

## **SUMMARY**

### **DR. CLAUDIO ALBERTO GONZALEZ DE LA ROCHA (CPSO# 25007)**

#### **1. Disposition**

On September 14, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required general and cardiovascular thoracic surgeon Dr. De La Rocha to appear before a panel of the Committee to be cautioned with respect to unprofessional communications and prescribing a medication the patient requested not be prescribed. The Committee also requested that Dr. De La Rocha review and be prepared to discuss with the Committee the prescribing of non-steroidal anti-inflammatory drugs (NSAIDs).

#### **2. Introduction**

The patient complained to the College that Dr. De La Rocha, whom the patient saw on three occasions for treatment of hemorrhoids, was rude and unprofessional and prescribed NSAIDs for pain, despite the patient's request to the contrary.

Dr. De La Rocha responded that he found the patient to be hostile and monosyllabic in his response during the procedure; however, he denied being insulting, impatient, angry, or dismissive as the patient alleges. Regarding the NSAID he prescribed, Dr. De La Rocha noted that it had been prescribed to the patient before without incident and he felt it was appropriate in the circumstances to help control the patient's pain and possibly prevent a trip to the ER for pain, which he noted ER physicians are generally reluctant to treat.

#### **3. Committee Process**

A Surgical Panel of the Committee, consisting of public and physician members, met to review the relevant records and documents related to the complaint. 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](http://www.cpso.on.ca), under the heading "Policies & Publications."

#### **4. Committee's Analysis**

In prescribing Toradol (ketorolac), an NSAID, to the patient, despite the patient's specific request that he not be prescribed NSAIDs, Dr. De La Rocha disregarded a reasonable and legitimate patient request. He also did not investigate the patient's concern about NSAIDs. While Dr. De La Rocha may have felt that the prescription was appropriate in the short term, he should have told the patient what he was doing. The Committee also noted that Dr. De La Rocha would benefit from review of the prescribing of NSAIDs in order to discuss this subject with Committee when he attends at the College to be cautioned.

Dr. De La Rocha's communications with the patient were also at issue. Regardless of potential difficulties in communicating with the patient, Dr. De La Rocha, as a physician, has a professional obligation to communicate courteously and compassionately with patients. Noting that Dr. De La Rocha has a significant history with the College, including a finding of professional misconduct by the Discipline Committee and other complaints in which his communications have been at issue, the Committee was concerned that the present complaint again raised the ongoing issue of deficiencies in Dr. De La Rocha's communications. For this reason the Committee issued its caution.