



## Dr. John Wesley HERBERT

---

### Council Decision

<b>Date Charge(s) Laid:</b>	June 4, 2019
<b>Outcome Date:</b>	March 20, 2020
<b>Penalty Hearing:</b>	March 20, 2020
<b>Disposition:</b>	Suspension, Fine, Reprimand, Costs

The Council of the College of Physicians and Surgeons imposes the following penalty on Dr. John Herbert pursuant to *The Medical Profession Act, 1981*:

1. Pursuant to Section 54(1)(b) of *The Medical Profession Act, 1981*, the Council hereby suspends Dr. Herbert from practicing medicine for a period of 1 month. The suspension will begin at 12:01am on April 19, 2020 and continue until 11:59pm on May18, 2020.
2. Pursuant to Section 54(1)(f) of *The Medical Profession Act, 1981*, the Council directs that Dr. Herbert pay a fine in the amount of \$1500. The fine shall be paid in full on or before June 19, 2020.
3. Pursuant to Section 54(1)(b) of *The Medical Profession Act, 1981*, the Council hereby reprimands Dr. Herbert. The format of that reprimand will be in written format.
4. Pursuant to Section 54(1)(g) of *The Medical Profession Act, 1981*, Dr. Herbert is required to successfully complete an accredited course on medical record-keeping, to be approved in advance by the Registrar, and provide proof of completion.: "Medical Record Keeping" by ProBE/CPEP, "Medical Record Keeping" by PACE, "Medical Record Keeping" by PBI, and "Medical Record Keeping" by the University of Toronto are medical record-keeping courses approved by the Registrar;.
5. Pursuant to Section 54(1)(g) of *The Medical Profession Act, 1981*, the Council directs that Dr. Herbert continue to receive treatment through the Physician Health Program of the Saskatchewan Medical Association, to follow all recommendations from that program, and to only discontinue any treatment if he receives the approval of the Registrar to do so.
6. Pursuant to Section 54(1)(i) of *The Medical Profession Act, 1981*, the Council directs Dr. Herbert to pay the costs of the investigation and penalty hearing in the amount of \$1020.00. Such payment shall be made in full on or before June 19, 2020.



*College of  
Physicians and Surgeons  
of Saskatchewan*

101 – 2174 Airport Drive  
SASKATOON SK S7L 6M6

Business: (306) 244-7355  
Fax: General (306) 244-0090  
Fax: Dr. K. Shaw (306) 244-2600  
Email: [cpssinfo@cpss.sk.ca](mailto:cpssinfo@cpss.sk.ca)  
[www.cps.sk.ca](http://www.cps.sk.ca)

REGISTRAR  
KAREN SHAW, M.D.

22 June, 2020

Dr. J. Herbert

[Redacted address block]

Dear Dr. Herbert,

On 11 March, 2020 you signed an admission of guilt to charges of unprofessional conduct. Subsequent to your admission of guilt, the Council of the College of Physicians and Surgeons of Saskatchewan considered a joint recommendation for penalty. One component of that joint recommendation was a written reprimand from the Council.

***You, Dr. John Wesley Herbert having been found guilty of professional misconduct while practicing medicine in the province of Saskatchewan are hereby reprimanded by the Council of the College of Physicians and Surgeons of Saskatchewan.***

The Council recognizes that you offered your valuable time and expertise to act as a supervisor in the SIPPA program. In this capacity, you signed an undertaking to supervise [Redacted] as a SIPPA candidate practicing in the [Redacted]. In that undertaking you agreed to provide meaningful reports to the College, conduct visits and submit reports on a schedule, provide information to the College within a reasonable time, comply with requirements from the College, and not to terminate the relationship without giving reasonable notice. You have failed to meet the terms of your undertaking, the needs of the SIPPA program and [Redacted] in this regard.

Continued.....

The SIPPA program is an essential component of physician recruitment to serve the medical needs of the people of Saskatchewan. Great effort and expense is directed to the administration of this program. The compliance of SIPPA supervisors with all aspects of their undertaking is essential for the effective administration of the program and the graduation of qualified international graduate physicians prepared to meet the rigors of medical practice in Saskatchewan.

Your lack of willingness to comply with the undertaking you signed has caused considerable difficulty to [REDACTED] and the SIPPA program. You were offered numerous opportunities to correct your lack of compliance. You elected not to do so. You failed to communicate concerns or roadblocks that your colleagues at the SIPPA program or the College could potentially have assisted in remedying. Your failure to respond to the College has led you to the unfortunate, and completely avoidable, position you now find yourself in.

It is entirely unlikely that you will have any further role in the SIPPA program. Losing any member of the cohort of SIPPA physician supervisors is a significant blow to the SIPPA program as a whole. The Council hopes that you will consider your actions and the completely unnecessary administrative difficulties they have caused, in addition to the professional disrepute you have brought upon yourself.

Sincerely,

The Council of the College of Physicians and Surgeons of Saskatchewan