



EXECUTIVE SUMMARY

of the

28 & 29 JANUARY, 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.

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 with an agreement to redact identifying information in the Court document provided to Council as part of the documentation Info 03_22 if there is a request for a copy of the document.
3. Council reviewed and approved the minutes from the Friday 19 November, 2021 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 – The Mission of the College and END-2 – Public Protection; and

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

- (i) EL-1-General Executive Constraint;
- (ii) EL-2-Treatment of Staff;
- (ii) EL-6-Interaction with Members of the Public.

6. Council received a report from Mr. Bryan Salte on the End-Of-Life Care Guideline. This guideline had previously been approved in principle for the purpose of stakeholder consultation. Feedback from the consultation process was incorporated into the guideline. Council approved the document with the sunset date of 5 years. The Guideline will be posted on the College website.
7. Council received a report from Ms. Sheila Torrance on the Responsibility for a Medical Practice Policy. This policy had been approved in principle previously for the purpose of stakeholder consultation. The nature of the feedback from the first round of consultations was thought to merit a second round of consultation. Additional revisions were made to the policy based on the feedback. Council approved the policy with a sunset date of 5 years. The policy will be posted on the College website.

Council further directed the Registrar to write a letter to the Ministry raising the ongoing concerns related to the non-physician control of clinics.

8. Council received a report from Ms. Rochelle Wempe on the Patient-Physician Relationships Guideline. This guideline was originally one document and the decision made previously by Council was to split the document into three parts: Patient-Physician Relationship Guideline, Ending the Patient-Physician Relationship Policy and Physicians-Surgeons Leaving Practice Policy. The guideline and the two policies were approved in principle for the purpose of stakeholder consultation. Council will consider the feedback and review the guideline and policies at a future meeting.
9. Council received a verbal update pertaining to the Saskatchewan Health Authority Medical Care Assistant Program. Further discussion will be deferred to the March meeting.
10. Council amended Bylaw 26.1 to allow a physician who seeks to provide medical care which involves the use of drugs which are intended for, or may induce sedation requiring the monitoring of vital signs, to apply to the College for an exemption from the requirement that the facility be approved as a non-hospital treatment facility to utilize such drugs. The exemption is subject to any terms and conditions the College may apply, and may require the physician to provide an undertaking to the College related to the request for the exemption. The bylaw amendment will be presented to the Ministry for approval.
11. Council amended Regulatory Bylaw 18.1(g) to remove the specific requirements for part fills for Baclofen, Chloral Hydrate, Gabapentin, Oxybutynin, Pregabalin, Lemborexant and Zopiclone. The bylaw amendment will be presented to the Ministry for approval.

12. Council received a report from Mr. Salte on the document Guidelines for the Profession regarding Physician and Health Emergencies. Council directed the matter be reviewed by a committee. The committee is comprised of Dr. A. Beggs, Dr. A. Snyman, Dr. J. Maslany, Dr. O. Mabadeje and Dr. O. Igbekoyi.
13. Council amended Regulatory Bylaw 25.1 pertaining to ultrasound facilities, to change the requirement to inspect ultrasound equipment from "every 6 months" to "on a schedule as recommended by manufacturer's instructions". The bylaw amendment will be presented to the Ministry for approval.
14. Council received a report from the Registrar on the progress of the CPSS Implementation Plan pertaining to its four strategic goals. A detailed report on the progress to date on Goal #2: *A robust College-led process to assess and support physicians for competence and performance throughout their careers* was provided by the Registrar and the Deputy Registrar.
15. Council appointed members to its committees established in College bylaws. These committees include the Advisory Committee on Medical Imaging, the Committee on Family Practitioner Interpretation of Electrocardiograms, the Quality of Care Advisory Committee, the Practice Enhancement Committee, the Finance and Audit Committee, the Health Facilities Credentialing Committee, the Nominating Committee and the Legislative Review Committee.

In addition Council appointed membership of committees appointed by Council but not referenced in College bylaws. These included the Expert Advisory Committee on Blood-Borne Communicable Diseases, and the Registration Committee. Membership for other committees including the Compensation and Benefits Committee and the Discipline Committee were also appointed.

16. Council received a report with respect to College awards and directed a committee be formed. The committee is comprised of Dr. A. Beggs - Chair, Dr. O. Mabadeje and Dr. B. Adeboye.
17. Council received a report from the Associate Registrar pertaining to a request from the College of Registered Nurses of Saskatchewan (CRNS) to amend Bylaw 23.3 (the delegation bylaw) to remove the reference to physicians delegating the authority to perform Botox and dermal fillers to registered nurses.

The Council discussed whether an amendment to the bylaw is appropriate and whether, if that amendment is made, Council should adopt a new bylaw which addresses the expectations of physicians to authorize registered nurses to perform Botox and dermal filler injections.

Council referred the matter to a committee for further review. The committee is comprised of Dr. P. Meiers, Dr. B. Adeboye, Dr. A. Akinbiyi, a representative from the CRNS, Dr. V. Olsen, Dr. W. Oberholzer and Mr. B. Salte. The committee will bring back further information at the March meeting.

18. Council considered a review of the Registrar's decision to deny a regular licence to Dr. R. Natarajan. Council confirmed the decision of the Registrar. Draft reasons for the decision will be considered at the March meeting of Council.

19. Council conducted a penalty hearing pertaining to Dr. R. Colistro after he was found guilty of one charge of unprofessional conduct by the Discipline Hearing Committee, as well as one component of a second charge. The Committee found that he had submitted excessive billings to the Medical Services Branch in relation to services performed, specifically relating to the use of billing codes 20W and 50W, and that he failed to exercise due diligence to ensure billings were submitted accurately and appropriately. The Committee also found that he failed to ensure the diagnostic imaging clinic of which he was Medical Director had a policy in place to ensure inspection of equipment every 6 months as required by the bylaws at the relevant time.

Submissions were made on behalf of the Registrar's Office by Ms. S. Torrance and submissions on behalf of Dr. Colistro were made by Mr. C. Hirschfeld.

The penalty imposed by the Council included a 2 month suspension, a written reprimand, a requirement to complete a course in medical ethics and professionalism, approved in advance by the Registrar, completion of the Medical Services Branch online billing course, a fine of \$15,000 and a requirement to pay costs associated with the investigation and the hearing of the matter.

Draft reasons for the decision will be considered at the March meeting of Council. The penalty imposed will be posted to the College website.

20. Council conducted a penalty hearing pertaining to Dr. N. Tandon. Dr. Tandon admitted he acted unprofessionally in that he failed to comply with the College bylaws related to services provided by facility employees and failed to provide appropriate supervision and oversight over those employees.

Submissions were made on behalf of the Registrar's Office by Mr. B. Salte and submissions on behalf of Dr. Tandon were made by Mr. M. Wiens. A joint recommendation with respect to penalty was provided.

The penalty imposed by the Council included a written reprimand, a one month suspension to begin immediately, the requirement to sign an undertaking on the terms set out by the Registrar's Office and the requirement to pay costs on a reasonable payment plan.

The penalty imposed will be posted to the College website.

21. Council received a report on the work of the Practice Enhancement Program.
22. A report on the status of bylaws was provided. All outstanding bylaw amendments have been approved and gazetted.
23. Council approved the minutes from the Closed Session of the Friday 19th and Saturday 20th November, 2021 meeting.
24. Council considered a Preliminary Inquiry Committee report and declined to lay a charge of unprofessional conduct against a physician.

25. Council considered a Preliminary Inquiry Committee report and directed that the matter be returned to the Preliminary Inquiry Committee members for additional consideration and clarification.
26. Council approved reasons for its decision pertaining to Dr. M. A. R. Sayeed's request for amendments to his undertaking.
27. Council approved reasons for its decision to uphold the decision of the Registrar to deny licensure to Dr. A. Maroofi.
28. Council rescinded its previous decision to send a physician a letter of concern.
29. Council approved draft reasons for its decision to decline to charge a physician.
30. Council conducted a penalty hearing pertaining to Dr. L. Tanyi-Remarck. Dr. Tanyi-Remarck admitted unprofessional conduct for her ordering of tests that were not clinically indicated, inappropriate billing for those tests, failure to exercise due diligence in approving the ordering and billing of specific tests and a failure to document the outcome of the tests in the medical record.

Submissions were made on behalf of the Registrar's Office by Ms. R. Wempe and on behalf of Dr. Tanyi-Remarck by Mr. J. Watson. A joint recommendation with respect to penalty was provided.

The penalty imposed by the Council included a written reprimand, a two month suspension, a requirement to complete an ethics course, and payment of costs.

The penalty imposed will be posted to the College website.

31. Council considered a Preliminary Inquiry Committee report and laid charges of unprofessional conduct against a physician. The charges allege that the physician inappropriately billed Medical Services Branch, and the physician failed to meet the standards of the profession in removing a suspected cancerous lesion. The charges laid will be posted to the College website.
32. Council considered a Preliminary Inquiry Committee report and laid charges of unprofessional conduct against a physician. The charges allege the physician failed to respond properly to communications from the College and that the physician provided inaccurate information to the College and provided false information to a Preliminary Inquiry Committee. Synoptic charges will be posted to the College website.
33. Council received a report from Mr. Salte with respect to issues related to possible private healthcare delivery. This was in response to questions posed by physicians about what was required for the provision of private health care. It was noted that questions should be posed to the Ministry.
34. Council received a report from Ms. Torrance on the status of cases reviewed by the legal department and noted on the Discipline Tracker.
35. Council received a report from Dr. Oberholzer on the status of cases going to the Quality of Care process as noted on the Quality of Care Tracker.

36. Council was apprised of the discussions between the College of Physicians and Surgeons of Saskatchewan Executive Committee and the Saskatchewan Medical Association Executive Committee at their meeting on November 18, 2021.
37. Council was apprised of the discussions between the Saskatchewan Health Authority, Saskatchewan Medical Association and the College with respect to the SHA vaccination policy.
38. Council received a report from the Registrar on the potential benefits of having a Hearing Administrator involved in the College's discipline process.
39. Council was reminded that the Canadian Medical Hall of Fame is calling for nominations. It wishes to broaden the diversity of the inductees. Council members are encouraged to put nominations forward for this award.
40. Council reviewed and assessed its meeting.
41. Mr. Salte provided a list of "For Action Items".
42. Council conducted the Election of the Council Executive Committee. The following members were elected:
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| President | Dr. O. F. Igbekoyi (acclaimed) |
| Vice President | Dr. A. Beggs (acclaimed) |
| Public Member | Mr. L. Chabot |
| Members at Large | Dr. S. Mueller |
| Member at Large | Dr. O. Mabadeje |
43. Council constituted a Registrar Search Committee. The committee is comprised of Dr. A. Beggs, Dr. M. Chapelski, Mr. B. O'Soup, Dr. P. Meiers, Dr. P. Smith, Dr. O. Igbekoyi and Ms. S. Waddington.