

**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. Jan Wojciech Krawczyk (CPSO# 73230)
(the Respondent)**

INTRODUCTION

The College received information from the Office of the Public Guardian and Trustee (OPGT) about the Respondent's care and treatment of an individual under OPGT guardianship (the patient). Subsequently, the Committee approved the Registrar's appointment of investigators to conduct a broad review of the Respondent's practice.

COMMITTEE'S DECISION

A General Panel of the Committee considered this matter at its meeting of December 4, 2019. The Committee required the Respondent to attend at the College to be cautioned in person with respect to conflict of interest and boundary violations in entering into a financial transaction with a patient and professional ethics in dealing dishonestly with OPGT. The Committee also directed that the Respondent enter into an undertaking with the College to include professional education (in professionalism and ethics) and practice monitoring.

COMMITTEE'S ANALYSIS

There was clearly a doctor-patient relationship between the Respondent and his friend (the patient). The Respondent may have been motivated to help the patient in buying a property from the patient that would otherwise have been lost in bankruptcy proceedings with a plan to later sell it back to the patient; however, the Respondent profited from the transaction, and the patient was in no position to object. This may have been a gross error in judgement by a physician who misunderstands the need to avoid conflicts of interest. The Respondent has stood by his friend the patient in many ways over the years. Nevertheless, it is impossible to look at the situation without some apprehension for the patient who is so dependent on the Respondent.

The steps the Respondent took to bring the patient under his control, and to remove the oversight of the OPGT once the OPGT began investigating the matter, caused the Committee significant concern. Information in the investigative record includes acknowledgement by the Respondent that he took some actions because it was better for him (the Respondent).

The Respondent sought to have the patient's Certificate of Incapacity to Manage One's Property cancelled by obtaining a psychiatric assessment of the patient for this purpose which he also attended and at which he answered the psychiatrist's questions of the patient. The Respondent directed the psychiatrist in completing the form cancelling the Certificate of

Incapacity and also dictated a letter in the patient's name requesting that the OPGT cease its investigation; this letter was submitted to the OPGT.

The Committee noted that at the very least, the Respondent had a significant conflict of interest in his relationship with the patient which in turn raised the question of whether the Respondent's actions were motivated by concern for the patient or his own financial interests.

Given its concerns about the Respondent's conflict of interest, boundary violations, and significant lapses in judgement in terms of professionalism and ethics, the Committee determined that it was necessary to caution the Respondent.