

EXTRACT OF THE COUNCIL MINUTES FOR SEPTEMBER 19, 2003

347h The Associate Registrar reported that Dr. T.B. Ogundipe has agreed to enter a guilty plea to a charge of unprofessional conduct if paragraph (g) of the original charge is amended to read, "The answers you provided to the College of Physicians and Surgeons were incomplete or misleading."

MOTION

THAT the Council of the College of Physicians and Surgeons withdraws the charges laid against Dr. Tony Ogundipe at its meeting of June 20, 21, 2003 and substitutes the following:

*The Council of the College of Physicians and Surgeons directs that, pursuant to Section 47.6 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charges against Dr. Tony Ogundipe, namely:*

*You, Dr. Tony Ogundipe, 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 applied for licensure with the College of Physicians and Surgeons of Saskatchewan and supplied a CV as part of the application;

(b) On or about March 14, 2003 In connection with your application for licensure, Ms. Carol Bowkowsky wrote to you stating "What have you been doing specifically since November 2001? We are not prepared to license you without you filling this gap.";

(c) On or about March 16, 2003 you replied "Sorry, I thought I included that in my CV already. I have been doing locum for Maxi-Care Health Services Ijebu Ode Ogun State Nigeria. Until February 2003";

(d) In March 2003 you appeared at the College of Physicians and Surgeons of Saskatchewan and completed the application form for licensure.

(e) In response to the question on the application form "Have you ever had your medical licence, registration or certificate suspended or revoked?" you answered "No";

(f) In response to the question on the application form "Have you ever been the subject of an inquiry or investigation by a medical licensing authority or hospital?" you answered "No";

(g) The answers you provided to the College of Physicians and Surgeons were incomplete or misleading.

349h Dr. T.B. Ogundipe, accompanied by legal counsel, Mr. R. Elson, was present to speak to penalty following his guilty plea to a charge of falsification of information on his application for registration. Mr. B. Salte, College legal counsel, was also present at this time.

350h Mr. Salte stated that the appropriate penalty in Dr. Ogundipe's case is a difficult one to determine. A suspension from practice is of little relevance except to the extent that it may impact upon his ability to obtain a license to practice elsewhere. Dr. Ogundipe's financial situation appears to be very poor, making it difficult for him to pay a fine, at least at the present time. One of the effects of the revocation of Dr. Ogundipe's license in June, and the outstanding charges, is that he has been unable to be licensed in Nova Scotia or In Australia where he has also applied for licensure.

351 h It was Mr. Salte's recommendation that Dr. Ogundipe be required to pay a fine not to exceed \$15,000.00, that he be provided time to pay the fine and that he not be required to begin payment for several months.

352h Mr. Elson acknowledged Dr. Ogundipe had pled guilty to the charge of unprofessional conduct and that he takes full responsibility for the error. However at the same time it is their contention that Dr. Ogundipe was never really registered to practice in this province and therefore should not receive any penalty from the College because he was never under Saskatchewan's jurisdiction. If it is Council's decision that he was licensed Mr. Elson asked Council to consider a reprimand rather than a fine. He pointed out that Dr. Ogundipe has been suspended more than thirty days and has not been able to make a living during this time.

MOTION

THAT Dr. T.B. Ogundipe's license to practice medicine in Saskatchewan be retroactively suspended for the period June 21 to September 25, 2003 for being untruthful on his registration application form. That Dr. Ogundipe be required to pay a fine of \$5,000.00, with the fine to be paid in monthly installments of \$500.00 commencing February 1, 2004.

THAT Dr. T.B. Ogundipe's application for restoration of his license be approved, subject only to payment of the reregistration fee of \$300.00 and the requirement that a report be provided to the College by Dr. T.B. Ogundipe's treating psychiatrist or attending physician with respect to his depression.