

**SUMMARY of the Decision of the Inquiries, Complaints and Reports Committee
(the Committee)**
(Information is available about the complaints process [here](#) and about the Committee [here](#))

**Dr. Marijane Doyle (CPSO# 32966)
(the Respondent)**

INTRODUCTION

The Complainant saw the Respondent with her son, the Patient, for a previously arranged appointment regarding a tongue tie release. At the appointment, the Patient underwent a tongue release and a circumcision, the latter which the Complainant advised she did not consent to. The Complainant also raised concerns about the Respondent's office sanitation.

COMPLAINANT'S CONCERNS

The Complainant is concerned that the Respondent:

- accidentally circumcised her son without the parents' consent or knowledge
- acted strange and made racial remarks
- gave the Patient extra freezing gel
- did not conduct any pre-operative testing prior to the procedure
- did not invite her to be present during the tongue tie procedure, which is what she expected based on the experience of other parents.

The Complainant was also concerned that the Respondent would perform a tongue tie release and circumcision at the same time; that the Patient cried throughout the entire procedure and received unnecessary stitches, that there could be long-term effects and deformity with the Patient's penis, and that the procedure room was unsanitary.

COMMITTEE'S DECISION

An Obstetrical Panel of the Committee considered this matter at its meeting of July 19, 2019. The Committee required the Respondent to attend at the College to be cautioned in person with respect to ensuring appropriate informed consent for correct surgical procedures, as well as maintaining professional communications and decorum at all times. The Committee also accepted an undertaking from the Respondent.

COMMITTEE'S ANALYSIS

Concerns about clinical care and lack of informed consent

- The Complainant brought the Patient to see the Respondent for release of a tongue tie, and also inquired about possible circumcision. It was clear to the Committee that there

was a clear misunderstanding relating to what the Complainant thought her son was having done and what was actually done, as the Complainant indicated that she signed a consent form for a tongue tie release only. Indeed, the Committee has been unable to locate any document resembling a consent form for a circumcision, despite the Respondent's recollection that such a consent was signed. Without proper documented consent, and given the Complainant's adamant position that she did not consent to a circumcision for her son, the Committee concluded that the Respondent performed this procedure without proper consent, which was a serious error.

Concerns regarding conduct and communications

- As to the Respondent's demeanor on the day in question, the Respondent acknowledged that she was in shock that day and did not maintain sufficient control or a calm demeanor after the procedure. The Committee noted that the Respondent has taken the SAEGIS course on Successful Patient Interactions, which it hopes will improve her practice. However, it was clear to the Committee that the Respondent could have had a better reaction to the situation and that her demeanour did not serve her patient or their family on that day.
- The Committee noted that the Respondent has a College history, which includes concerns about her communications, recordkeeping and consent process. The Committee was concerned that similar issues had been once again brought to their attention.

Undertaking with the College

- As a result of this investigation, the Committee had concerns about the Respondent's decision to perform a circumcision in this case without proper consent, her medical record-keeping, her surgical standards checklist and her communication with patients and families. The Committee noted that its concerns would be satisfied if an undertaking could be obtained from the Respondent to address the issues in question. An undertaking is a voluntary, binding promise between the College and a physician; it is posted on the public register and remains there while it is in effect. In an undertaking, the physician agrees to do (or not do) certain things in order to address the Committee's concerns and to protect the public interest. The Committee accepted an undertaking from the Respondent, dated June 21, 2019. The undertaking provides that the Respondent will undergo clinical supervision of her practice for three months, complete professional education on communication, and undergo a reassessment of her practice approximately three months following the completion of her clinical supervision.

- In addition to accepting the Respondent's undertaking, the Committee determined that a caution in person was also necessary.
- The Committee took no action on the remainder of the concerns raised.