



## Dr. Tineyi CHIKUKWA

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### Council Decision

<b>Date Charge(s) Laid:</b>	December 1, 2018
<b>Outcome Date:</b>	January 18, 2019
<b>Hearing:</b>	Not Required
<b>Disposition:</b>	Reprimand, Suspension, Conditions, Costs, Fine
<b>Amendment to Disposition:</b>	June 19, 2020

1. Pursuant to Section 54(1)(e) of *The Medical Profession Act, 1981*, the Council hereby reprimands Dr. Chikukwa. The format of that reprimand will be determined by the Council;
2. Pursuant to Section 54(1)(b) of *The Medical Profession Act, 1981*, the Council hereby suspends Dr. Chikukwa for a period of four months, commencing at 12:01 a.m. on February 1, 2019 and ending at 11:59 p.m. on May 31, 2019;
3. Pursuant to section 54(1)(g) of *The Medical Profession Act, 1981*, Council requires that that Dr. Chikukwa successfully complete an ethics course on professionalism to the satisfaction of the Registrar. Such course shall be completed at the first available date. The programs “Medical Ethics, Boundaries and Professionalism” by Case Western Reserve University, “Probe Program” by CPEP and “Medical Ethics and Professionalism” by Professional Boundaries Inc., are ethics programs acceptable to the Registrar;
4. Pursuant to section 54(1)(i) of *The Medical Profession Act, 1981*, the Council directs Dr. Chikukwa to pay the costs of and incidental to the investigation and hearing in the amount of \$1,382.36. Such payment shall be made in full by July 1, 2019;
5. Pursuant to Section 54(1)(f) of *The Medical Profession Act, 1981*, the Council imposes a fine of \$15,000 on Dr. Chikukwa, payable in 12 equal installments commencing July 1, 2019;
6. Pursuant to section 54(2) of *The Medical Profession Act, 1981*, if Dr. Chikukwa should fail to pay the costs as required by paragraph 4, Dr. Chikukwa’s licence shall be suspended until the costs are paid in full.
7. The Council reserves to itself the right to reconsider and amend the time within which payment of costs must be made set out in paragraph 4, or the time within which the fine must be paid as set out in paragraph 5, and the right to reconsider and amend the requirements of the retraining or education set out in paragraph 3. Such reconsideration shall only be done if requested by Dr. Chikukwa.

## **Amendment to Council Decision – June 19, 2020**

At the Council meeting on June 19, 2020, the Council amended paragraph 5 of the penalty imposed on Dr. Chikukwa in January, 2019, and amended in September, 2019 to read as follows:

- 5) Pursuant to Section 54(1)(f) of The Medical Profession Act, 1981, the Council imposes a fine of \$15,000 on Dr. Chikukwa, payable at a rate of \$1,000 per month commencing July 1, 2019 until March 1, 2020 and again from July 1, 2020 until paid in full.



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REGISTRAR  
KAREN SHAW, M.D.

29 March, 2019

Dr. T. Chikukwa

[Redacted address block]

Dear Dr. Chikukwa,

On 18 January, 2019 the Council of the College of Physicians and Surgeons of Saskatchewan accepted your admission of guilt to charges of professional misconduct. As a component of penalty, a formal reprimand was ordered.

*You, Dr. Tinayi Chikukwa, having been found guilty of professional misconduct while practising medicine in the province of Saskatchewan are hereby reprimanded by the Council of the College of Physicians and Surgeons of Saskatchewan.*

The Council considered the factors of your misconduct. All physicians who provide care on a fee for service basis are bound by the Payment Schedule for Insured Services Provided by a Physician. As you are aware, this schedule is negotiated between the Ministry of Health and the Saskatchewan Medical Association on behalf of all physicians. While the schedule of benefits is certainly subject to ongoing scrutiny regarding its adequacy, it is not for individual physicians to determine what their services are worth. All physicians interpret the value of their patient care differently. In certain cases, the complexity of care from a technical or interactive perspective may seem to be under-remunerated. In these cases, well established processes exist, allowing practitioners to appeal to the Ministry. Such circumstances are uncommon, and should be so.

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***To serve the public by regulating the practice of medicine  
and guiding the profession to achieve the highest standards of care***

You have taken it on yourself to establish the worth of your services as being of more value than that determined by the schedule negotiated by your otolaryngology colleagues. Further, you have repeatedly submitted inaccurate billings to the Ministry in order to obtain payment at a level that you deemed appropriate for services rendered. The scope of your misconduct could very well have been determined to be criminal. You should consider yourself very fortunate to have avoided criminal prosecution in this matter. It is not challenging to imagine how quickly the health care system could be brought to financial ruin if all physicians took such a cavalier approach to billings. You have brought disrepute on yourself and on the profession of medicine.

During its deliberations, the Council recognized that your personal circumstances [REDACTED] in addition to the existence of significant financial stressors on yourself and your family. The Council recognizes how such stressors can impair an individual's insight resulting in poor decisions. Such circumstances cannot serve as an excuse for willful wrongdoing. It is the sincere hope of Council that you will be able to work toward good health and a return to full practice. Please use your time of suspension to work with family and colleagues to develop a strategy to avoid any further dishonest billing practices.

Sincerely,

The Council of the College of Physicians and Surgeons of Saskatchewan