

## SUMMARY

### DR. MBUYAMBA BELLA-LUFU (CPSO# 99631)

#### 1. Disposition

On October 31, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required General Practitioner Dr. Bella-Lufu to appear before a panel of the Committee to be cautioned with respect to the improper delegation and supervision of an unlicensed practitioner. The Committee also requested that Dr. Bella-Lufu prepare a written report regarding the College's policy, *Delegation of Controlled Acts*.

#### 2. Introduction

The College received information raising concerns that an individual, Ms. X, who was not a licensed physician was treating patients (mainly refugees) on her own at Dr. Bella-Lufu's clinic. Subsequently, the Committee approved the Registrar's appointment of investigators to examine Dr. Bella-Lufu's practice. Several sources reported that Ms. X performed examinations on patients; wrote prescriptions in Dr. Bella-Lufu's name; and advised patients that she was a doctor-in-training and instructed them not to tell anyone they saw her. Additionally, it was reported that Ms. X improperly adjusted an intrauterine device for a patient, resulting in the patient requiring an emergency room visit.

Dr. Bella-Lufu responded that when Ms. X joined the clinic as a physician assistant in 2013, he understood that she was not a physician certified to practise medicine in Canada. He indicated that prior to November 2016, Ms. X would sometimes see refugees with minor ailments, such as a cold, and direct them to remedies available at a pharmacy. Dr. Bella-Lufu would not interact with these patients and would get an update on the attendance from Ms. X. After November 2016, Dr. Bella-Lufu indicated that he now sees all patients himself after Ms. X sees them.

He denied that Ms. X ever adjusted an intrauterine device at the clinic. He explained that in November 2015, the clinic owner ordered business cards that had Ms. X listed as a doctor, and he has since corrected this. Ms. X denied that she told patients that she was a physician-in-training and not to tell anyone that they saw her working at the clinic.

### **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](http://www.cpso.on.ca), under the heading "Policies & Publications."

### **4. Committee's Analysis**

The College received multiple reports regarding Ms. X that made it apparent that patients perceived her to be a licensed physician at Dr. Bella-Lufu's clinic. The Committee is concerned that Ms. X was seeing patients independently, without patients' written consent or the use of medical directives. Dr. Bella-Lufu's practice was not in accordance with the College's policy, *Delegation of Controlled Acts*, which sets out expectations for physicians about when and how they may delegate controlled acts.

While the Committee acknowledges that Dr. Bella-Lufu has since implemented changes to his practice to address the abovementioned concerns, we note that Dr. Bella-Lufu allowed these issues to continue until the College investigated the matter and sent Ms. X a cease and desist letter in June 2016. The Committee does not know how many patients may have been inappropriately managed throughout the period from when Ms. X was hired in 2013 to November 2016, when Dr. Bella-Lufu indicated that changes were made.