

**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. Gabriel Fai Pond Chan (CPSO# 63033)
(the Respondent)**

INTRODUCTION

The Complainants knew the Respondent (Geriatrics and Internal Medicine) for many years through volunteer activities; the Respondent provided care to the Complainants' family members. The Complainants provided funds for a venture the Respondent developed to bring food to isolated seniors; the Complainants said they understood the venture was originally planned to be a charity, but it ended up being a business. The business was not successful, and the business was not able to pay back the monies involved.

The Complainants contacted the College of Physicians and Surgeons of Ontario (the College) to express concerns about the Respondent's conduct.

COMPLAINANT'S CONCERNS

The Complainants are concerned that the Respondent solicits money from patients and their family members for his for-profit business, which he falsely represents to them as a charity.

COMMITTEE'S DECISION

A General Panel of the Committee considered this matter at its meeting of May 13, 2020. The Committee required the Respondent to attend at the College to be cautioned in person with respect to maintaining boundaries with patients and relatives of patients, particularly as it relates to financial matters. The Committee also negotiated an undertaking with the Respondent in which the Respondent has agreed to complete professional education in medical ethics.

COMMITTEE'S ANALYSIS

The Respondent said the Complainants knew from early days that the venture had to be a business for legal reasons but acknowledged that it was problematic working on a business venture with them while providing care to their parents. The Respondent apologized and attended a boundaries course.

The Respondent should not have entered into any financial venture with patients' family members. Even if the Respondent's intent in originally developing the company may have been good, he should have been aware of the implication of accepting money related to a company in which he was involved. Among other things, in a situation such as this, patients or their families may feel as if they must donate and/or participate because their or their loved ones' care may be adversely impacted if they do not do so.

This was a serious boundary violation on the part of the Respondent.

The Committee decided to caution the Respondent and accept an undertaking from him on this issue, as set out above.