

**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. Emad Mikhail Guirguis (CPSO #55334)

INTRODUCTION

The College received information raising concerns about aspects of Dr. Guirguis's surgical practice including laparoscopic adjustable gastric banding ("lap band") surgery. Subsequently, the Committee approved the Registrar's appointment of investigators to conduct a broad review of Dr. Guirguis's practice.

COMMITTEE'S DECISION

A Surgical Panel of the Committee considered this matter at its meeting of September 13, 2019. The Committee required Dr. Guirguis to attend at the College to be cautioned in person with respect to: failure to maintain timely and accurate medical records; lack of professionalism (failing to comply with hospital obligations by refusing to take call); knowledge deficiency in performing bariatric surgery on an unsuitable candidate; and failure to comply with obligations with respect to blood-borne pathogen reporting.

COMMITTEE'S ANALYSIS

As part of this investigation, the Registrar appointed an independent Assessor to review 20 of Dr. Guirguis's patient charts, interview Dr. Guirguis and submit a written report to the Committee. The Assessor opined that: Dr. Guirguis did not meet the standard of practice of the profession in some of the cases reviewed; his knowledge was adequate but basic; his surgical skills were adequate for his limited scope of practice; his judgement was not always adequate, mostly because the brief documentation does not allow a full understanding of his train of thought and exposes omissions or incomplete assessments; and in the reviewed cases his clinical practice, behaviour, or conduct had the potential to expose one patient to harm.

The Committee also noted the opinions of other Assessors who had reviewed other aspects of Dr. Guirguis's care. These reviews demonstrated broad deficiencies in Dr. Guirguis's practice.

The Committee was also concerned that Dr. Guirguis had indicated "no" in response to a question related to exposure to blood-borne pathogens on his 2018 CPSO Annual Renewal Form, which was a response not consistent with the types of surgery he performs.

Overall, the investigation demonstrated that the components of poor care in Dr. Guirguis's practice are broad, encompassing issues related to: standard of care of medical records;

professionalism related to on call responsibilities; and knowledge related to acceptable Ontario provincial bariatric procedures.

Taking into consideration all of the above concerns, the Committee determined that it was appropriate to caution the Respondent.