



Dr. Abimanyi MUGERWA

Council Decision

Outcome Date:	September 30, 2022
Competency Hearing:	September 1, 2022
Disposition:	Suspension, Costs, Conditions

1. Pursuant to section 45(12)(b) of *The Medical Profession Act, 1981*, the Council hereby suspends Dr. Mugerwa effective December 1, 2022, unless prior to that date Dr. Mugerwa provides proof to the Registrar that Dr. Mugerwa has entered into a program of retraining that is satisfactory to the Registrar.
2. Pursuant to section 45(12)(b) of *The Medical Profession Act, 1981* the Council hereby suspends Dr. Mugerwa effective April 1, 2023, unless prior to that date Council has received information that satisfies it that a) Dr. Mugerwa has completed the retraining program described in paragraph 1 and b) the remedial training program has resulted in Dr. Mugerwa regaining adequate skill and knowledge to practise.
3. The Council directs that, pursuant to section 45(12)(f) of *The Medical Profession Act, 1981*, Dr. Mugerwa's skills and knowledge be assessed after April 1, 2023, following the procedures for the assessment of physicians' skills and knowledge in section 45 of *The Medical Profession Act, 1981* and College regulatory bylaw 12.1, unless prior to the date
4. Council has received information that satisfies it that Dr. Mugerwa has completed the remedial training program described in paragraph 1 and that Dr. Mugerwa has regained adequate skill and knowledge to practise.
5. Pursuant to section 45(12)(g) of *The Medical Profession Act, 1981*, Council directs that Dr. Mugerwa pay the costs of and incidental to the investigation and hearing in the amount of \$12,030.30 on or before December 1, 2022, and directs that in the event that Dr. Mugerwa fails to pay the costs by that date Dr. Mugerwa's licence to practise medicine in Saskatchewan will be suspended until the costs are paid in full.
6. The Council reserves the right, upon application by Dr. Mugerwa, to revise any of the terms of this order.

Extract of the Council Minutes for March 24, 2023

Council amends its order from September 30, 2022 which currently states:

2. Pursuant to section 45(12)(b) of The Medical Profession Act, 1981 the Council hereby suspends Dr. Mugerwa effective April 1, 2023, unless prior to that date Council has received information that satisfies it that a) Dr. Mugerwa has completed the retraining program described in paragraph 1 and b) the remedial training program has resulted in Dr. Mugerwa regaining adequate skill and knowledge to practise.

by changing the date of April 1, 2023 to June 10, 2023.

**In the Matter of an Application of Dr. A Mugerwa
to Request Release from his Undertaking**

March 22, 2024

Summary of Decision

The Practice Enhancement Program expressed concerns about Dr. Mugerwa's medical practice which resulted in the appointment of a Competency Committee on August 11, 2021. The committee assessed Dr. Mugerwa's competency via a multifaceted approach including oral and written components. The Competency Committee found that there were significant concerns with Dr. Mugerwa's practice and they came to the unanimous conclusion that Dr. Mugerwa did not meet the standard of care expected of a family physician.

The Competency Committee report resulted in a hearing before Council. The minutes of the September 30, 2022 Council meeting state:

- 1. Pursuant to section 45(12)(b) of The Medical Profession Act, 1981, the Council hereby suspends Dr. Mugerwa effective December 1, 2022, unless prior to that date Dr. Mugerwa provides proof to the Registrar that Dr. Mugerwa has entered into a program of retraining that is satisfactory to the Registrar.*
- 2. Pursuant to section 45(12)(b) of The Medical Profession Act, 1981 the Council hereby suspends Dr. Mugerwa effective April 1, 2023, unless prior to that date Council has received information that satisfies it that a) Dr. Mugerwa has completed the retraining program described in paragraph 1 and b) the remedial training program has resulted in Dr. Mugerwa regaining adequate skill and knowledge to practice.*
- 3. The Council directs that, pursuant to section 45(12)(f) of The Medical Profession Act, 1981, Dr. Mugerwa's skills and knowledge be assessed after April 1, 2023, following the procedures for the assessment of physicians' skills and knowledge in section 45 of The Medical Profession Act, 1981 and College regulatory bylaw 12.1, unless prior to the date Council has received information that satisfies it that Dr. Mugerwa has completed the remedial training program described in paragraph 1 and that Dr. Mugerwa has regained adequate skill and knowledge to practice.*
- 4. Pursuant to section 45(12)(g) of The Medical Profession Act, 1981, Council directs that Dr. Mugerwa pay the costs of and incidental to the investigation and hearing in the amount of \$12,030.30 on or before December 1, 2022, and directs that in the*

event that Dr. Mugerwa fails to pay the costs by that date Dr. Mugerwa's license to practice medicine in Saskatchewan will be suspended until the costs are paid in full. 5. The Council reserves the right, upon application by Dr. Mugerwa, to revise any of the terms of this order.

In order to satisfy the request from Council to demonstrate the completion of retraining, Dr. Mugerwa enrolled in the Drexel Medicine Physician Refresher/Re-entry Program.

At the March 24, 2023 Council Meeting, Dr. Mugerwa applied for an extension to allow him additional time to complete the work with Drexel and provide information to the June Council meeting to demonstrate to Council that he had regained competence.

Council modified its September 2022 order to allow him until June 10, 2023 to complete the retraining program. At Dr. Mugerwa's request, Council further amended its resolution to extend until October 1, 2023.

At the November 24, 2023, meeting of Council, Dr. Mugerwa petitioned Council to come to a decision as to whether he had regained the skill and knowledge to practice medicine. If Council was of the opinion, that he had not regained the skill and knowledge to practice medicine, he requested until the January 2024 Council meeting to present satisfactory supporting documents. At that time, Council determined that Dr. Mugerwa should complete all aspects of the Drexel program, including the PLAS examination.

At the January 2024 Council meeting, Dr. Mugerwa applied for a further extension, which was granted. He has remained effectively suspended from practice since the September 2023 Council meeting.

The Position of the Registrar's Office

The Registrar's Office took no position with respect to this request.

Dr. Mugerwa's Position

Dr. Mugerwa took this process very seriously and it is submitted that he successfully achieved results in the Drexel Program that indicate he has regained the necessary skills and abilities to continue his family medicine practice. Dr. Mugerwa has completed, in its entirety, the program recommended by Drexel and has re-engaged in those areas in which he required additional learning. Dr. Mugerwa's commitment and success in this

program is evident in the very positive March 2024 Drexel Report. Dr. Mugerwa respectfully asked that he be permitted to return to practice without further assessment of his competency and that Council find he has regained the necessary skills and abilities to continue practice.

Information Considered by Council

Info 52_24 - Dr. A. Mugerwa - Submissions on behalf of the Registrar's Office

Info 56_24 - Dr. A. Mugerwa - Submissions on behalf of Dr. Mugerwa

Council's Decision

After reviewing the information provided by Dr. Mugerwa, the Council has concluded that it is satisfied that the remedial training program has resulted in Dr. Mugerwa regaining adequate skill and knowledge to practice.

Reasons for Decision

Council reviewed the final Drexel report, dated March 8, 2024. The report set out, in detail, Dr. Mugerwa's accomplishments within the program. It was noted that he was engaged and compliant with all aspects of the program. His scores, specifically on the Standardized Patient Assessment, improved consistently to reach passing marks as the program progressed. Council also reviewed the PLAS examination results. The first attempt was unsuccessful apparently due to Dr. Mugerwa mistakenly only completing a portion of the exam. His subsequent attempt was deemed successful.

Some discussion took place amongst members of Council as to whether further practice monitoring of Dr. Mugerwa would be appropriate given the significant deficiencies that were identified in the original competency report. However, it was felt by the majority that Dr. Mugerwa had diligently complied with Council's original order for retraining and that no further monitoring was necessary at this point, given his success in completing the Drexel program.

**Accepted by the Council of the College of Physicians & Surgeons of Saskatchewan:
8 June, 2024**