

**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. Luay Hussein Ali Al-Kazely (CPSO #87421)**  
**Family Medicine**  
**(the Respondent)**

## **INTRODUCTION**

The Complainant attended a walk-in clinic with cold symptoms/sore throat, an eye problem, and another medical issue. The Respondent assessed the Complainant.

The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concern about the Respondent's communications and conduct.

## **COMMITTEE'S DECISION**

A General Panel of the Committee considered this matter at its meeting of May 8, 2024. The Committee required the Respondent to appear before a Panel of the Committee to be cautioned regarding respectful communications with patients and the importance of a collaborative approach to decision-making.

The Committee also requested that the Respondent provide the Committee with a written report reflecting on his communications with the patient in this case, how he was perceived, and how he might improve his communications with patients going forward.

## **COMMITTEE'S ANALYSIS**

According to the Complainant:

- The Respondent did not greet him upon entering the room, interrupted him, and started to examine him before he had finishing explaining what his first medical concern was, and then did not tell him what the diagnosis was and simply said he could pick up a prescription at the pharmacy.
- When he reminded the Respondent that he had two more medical issues, the Respondent asked what they were, if they were urgent and said he was busy. When he began to describe the second issue, the Respondent cut him off and said that he could go see an eye doctor, and in the end told the Complainant to make another appointment about the third medical issue.

- He then told the Respondent that his behaviour, conduct and the way he treated him was unacceptable and unprofessional and that he did not give him the care he came for that day. The Complainant told the Respondent that he needed his name to report his conduct to the College. At this point, the Respondent started raising his voice and told the Complainant that he did not care if the Complainant wanted to report him, dropped his business card on the Complainant's lap, walked away and slammed the door of the adjacent room.

The Respondent denied the allegations. According to the Respondent:

- The Complainant was unhappy and angry when the appointment began due to the wait time. He did introduce himself and listened to all of the Complainant's concerns. He never tried to rush the Complainant. The Complainant further stated that he (the Respondent) should listen to him (the Complainant) and yelled with an ordering manner to sit down, when he tried to leave, due to the Complainant's disrespectful manner.
- He did cover the three concerns. The Complainant was unhappy that he requested that the Complainant come in for another appointment as that would result in a waste of the Complainant's time.
- The Complainant never mentioned that his behaviour and conduct was unacceptable and unprofessional, but instead asked for his name to report him to the College because he just wasted the Complainant's time and was of no help. He never raised his voice. He informed the Complainant that it is his right to report him to the College not that he did not care if he made the report.
- He handed his business card to the Complainant. He did not slam any door shut.

Both parties agreed that it was a contentious encounter but disagreed about the details of the interactions and who was disrespectful. The Committee is limited to a documentary review and where parties disagree as to their communications, it is unable to determine whose recollection is closer to the truth unless there is independent information to support either version of events. There was none in this case.

Though the Committee was unable to know with certainty what occurred during the interaction between the Respondent and the Complainant, it noted that the Respondent has had numerous prior College complaints in which concerns were raised about his communications and conduct that were similar in nature to the case before us. As a result of one of those investigations, in June 2021, the Committee ordered the

Respondent to complete a specified continuing education or remediation program (SCERP) that included one-to-one communications coaching. The Respondent completed the SCERP in July 2023.

The Committee was troubled that this complaint regarding the Respondent's conduct and communications occurred only two months after he completed the SCERP, when the communications skills he learned should have been fresh in his mind. While we did not know exactly what happened, even if we assumed the Complainant was challenging, the scenario of a patient who is upset due to a long wait is a common one, and the Respondent should have had the skills necessary to de-escalate the situation.