

## **SUMMARY of the Decision of the Inquiries, Complaints and Reports Committee (the Committee)**

(Information about the complaints process and the Committee is available at:

<https://www.cpsso.on.ca/Public-Information-Services/Learn-About-Our-Complaints-Process>)

**Dr. Diamondali Kassamali Charania (CPSO #27565)**

### **INTRODUCTION**

The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concerns about the Respondent's care and conduct. The Complainant was a patient of the Respondent from 1978 until November 2017.

### **COMPLAINANT'S CONCERNS**

**The Complainant is concerned that:**

- **During an appointment five to six years ago, the Respondent put pressure on his leg while examining his eyes. He could not confirm the source of the pressure, but indicated that it felt like an erect penis.**
- **The Respondent was rude and dismissive when he confided childhood sexual abuse and requested assistance in filling out Ontario Disability Support Program (ODSP) forms during an appointment on November 1, 2017.**
- **The Respondent told his receptionist to send the Complainant elsewhere when the Complainant indicated that he wanted to be treated cordially.**

### **COMMITTEE'S DECISION**

A General Panel of the Committee considered this matter at its meeting of March 6, 2019. The Committee required Dr. Charania to attend at the College to be cautioned in person with respect to professional behaviour and communications; and to complete a specified continuing remediation and education program (SCERP) consisting of:

- complete one-to-one instruction in professionalism and communications to the satisfaction of the College
- review College policies on *Ending the Physician-Patient Relationship*, and *Physician Behaviour in the Professional Environment*, and provide a written summary with reference to current standards of practice (where applicable), how it is applicable to Dr. Charania's situation, as well as how Dr. Charania has made---or plans to make---changes to his practice

### **COMMITTEE'S ANALYSIS**

### *Unprofessional behaviour*

- While the Committee could not determine the details of the parties' interactions, it was concerned by the fact that there was some altercation during the appointment, with both parties raising their voices, and an acrimonious end to the relationship. This was confirmed by the witness evidence from office staff, who stated that both the Respondent and the Complainant were "arguing and yelling by her reception desk". She also stated that she heard the Respondent tell the Complainant to "get out of his office and find another doctor", and the Respondent instructed her not to give the Complainant any more appointments and to close his file.
- The Committee's concern regarding the quality of the Respondent's behaviour and communications in this case was heightened by the fact that the Respondent's history with the College includes several previous complaints, some of which raise similar issues regarding the Respondent's behaviour towards/communications with patients. In addition, at the time the Committee reviewed this matter, they had another, unrelated complaint before them raising similar concerns about the Respondent's behaviour and communications towards a patient.

The Committee took no further action on the concerns regarding inappropriate physical contact during an appointment in which the Respondent examined the Complainant's eyes.