilor assessment.

38. Council received a report from Dr. Brownbridge on the assessment of the current meeting.

39. Mr. Salte reviewed the list of 'For-Action' items.

40. An election was held and the following members were elected:

- Dr. Brian Brownbridge – President
- Dr. Alan Beggs – Vice President
- Mr. Ken Smith – Member at Large – Public Member
- Dr. Mark Chapelski – Member at Large
- Mr. Burton O'Soup – Member at Large