

You are hereby notified that pursuant to section 54.01 of **The Medical Profession Act, 1981** the Council of the College of Physicians and Surgeons will meet on Saturday, November 27 at the hour of 8:30 a.m., or such other time as may be established by the Council, at the office of the College of Physicians and Surgeons, 211 – 4th Avenue South, Saskatoon, Saskatchewan.

And you are hereby notified that at that time you will be given the opportunity to be heard in respect of the possible action to be taken by the College of Physicians and Surgeons of Saskatchewan following your admission of unprofessional conduct before the College of Physicians and Surgeons of British Columbia.

And further take notice that section 54.01 of **The Medical Profession Act, 1981** provides as follows:

Discipline in another jurisdiction

54.01(1) In this section, “**external regulatory body**” means a body that is responsible for licensing or regulating physicians or podiatric surgeons in a jurisdiction other than Saskatchewan.

(2) Subject to subsection (3), the council may impose one or more of the penalties set out in Section 54 on a person registered under this Act where, before or after registration under this Act:

- (a) the person is found by an external regulatory body to have done or failed to have done any act or thing and, in the opinion of the council, that act or failure is unbecoming, improper, unprofessional or discreditable; or
- (b) the person’s licence, permit or other authorization to practice medicine or podiatric surgery has been suspended, restricted or revoked by an external regulatory body;

(3) Before imposing a penalty pursuant to subsection (2), the council must:

- (a) give the person registered under this Act an opportunity to be heard; and
- (b) have evidence satisfactory to the council that the person registered under this Act is the person against whom the action described in clause (2)(a) or (b) was taken.

(4) For the purposes of this section, the council may accept a certified copy of the record of the findings made or the action taken by an external regulatory body as proof, in the absence of evidence to the contrary, of the findings made or the action taken by that body, without proof of the signature of the person purporting to have signed on behalf of that body.

And further take notice that section 54 of **The Medical Profession Act, 1981** states the following:

54(1) Upon receipt of a report pursuant to section 52, in the case of a person found by the discipline hearing committee to be guilty of unbecoming, improper, unprofessional or discreditable conduct, the council may:

(a) order that his name be struck from the register, the education register or the temporary register and his licence or permit, as the case may be, be revoked, and may attach any conditions to the restoration of his name to the register, the education register or the temporary register that the council considers proper;

(b) suspend him from the privileges of a duly qualified medical practitioner under this Act and impose any conditions that the council considers proper to be met by him before his privileges as a duly qualified medical practitioner may be restored;

(c) prohibit him, for any period of time that the council may determine, from:

(i) practising any branch of medicine, surgery or midwifery; or

(ii) performing any medical procedure or any medical treatment or surgery of any kind;

(d) require him to provide any services or procedures only under the supervision of a duly qualified medical practitioner approved by the council;

(e) reprimand him;

(f) impose a fine on the person not exceeding \$15,000;

(g) require the person to undertake any upgrading, retraining, education or treatment that the council may specify, within any period of time that the council may specify and suspend the person from the privileges of a duly qualified medical practitioner if the person should fail to obtain the upgrading, retraining, education or treatment;

(h) provide for any further assessment of the person's skills and knowledge at any future time that the council may determine;

(i) direct the person to pay the costs of and incidental to the investigation and hearing, including the costs of solicitors, members of the preliminary inquiry committee, members of the discipline hearing committee, members of the council, assessors, court reporters and witnesses, and all other costs related to the investigation and hearing, or any part of those costs.

(2) Costs required to be paid pursuant to clause (1)(i) are a debt due to the college in so far as they were borne in the first instance by the college, and the council may direct that the licence of the person be suspended in the event of the failure of the person to pay the costs.

And you are further notified that following that appearance before the Council, you may be subject to a penalty provided for in section 54 of **The Medical Profession Act, 1981**.

And you are further notified that should you fail to appear before the Council, such order as may be deemed appropriate may be made in your absence.

And you are further notified that the information before the Council will include confirmation of the charges before the College of Physicians and Surgeons of British Columbia, confirmation of the disciplinary action taken against you by the College of Physicians and Surgeons of British Columbia, and confirmation that you are the same physician who was subject to the disciplinary action.

And you are further notified that if you wish to make any written representations to the Council, or provide any documents for consideration by the Council, that you wish to have distributed to members of the Council prior to the meeting, you should provide those documents to our office not later than Wednesday, November 17, 2004 to allow for sufficient time for those documents to be distributed to the members of Council in advance of the meeting.

DATED this 13th day of October, 2004

Bryan E. Salte
Legal Counsel