

The Council considered the fact that Dr. Moolman had been suspended for five weeks by the Regional Health Authority in relation to the conduct.

Council accepted the joint recommendation:

The Council of the College of Physicians and Surgeons imposes the following penalties on Dr. Martinus Charl Moolman pursuant to **The Medical Profession Act, 1981**:

- 1) Pursuant to section 54 (1) (b) of **The Medical Protection Act, 1981**, Dr Martinus Charl Moolman is suspended from the privileges of a duly qualified medical practitioner for a period of seven days, commencing 12:01 a.m. November 16, 2013 and continuing until 11:59 p.m. on November 22, 2013;
- 2) Pursuant to section 54 (1) (g), of **The Medical Protection Act, 1981**, Dr Martinus Charl Moolman is required to take the next available *Boundaries, Ethics and Professionalism* course put on by the College of Physicians and Surgeons of British Columbia, or such other boundaries education course as may be approved by the Registrar;
- 3) Dr. Martinus Charl Moolman will enter into an undertaking with the College of Physicians and Surgeons that he will only practise medicine within a facility operated by a Regional Health Authority and, other than when he is practising exclusively as a surgical assistant, he will:
 - a. Have a chaperone, approved by the Regional Health Authority, present throughout the entire time that he is present with female patients; and
 - b. Practise only in an environment in which a sign is posted in an area where it will be observed by patients that he will have a chaperone present throughout the time that he is present with female patients.
- 4) Pursuant to section 54 (1)(i) of **The Medical Protection Act, 1981**, Dr. Martinus Charl Moolman is directed to pay the costs of and incidental to the investigation and hearing in the amount of \$1,753.75, payable prior to January 1, 2014;
- 5) Pursuant to section 54 (2) of **The Medical Protection Act, 1981**, Dr. Martinus Charl Moolman's licence is suspended in the event of his failure to pay the costs and will remain suspended until the cost are paid in full;
- 6) Council reserves the right to amend the terms of this order by extending the time for payment of the costs, by arranging for the payment of costs over time or by installments, or by reducing or forgiving the payment of the costs and, in the event of such an amendment, the Council may impose such additional conditions pertaining to payment and suspension of Dr Moolman's license for the non-payment as may be permitted by **The Medical Profession Act, 1981**.