



## Dr. Josias FURSTENBERG

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### Charges

<b>Date Charge(s) Laid:</b>	June 16, 2018
<b>Hearing:</b>	June 16, 2018
<b>Charge(s):</b>	Unprofessional Conduct
<b>Outcome Date:</b>	June 16, 2018

### Charge #1

You Dr. Josias Furstenberg 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)(xvi), particulars whereof are that during the year 2016 you committed acts of sexual impropriety or sexual violation with your patient, referred to in this charge as Person 1.

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

- a. *Patient 1 was your patient at all times material to this charge;*
- b. *You engaged in sexual activity with Person 1, which included sexual intercourse.*

### Charge #2

You Dr. Josias Furstenberg 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), particulars whereof are that you failed to maintain the standards of practice of the profession in your treatment of Person 1.

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

- a. *Person 1 was your patient at all times material to this charge;*
- b. *You prescribed large quantities of opioids to Person 1 over a long period of time;*
- c. *You failed to take appropriate steps to deal with Person 1's drug dependency and/or addiction.*

### Charge #3

You Dr. Josias Furstenberg 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**.

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

- a. *You were in a romantic relationship with Person 2 at all times material to this charge;*
- b. *You provided medical treatment to Person 2 in circumstances which were not a medical emergency and when other physicians would have been readily available.*

## Charge #4

You Dr. Josias Furstenberg 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 paragraphs 31 and/or 35 of the Code of Ethics contained in bylaw 7.1 and/or bylaw 8.1(b)(x) 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 the following:

- a. *You caused a photograph of a patient "day sheet" to be sent to Patient 2.*
- b. *You sent the "day sheet" to Patient 2 without the expressed or implied consent of the persons listed on the "day sheet".*

## Charge #5

You Dr. Josias Furstenberg 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**.

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

- a. *You were in a romantic relationship with Person 3 at all times material to this charge;*
- b. *You provided medical treatment to Person 3 in circumstances which were not a medical emergency and when other physicians would have been readily available.*

## Charge #6

You Dr. Josias Furstenberg 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)(xvi), particulars whereof are that you committed acts of sexual impropriety or sexual violation with your patient, referred to in this charge as Person 4.

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

- a. *You provided medical care to Person 4 from time-to-time, on a walk in basis;*
- b. *You subsequently became involved in a romantic relationship with Person 4;*
- c. *While in a romantic relationship with Person 4, you provided medical care to Person 4 in circumstances which were not a medical emergency and when other physicians would have been readily available.*

## Charge #7

You Dr. Josias Furstenberg 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)(xvi), particulars whereof are that you committed acts of sexual impropriety or sexual violation with your patient, referred to in this charge as Person 5.

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

- a. *Person 5 was your patient at all times material to this charge;*
- b. *You engaged in sexual activity with Person 5, which included sexual intercourse.*

## Charge #8

You Dr. Josias Furstenberg 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 the following:

- a. *In or about the period of approximately February to June of 2017, you accessed the personal health information of a person referred to as Person 6 thru the Saskatchewan eHealth computer program;*
- b. *You accessed that personal health information without the consent of the Person 6 after April 4, 2017;*
- c. *You accessed that personal health information without a legitimate need to know the information;*
- d. *You breached the Joint Service and Access Policy that pertained to accessing information from the Saskatchewan eHealth program.*

## Charge #9

You Dr. Josias Furstenberg 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)(x).

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

- a. *A female person hereinafter referred to in this charge as "Person 7" was your patient at all times material to this charge;*
- b. *Person 7 was also your tenant in a rental property;*
- c. *While Person 7 attended at your home, you kissed her.*

## Charge #10

You Dr. Josias Furstenberg 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 paragraphs 31 and/or 35 of the Code of Ethics contained in bylaw 7.1 and/or bylaw 8.1(b)(x) 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 the following:

- a. *A female person hereinafter referred to in this charge as "Person 8" was your patient at all times material to this charge;*
- b. *On or about January 10, 2016 you exchanged text messages with an individual identified in this charge as Person 9;*
- c. *During the course of the text message exchange with Person 9 you disclosed personal health information about Person 8;*
- d. *The personal health information you disclosed included some or all of the following:*
  - i. *Person 8 attended to you as a patient;*
  - ii. *You had a "patient encounter" with Person 8;*
  - iii. *You commented about Person 8 "that she was a total bitch to me";*
  - iv. *You confirmed that Person 8 was "looking for drugs";*
- e. *That at no time did you have the expressed or implied consent of Person 8 to disclose information about her.*