

SUMMARY

DR. JOHN STANLEY GELEFF (CPSO# 57325)

1. Disposition

On March 23, 2016, the Inquiries, Complaints and Reports Committee (“the Committee”) required general practitioner Dr. Geleff to appear before a panel of the Committee to be cautioned with respect to conflict of interest, boundaries, and mixing business with medical practice. The Committee also ordered Dr. Geleff to complete a specified continuing education and remediation program (“SCERP”). The SCERP requires Dr. Geleff to:

- Attend and successfully complete a course on understanding boundaries and managing risks inherent in the doctor-patient relationship;
- Successfully complete individualized instruction in ethics and professionalism;
- Engage in self-directed learning on potential conflicts of interest and the indications and appropriate utilization of certain forms related to patient care.

2. Introduction

The patient complained to the College that his family physician, Dr. Geleff, broke a social “bond” the patient felt he had with Dr. Geleff, by using untrue statements and a medical procedure (specifically, completing a Form 1, *Application by Physician for Psychiatric Assessment*) to justify or escape the consequences of an inappropriate contract.

Dr. Geleff acknowledged the contractual relationship with the patient, but denied that he falsified information about the patient’s condition. He stated that he took the steps he did with the patient’s best medical interests at heart, in good faith, and to ensure the patient’s well-being. Dr. Geleff described the information upon which he relied in determining that the patient required further medical assessment and taking what he felt were appropriate steps in that regard.

3. Committee Process

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.cpsso.on.ca, under the heading "Policies & Publications."

4. Committee's Analysis

The Committee noted that three College policies were relevant in this matter: *Physician Treatment of Self, Family Members, or Others Close to Them* (both in its most recent form, #2-16, as well as the previous version in place at the time of the events in question, titled *Treating Self and Family Members*, #7-06), *Maintaining Appropriate Boundaries and Preventing Sexual Abuse* (#4-08), and the College's *Practice Guide*. These policies outline how, where physicians have a relationship that could reasonably affect the physician's professional judgement, the physician must not provide treatment to that individual, except in accordance with special circumstances. The policies also acknowledge the power imbalance inherent in the doctor-patient relationship and the importance of physicians always putting the needs of the patient first, including that a physician's interests should not be in conflict with the patient's, and physicians must establish and maintain appropriate professional boundaries.

The Committee found nothing to support the assertion that Dr. Geleff falsified information, but it was concerned that given the problematic contractual relationship between Dr. Geleff and the patient, there was a conflict of interest that may have clouded Dr. Geleff's judgement as a physician.

The Committee was very troubled that Dr. Geleff was mixing business with his medical practice, making it difficult for him to be properly objective in his clinical treatment of the patient. The Committee noted that Dr. Geleff should have either chosen to be in a contractual relationship with the patient, and assisted the patient to find another physician, or he should have been solely the patient's physician and not engaged in the contractual relationship. The Committee stated that filling both roles at the same time was not appropriate and was not in accordance with the elements set out in the College policies above.