

SUMMARY

DR. SENTHURAN THARMALINGAM (CPSO# 95788)

1. Disposition

On September 21, 2016, the Inquiries, Complaints and Reports Committee (“the Committee”) required Dr. Tharmalingam (Postgraduate Year Four in General Surgery) to appear before a panel of the Committee to be cautioned with respect to professionalism and communications.

2. Introduction

The College received information from Dr. Tharmalingam’s postgraduate program that he had been placed on leave from his residency program due to concerns about his care and conduct, pending an investigation by the university’s Academic Review Board (ARB). Subsequently, the Committee approved the Registrar’s appointment of investigators to further investigate the matter.

The College’s investigation included gathering information from the postgraduate program and the ARB investigation, which identified, among other things, various professionalism concerns (including around confidentiality of patient health information) and communications concerns (including not attending when a nurse sent a page, yelling and seeming to be rushed) on the part of Dr. Tharmalingam. In the course of the College’s investigation, the postgraduate program reported that it accepted the ARB’s recommendation that Dr. Tharmalingam return to training under five specific conditions for remediation, which included completing courses in professionalism, communication, time management and conflict resolution. The College’s Registration Committee renewed Dr. Tharmalingam’s educational license in August 2016.

Dr. Tharmalingam responded to the College’s investigation by indicating that he has come to fully understand the reason for his suspension. He said the ARB decision was invaluable in providing him with insight and he has taken steps toward and is committed to fulfilling the conditions of his return to the residency program.

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." In this case, the Committee's decision referenced the policies on *Physician Behaviour in the Professional Environment* (#3-16) and *Confidentiality of Personal Health Information* (#8-05).

4. Committee's Analysis

The Committee found this a concerning case, in that Dr. Tharmalingam was a trainee physician who appeared to have been on a course to be a risk to his patients and also of concern to his professional regulatory body. The Committee considered directing a remediation program for Dr. Tharmalingam. However, it noted the remediation program the university set up is very rigorous and includes specific conditions. The Committee decided it was not necessary to duplicate the significant remediation measures already underway and the university is in the best position to assess all the necessary feedback to ensure Dr. Tharmalingam is making appropriate progress. Nevertheless, the Committee was sufficiently concerned by Dr. Tharmalingam's serious lapses in judgement in his professionalism and communications, especially at this early stage in his medical career, that it decided it was appropriate to require him to attend before a panel of the Committee to be cautioned with respect to these topics.