

## SUMMARY

### DR. LUAY HUSSEIN ALI AL-KAZELY (CPSO# 87421)

#### 1. Disposition

On December 14, 2017, the Inquiries, Complaints and Reports Committee (the Committee) ordered Family Medicine specialist Dr. Ali Al-Kazely to complete a specified continuing education and remediation program ("SCERP"). The SCERP requires Dr. Ali Al-Kazely to:

- Complete the University of Toronto Medical Record-Keeping Course and the Canadian Medical Protective Association (CMPA) e-learning programs *Documentation: Charting Medical Records* and *Documentation II: Principles of Medical Record Keeping*.
- Review the literature related to record-keeping practices with respect to requirements both to keep records, and the comprehensiveness of those records, and reflect on his previous record-keeping practices, the steps he has taken to improve his record-keeping, and the further steps he needs to take to ensure his medical records are comprehensive and complete.
- Provide a written report on the literature and his reflection, detailing the current standards of medical record keeping, how it is applicable to his situation, and how he has made (or plans to make) changes to his practice.
- Undergo a reassessment in regards to the completeness of his medical records, analysis and treatment plans, follow-up, and documentation of discussions regarding treatment plans with his patients.

#### 2. Introduction

The College received a complaint raising concerns about Dr. Ali Al-Kazely's care and communications. The patient complained that Dr. Ali Al-Kazely prescribed Biaxin while she was breastfeeding her child which resulted in her child's urinary tract infection (UTI), and failed to acknowledge that her child became sick because of the Biaxin prescription. Further, she complained that he failed to address her dry, red and cracking hands, failed to inform her of a

negative strep test result, failed to advise her to stop taking Biaxin, and failed to follow up on her concerns regarding her bowels and anxiety.

Dr. Ali Al-Kazely responded that according to studies and literature he had read, Biaxin is safe and compatible with breastfeeding, and that he could not say that it caused the child's UTI. He does not believe that the Biaxin caused the patient's child to become sick.

Dr. Ali Al-Kazely indicated that he did assess the patient's hands, which had a mild rash that he addressed by suggesting using hand lotion. He stated that he did review the negative strep test result, but decided to continue the patient's course of treatment because she was feeling better and her symptoms indicated strep throat. He indicated that he did not see the patient in regards to her bowels and anxiety, aside from a previously investigated complaint which was found to be irritable bowel syndrome (IBS).

### **3. Committee Process**

A Family Panel of the Committee, consisting of public and physician members, met to review the relevant records and documents related to the complaint. The Committee always has before it applicable legislation and regulations, along with policies that the College has developed, which reflect the College's professional expectations for physicians practising in Ontario. Current versions of these documents are available on the College's website at [www.cpso.on.ca](http://www.cpso.on.ca), under the heading "Policies & Publications."

### **4. Committee's Analysis**

In the Committee's view, the literature and studies provided by Dr. Ali Al-Kazely supported his position that Biaxin is safe for use in breastfeeding patients. However, the Committee noted that it is a controversial choice, and that there are other antibiotics that could have been prescribed instead. The Committee did not find any information to indicate that the Biaxin and the child's UTI were related. Further, it was reasonable for Dr. Ali Al-Kazely not to state that the two were related.

In regards to the complaint about dry, red, and cracked hands, the Committee felt the medical record supported Dr. Ali Al-Kazely's assertion that he addressed this concern adequately. However, the patient's complaint suggests that she was unhappy with Dr. Ali Al-Kazely's communications, and the Committee stated its expectation that physicians advise a patient to return to the clinic if they are unable to satisfactorily address all their concerns in one visit. Further, taking note of the current complaint, another complaint that included concerns about Dr. Al Kazely's communications considered concurrently, as well as previous complaints regarding Dr. Al-Kazely's communications, the Committee recommended that Dr. Ali Al-Kazely consider taking the Crucial Conversations course offered by the Ontario Medical Association.

In regards to the negative strep test result, the Committee was of the view that Dr. Ali Al-Kazely should have informed the patient about the test results and stopped the Biaxin prescription. In the Committee's opinion, there was no basis to continue prescribing Biaxin, and Dr. Ali Al-Kazely should have communicated the test results sooner as they should have impacted the patient's course of treatment.

In regards to the patient's bowels and resulting anxiety, after reading the medical record and the submissions from the parties, the Committee accepted that Dr. Ali Al-Kazely provided appropriate clinical care.

However, the Committee was concerned about the lack of detail in Dr. Ali Al-Kazely's medical records. He did not record any discussion regarding the patient's bowel issues prior to the IBS diagnosis, and the records also do not mention anxiety. In addition, most of Dr. Ali Al-Kazely's notes about the child are short and lack detail, and Canada Pension Plan (CPP) forms completed by Dr. Ali Al-Kazely for the patient are incorrectly filled out.

Dr. Ali Al-Kazely's medical records do not exhibit the quality or completeness expected of a physician's medical records. The Committee noted with concern that they previously advised

Dr. Ali Al-Kazely on this very issue. As a result, the Committee was of the opinion that Dr. Ali Al-Kazely would benefit from the further remediation outlined above.