

SUMMARY

DR. WILLIAM WAI-LEUNG CHAN (CPSO #29143)

1. Disposition

On July 11, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required general practitioner Dr. Chan to attend at the College to be cautioned in person with respect to violation of professional boundaries. In addition, the Committee ordered Dr. Chan to complete a specified continuing education and remediation program (SCERP). The SCERP requires Dr. Chan to:

- Attend and successfully complete the next available session of the Probe: Ethics and Boundaries Program, Canada.

2. Introduction

The patient complained to the College that Dr. Chan violated professional boundaries and entered into a conflict of interest by engaging him in a financial transaction. The patient also expressed concern that Dr. Chan revealed his personal information to a third party.

Dr. Chan responded that he did enter into a financial arrangement with the patient in regard to the sale of his house in 2016. He acknowledged that it was a mistake in judgement for him to participate in any business dealings involving a patient and confirmed that he had learned from this error.

Dr. Chan denied that he disclosed the patient's contact information to a third party (specifically, the lawyer for the buyer of Dr. Chan's house) without the patient's consent or knowledge.

3. Committee Process

A 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, under the heading "Policies & Publications."

4. Committee's Analysis

Dr. Chan stated in an e-mail message to the patient that he would pay him a commission of three per cent if the patient found a buyer for Dr. Chan's house, which was for sale. Dr. Chan subsequently altered his agreement with the patient and made the buyer of his house responsible for paying the commission. The patient did not receive payment from either party.

The Committee had significant concerns about two aspects of Dr. Chan's conduct in this matter. It is a clear violation of professional boundaries and a conflict of interest for a physician to become involved in financial dealings with a patient. Furthermore, Dr. Chan conducted himself in a dishonest and unethical manner in this case by altering the terms of his agreement with the patient and backing out of an agreement to pay a commission for work completed by the patient.

In light of these concerns about Dr. Chan's conduct in this matter, the Committee was of the view that both a SCERP and a verbal caution were warranted.

The Committee was unable to determine whether Dr. Chan disclosed the patient's contact information to the lawyer of the home buyer without the patient's consent and took no action on this aspect of the complaint.