

The Council of the College of Physicians and Surgeons directs that, pursuant to section 47.5 of **The Medical Profession Act, 1981**, the Discipline Committee hear the following charge against Dr. Nivas Juggernath:

- 1) You Dr. Nivas Juggernath 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 lead in support of this charge will include some or all of the following:

- a) You practised medicine at the Midway Walk-in Healthcare Centre (hereafter called "Midway") in Regina, Saskatchewan until approximately May 27, 2013;
- b) After approximately May 27, 2013 you practised medicine at Gateway Alliance Medical in Regina (hereafter called "Gateway");
- c) In July, 2013 Gateway authorized the mailing of several thousand notices to individuals, advising them of the opening of Gateway;
- d) You caused or permitted the notices to be sent;
- e) You failed to exercise due diligence to ensure that notices to individuals were provided in a manner consistent with legal and/or ethical expectations;
- f) Some or all of the notices were addressed to individuals who you, or other physicians associated with Gateway, once had a professional relationship;
- g) Some or all of the names to whom the notices were addressed were obtained as a result of professional services rendered to the individuals to whom the notices were addressed;
- h) Some or all of the mailing addresses to which the notices were mailed were obtained as a result of professional services rendered to the individuals to whom the notices were addressed;
- i) The notices contained information not related to the provision of ongoing care or continuity of care to patients, including:
 - i. The names of all the physicians working at Gateway;
 - ii. That allied services available at Gateway included a Chiropractor, Dr. Matheson;
 - iii. That allied services available at Gateway included a podiatrist, Dr. Bagha;
 - iv. That allied services available at Gateway included a psychologist, Dr. Pitirau;
 - v. That allied services available at Gateway included a Nutritional & Wellness Consultant, Daniel Ince;
 - vi. That allied services available at Gateway included a lifestyle coach, Indranie Pilly;
 - vii. That allied services available at Gateway included a Neuropsychologist, Dr. Alfano;
 - viii. That allied services available at Gateway included a Massage Therapist, Colleen Fraser;
 - ix. A notice that Gateway was accepting new patients;
 - x. A notice that walk-ins were available daily.

- j) Some or all of the information to send the notices was obtained from Midway;
- k) Information to send the notices which was obtained from Midway was obtained without the consent of Midway;
- l) Information to send the notices which was obtained from Midway was obtained without the consent of the individuals to whom the notices were addressed;
- m) The use of the patient information to send the notices occurred without the consent of the patients to whom notices were sent;
- n) The use of the patient information to send the notices was not consistent with the purpose for which the information was provided by the patients to whom the notices were sent.