



Dr. Akinlolu PELUOLA

Council Decision

Date Charge(s) Laid:	October 10, 2023
Charge(s) Amended:	November 13, 2024
Outcome Date:	November 29, 2024
Penalty Hearing:	November 29, 2024
Disposition:	Reprimand, Suspension, Conditions, Costs, Fine

The Council of the College of Physicians and Surgeons imposes the following penalties on Dr. Akinlolu Peluola 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. Peluola. The format of that reprimand will be in written format.
- 2) Pursuant to Section 54(1)(b) of the Act, the Council hereby suspends Dr. Peluola for a period of 9 months commencing 1 January 2025.
- 3) Pursuant to Section 54(1)(g) of the Act, the Council requires that Dr. Peluola successfully complete an ethics course acceptable to the Registrar, and provide proof of completion. Such course shall be completed at the first available date, but in any case within six months. The programs "Medical Ethics, Boundaries and Professionalism" by Case Western Reserve University and "Medical Ethics and Professionalism (ME-15 Extended)" by PBI Education are ethics programs acceptable to the Registrar. While any post-course requirements may not be completed within the six months, Dr. Peluola is to apply diligence in completing any such requirements and must then provide proof of successful completion. If Dr. Peluola fails to complete the course in the directed timeframe, his licence will be suspended until such time as the course has been successfully completed.
- 4) Pursuant to section 54(1)(i) of *The Medical Profession Act, 1981*, the Council directs Dr. Peluola to pay the costs of and incidental to the investigation in the amount of \$55,760.00. Costs incurred are recognised as already having been paid.
- 5) Pursuant to Section 54(1)(f) of *The Medical Profession Act, 1981* the Council directs that Dr. Peluola pay a fine in the amount of \$15,000. The fine shall be paid in full on or before 1 December 2025.



27 January 2025

Dr. A. Peluola

[Redacted address information]

Dr. Peluola:

At its meeting on November 29, 2024, you admitted your guilt to six charges of unprofessional conduct and the Council of the College of Physicians and Surgeons of Saskatchewan conducted a penalty hearing. The details of that conduct is set out in the Statement of Facts, and they include the following:

- a) Improper billing for testing and consultation services in connection with his office practice.
- b) Improper billing for services provided at two care homes. You billed inappropriately for testing, billed for time-based codes when you did not spend sufficient time to bill as you did, billed for services when you had not seen the patients and billed for providing consultations when you had not met the requirements to bill a consultation fee.
- c) Improper billing for services provided at the Correctional Center. You billed inappropriately for testing, billed for time-based codes when you did not spend sufficient time to bill as he did and billed for surcharges when he had not met the requirements to bill for surcharges.
- d) Dr. Peluola lied to the preliminary inquiry committee when interviewed.
- e) Dr. Peluola tried to influence his assistant to provide inaccurate information to the preliminary inquiry committee.
- f) Dr. Peluola was untruthful to the Joint Medical Professional Review Committee when he was interviewed by it.

Continued.....

In addition to the unprofessional conduct admitted by you Dr. Peluola, you were convicted of criminal fraud arising from these billings to Medical Services Branch. The charges of unprofessional conduct which you admitted are largely based upon the same conduct as has resulted in the charges of unprofessional conduct admitted above.

The Council of the College of Physicians and Surgeons of Saskatchewan reviewed the information presented by both your legal counsel and that of the Registrar's Office and after careful deliberation, imposed penalty pursuant to The Medical Professional Act, 1981, which consisted of the following:

- a) a nine-month suspension,
- b) payment of costs,
- c) successful completion of an ethics course,
- d) a fine in the amount of \$15,000.

In addition, you are hereby subject to a written reprimand.

You, Dr A. Peluola, having been found guilty of unbecoming, improper, unprofessional and discreditable conduct by improper billings for office-based services, time-based codes, testing and consultation services. You also lied to the preliminary inquiry committee, tried to influence your assistant to provide inaccurate information to the preliminary inquiry committee and you were untruthful to the Joint Medical Professional Review Committee when interviewed by it.

Your conduct is amongst the most serious forms of unprofessional conduct that the College has dealt with. It does not just encompass fraudulently billing the healthcare system. It also involves untruthfulness with the College investigation and the JMPRC. Finally, you tried to influence your office assistant to provide inaccurate information to the preliminary inquiry committee.

In protecting the public and upholding the standards of medical care in Saskatchewan the Council expects registrants to always be honest and to behave in an ethical and forthright manner. Your actions strike at the core of the values expected of our profession; trust, integrity, upholding the rights and privileges inherent to the profession while serving the public. This behaviour hampers the College's ability to maintain the public confidence in its function of regulating the profession and keeping the public safe.

Continued.....

In your written submissions you talk about gaining insight into the impact of your behaviours on friends, family and the wider public that we serve. This falls short of the Council's expectations. Insight is the ability to understand inner qualities or relationships requiring a review of how your behaviours, and causes of that behaviour, impacts the integrity and honesty of the profession in general, and you as a physician, and are essential ethical requirements. The Council is not convinced you have reached that understanding. Serious unethical conduct, particularly when there is a lack of insight, will generally result in a very lengthy suspension or revocation.

It is the hope of Council that you reflect and learn from this experience and maintain the integrity, values and behaviours expected of the members of this profession.

The Council of the College of Physicians and Surgeons of Saskatchewan.

In the Matter of a Penalty Hearing pertaining to Dr. A. Peluola

Mr. C. Hirschfeld, K.C. appearing for Dr. Peluola

Mr. Salte, K.C. appearing for the Registrar's Office

Friday 29 November 2024

Background

Dr. A. Peluola is a 66-year-old psychiatrist whose initial training was taken in Nigeria. He has been licensed in Saskatchewan since 1999. He obtained his FRCP in psychiatry in 2007.

Dr. Peluola admitted six charges of unprofessional conduct. They include:

- a) Improper billing for testing and consultation services in connection with his office practice.
- b) Improper billing for services provided at two care homes. He billed inappropriately for testing, billed for time-based codes when he did not spend sufficient time to bill as he did, billed for services when he had not seen the patients and billed for providing consultations when he had not met the requirements to bill a consultation fee.
- c) Improper billing for services provided at the Correctional Center. He billed inappropriately for testing, billed for time-based codes when he did not spend sufficient time to bill as he did and billed for surcharges when he had not met the requirements to bill for surcharges.
- d) Dr. Peluola lied to the preliminary inquiry committee when interviewed.
- e) Dr. Peluola tried to influence his assistant to provide inaccurate information to the preliminary inquiry committee.
- f) Dr. Peluola was untruthful to the Joint Medical Professional Review Committee when he was interviewed by it.

In addition to the unprofessional conduct admitted by Dr. Peluola, he was convicted of criminal fraud arising from his billings to Medical Services Branch. The charges of unprofessional conduct which he admitted to, are largely based upon the same conduct.

Decision

The Council of the College of Physicians and Surgeons imposes the following penalties on Dr. Akinlolu Peluola 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. Peluola. The format of that reprimand will be in written format.
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Reasons for decision

The Council concluded that the seriousness of the penalty should reflect the seriousness of the conduct.

Improper billing was one of the admitted charges. This was done in his office, two care homes and the Correctional facility. This included improper billing for testing, time-based codes, services, consultations and surcharges.

Specific and general deterrence is a significant issue. It is relevant that unprofessional billing has been a significant concern for the College. In the annual reports from 2021 to 2023 unprofessional billing has been one of the major, if not the largest identified category of unprofessional conduct, and second only to the generic category of “unprofessional conduct”. This emphasizes the importance of general deterrence.

While patient safety was not a concern, Dr. Peluola’s conduct has been harmful to the general population by committing fraud on a health care system that is already financially strained. When a physician commits fraud, as Dr. Peluola did, it harms not only the health care system, but also the public’s confidence in the honesty and integrity of the profession.

Not only was there criminal fraud which involved planning and premeditation, but also there was dishonesty to both the JMPRC and the College’s preliminary inquiry committee.

He made a deliberate decision to commit fraud and then tried to blame the staff and the practice of the clinic, and even tried to convince an employee to lie. This was done in the context of him handwriting the billing codes and billing himself, where “administrative clumsiness” as an explanation was obviously not valid.

Regarding ensuring that the penalty imposed is not disparate with penalties previously imposed in this jurisdiction in particular, and in other jurisdictions in general, there are no Saskatchewan decisions which address the extent of overbilling that Dr. Peluola engaged in. There are no Saskatchewan decisions which address the cumulative effective of the multiple forms of unprofessional billing which Dr. Peluola engaged in. The cumulative effect of all of Dr. Peluola’s unprofessional conduct is much more serious than that of other physicians who have been disciplined.

Previous discipline decisions have recognized that a professional lacks insight into the reasons that they engaged in unprofessional conduct, fails to accept that their conduct was unacceptable and not consistent with the ethical requirements of the profession. If a physician lacks insight it is less likely that they can achieve remediation and a more significant penalty is warranted.

**Accepted by the Council of the College of Physicians & Surgeons of Saskatchewan:
25 January 2025**