

SUMMARY

DR. TSAI HSING YU (CPSO# 53778)

1. Disposition

On November 1, 2017, the Inquiries, Complaints and Reports Committee (the Committee) required general practitioner Dr. Yu to complete a specified continuing education and remediation program (SCERP). The SCERP requires Dr. Yu to:

- Attend and successfully complete the next available session of the following courses:
 - A Medical Record Keeping course through a course provider indicated by the College
 - CMPA (Canadian Medical Protective Association) e-Learning Modules—Documentation I and Documentation II
- Engage in self-directed learning by reviewing and preparing a written summary of the College's *Medical Records* policy
- Undergo a reassessment of his practice by an assessor selected by the College approximately six months following his completion of the remediation outlined above.

2. Introduction

A patient complained to the College that Dr. Yu failed to provide a timely referral to an ENT (ear-nose-throat) specialist despite repeated requests. The patient advised that the specialist ordered a CT scan which revealed an AVM (arteriovenous malformation). The patient also complained that Dr. Yu and his staff behaved in a rude and unprofessional manner towards her and that Dr. Yu dismissed her as a patient once he received the CT scan results showing the AVM.

Dr. Yu responded that he did refer the patient to the ENT specialist as requested. He stated that it was the patient who was verbally abusive to him and his staff. He did not directly address the patient's concern about termination of care.

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 complaint. 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.cpso.on.ca, under the heading "Policies & Publications."

4. Committee's Analysis

The Committee had difficulty determining what occurred in this matter given scant information from the patient and a brief response with poor documentation from Dr. Yu.

The Committee expressed dismay, however, at the poor quality of Dr. Yu's records, especially in view of the fact that he has twice in the past, at the Committee's direction, taken the Medical Record Keeping course offered by the University of Toronto. The Committee noted that review of the patient's chart showed that Dr. Yu has not retained or applied appropriate knowledge of current record-keeping expectations outlined for all physicians in the College's policy on medical records.

The Committee could not determine what occurred in Dr. Yu's communications with the patient given that he and the patient had very different versions of events and there was no other information to support either side. The Committee pointed out that the substandard nature of Dr. Yu's records, however, made it difficult to assess the quality of his clinical care

of the patient or whether he followed the College's expectations in terminating care, as set out in policy on ending the physician-patient relationship.

The Committee also remarked on Dr. Yu's extensive history of prior complaints to the College, some of which have resulted in significant outcomes. ***did the history contribute to the outcome? How is it relevant? May need more info here