

SUMMARY

DR. LIHUA ZHUANG (CPSO# 88519)

1. Disposition

On November 16, 2017, the Inquiries, Complaints and Reports Committee (“the Committee”) required family physician Dr. Zhuang to appear before a panel of the Committee to be cautioned with respect to her treatment of family members and her professionalism. The Committee also directed Dr. Zhuang to complete a specified continuing education and remediation program (“SCERP”). The SCERP requires Dr. Zhuang to:

- complete the next available session of the PRoBE Canada Course on Ethics and Boundaries; and
- review the College’s policies on *Physicians Treatment of Self, Family Members, or Others Close to Them* and *Maintaining Appropriate Boundaries and Preventing Sexual Abuse*, and the College’s *Practice Guide*, and provide a written summary of the documents with reference to current standards of practice (where applicable), how they are applicable to Dr. Zhuang’s situation, as well as how Dr. Zhuang has made – or plans to make – changes to her practice.

2. Introduction

The College received information raising concerns about Dr. Zhuang’s conduct in providing care to various family members. Subsequently, the Committee approved the Registrar’s appointment of investigators to conduct a review of Dr. Zhuang’s practice in this regard.

Dr. Zhuang initially responded by stating that none of her family members have ever been enrolled in her patient roster and that she has never been directly involved in their care. She stated that she has also never billed for any services related to her family members, and that

the family members in issue were under the care of other physicians. In subsequent responses (after being provided OHIP records indicating several instances where she billed for care provided to family members, as well as medical records containing numerous chart notes she had written) Dr. Zhuang set out explanations for the care billed, and explained that she had not been aware of the billings and had not gained financially as she received a salary based on patient enrollment and none of her family members were ever enrolled with her. Dr. Zhuang acknowledged that she saw her family members for minor issues requiring urgent care when their family doctor was not available in a timely fashion, and that she sent referrals for minor issues requiring urgent attention to colleagues who are specialists at the clinic where she worked, when they offered assistance. She stated that when she first responded to the investigation, she did not turn her mind to these episodic encounters. Dr. Zhuang advised that she had completed a course in boundaries, and that she had learned from the course and from the entire process of the investigation.

3. Committee Process

A Family Practice 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.cpso.on.ca, under the heading "Policies & Publications."

4. Committee's Analysis

The Committee concluded that Dr. Zhuang clearly failed to comply with the College's policy on *Physicians Treatment of Self, Family Members, or Others Close to Them*, by treating several of her family members.

The Committee noted that the records demonstrate that Dr. Zhuang provided far more care to her family members than she initially reported to the College. In addition, while Dr. Zhuang initially stated she had never billed OHIP for any care she provided to her family members, this too was shown to be inaccurate. The Committee was concerned that Dr. Zhuang either did not fully understand the billing process where she was practising, or was untruthful in her response to the College.

The Committee accepted that some of the instances in which Dr. Zhuang provided care could have been urgent situations, but noted that most of the documented interactions (which included multiple orders for tests and referrals) appeared to be for routine care, and there was no indication that another physician was not reasonably available to provide care on those occasions. The Committee concluded that Dr. Zhuang's behaviour in this regard was repetitive (and not infrequent and rare as she tried to suggest to the College).

The Committee was left with concerns about Dr. Zhuang's integrity (in being less than forthright, and at a minimum, inaccurate, in her initial responses to the College), her lack of awareness of the ethical issues when treating family members, and her insight in this matter. It recognized that Dr. Zhuang had already completed a boundaries course, but stated that further steps were necessary to ensure that the concerns raised in this investigation were adequately addressed.