

Disciplinary outcomes

In 2018/19, five disciplinary matters were concluded.

APRIL 2018

Dr. Sean Liam Oscar Christopher Cambridge Chilliwack, BC

Dr. Sean Liam Oscar Christopher Cambridge, a former registrant on the Provisional – General/Family class of registration, admitted to engaging in unprofessional conduct by making a material misrepresentation on his application for registration to the College, specifically: omitting to disclose his registration history with the College of Physicians and Surgeons of Saskatchewan (CPSS) including, practising medicine in Saskatchewan and the termination of his licence by the CPSS; and answering in the negative to the following question on his application for registration to the College: Have you ever had your licence to practise medicine in any jurisdiction revoked, suspended, or restricted in any way? Pending the College's investigation into allegations regarding Dr. Cambridge's misrepresentation of information to the College, he was subject to interim undertakings where he was limited to office-based general/family practice under specific conditions including daily supervision by another qualified physician. Pursuant to section 2-17 of the College Bylaws, Dr. Cambridge's registration with the College was cancelled on September 12, 2017 after Fraser Health Authority withdrew sponsorship. Following the issuance of a disciplinary citation, Dr. Cambridge consented to the following disposition by the College: a formal reprimand; notification to the College in writing of the location of his patient records and the procedures established for accessing those records; payment of College costs in the amount of \$5,000; in the event of future registration with the College, his placement in the Conditional – Disciplined class of registration subject to practice conditions as determined by the College; acknowledgement that this Order is considered to be an Order of the Discipline Committee as if made under section 39 of the *Health Professions Act*; as conditions of any re-application for registration to the College, Dr. Cambridge must: attend and successfully complete a multi-disciplinary assessment program; participate in continuing medical education and professional development with particular focus in the areas of ethics and professionalism; and attend an interview at the College.

MAY 2018

Dr. Edit Esther Pusztai Kamloops, BC

Dr. Edit Esther Pusztai, a psychiatrist, admitted to engaging in unprofessional conduct by failing to maintain professional boundaries with a patient including: allowing the patient to do work in her home; meeting with the patient and the patient's

family socially; exchanging gifts with the patient; communicating with the patient by phone about matters unrelated to medical care; going on outings with the patient; and visiting with the patient at her home. Following the issuance of a disciplinary citation, Dr. Pusztai consented to the following disposition by the College: transfer from the Full – Specialty class of registration to the Conditional – Disciplined class of registration; a formal reprimand; participation in continuing medical education in the areas of ethics, boundaries and professionalism; and attendance at the College for a meeting with the registrar. Clear professional boundaries ensure the protection of both patients and physicians. The College considers any violation of a professional boundary between a patient and a treating physician to be an extremely serious matter.

Dr. James Francis King Hii Vancouver, BC

Dr. James Francis King Hii admitted to engaging in unprofessional conduct by failing to provide a medical-legal report in a timely way. Despite numerous reminders from his patient's legal counsel, it took Dr. Hii over one year and eight months to deliver the completed report. Following the issuance of a disciplinary citation, Dr. Hii consented to the following disposition by the College: a formal reprimand; undertake to provide medical-legal reports in a timely manner; a fine in the amount of \$10,000; and payment of \$1,000 towards the College's costs of the investigation. Physicians are ethically and legally obliged to provide reports on patients they have attended and when a request has been received, physicians are required to respond in a timely manner. As set out in the College standard *Medical Certificates and Other Third Party Reports*, inappropriate delay in producing medical reports may be considered professional misconduct.

OCTOBER 2018

Dr. Gustavo Jose Carvalho Vancouver, BC

The Inquiry Committee of the College of Physicians and Surgeons of BC conducted an investigation into the practice of Dr. Gustavo Jose Carvalho, pursuant to section 33(4) of the *Health Professions Act*, RSBC 1996, c.183. The Inquiry Committee and Dr. Carvalho have agreed to resolve all matters arising from the investigation by way of a Consent Agreement under section 36(1) of the *Health Professions Act*. Dr. Carvalho has admitted and/or acknowledged the following: that he has breached certain limits and conditions imposed on his practice as set out in Resolution 13-486, namely that he failed to complete all chart entries for patient attendances by the end of the day on which the attendance occurred, failed to provide a medical report in

a timely manner and did not practise with a supervisor approved in writing by the College. Dr. Carvalho entered into a Consent Agreement with the Inquiry Committee of the College of Physicians and Surgeons of BC, wherein he consented to the following terms: to satisfactorily complete a multi-disciplinary assessment program; to a suspension from practice retroactively for a period of six months effective 2400 hours on July 12, 2017 to 2400 hours on January 12, 2018; to pay a \$5,000 fine; and to pay \$1,000 towards the College's cost of the investigation. The Inquiry Committee was concerned that Dr. Carvalho had previously consented to remedial undertakings to fully comply with legislated practice standards. The Inquiry Committee therefore considered Dr. Carvalho's repeated conduct to be serious, and that he required significant remediation and deterrence in order to come into compliance. The Inquiry Committee considered the terms of the Consent Agreement necessary to protect the public, as well as send a clear message of deterrence to the profession.

NOVEMBER 2018

Dr. Donald Albert Sander Port Alberni, BC

The Inquiry Committee of the College of Physicians and Surgeons of BC conducted an investigation into the conduct of Dr. Donald Albert Sander under section 33(1) of the *Health Professions Act*, RSBC 1996, c.183. The Inquiry Committee and Dr. Sander have agreed to resolve all matters arising from the investigation by way of a Consent Agreement under section 37.1(3)(a) of the *Health Professions Act*. Dr. Sander has admitted and/or acknowledged the following: that he failed, on multiple occasions, to respond to requests for medical records contrary to the College's standard on the transfer of medical records; that he failed, on numerous occasions, to reply to communications from the College in violation of section 4-11 of the Bylaws made under the *Health Professions Act*; and that he breached his undertakings dated July 11, 2016 provided to the College to comply with the College's standard on the transfer of medical records. Following the issuance of a disciplinary citation pursuant to section 37 of the *Health Professions Act*, Dr. Sander entered into a Consent Agreement with the Inquiry Committee of the College of Physicians and Surgeons of BC, wherein he consented to the following terms, pursuant to section 39(2) of the *Health Professions Act*: to be transferred from the Full – General/ Family class of registration to the Conditional – Disciplined class of registration; to a reprimand; to pay a fine in the amount of \$5,000; and to comply with any monitoring of his practice required by the College. The Inquiry Committee acknowledged that Dr. Sander had previously provided his undertaking to comply with the College's standard on the transfer of medical records. In that regard, the Inquiry Committee determined that Dr. Sander's repeated conduct was serious and warranted a disciplinary outcome.