

**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. Juan Alberto Sandoval Fonseca (CPSO# 82154)**  
**(the Respondent)**

**INTRODUCTION**

Starting in 2014, in accordance with a series of undertakings with the College, the Respondent was granted a restricted license to practise under supervision. The terms included that the Respondent's certificate of registration would expire if the supervisor was "no longer able or willing to continue to supervise [the Respondent's] practice."

In April 2019, the Respondent's former supervisor contacted the College to relay concerns that although they had ceased supervising him in November 2018, he had continued to practise without supervision. The former supervisor also outlined concerns about the Respondent's follow-up of a patient who had incidental findings of an abdominal aortic aneurysm (AAA).

Subsequently, the Committee approved the Registrar's appointment of investigators in this matter.

**COMMITTEE'S DECISION**

A Family Practice Panel of the Committee considered this matter at its meeting of November 7, 2019. The Committee decided to require the Respondent to attend at the College to be cautioned in person regarding the breach of his undertaking to practise under supervision. In preparation for his attendance at the College, the Committee asked the Respondent to review and reflect on the original undertaking he entered into with the College.

The Committee also stated its expectation that physicians maintain professional communication with colleagues regarding patient care even when there is interpersonal tension.

**COMMITTEE'S ANALYSIS**

The Respondent outlined various contacts he had with the College around the issue of finding a new supervisor, and his belief that he was permitted to practise until he could find one. While the Committee acknowledged the investigative record showed the internal College process could have been tighter in terms of managing and catching the lack of supervisor sooner, it was still the Respondent's onus and responsibility to follow up in a timely manner to ensure he had a new supervisor in place. The record shows the Respondent practised without supervision for an extended time period (six months), which was a breach of his most recent undertaking with

the College. This represented, among other things, a potential risk to patient safety. The Committee therefore required the Respondent to attend at the College to be cautioned in this regard.

The Committee accepted the Respondent's explanations around the AAA case as reasonable, and took no action on that subject, beyond stating its expectation that physicians maintain professional communication with colleagues regarding patient care even when there is interpersonal tension.