

**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.cpso.on.ca/Public/Services/Complaints>

Dr. Michael Frederick Hart (CPSO# 94570)

INTRODUCTION

The College received information raising concerns about Dr. Hart's prescribing of medical marijuana to an adolescent. Subsequently, the Committee approved the Registrar's appointment of investigators to conduct a broad review of Dr. Hart's practice.

COMMITTEE'S DECISION

A General Panel of the Committee considered this matter at its meeting of January 23, 2019. The Committee required Dr. Hart to attend at the College to be cautioned in person to follow patients appropriately on long-term prescriptions (including for medical marijuana and other dependency-producing substances), to ensure periodic assessments of these patients and to maintain appropriate and comprehensive records. The Committee also accepted an undertaking from Dr. Hart.

COMMITTEE'S ANALYSIS

As part of this investigation, the Registrar appointed an independent assessor to review a number of Dr. Hart's patient charts, interview Dr. Hart, and submit a written report to the Committee.

The assessor opined that Dr. Hart met the standard of care in the 30 charts reviewed aside from one case in which the patient was charged privately. The assessor also concluded that Dr. Hart showed a lack of knowledge, skill and judgement in those same charts. In particular, Dr. Hart did not document an adequate history. He did not coordinate care with a patient's family doctor, but instead used an episodic model of care. Also, Dr. Hart provided patients medical marijuana for six months or a year, regardless of their level of risk, and without adequate follow-up. Though none of the patients were actually harmed by Dr. Hart's practices, the MI noted that there was a risk of harm due to a lack of follow-up.

The Committee noted that while the assessor concluded that Dr. Hart showed a lack of knowledge, skill and judgement and his practice of not providing adequate follow-up may pose harm to patients, the assessor then opined that Dr. Hart met the standard of care. This opinion seems somewhat contradictory and given the assessor's conclusions with regard to Dr. Hart's knowledge, skill and judgement, and risk of harm to his patients, in the Committee's view, Dr. Hart did not meet the standard.

As a result of this investigation the Committee had concerns about Dr. Hart's prescribing of medical marijuana, record-keeping and use of telemedicine. The Committee was concerned that Dr. Hart appeared to be prescribing medical marijuana to patients in an episodic manner and was providing prescriptions for six months or a year without a risk assessment and without follow-up.

As set out on the Public Register, the College accepted an undertaking from Dr. Hart requiring him to complete a six-month clinical supervision; engage in professional education in telemedicine, marijuana for medical purposes and medical record-keeping, among other things; and for his practice to be reassessed six months after the end of the clinical supervision by an assessor selected by the College.

In addition to accepting Dr. Hart's undertaking, the Committee has determined that the appropriate disposition is to require him to attend at the College to be cautioned in this matter. The Committee wishes to meet with him in person to provide direction to him with regard to his approach to prescribing and to record-keeping.