

**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. Darryl Jordan Gebien (CPSO #90299)
(the Respondent)**

INTRODUCTION

By order of the Discipline Committee (now the Ontario Physicians and Surgeons Discipline Tribunal) of the College of Physicians and Surgeons of Ontario, effective April 28, 2020, the Respondent was restricted, among other things, from prescribing narcotic drugs, narcotic preparations, controlled drugs, benzodiazepines and other targeted substances, and monitored drugs. In addition, the Respondent signed an undertaking with the College on February 9, 2023, that stipulated he could work only at a specified practice location.

The College received information raising concerns that the Respondent had practised medicine while his certificate of registration was restricted, contrary to the April 2020 Discipline Committee Order. The College also received information that the Respondent was prescribing contrary to the April 2020 Discipline Committee Order. Subsequently, the Committee approved the Registrar's appointment of investigators to conduct a broad review of the Respondent's practice.

COMMITTEE'S DECISION

A panel of the Committee considered this matter at its meeting of November 6, 2024. The Committee required the Respondent to appear before a Panel of the Committee to be cautioned with respect to abiding by the restrictions that have been placed on him by a Discipline finding.

COMMITTEE'S ANALYSIS

The Committee found it concerning that the Respondent failed to respond in a timely manner to the College's requests that he provide a signed undertaking before starting practice at a new location. The Respondent has a serious history with the College, including a Discipline Order that stems from his being found guilty of an offence related to his suitability to practise. He received a reprimand and was suspended for 14 months, as well as having prescribing restrictions placed on his certificate of registration.

Because the Respondent had been the subject of a significant Discipline finding and was granted the opportunity to continue to practise medicine, the Committee would have expected him to strictly adhere to the requirements that were placed on him as a

result of being granted that privilege. Instead, the Respondent began practising at a new practice location before receiving confirmation that he had been registered, in direct contravention of the Discipline Committee Order and of the explicit instructions in College communications.

The Respondent provided an explanation for his actions, but the Committee did not find his reasons to be compelling.

With regard to his prescribing of controlled substances, the Committee was of the view that the Respondent did not do sufficient research to determine whether he would be breaching his prescribing restrictions by renewing prescriptions for ADHD medications. This again suggested to the Committee a failure to appreciate his obligations as a physician who had been granted the privilege of practising medicine despite a significant Discipline history.

In light of the above, the Committee decided to require the Respondent to appear for a caution.