

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. Akira Kyle Sugimoto (CPSO #62115)
(the Respondent)**

INTRODUCTION

The Complainant saw the Respondent on May 2, 2017, regarding an unhealed perineal incision. The Complainant contacted the College in June 2017 to express concerns about the Respondent's care and conduct.

COMPLAINANT'S CONCERNS

The Complainant is concerned by the Respondent's performance of a breast examination without her consent and his bully-like unprofessional and insensitive behaviour during her appointment with him for an unhealed perineal incision

COMMITTEE'S DECISION

An Obstetrical Panel of the Committee considered this matter at its meeting of July 17, 2020. The Committee required the Respondent to attend at the College to be cautioned in person with respect to communication and boundaries, sensitivity when treating patients with a history of sexual abuse, obtaining proper consent and the appropriate supervision of medical students.

The Committee also decided to accept an undertaking from the Respondent.

COMMITTEE'S ANALYSIS

The Committee noted that the Complainant's recollection of events was supported by several other witnesses who had been present during the examination. However, based on the information before the Committee, they determined that the incident was within the context of a clinically indicated medical examination. As a result, the Committee was satisfied that any concerns about the Respondent's practice could be addressed by a caution in person.

The Committee found that the Respondent's unprofessional conduct caused the Complainant unnecessary distress. The specific issues raised in this case also gave rise to broader concerns regarding the Respondent's professionalism. The Committee was concerned that the Respondent behaved in this manner while acting as a role model for a medical student. It was troubling to the Committee that a medical student was exposed to this behaviour as part of the learning experience.

In light of the above, the Committee felt it was appropriate to require the Respondent to attend the College for a caution in person. As noted above, the Committee also accepted an undertaking from the Respondent that involved professional education and individualized instruction in ethics, boundaries, communication, informed consent, and professional responsibilities in post-graduate medical education.

This summary was amended following an appeal heard by the Health Professions Appeal and Review Board ("HPARB"), a decision by HPARB dated August 20, 2019, and the Committee's consideration of the matter on July 17, 2020.