

**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. James MacLean (CPSO #32654)  
(the Respondent)**

## **INTRODUCTION**

The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concerns about the Respondent's care and conduct while providing Medical Assistance in Dying (MAID) to the Patient.

Following primary and secondary assessments, the Patient was found eligible for MAID and he completed a Waiver of Final Consent to be used in the event of a loss of capacity. Prior to the contemplated date of MAID provision, the Patient lost capacity and was unresponsive. The Respondent was asked to attend the Patient's home to provide MAID in accordance with the Waiver of Final Consent.

The Respondent ordered a MAID medication kit for the Patient; however, the kit was not ready when he attended the pharmacy to collect it. As a result, he attended the Patient's home with a previously acquired MAID medication kit. He administered propofol, an anesthetic, but did not administer the neuromuscular-blocking medication, which is customarily used, as he was unable to locate it in his briefcase. Shortly afterward, the Respondent pronounced the Patient's death after being unable to hear a heartbeat. After the Respondent left the home, the Patient resumed spontaneous breathing. The Respondent returned, observed signs of cardiac and respiratory activity, administered additional medication including the neuromuscular-blocking agent, and again pronounced the Patient's death.

## **COMMITTEE'S DECISION**

The Committee considered this matter at its meeting of March 25, 2026. The Committee required the Respondent to appear before a Panel of the Committee to be cautioned with respect to his MAID practice, including maintaining professionalism and appropriate boundaries, and making the necessary changes to ensure that MAID care is provided appropriately and safely.

The Committee also accepted an undertaking from the Respondent.

## **COMMITTEE'S ANALYSIS**

The Respondent advised that he believes the stress of the situation, including the last-minute and urgent request for his attendance and the substantial number of people

present with significant tension amongst them, contributed to initial failed provision of MAID.

MAID assessment and provision is governed by clear legislative and professional standards. These requirements set out when MAID may be provided, under what circumstances, and the steps physicians must follow. While the legal framework has changed over time, MAID remains a highly regulated area of medical practice with well-defined expectations. Physicians are expected to follow these requirements carefully and consistently in order to provide appropriate care and to maintain public trust in the profession.

In reviewing this matter, the Committee was concerned that some aspects of the Respondent's care and conduct departed from these expectations. This included not adequately preparing for the provision of MAID, not administering the full medication protocol as intended, and placing undue emphasis on urgency over adherence to established processes. Taken together, these issues raised serious concerns about the Respondent's judgment, adherence to procedure, and patient safety in the provision of MAID.

The Complainant also had concerns about the Respondent's professionalism and communication. Although the Respondent and the Complainant had differing recollections as to how the events unfolded, the Committee was of the view that the information provided by both parties supported that the Respondent was not communicating effectively or professionally with the Patient's relatives, whatever the Respondent's intentions may have been.

The Committee also acknowledged that the Respondent demonstrated some appropriate reflection in his responses to this complaint and committed to implementing some changes to his practice. However, the Committee remained concerned that the Respondent did not demonstrate sufficient insight into how certain aspects of his care and conduct required further improvement. The Committee therefore concluded that the Respondent would benefit from a discussion with his peers and that it was appropriate to caution the Respondent with respect to his MAID practice, as detailed above.