

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

(Information about the complaints process and the Committee is available at:

<https://www.cpsso.on.ca/Public-Information-Services/Learn-About-Our-Complaints-Process>)

**Dr. Ngoc Binh Van (CPSO #93752)
(the Respondent)**

INTRODUCTION

The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concern about the Respondent's care. The Complainant took his teenage son, the Patient, to a walk-in clinic for assessment of a sore throat. The Respondent was the physician who saw the Patient. Unhappy with the Respondent's care, four days later the Complainant took his son to another walk-in clinic where the Patient was diagnosed with Streptococcal pharyngitis and started on antibiotics.

COMPLAINANT'S CONCERNS

The Complainant is concerned that the Respondent failed to provide adequate care and treatment to the Patient at a walk-in clinic in that the Respondent:

- **failed to provide treatment for the Patient's throat infection**
- **Behaved in a careless, rude, and neglectful manner.**

COMMITTEE'S DECISION

A Family Practice Panel of the Committee considered this matter at its meeting of August 15, 2018. The Committee required the Respondent to complete a specified continuing remediation and education program (SCERP) with respect to deficiencies in medical record-keeping and relating to CanMEDS role of Communicator (Record-Keeping) consisting of:

- Course in Medical Record Keeping through a course provider acceptable to the College
- Self-study to review and provide written summary of the College's policy, *Medical Records* (#4-12)
- Reassessment six (6) months following completion of the education program to include among other things chart review of 20 charts by an assessor selected by the College.

COMMITTEE'S ANALYSIS

The Committee determined as follows in reaching its decision:

- **Failed to provide treatment for the Patient's throat infection**

The Respondent is aware of the over-use of antibiotics in family practice and the appropriate assessment of pharyngitis with culture when indicated. The Committee was therefore satisfied that the Respondent's decision not to prescribe antibiotics when he saw the Patient was acceptable.

The Committee was concerned however about the Respondent's lack of documentation of the Patient's visit. Given its concerns about the significant shortcomings in the Respondent's record-keeping, and also taking into consideration a concurrent, similar complaint, as well as the Respondent's history with the College, the Committee determined that a SCERP was warranted in this case.

- **Behaved in a careless, rude, and neglectful manner**

The Committee was faced with opposing accounts of the Complainant's interaction with the Respondent, but no information to support either party's version of events. The Committee could not determine what occurred but took the opportunity to state its expectation that physicians, including the Respondent, would communicate with patients and their families in a professional and respectful manner at all times.