

SUMMARY

DR. JABU MATHEW ABRAHAM (CPSO# 108184)

1. Disposition

On October 19, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required Dr. Abraham (Family Medicine) to appear before a panel of the Committee to be cautioned with respect to his breach of his College undertaking.

2. Introduction

The College received a public complaint raising concerns related to Dr. Abraham's prescribing of narcotics substances and subsequently, the Committee approved the Registrar's appointment of investigators to conduct a broad review of Dr. Abraham's practice.

During the course of the above investigations, Dr. Abraham signed an undertaking with the College that included the following terms, among others:

- Dr. Abraham's prescribing of narcotic drugs, narcotic preparations, benzodiazepines and other targeted substances, and other monitored drugs will be supervised by a Clinical Supervisor acceptable to the College.
- Dr. Abraham shall not issue any prescription for narcotic drugs, narcotic preparations, benzodiazepines and other targeted substances and all other monitored drugs, without the prior review and authorization of the Clinical Supervisor.

The College received information that Dr. Abraham may have committed an act of professional misconduct by: issuing prescriptions to patients for narcotics and other controlled substances in breach of his undertaking; and failing to properly inform the College of any and all new practice locations, in accordance with his undertaking.

The Committee subsequently approved a different Registrar's appointment of investigators to examine Dr. Abraham's practice in relation to the above information.

Dr. Abrahams provided details setting out how there was some confusion surrounding the start date on which he must cease to prescribe narcotics if he could not find a Clinical Supervisor (whom he was unable to find). He explained how and why he asked pharmacists to issue some narcotics prescriptions, on the understanding that they had such authority and could sign the prescriptions as the prescriber. He said that he did not appreciate that the undertaking terms around practice relocation pertained to locations outside Ontario.

3. Committee Process

A Prescribing 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, under the heading "Policies & Publications."

4. Committee's Analysis

The Committee accepted Dr. Abraham's explanation that there was a misunderstanding around what date he was to cease prescribing narcotics if he could not find a Clinical Supervisor, but it did not think his explanation around having pharmacists sign as prescribers was acceptable. The Committee noted that while Dr. Abraham's undertaking does not specifically mention notification of out-of-province locations, it does not specifically exclude them either.

In the end, the Committee was of the view that Dr. Abraham's inability to obtain a Clinical Supervisor was no excuse for prescribing opiates under the circumstances. His lack of

compliance with his undertaking, and the reasons he provided for not complying with it, raised concerns for the Committee regarding Dr. Abraham's governability.

It is a matter of public record that Dr. Abraham's College registration expired as he resigned from College membership as of July 30, 2018. The Committee noted, however, that the College does retain jurisdiction over expired members for investigations into professional misconduct or incompetence that occurred when the individual was a College member. In this case, the investigation pertained to Dr. Abraham's actions while he was a College member. This was also one of three matters the Committee considered simultaneously about Dr. Abraham.

The Committee is satisfied in this case that Dr. Abraham's resignation from the College provides sufficient assurance of public protection, taking into account the steps Dr. Abraham would have to go through if he ever wished to apply again for registration as a physician in Ontario. Further, the College disseminates information about resigned physicians to other regulatory bodies.

In light of the above, the Committee decided to require Dr. Abraham to attend at the College to be cautioned in person, as set out above.