

SUMMARY of the Decision of the Inquiries, Complaints and Reports Committee (the Committee)

(information about the complaints process and committee is available at <https://www.cpsa.on.ca/Public-Information-Services/Learn-About-Our-Complaints-Process>)

**Dr. Ahmad Mohammad Ameen Chaker (CPSO# 83846)
(the Respondent)**

INTRODUCTION

In April 2018, Ms X called the College's Physician Advisory Service (PAS) with concerns about the S.B. Hair Transplant Clinic in Windsor, where the Respondent was the physician on-call at the clinic. Ms X advised that the S.B. Hair Transplant Clinic was performing hair transplant procedures under local anesthetic without the presence of a physician during consultation or surgery. Ms X reported that the clinic was not registered with the Ministry of Health & Long Term Care (MOHLTC) as an Independent Health Facility (IHF), nor was the clinic registered with the College as an Out-of Hospital Premises (OHP). Ms X also advised that the receptionist stated, "We don't need physician. Two technicians do the procedure. You only see the doctor if there is an issue, or if you have a previous health issue."

In May 2018, the Committee approved the Registrar's appointment of investigators under Section 75(1)(a) of the Code to examine the Respondent's practice.

COMMITTEE'S DECISION

The Family Practice Panel of the Committee considered this matter at its meeting of March 28, 2019. The Committee required the Respondent to attend at the College to be cautioned in person with respect to his lack of due diligence in multiple areas relevant to the set-up of a cosmetic clinic/hair transplant service. The Committee also required the Respondent to review the College's policy on the *Delegation of Controlled Acts*, the advertising regulations, as well as information and requirements pertaining to the Out-of-Hospital Premises program; and to provide a summary of this and clear plans for how he will approach things if he decides to pursue any similar ventures in the future.

COMMITTEE'S ANALYSIS

- In the Committee's view, the Respondent should have known that the procedures he would be performing at his clinic would be outside the scope of typical medicine, and should have done his due diligence and made inquiries regarding any steps needed to designate the facility as an OHP and himself as the Medical Director of the facility. However, he failed to do so. The Committee was concerned that when the College inspected the clinic, it did not have proper procedures, including infection prevention and control (IPAC) procedures, which further placed patients at risk of harm.
- The Committee was also concerned that the Respondent inappropriately delegated some procedure work to the technician and nurse, who did not have recognized Ontario qualifications. The Respondent was not in the procedure room during the hair transplant procedure. In our view, it was not sufficient for the Respondent to say that he watched these individuals work (for one day) and felt they were "very competent." The Committee noted that

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this did not absolve him of his responsibility to ensure that staff were properly trained and that procedures were appropriately delegated.

- The Committee noted that the clinic website also contained advertising implying that the clinic was a medical facility with highly trained nurses and physicians, and also included advertising for fillers, Botox, and plasma injections. Although the Respondent states that he only knew about the plasma injections, it is clear that the other procedures were also carried out in the clinic.
- In summary, the Committee was of the view that the Respondent failed to do his due diligence in setting up his cosmetic medicine clinic in a number of important areas, which could have caused significant harm to patients given his lack of training/credentials and supervision of his new staff. The Committee noted that the Respondent is not pursuing this type of practice at present, and there does not appear to be any current risk to patients. However, given the multiple areas of concern, the Committee felt it appropriate to caution the Respondent and require him to review the policies and regulations set out above.