

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. Evan Franko, namely:

1. You Dr. Evan Franko are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(e) and/or section 46(n), and/or 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 7.1 and/or paragraph 4 of the *Code of Ethics* and/or bylaw 8.1(b)(vii) of the bylaws of the College of Physicians and Surgeons of Saskatchewan.

The evidence that will be lead in support of this charge will include the following:

- (a) On or about the 28th of November, 2008 at Saskatoon, you wrote a prescription for 35 tablets of hydromorphone hydrochloride to a person hereafter referred to in this charge by the initials J.N.;
- (b) You previously attended Homewood, a facility for inpatient treatment of patients with addictions with J.N.;
- (c) You were aware at the time that you prescribed the hydromorphone hydrochloride to J.N. that he had a history of drug dependency;
- (d) You prescribed the hydromorphone hydrochloride without establishing an appropriate physician-patient relationship with J.N.;
- (e) You prescribed hydromorphone hydrochloride to J.N. for other than medical or therapeutic purposes;
- (f) You were aware at the time you prescribed hydromorphone hydrochloride to J.N. that he intended to use the medications for other than a legitimate medical purpose;
- (g) You obtained some of the tablets of hydromorphone hydrochloride which you had prescribed to J.N.;
- (h) While on duty at Saskatoon City Hospital as a Critical Care Associate, you injected hydromorphone hydrochloride;
- (i) As a result of your use of hydromorphone hydrochloride you were incapable of fulfilling your duties as a Critical Care Associate;