



## **EXECUTIVE SUMMARY**

**of the**

**18 & 19 JUNE, 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 opened the closed agenda to deal with consideration of an amendment of charges pertaining to two physicians. Council accepted the recommendation of the Executive Committee to amend the charge laid against Dr. E. Tsoi at the March 2021 meeting. Council accepted the recommendations of the Executive Committee to amend the charge laid against Dr. J. Steplewski at the March 2021 meeting.
3. Council adopted the open agenda with agreement to redact information thought to identify individuals (names, dates) and/or personal health information from documents Info 124\_21, 103\_21, 131\_21, 132\_21 and 133\_21.
4. Council reviewed and approved the Minutes pertaining to the open meeting of Council held on March 19, 2021.

5. Council received a report from the Associate Registrar on the actions taken in relation to the “For Action Items” from the previous meeting.
6. Council reviewed and approved Monitoring Reports from the Registrar with respect to:
  - (a) The Registrar’s advancement of Council’s END – 4 – Healthy Public Policy;
  - (b) The Registrar’s Compliance with Council’s Executive Limitation Policies pertaining to:
    - (i) EL – 11 – Public Image; and
    - (ii) EL – 12 – Partnerships & Interorganisational Relationships; and
    - (iii) EL – 13 – Information Management.
7. Council received a verbal update from Mr. Burton O’Soup, Chair of the Truth and Reconciliation Committee, on the progress of the work of this committee. This committee met in June and discussed the facilitation of partnerships and the ongoing consideration of improvements within the CPSS’s processes.
8. Council received a report from Ms. Sheila Torrance on the work of the Council working group on “Developing Better Communications with Patients”. Ms. Torrance provided an update on public engagement opportunities including some possible opportunities to work with the SRNA and the Network of Interprofessional Regulatory Organizations (NIRO) on developing patient advisory committees. An RFP has been issued to three external agencies with prioritization being given to those marketing agencies that have indicated having Indigenous ownership and endorsement or connectivity, or previous experience working with a regulatory authority. The working group will provide a report to Council in September highlighting 5 public engagement initiatives for consideration.
9. Council received a report from Ms. Torrance on the bylaw amendment pertaining to health-related renewal questions and approved the amendment in principle to allow for stakeholder consultation.
10. Council received a report from the Chair of the committee working on the SHA request for the Medical Assistant Program. The committee is waiting for a response from the SHA to some of the requirements identified related to supervision.
11. Council received a report from Ms. Torrance on the proposed guideline “Physician Use of Electronic Communications” and approved it in principle for the purpose of stakeholder consultation.
12. Council received a report from Ms. Torrance on the proposed policy on the Responsibility for a Medical Practice Policy and approved the policy in principle for the purpose of stakeholder consultation.
13. Council received a report from Mr. Bryan Salte on the work of the committee working on the End of Life Care Policy. Council approved the policy in principle for the purpose of broad consultation.
14. Dr. Oladapo Mabadeje presented Council with the proposed Terms of Reference for the Diversity and Bias Committee. Council approved the Terms of Refence as presented.

15. Council received a report on the audited financial statements for the CPSS, the Prescription Review Program and the First Nations and Inuit Health Branch from Dr. Brian Brownbridge, Chair of the Finance and Audit Committee. The financial statements were approved for the year end December 31, 2020 for the College of Physicians and Surgeons of Saskatchewan and the Prescription Review Program, and Council approved the audited financial statements for the year ended March 31, 2021 for the First Nations and Inuit Health Branch Program (FNIHB).
16. KPMG were appointed as auditors for 2021. The Finance and Audit Committee will establish a process to evaluate the auditors and consider best practices in appointing auditors.
17. Council approved an increase in the Executive Limitation pertaining to a capital expense by the Registrar. The governance policy EL 5 - Asset Protection will be amended to reflect a change in the amount that the Registrar is authorized to exercise for a capital expense from \$10,000 to \$50,000.
18. Council received a report from Ms. Wempe on the sunset review of the policy Disclosure of Adverse Events. Council appointed a committee to review the policy. The committee is comprised of Dr. Amos Akinbiyi, Dr. Brian Brownbridge, Dr. Franklin Igbekoyi, Mr. Ken Smith, Dr. Pam Meiers, an SHA representative, and Ms. Rochelle Wempe.
19. Council reviewed the Policy Physicians at Risk to Patients and approved the revised policy with a sunset date of 5 years.
20. Council reviewed the Policy Public Disclosure of Council Documents considered during Open Council Meetings and approved the revised policy with a sunset date of 5 years.
21. Council received a report on the progress of the implementation plan and was provided additional detail from Ms. Debra Wright pertaining to an update on the SIPPA-related work.
22. Dr. Werner Oberholzer provided a request from PrescriberIT for information about CPSS registrants who may participate in PrescriberIT. Council declined to authorize the release of the information.
23. Council received a request from a physician who was charged with unprofessional conduct at its meeting in March, 2021, for consideration of post-charge ADR. Council rejected the proposal for ADR and the charges will proceed in the normal course.
24. Ms. Nicole Bootsman, Pharmacist Manager of the PRP, requested Council's consideration of adding Lemborexant to the panel of PRP monitored drugs. Council approved the bylaw amendment to accommodate this addition to the panel.
25. Council received a request from the Deputy Registrar to amend the governance policy GP - 16 to add a timeframe for the opportunity to appeal a decision of the Quality of Care Advisory Committee. Council approved the amendment to limit the appeal option to a timeframe of one year after the closure of the case.

26. Council viewed a number of videos from the Office of the Treaty Commissioner to improve its understanding of Indigenous history. The following were viewed:
  - a. Treaties and the Law- Introduction;
  - b. Treaties and the Law – Treaty Relationships;
  - c. Treaties as a Bridge to the Future;
  - d. Socio-economic Impact of Treaties; and
  - e. Reconciliation – What does it Mean to You?
27. Council reviewed an updated policy on Medical Assistance in Dying: Death is Reasonably Foreseeable. Council also reviewed an updated policy on Medical Assistance in Dying: Death is not Reasonably Foreseeable. These amendments are required to bring the College policies in alignment with the legislation passed in March 2021. Both policies were adopted. It was noted the sunset review date for these policies is November 2021. The revised policies will be posted on the website.
28. Council considered a report from the Registration Committee on possible alternate routes to regular licensure for physicians who fail examinations. The Council accepted the committee's recommendation not to consider amendments to the College bylaws to allow alternative licensure pathway for physicians who have lost eligibility to challenge the examinations of the CFPC or the RCPSC.
29. Council considered a report from Mr. Bryan Salte to amend the registration bylaws to address physicians who attain eligibility to challenge certification examinations of the Royal College of Physicians and Surgeons of Canada (RCPSC) through the practice eligibility route (PER), and to amend the registration bylaws to authorize the Registrar to temporarily suspend a supervision requirement for a physician who is temporarily not practicing in Saskatchewan. Council adopted the amendments and the bylaws will be sent to the Ministry for approval.
30. Council approved in principle a licensure Bylaw relating to ~~the~~ Subspecialist Examination Affiliate Program (SEAP), for the purpose of consultation.
31. Council approved a bylaw amendment to exempt those physicians who work with the Armed Forces or the National Defence, either as an employee or as a contract worker, from licensure requirements in the province so long as certain criteria are met.
32. Council conducted a penalty hearing pertaining to Dr. O. Oladipo. Submissions were made on behalf of the Registrar's Office by Ms. Sheila Torrance. Submissions on behalf of Dr. Oladipo were made by Mr. David Thera.

The penalty order included a reprimand, a one month suspension (deemed to have already been served), successful completion of courses in boundaries, ethics/professionalism and communication with team members, and the payment of costs in the amount of \$26,634.19.

Reasons for the decision will be drafted. The penalty imposed will be published on the College website.

33. Council conducted a penalty hearing pertaining to Dr. Susan Bell. Submissions were made on behalf of the Registrar's Office by Mr Bryan Salte. Submissions on behalf of Dr. Bell were made by Ms. Anita Fraser.

The penalty order included a reprimand, successful completion of the Joule - Practice Management Curriculum and Family Practice Renewal Program – Practice Improvement Program Facilitated Virtual Mini Program, and costs in the amount of \$4,464.98.

The penalty imposed will be published on the College website.

34. Council approved an amendment to Bylaw 2.3 English Language Proficiency to add two additional tests; OET and CELPIP that can be used to meet this requirement.
35. Council was apprised that the Medical Council of Canada has suspended the MCCQE II examination. If physicians meet the criteria set by the MCC they will attain their Licentiate without the MCCQE Part II. It is expected the work of the MCC's Assessment Innovation Task Force will inform MCC's work on future assessments.
36. The Council received a report from the Registrar about the requirement for supervision for physicians who have passed their certifying examinations but have yet to obtain the MCCQE Part II. MCC's current decision to suspend the MCCQE Part II and grant the Licentiate without MCCQE Part II will influence this. There may be a need to revisit in the future after decisions are made about future assessments.
37. Mr Femi Ogunrinde was appointed as the College's representative on the University of Regina's Senate.
38. Council was provided an update on the status of Bylaws.

39. Council conducted a penalty hearing pertaining to Dr. J. Steplewski. Submissions were made on behalf of the College by Mr. Bryan Salte. Submissions were made on behalf of Dr. Steplewski by Ms. Marie Stack.

The penalty order included a reprimand, successful completion of an ethics/professionalism course, a fine of \$5,000 and costs in the amount of \$3,314.98.

The penalty imposed will be published on the College website.

40. Council conducted a penalty hearing pertaining to Dr. E Tsoi. Submissions were made on behalf of the Registrar's Office by Ms. Sheila Torrance. A victim impact statement was provided by the complainants. Submissions were made on behalf of Dr. Tsoi by Ms. Marie Stack.

The penalty order included a reprimand, successful completion of the Neonatal Resuscitation Program (NRP) and costs in the amount of \$15,187.50.

The penalty imposed will be published on the College website.

41. Council reviewed and approved the Minutes pertaining to the closed meeting of Council held March 20, 2021.

42. Council received an update from the President on the work undertaken by the Executive Committee since the March meeting of Council.
43. A reprimand pertaining to Dr. A. Paul was approved by Council. The reprimand will be provided to Dr. Paul in writing and posted on the College website.
44. Council approved reasons for its decision pertaining to the penalty imposed upon Dr. A. Paul at the March Council meeting. The reasons will be provided to Dr. Paul and posted on the College website.
45. Council considered a Preliminary Inquiry Committee report and laid a charge of unprofessional conduct against a physician who failed to maintain professional boundaries.
46. Council was asked by the Registrar to clarify the extent of the information it wishes to review in terms of costs related to investigations.
47. Council reviewed a proposed amendment to a charge and declined to accept the amendment.
48. Council reviewed the issue of prosecuting the practice of medicine without a licence and directed it will continue with its current approach. A matter will be prosecuted if the person leads others to believe they are a licensed physician or if there is an identifiable risk of harm.
49. Council considered a Preliminary Inquiry Committee report and laid a charge of unprofessional conduct against the physician in relation to an allegation that he failed to obtain informed consent for the examination of a patient and made inappropriate comments to a staff person when examining the patient. The synoptic charge will be posted on the College website.
50. The Associate Registrar provided an update of the outstanding discipline cases and reported litigation against the College and a senior staff person.
51. Council received a report from the Deputy Registrar on the Quality of Care Tracker which summarizes the standard of care and conduct issues that are reviewed through the Quality of Care Process. Included was statistical information on staff activities within the process.
52. Environmental scan:
  - a. Council reviewed the FMRAC statement on "Physicians and Public Statements". Council will place its own statement on the College website stating that the College supports the scientific evidence that vaccination is an effective and safe method of preventing Covid infection. It will include links to reliable information on vaccination.

The College staff will prepare further guidance to physicians on this issue and circulate the guideline Physician Use of Social Media along with the relevant portion of the Code of Ethics.

- b. Council was asked for its perspective on treating patients who refuse vaccination. There were a variety of opinions expressed without consensus on what guidance staff could provide.
  - c. Council received a report from the Associate Registrar pertaining to a request for the College to support a private member's Bill C-233. The issue is moot as the Bill has been defeated by Parliament.
  - d. Council affirmed its support for the process whereby the Executive Committee may recommend amendments to charges laid by Council. It was noted that Council retains the right to accept or reject the recommendation.
  - e. Council was made aware of the feedback received by the Registrar to its recently revised policy and bylaw relating to blood-borne viruses.
  - f. Council was requested to review the draft Annual Report and provide feedback.
53. The President conducted a post-Council meeting assessment.
54. The Associate Registrar provided a list of "for Action Items".