



Dr. Reynaldo CARDOSO-MEDINILLA

Charges

Date Charge(s) Laid:	September 30, 2017
Hearing:	January 23-25, 2019
Charge(s):	Unprofessional Conduct
Outcome Date:	June 21, 2019

Charge 1

*You Dr. Reynaldo Cardoso-Medinilla are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) of **The Medical Profession Act, 1981** s.s. 1980-81 c. M-10.1.*

The evidence that will be led in support of this charge will include one or more of the following:

- a) *You breached the undertaking which you provided to the College of Physicians and Surgeons that you would not perform obstetrical and pelvic ultrasounds until you received the permission of the College to do so.*
- b) *By letter dated April 27, 2012 you provided an undertaking to the College which stated:*

Enclosed please find the signed statement by the College, undertaking to cease performing obstetrical and pelvic ultrasounds, as of April 30, 2012, until I receive the approval of the College of Physicians and Surgeons.
- c) *You signed an undertaking dated April 30, 2012 which stated the following:*
 1. I will immediately cease performing obstetrical and pelvic ultrasound and will not perform obstetrical or pelvic ultrasound until I receive the approval of the College of Physicians and Surgeons to do so;
 2. I may withdraw from this undertaking at any time by providing 10 days notice in writing to the College of Physicians and Surgeons of Saskatchewan to allow the College of Physicians and Surgeons of Saskatchewan to take what action they may think advisable in the public interest;
- d) *The undertakings that you provided in your letter dated April 27, 2012 and your signed undertaking dated April 30, 2012 remained in effect until January 11, 2013.*
- e) *By letter dated January 11, 2013 the College relieved you of the undertaking not to perform obstetrical and pelvic ultrasounds. The relevant portions of the letter stated:*

You previously provided an undertaking that you would immediately cease performing obstetrical and pelvic ultrasound and that you would not resume doing so until you received the College's permission to do so.

The result of this is that the College releases you from your undertaking, thereby permitting you to return to practising obstetrical and pelvic ultrasound.

- f) *In the period between approximately September 4, 2012 and January 11, 2013 you performed pelvic and/or obstetrical ultrasounds in breach of your undertaking.*

Charge 2

*You Dr. Reynaldo Cardoso-Medinilla are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) of **The Medical Profession Act, 1981** s.s. 1980-81 c. M-10.1 and/or 46(p) of **The Medical Profession Act, 1981** S.S.1980-81 c. M-10.1 and bylaw 8.1(b)(iii) of the bylaws of the College of Physicians and Surgeons of Saskatchewan.*

The evidence that will be led in support of this charge will include one or more of the following:

- a) *You caused or permitted billings to be made to Medical Services Branch in connection with obstetrical and/or pelvic ultrasound when you had not performed the necessary services for those billings;*
- b) *You failed to exercise due diligence in relation to your billings to Medical Services Branch for obstetrical and/or pelvic ultrasound;*
- c) *In the period between approximately September 4, 2012 and November 21, 2012 your clinic performed ultrasound scans for obstetrical and/or pelvic ultrasounds;*
- d) *You billed MSB for performing pelvic and/or obstetrical ultrasounds during the period between approximately September 4, 2012 and November 21, 2012. The fee codes for which you billed included some or all of 40W, 43W, 46W, 47W and 50W;*
- e) *You had not performed some or all of the services in order to bill for the interpretation component of these fee codes;*
- f) *By letter dated December 12, 2012 you wrote to a radiologist, Dr. Wells. The relevant portions of the letter stated:*

*Enclosed please find the information regarding the interpretation fees** for all the ultrasounds that were done in from September 18, 2012 through November 21, 2012 that still require reading and interpretation and the fees that were paid.*

*Please let me know exactly the name to make the cheque out to so that I can send the cheque as soon as possible and if the amount of **\$16,486.15** is what you require or there is some other fee that you will also require.*

- g) *Your letter of December 12, 2012 constituted an admission that you had billed the sum of \$16,486.15 but had not performed the services necessary to bill that amount.*

Charge 3

You Dr. Reynaldo Cardoso-Medinilla are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981** s.s. 1980-81 c.M-10.1 and/or bylaw 8.1(b)(ix) and/or bylaw 16.1 and/or bylaw 16.2 of the bylaws of the College of Physicians and Surgeons.

The evidence that will be led in support of this charge will include one or more of the following:

- a) *You caused or permitted your clinic to perform ultrasound scans without appropriate arrangements in place to interpret those scans;*
- b) *You failed to respond accurately and appropriately to inquiries from the College about who would interpret ultrasound scans generated from your clinic;*
- c) *Dr. Karen Shaw, Registrar of the College of Physicians and Surgeons, wrote to you in a letter dated August 1, 2012. The relevant portions of that letter stated:*

One of the things I forgot to ask of you the other day when I asked you to find an alternative person to read your films was to provide the name(s) of the physician(s) that you asked. It would be helpful to have some comments from that person(s) regarding the quality of the scans in addition to the assessor's comments.
- d) *You did not respond to the letter dated August 1, 2012.*
- e) *On or about August 16, 2012 Dr. Karen Shaw spoke to you and advised you that the technologist who was performing ultrasound scans had been successful in the assessment of her ability to perform ultrasound scans.*
- f) *In the conversation on or about August 16, 2012 Dr. Karen Shaw advised you that you were not able to interpret scans as you had not yet been successful in an assessment of your ability to interpret ultrasounds.*
- g) *In the conversation on or about August 16, 2012 Dr. Karen Shaw stated that you would need to make arrangements with another physician to interpret the ultrasound scans performed by your clinic.*
- h) *Your clinic performed obstetrical and/or pelvic ultrasounds in the period from approximately September 4, 2012 to November 21, 2012;*
- i) *Some or all of the ultrasound scans performed in your clinic were not interpreted by someone qualified to do so within a reasonable time;*
- j) *You failed to exercise due diligence to ensure that ultrasound scans performed in your clinic would be interpreted by someone qualified to do so within a reasonable time;*
- k) *You did not advise the College that your clinic had been, and continued to, generate scans which were not being interpreted by other physicians until a telephone conversation with Dr. Karen Shaw on or about November 7th, 2012.*