

## SUMMARY

### DR. LINDA HELEN KEETON (CPSO# 58023)

#### 1. Disposition

On July 25, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required general practitioner Dr. Keeton to appear before a panel of the Committee to be cautioned on failing to appropriately manage an office closure (including failing to notify patients and the College of the closure), and on failing to respond to the College in a timely manner. The Committee also directed Dr. Keeton to review and provide a written report on the College's policy, *Practice Management Considerations for Physicians Who Cease to Practise, Take an Extended Leave of Absence or Close Their Practice Due to Relocation*.

#### 2. Introduction

Between July and August 2017, approximately 26 patients contacted the College's Physician Advisory Services with concerns that Dr. Keeton had closed her practice without providing notification, and inquiring how to locate their medical records, obtain prescription renewals and follow up on test results. Thereafter, the College continued to receive similar complaints from numerous other patients of Dr. Keeton.

The Committee subsequently approved the Registrar's appointment of investigators to investigate this matter.

While investigating this matter, the College's investigator had to follow up with Dr. Keeton on a number of occasions in order to obtain a response to the complaint.

Dr. Keeton responded (via legal counsel) that she provided notice to end the commercial tenancy for her office on May 15, 2017, and continued practising at that location until July 7, 2017. She explained that in the months leading up to July 7, she arranged to have a letter sent

to patients and spoke to patients in person, informing them that her practice would be closed for vacation from July 7 to September 7, 2017, and that she would be relocating her practice to an undetermined address. She also provided contact information and instructions for medical emergencies and prescription renewals. Dr. Keeton indicated that she was unable to locate a list of which patients received this letter.

Dr. Keeton stated that she did not take any steps to notify patients or the College about any practice closure because she did not intend to, and has not, closed her practice. She indicated that she took steps to keep the office number and email address operational while on vacation between July 7 and September 7, 2017; however, an unexpected technical failure with her porting system and subsequent personal issues led to a lapse in communication between her and her patients.

With respect to responding to the College, Dr. Keeton explained that she did not know the College was urgently trying to contact her, and that she did not pay sufficient attention to communications from the College because her attention was focused elsewhere.

### **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.cpsso.on.ca](http://www.cpsso.on.ca), under the heading "Policies & Publications."

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

The Committee was of the view that Dr. Keeton failed to manage her office closure in an appropriate manner and in accordance with the College's policy, *Practice Management*

*Considerations for Physicians Who Cease to Practice, Take an Extended Leave of Absence or Close Their Practice Due to Relocation, or the College's General By-Law.*

While Dr. Keeton maintained that she informed patients about her office closure and provided them with updated contact information, the Committee found that she did not employ an acceptable method of disseminating that information. Furthermore, while it was possible that there was a technical glitch with the porting system (as Dr. Keeton alleged), the Committee found it troubling that Dr. Keeton did not investigate why she had not received a single voicemail in two months. In the Committee's view, the Dr. Keeton's lapse in communication was unacceptable.

The Committee also noted that Dr. Keeton provided notice to her landlord in May 2017, which indicated that she knew she would be relocating her office well in advance of July 2017. Certainly, in this case, Dr. Keeton had ample time to plan and ensure that she satisfied her responsibilities under the relevant College policies and by-laws. However, Dr. Keeton did not ensure that her patients and the College were aware of the office closure, where to contact her regarding their medical needs, or how to access medical records.

With respect to responding to the College, the Committee found that, regardless of her circumstances, Dr. Keeton had an obligation to comply with the College's policies and related legislation, and that she failed to do so. While Dr. Keeton did eventually cooperate with the College in its investigation, the Committee was of the view that she did not satisfy her obligation to respond to the College's inquiries in a timely manner. In the Committee's opinion, Dr. Keeton failed to demonstrate professional accountability, and her delay in submitting a written response demonstrated a disregard for the medical profession's foundational values and policies.

The Committee concluded that Dr. Keeton needed to improve her understanding of the College's policies and related legislation so she could ensure that she properly manages any

future practice closures, and to ensure, more broadly, that she is in compliance with the College's expectations for physicians in Ontario, as set out in these policies. In light of the above, the Committee required Dr. Keeton to attend at the College to be cautioned on failing to appropriately manage her office closure and respond to the College in a timely manner. The Committee also directed Dr. Keeton to review and submit a written report about the College's policy, *Practice Management Considerations for Physicians Who Cease to Practice, Take an Extended Leave of Absence or Close Their Practice Due to Relocation*.