

SUMMARY

DR. ALI ZEDAN DEGAN AL-HELLAWI (CPSO# 85757)

1. Disposition

On March 29, 2017, the Inquiries, Complaints and Reports Committee (“the Committee”) required internist Dr. Al-Hellawi to appear before a panel of the Committee to be cautioned with respect to professional communications, compliance with the College’s policy, *Ending the Physician-Patient Relationship*, and refusing to provide care to the patient in this case.

The Committee also ordered Dr. Al-Hellawi to complete a specified continuing education and remediation program (“SCERP”). The SCERP requires Dr. Al-Hellawi to:

- engage in one-to-one coaching in communications
- review the College policy, *Ending the Physician-Patient Relationship*, and the College’s publication, *The Practice Guide*, and provide written summaries of these documents to the College with reference to how they apply to his practice, and the steps he has taken or intends to take to improve his practice.

2. Introduction

A patient complained to the College about Dr. Al-Hellawi’s conduct and communications. Dr. Al-Hellawi had been the patient’s family physician for five years. The patient was in a car accident and went to Dr. Al-Hellawi three days later for continued back pain. Dr. Al-Hellawi refused to see the patient as they had not attended an appointment for three years, and terminated care. According to the patient, Dr. Al-Hellawi also communicated rudely, stating “I’m not someone who waits for people to come and see me after they get into an accident, especially when they don’t see me for three years,” and, “You can’t just come in and expect someone to help you.”

Dr. Al-Hellawi responded that at the first visit, he tells all his patients they must see him once a year to keep their file and records active. He stated that some patients disappear for years. He maintained that all his patients should follow the rules. He denies being rude or raising his voice

to the patient who complained to the College. Dr. Al-Hellawi also explained to the College investigator that he did not send this patient a termination letter, and does not send such letters as he does not have time to do this.

3. Committee Process

A 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 is concerned about Dr. Al-Hellawi's conduct in this case, including his failure to assess this patient after a car accident on the basis that the patient had not attended the clinic in three years, followed by his decision to terminate care on this basis. The Committee also had concerns about Dr. Al-Hellawi's communications.

As set out in the College's policy, *Ending the Physician-Patient Relationship*, physicians must have a legitimate reason for terminating care to a patient. The physician must communicate the decision to terminate to the patient in writing by letter sent by registered mail. The physician must also provide necessary medical services for a reasonable period of time while the patient seeks a new family doctor.

Dr. Al-Hellawi's reason for terminating care—that the patient had not attended his clinic for three years as the patient had been in good health—was not valid. Given the patient attended because of ongoing pain following a car accident, Dr. Al-Hellawi should have conducted a physical examination. His reason for refusing to see this patient, because they had not attended for regular physical examinations, was also not valid. In addition, and contrary to College policy, Dr. Al-Hellawi did not send the patient a registered letter following termination, which should have included an offer to provide care for a reasonable period of time until they could find a new family doctor.

According to the patient, Dr. Al-Hellawi was rude and scolded them. Dr. Al-Hellawi denies being rude or raising his voice. The Committee is limited to a paper review. Given this, when faced with opposing versions of events, and lacking independent information that would support one party's recollections over the other's, the Committee cannot know exactly what Dr. Al-Hellawi said to the patient, or the manner used.

In a conversation with the College investigator, Dr. Al-Hellawi blamed his patients for communication problems. The investigator documented that Dr. Al-Hellawi stated, "You tell the Committee there is nothing wrong with my communications skills. The problem is with my patients." In the Committee's view, Dr. Al-Hellawi's statements to the investigator demonstrate a lack of insight into how he might improve his own communications to avoid complaints such as this one. Even when physicians have a challenging patient population, the College expects them to communicate in a professional and empathetic manner. The Committee felt Dr. Al-Hellawi would benefit from education to improve his communications.

The Committee notes that after considering a prior complaint against Dr. Al-Hellawi, the Committee counselled Dr. Al-Hellawi about the need for professionalism and objectivity in his correspondence with the College. The Committee did so in part because in his written response to the complaint, Dr. Al-Hellawi disparaged the patient. Members of the Committee considered Dr. Al-Hellawi's correspondence to be unprofessional. The Committee had similar concerns about Dr. Al-Hellawi's response in this matter, which heightened its concerns about the present complaint of unprofessional behaviour.

Given the deficiencies identified in Dr. Al-Hellawi's communications and professionalism (including with respect to termination of care and inappropriately refusing to examine the patient), it is the Committee's view that Dr. Al-Hellawi would benefit from education. The Committee expected that such education would help Dr. Al-Hellawi improve his practice and avoid similar complaints going forward.