



# Dr. Andre VAN DER MERWE

## Council Decision

Date Charge(s) Laid:	October 1, 2022
Charge(s) Amended:	N/A
Outcome Date:	June 2, 2023
Hearing:	June 2, 2023
Disposition:	Unprofessional Conduct; Billing, Improper

The Council of the College of Physicians and Surgeons imposes the following penalties on Dr. Andre Van Der Merwe pursuant to ***The Medical Profession Act, 1981***:

- 1) Pursuant to Section 54(1)(e) of *The Medical Profession Act, 1981*, the Council hereby reprimands Dr. Van Der Merwe. The format of that reprimand will be in written format.
- 2) Pursuant to section 54(1)(i) of *The Medical Profession Act, 1981*, the Council directs Dr. Van Der Merwe to pay the costs of and incidental to the investigation in the amount of \$2547.00 payable on or before 31 May, 2024.
- 3) Pursuant to section 54(2) of *The Medical Profession Act, 1981* the Council directs that Dr. Van Der Merwe’s licence will be suspended if the costs in paragraph 2) are not paid as required and that he will remain suspended until those costs are paid.



25 September, 2023

Dr. A. Van der Merwe

Dr. Van der Merwe:

On June 2, 2023, the Council of the College of Physicians and Surgeons of Saskatchewan accepted your admission of guilt to charges of misconduct. Following deliberation, penalty was determined based on the joint recommendation presented on your behalf by legal counsel for yourself and the College. One component of that penalty was an official reprimand by the Council.

*You, Dr. A. Van der Merwe 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.*

You did not obtain College approval pursuant to Bylaw 4.1 for the provision of Botox and dermal fillers and you failed to appropriately delegate the provision of Botox and dermal fillers when you acted as Medical Director at BodySculptingRegina.

One of the most important statutory functions of Council is the protection of the public. One of the ways Council achieves this end is to ensure that its members act in accordance with its bylaws and policies. Council therefore considers your actions grievous and unacceptable.

Council considered the mitigating factors put forward by your legal counsel. Council recognizes that you have no previous disciplinary findings, no patient was harmed and your actions were not considered deliberate. Council also accepted that the arrangement has now ended. However, this in no way absolves you from your responsibility to exercise due diligence to ensure you act in accordance with College bylaws and policies at all times.

It is the hope of Council that you will reflect and learn from this experience, and maintain the utmost professional and ethical standards going forward.

The Council of the College of Physicians and Surgeons of Saskatchewan