

**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. Paulum Upendra Patel (CPSO #69465)
Internal Medicine
(the Respondent)

INTRODUCTION

The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concerns about the Respondent's conduct. The Respondent previously worked at a walk-in clinic (the Clinic) formerly owned by the Complainant.

COMMITTEE'S DECISION

The Committee considered this matter at its meetings of November 4, 2021, and March 1, 2023. For the reasons set out below, the Committee required the Respondent to appear before the Committee to be cautioned with respect to following the College's policy, *Physician Treatment of Self, Family Members, or Others Close to Them*.

COMMITTEE'S ANALYSIS

The Complainant is concerned that the Respondent treated his parents for consecutive years:

The College's policy, *Physician Treatment of Self, Family Members, or Others Close to Them*, states that physicians must not provide treatment to family members except for minor, non-recurring conditions or in emergency situations and when another qualified health-care professional is not readily available.

The Respondent provided the Committee with the names of five family members he had provided treatment to and advised that he had billed OHIP (Ontario Health Insurance Plan) for these services. The Respondent further advised that he treated these family members for minor medical issues when their primary care physician was not readily available and that he now understands that these actions breached the College's policy, *Physician Treatment of Self, Family Members, or Others Close to Them*.

As part of this investigation, the Committee obtained the OHIP data related to the Respondent's treatment of the identified family members. Between January 2010 and January 2023, the Respondent treated family members a total of 73 times. He saw two family members the most during this period, 24 and 29 times each.

The Respondent billed for multiple medical specific assessments, other unspecified assessments, and multiple medical specific re-assessments. Other codes billed for include influenza care, flu shots, lab urine analysis, and skin-related concerns.

The Committee acknowledged that the Respondent has done some education and reflection regarding treatment of family members. Despite this, the Committee remained concerned about the breadth of the Respondent's breach of College policy.

The Respondent repeatedly provided medical care to family members, including follow-up care, over an extended period. The Respondent has not indicated that any of these services were for emergency purposes or due to the absence of other qualified health-care professionals (such as through other walk-in clinics). The Respondent's only explanation was that he was not aware that he was not following College policy, which is an insufficient reason.

In addition, the Committee was concerned that the Respondent billed OHIP for the care he provided his family members, receiving financial gain for services that do not meet College expectations.

Given the serious breach of the College's expectations under the College's policy, *Physician Treatment of Self, Family Members, or Others Close to Them*, the Committee determined that it was appropriate to caution the Respondent.