



EXECUTIVE SUMMARY
of the
20 & 21 JUNE, 2014 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 Robinson, Executive Assistant to the Registrar, at 500, 321A 21st Street East, Saskatoon, Saskatchewan, S7K 0C1, phone (306) 667 4625, Fax (306) 244 2600, or email OfficeOfTheRegistrar@cps.sk.ca.

1. Council received and discussed Monitoring Reports from the Registrar in respect to:
 - (a) The Registrar's advancement of Council's End 4 – Healthy Public Policy, and
 - (b) The Registrar's compliance with Council's Executive Limitation policies pertaining to:
 - (i) EL - 11 – Public Image, and
 - (ii) EL – 12 – Partnerships and Interorganisational Relationships, and
 - (iii) EL – 13 – Information Management
2. Council received an update on the development of a guideline or understanding relating to the operation of the Physician Health Program and the College of Physicians and Surgeons.
3. Council received a report from the Registrar with respect to potential tools to be used for a 360 evaluation of the Registrar. Council directed a small working group to review the options and refine the tool.

4. Council directed the committee working on the guideline on patient confidentiality to reconvene to continue its work.
5. Council received a report from the Associate Registrar with an update on the discussions between the Optometrists and the Ophthalmologists on the proposed changes to the Saskatchewan Association of Optometrists' bylaws. Council directed a letter be sent to the Ministry summarizing the meeting and providing Council's opinion.
6. Council received and approved reasons for the decision to deny Dr. Runsewe an educational licence.
7. Council received a verbal update from the Registrar with respect to a policy on Assessing Skills and Knowledge in Flexible Sigmoidoscopy, Gastroscopy and Colonoscopy. Information received from Alberta and Ontario was shared. Council will consider at its September meeting whether to develop a new policy or guideline for the procedure that is not covered by the Non Hospital Treatment Facility Standards.
8. The Registrar provided an update on the working group to review the proposed policy on *Clinics Established to Provide Episodic Care but which Provide Ongoing Care to Patients with Chronic Conditions*.
9. Council received a verbal report from the Associate Registrar that feedback from the Opioid Advisory Committee regarding Methadone Maintenance in Hospitals will be available by September.
10. Council received a report from the Registrar and approved, subject to modifications, the policy from the Saskatchewan College of Paramedics, *Clinical Practice Protocol: Notification of Clinical Trials Involving Paramedic Clinical Services*.
11. Council considered a request from the Massage Therapists Association of Saskatchewan Inc. (MTAS) for a letter of support in their bid to be included under the self regulating Health Professions Act in Saskatchewan. Council directed a letter of support for title protection be provided however Council determined it was not in a position to support scope of practice at this time.
12. Council conducted a penalty hearing pertaining to Dr. J. Kriel pursuant to section 54 of *The Medical Profession Act, 1981*. Dr. J. Kriel pled guilty and a joint submission was accepted by Council. Council adopted the following resolution:

*The Council of the College of Physicians and Surgeons imposes the following penalties on Dr. Johannes Kriel pursuant to **The Medical Profession Act, 1981**:*

- 1) *Pursuant to Section 54(1)(a) of **The Medical Profession Act, 1981**, the name of Dr. Johannes Kriel is struck from the Register of the College of Physicians and Surgeons, effective June 20, 2014.*
- 2) *Pursuant to Section 54(1)(a) of **The Medical Profession Act, 1981**, Dr. Johannes Kriel shall not be eligible to have his name restored to the Register until both of the following conditions are met:*

- a) *a period of nine months has elapsed from the effective date of revocation of his licence; and*
 - b) *the Council receives a satisfactory report from a professional person, persons or organization chosen by the Council which attests that Dr. Johannes Kriel has undertaken counseling at his expense for sexual abuse, has gained insight into the matter and has achieved a measure of rehabilitation which protects the public from risk of future harm from Dr. Johannes Kriel. Such a report may be provided by Dr. Glen Gabbard at the Gabbard Center, Texas, Professional Renewal Center of Lawrence, Kansas, Acumen Assessments of Kansas or Dr. Peter Collins of Toronto, Ontario or such other persons or organizations that are acceptable to the College of Physicians and Surgeons of Saskatchewan.*
- 3) *Dr. Johannes Kriel may apply to have his name restored any time after condition b) is met, provided that the restoration will take effect only after the expiry of the nine month period referenced in condition a).*

In addition to the resolution Dr. Kriel is required to take an approved ethics course.

- 13. Council received a report from the Associate Registrar with respect to a consultation request pertaining to changes to *The Pharmacy Act*. Council directed the Associate Registrar to provide the Ministry with its position.
- 14. Council received a report from the Associate Registrar with respect to a consultation request pertaining to the proposed amendments to *The Mental Health Services Act*. Council directed the Associate Registrar to provide a letter of its position to the Ministry.
- 15. Council reviewed a possible bylaw amendment with respect to *Prescribing Without Establishing a Patient-Doctor Relationship* and amended the bylaw to clarify that physicians working with registered nurses within a regional travel health clinic can provide instructions to a nurse to complete a pre-signed prescription for travel medications.
- 16. Council received a verbal update from the Registrar regarding the Annual General Meeting and Educational Session entitled "*Providing Quality Healthcare in Challenging and Changing Times*" that would be occurring on the afternoon of June 21st.
- 17. Council received an update on the strategic plan and approved the proposed changes. Council noted that the intended outcome and milestones for the strategic initiatives with respect to Objective 14 – Improved Communications with External Partners and Stakeholders was work that was ongoing.
- 18. Council received a report from the working group on Council Governance Evaluation and accepted the document.
- 19. Council received a report from the Associate Registrar with respect to a proposed bylaw amendment for Bylaw 37.1 – Certificates of Professional Conduct. Council accepted the proposed amendments that will align this bylaw with national standards.

20. Council received a report from the Associate Registrar on the status of bylaws and noted that all outstanding bylaws have been approved with the exception of the new registration bylaws.
21. Council received a report from the Associate Registrar with respect to a consultation request for amendments to *The Naturopathy Act*. Council directed the Associate Registrar to provide Council's opinion to the Ministry.
22. Council received a report from the Associate Registrar with respect to payment for committees. Council accepted the report for information and appointed a working group of public members and the President to provide guidance with respect to potential increases to GP-8.
23. Council reviewed the audited financial statements for the College of Physicians and Surgeons of Saskatchewan, the Prescription Review Program and the IMG Program. Council received a report from Mr. Gord Stewart, Auditor with KPMG, accepted his report and approved the audited financial statements.
24. Council received a report from Ms. Amy McDonald, Chartered Accountant and Comptroller for the College of Physicians and Surgeons of Saskatchewan regarding the quarterly financial reports of the College.
25. Council conducted a penalty hearing pertaining to Dr. N. Maree, pursuant to section 54 of *The Medical Profession Act, 1981*. Dr. Maree pled guilty and a joint submission was accepted by Council. Council accepted an undertaking from Dr. Maree to attend an ethics course and adopted the following resolution:

*The Council of the College of Physicians and Surgeons imposes the following penalties on Dr. Narinda Maree pursuant to **The Medical Profession Act, 1981**:*

- 1) *Pursuant to section 54 (1) (b) of **The Medical Protection Act, 1981**, Dr. Narinda Maree is suspended from the privileges of a duly qualified medical practitioner for a period of two months, commencing 12:01 a.m. July 1, 2014 and continuing until 11:59 p.m. on August 31, 2014;*
- 2) *Pursuant to section 54 (1)(i) of **The Medical Protection Act, 1981**, Dr. Narinda Maree is directed to pay the costs of and incidental to the investigation and hearing in the amount of \$3,944.41 payable prior to July 1, 2014;*
- 2) *Pursuant to section 54 (2) of **The Medical Protection Act, 1981**, Dr. Narinda Maree's licence is suspended in the event of her failure to pay the costs and will remain suspended until the cost are paid in full;*
- 3) *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 Maree's license for the non-payment as may be permitted by **The Medical Profession Act, 1981**.*

26. Council received a report from the Associate Registrar with respect to a consultation request for potential amendments to *The Health Information Protection Act*. Council directed the Associate Registrar to provide its opinion to the Ministry.
27. Council received a report from the Associate Registrar summarizing the discussion held at the recent legal counsel meeting held in association with the Federation of Medical Regulatory Authorities of Canada's AGM and Conference, 2014.
28. Council amended charges that had been previously laid against Dr. Rajakumar to correct a factual error in the Preliminary Inquiry Report with respect to who had been listed as the referring physician.
29. Council laid charges of unprofessional conduct against Dr. Aasim Malik with respect to his failure to respond to communications from the College. The charge is, 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 charges against Dr. Aasim Malik, namely:

1. *You Dr. Aasim Malik 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 16.1 and/or bylaw 16.2 of the bylaws of the College of Physicians and Surgeons.*

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

- a) On or about April 11, 2011, Dr. Karen Shaw, Registrar of the College of Physicians and Surgeons wrote to you asking you to provide information as set out in that letter;*
- b) On or about July 18, 2011 Leslie Frey sent a reminder letter to you, advising you that you had not responded to the letter of April 11, 2011;*
- c) On or about August 10, 2011 Leslie Frey sent a reminder letter to you, advising you that you had not responded to the letter of April 11, 2011;*
- d) On or about August 16, 2011 you spoke to Leslie Frey and requested an extension to respond to the letter of April 11, 2011;*
- e) On or about September 19, 2011 you spoke to David Poulin and discussed the contents of the letter of April 11, 2011;*
- f) On or about September 19, 2011 you asked that the documentation pertaining to the letter of April 11, 2011 be emailed to you;*
- g) On or about September 19, 2011 Tracy Hastings sent an email to you relating to the letter of April 11, 2011;*
- h) On or about November 9, 2012 Dr. David Poulin sent you a letter requiring a response and referring to bylaw 16.1 and 16.2 of the College bylaws;*
- i) You did not respond to the request contained in the letter of April 11, 2011;*

j) You did not provide the information or explanation requested in the letter of April 11, 2011;

k) You did not respond to the letter of July 18, 2011;

l) You did not respond to the letter of August 10, 2011, other than to request an extension to provide a response;

m) You did not respond to the email message and attached documents of September 19, 2011;

n) You did not respond to Dr. Poulin's letter to you of November 9, 2012;

o) You failed to provide a response to the concerns raised in the letter of April 11, 2011 or the reminders sent to you thereafter until approximately April 28, 2014.

30. Council considered a report from the Associate Registrar and withdrew the charges against a physician.
31. Council reviewed a request for an appeal from a complainant with respect to a decision from the Complaints Resolution Advisory Committee. Council re-affirmed the Complaints Resolution Advisory Committee's decision.
32. Council received and reviewed reasons for decision with respect to declining Dr. A. Ali's application for restoration of his licence.
33. Council reviewed a report prepared by the Associate Registrar on the status of outstanding discipline investigations.
34. Council received an update on the building acquisition and on the status of the renovations.
35. Council attended the Annual General Meeting and Educational Session entitled "Providing Quality Healthcare in Challenging and Changing Times" on the afternoon of Saturday 21st June, 2014. The educational session was attended by approximately 85 people at the Saskatoon City Hospital Rependa Auditorium and was videoconferenced via Telehealth to thirty two sites around the province.