

SUMMARY

Dr. Shari Gail Caplan (CPSO# 62436)

1. Disposition

On September 6, 2017, the Inquiries, Complaints and Reports Committee (“the Committee”) ordered Family Medicine specialist Dr. Caplan to complete a specified continuing education and remediation program (“SCERP”). The SCERP requires Dr. Caplan to:

- Attend and successfully complete the Medical Record-Keeping Course and the Canadian Medical Protection Association (“CMPA”) e-modules on record-keeping
- Engage in self-directed learning, including in relation to managing menopause and testosterone, medical record-keeping, consent to treatment, and complementary/alternative medicine
- Practice under a clinical supervisor for a period of six months
- Undergo a reassessment of her practice following the completion of the education program.

2. Introduction

The College received a complaint raising concerns about Dr. Caplan’s complementary/alternative medicine practice and subsequently, the Committee approved the Registrar’s appointment of investigators to conduct a broad review of Dr. Caplan’s practice in this area. As part of this investigation, the Registrar appointed a Medical Inspector (MI) to review a number of Dr. Caplan’s patient charts and submit a written report. The MI noted the following:

- In 5 out of the 25 charts, Dr. Caplan did not have valid consent from the patient to authorize therapeutic interventions. This included with respect to prescribing certain treatments and/or failing to specifically document discussion of risks/benefits.
- In 25 of 25 charts, Dr. Caplan demonstrated some lack of skill, organization or coherent documentation of data (including not using a cumulative patient profile (CPP) and rarely documenting vital signs, body composition, and physical examination).
- In 8 cases, Dr. Caplan demonstrated a lack of judgment.

- Dr. Caplan did not perform the expected physical examination(s) required to meet standards set out in the College's *Complementary/Alternative Medicine* policy, and there is no evidence in the medical record that she personally reviewed the assessment performed by other physicians.

Dr. Caplan responded that she disagreed with the MI's criticisms in relation to physical examinations, vital signs and body composition, and provided two letters of support and a supporting opinion regarding her practice. She also provided confirmation of her registration for the Medical Record-Keeping course, which she completed on February 1, 2017, and stated that she recognized that there was room for improvement in her record-keeping.

3. Committee Process

A General Panel of the Committee, consisting of public and physician members, met to review the relevant records and documents related to the investigation. 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

While the Committee acknowledged that Dr. Caplan has completed the Medical Record-Keeping course and was pleased to hear that she has made improvements in her documentation, they remained concerned about deficiencies in her practice which went beyond documentation. Specifically, the MI's review suggested that Dr. Caplan is not meeting the standards for patient assessment, prescribing, and obtaining patient consent. For example, the MI's report revealed that Dr. Caplan was prescribing potent conventional medications (or nonconventional versions of conventional medications, such as thyroid extract instead of thyroxine), which indicates the need to obtain a thorough history and perform a physical examination in such cases. The Committee was troubled that Dr. Caplan argued against the

standard practice of measuring a patient's blood pressure and taking vital signs/weight when prescribing thyroid hormone, Adderall, and adrenal hormones; and was concerned about the lack of documentation demonstrating that she educated patients about the risks and benefits of hormone treatment or monitored them adequately for side effects to prevent toxicity. Dr. Caplan also failed to document appropriate consent for "off label" use of certain treatments in several patients.

The Committee was concerned that in her response to this investigation, Dr. Caplan took little ownership of the shortcomings identified by the MI's reports and appeared to lack insight regarding the deficiencies identified.

The Committee pointed out to Dr. Caplan that she is trained as a conventional physician, and is therefore required to meet the standards expected of one; and that her patients expect a certain standard of care from a licensed medical practitioner. The Committee stated that while there is nothing precluding Dr. Caplan from utilizing unconventional treatment in her complementary/alternative medicine practice, she needs to ensure that she monitors patients adequately, and that her patients are properly informed regarding the treatment they are receiving and provide valid consent to proceed with it.