

**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. Neda Amani (CPSO #: 72418)
Family Medicine
(the Respondent)**

INTRODUCTION

The Respondent is a family medicine physician whose parents were residents at a long-term care facility (Facility).

The College received information raising concerns that the Respondent's actions and behaviour, in the context of her personal visit to her parents at the Facility, put the Facility residents and staff at risk at the time of a facility-wide COVID-19 outbreak.

Subsequently, the Committee approved the Registrar's appointment of investigators to review the Respondent's conduct.

DISPOSITION

The Family Practice Panel of the Committee considered this matter at its meeting of November 18, 2021. The Committee required the Respondent to appear before a Panel of the Committee to be cautioned in this matter with respect to:

- failure to comply with COVID-19 related Directive #3, issued by the Ontario Chief Medical Officer of Health, and the Facility's visitor policy, while a visitor at the Facility, and
- failure to cooperate with the College in the investigation into this matter.

COMMITTEE'S ANALYSIS

A. Conduct at the Facility

Directive #3 for Long-Term Care Homes under the Long-Term Care Homes Act, 2007, issued by the Ontario Chief Medical Officer of Health, required all long-term care homes to implement policies that require visitors, including essential visitors, to wear personal protective equipment (PPE), including masks.

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The visitor policy followed by the Facility indicated that PPE (mask) must be worn appropriately during visits and should not be removed at any time.

There was some competing information before the Committee about whether the Respondent asserted an exemption to wearing a mask, the Facility's general policy or protocol regarding mask exemptions, and whether any staff condoned the Respondent not wearing a mask when she entered the Facility. However, the Committee noted that at a certain point during her visit, the Facility staff told the Respondent that she must wear a mask (which she refused to do) or she would be removed from the facility, and the police were called by the staff and by the Respondent.

The Committee was troubled by the fact that the Respondent chose to move from a floor with a COVID-19 outbreak to one without an outbreak (after attending the Facility without having had a recent COVID-19 test), thereby putting people at risk. The Committee noted that it did not appear to be contested that the Respondent did not seek or receive permission from the staff to move between floors at the Facility.

The Committee concluded that the Respondent, when visiting her parents at a nursing home with an active COVID-19 outbreak, failed to comply with COVID-19 public health directives and the Facility's policy, and showed a disregard for the health and safety of the nursing home residents, staff and herself by exposing all persons to risk.

B. Failure to Co-operate with the College's Investigation

A duly appointed College investigator requested reasonably relevant information to the investigation on several occasions, which the Respondent refused to provide. This made it more difficult for the Committee to address the appropriateness of the conduct in issue.

The Respondent has a statutory obligation to co-operate with the investigator and to respond to reasonable inquiries on matters relevant to the investigation.

In light of the above, the Committee determined that the appropriate disposition in this matter was to require the Respondent to appear before a Panel of the Committee to be cautioned as outlined above.