

NOTICE OF PUBLICATION BAN

In the College of Physicians and Surgeons of Ontario and Dr. Avtar Singh Dhanoa, this is notice that the Discipline Committee ordered that no person shall publish or broadcast any names or information that would identify Dr. Dhanoa's family members. In particular, the ban shall include any residential addresses or personal phone numbers; and the specific nature of the familial relationship.

The Committee made this order under subsection 45(3) of the *Code*.

Subsection 93(1) of the *Code*, which is concerned with failure to comply with these orders, reads:

Every person who contravenes an order made under ... section 45 or 47... is guilty of an offence and on conviction is liable,

- (a) in the case of an individual to a fine of not more than \$25,000 for a first offence and not more than \$50,000 for a second or subsequent offence; or
- (b) in the case of a corporation to a fine of not more than \$50,000 for a first offence and not more than \$200,000 for a second or subsequent offence.

Indexed as: Ontario (College of Physicians and Surgeons of Ontario) v. Dhanoa, 2020 ONCPSD 28

**DISCIPLINE COMMITTEE
COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO**

IN THE MATTER OF a Hearing directed by
the Inquiries, Complaints and Reports Committee of the College of Physicians and Surgeons of Ontario
pursuant to Section 26(1) of the **Health Professions Procedural Code**
which is Schedule 2 of the ***Regulated Health Professions Act, 1991***,
S.O. 1991, c. 18, as amended.

B E T W E E N:

COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

- and -

DR. AVTAR SINGH DHANOA

PANEL MEMBERS:

**MR. JOHN LANGS (CHAIR)
DR. JOHN MARC RAPIN
MS ELLEN MARY MILLS
DR. CAROLE CLAPPERTON
DR. JAMES WATTERS**

COUNSEL FOR THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO:

MS EMILY GRAHAM

COUNSEL FOR DR. DHANOA:

MS SHANNON GAUDET

INDEPENDENT COUNSEL FOR THE DISCIPLINE COMMITTEE:

MS JENNIFER McALEER

**Hearing Date and Decision Date: April 6, 2020
Release of Reasons Date: June 26, 2020**

PUBICATION BAN

DECISION AND REASONS FOR DECISION

The Discipline Committee (the “Committee”) of the College of Physicians and Surgeons of Ontario heard this matter at Toronto on April 6, 2020. Due to the Covid 19 pandemic, this hearing was held by teleconference. Following the conclusion of the hearing, the Committee released a written order stating its finding that Dr. Dhanoa committed an act of professional misconduct in that he has been found guilty of an offence that is relevant to his suitability to practise; and in that he has engaged in an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. The Committee made an order regarding penalty and costs, with reasons to follow.

THE ALLEGATIONS

The Notice of Hearing alleged that Dr. Dhanoa committed an act of professional misconduct:

1. under clause 51(1)(a) of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c.18 (the “Code”), in that he has been found guilty of an offence that is relevant to his suitability to practise;
2. under paragraph 1(1)33 of Ontario Regulation 856/93 made under the *Medicine Act, 1991* (“O. Reg. 856/93”), in that he has engaged in an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional; and
3. under paragraph 1(1)34 of O. Reg. 856/93, in that he engaged in conduct unbecoming a physician.

THE FACTS

The following facts were set out in an Agreed Statement of Facts and Admission (Liability) which was filed as an exhibit and presented to the Committee:

AGREED STATEMENT OF FACTS AND ADMISSION (Liability)

PART I - FACTS

Background

1. Dr. Dhanoa is a 60-year-old family physician practicing in Brampton, Ontario. He obtained his certificate of registration authorizing independent practice from the College in 1993.

April 2016 criminal charges

2. On April 3, 2016, Dr. Dhanoa was charged with three criminal offences (the “April 2016 charges”):

- (a) Threatening death, contrary to s. 264.1(1)(a) of the *Criminal Code of Canada*;
- (b) Having in his possession a weapon, to wit a knife, for a purpose dangerous to the public peace, contrary to s. 88(1) of the *Criminal Code of Canada*; and
- (c) Having in his possession a prohibited weapon, to wit a knife, capable of being opened by centrifugal force, contrary to s. 91(2) of the *Criminal Code of Canada*.

3. A copy of the criminal information related to the April 2016 charges is attached at Tab 1 to the Agreed Statement of Facts and Admission (Liability).

4. Dr. Dhanoa failed to report the April 2016 charges to the College, contrary to s. 85.6.4 of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991* (the "Code"), which provides that:

- (1) A member shall file a report in writing with the Registrar if the member has been charged with an offence, and the report shall include information about every bail condition or other restriction imposed on, or agreed to, by the member in connection with the charge.
- (2) The report must be filed as soon as reasonably practicable after the member receives notice of the charge, bail condition or restriction.
- (3) The report must contain,
 - (a) the name of the member filing the report;
 - (b) the nature of, and a description of, the charge;
 - (c) the date the charge was laid against the member;
 - (d) the name and location of the court in which the charge was laid or in which the bail condition or restriction was imposed on or agreed to by the member;
 - (e) every bail condition imposed on the member as a result of the charge;

(f) any other restriction imposed on or agreed to by the member relating to the charge; and

(g) the status of any proceedings with respect to the charge.

5. Dr. Dhanoa was released on a recognizance of bail, with conditions (the “April 2016 bail conditions”). A copy of the recognizance of bail dated April 3, 2016 is attached at Tab 2 to the Agreed Statement of Facts and Admission (Liability).

6. Dr. Dhanoa failed to report his April 2016 bail conditions to the College, contrary to s. 85.6.4 of the Code.

7. The College did not learn of the April 2016 charges, or the April 2016 bail conditions, until September 2018, during the College’s investigation of the December 2016 charges (described below), which included an allegation that he had breached his April 2016 bail conditions.

8. On April 27, 2016, Dr. Dhanoa completed his 2016 CPSO Annual Renewal Form, as attached at Tab 3 to the Agreed Statement of Facts and Admission (Liability). In doing so, Dr. Dhanoa failed to disclose the April 2016 charges. He falsely answered “No” to the question:

“Since April 1, 2015, have you been charged with any offence in Canada or elsewhere?”

9. On January 11, 2017, the April 2016 charges were withdrawn, and Dr. Dhanoa entered into a peace bond under s. 810 of the *Criminal Code*. A transcript of the January 11, 2017 proceedings is attached at Tab 4 to the Agreed Statement of Facts and Admission (Liability). A copy of Dr. Dhanoa’s Recognizance to Keep the Peace dated January 11, 2017 is attached at Tab 5 to the Agreed Statement of Facts and Admission (Liability).

December 2016 criminal charges

10. On December 6, 2016, Dr. Dhanoa was charged with three criminal offences (the “December 2016 charges”):

- (a) Operating a motor vehicle while impaired contrary to s. 253(1)(a) of the *Criminal Code of Canada*;
- (b) Operating a motor while having consumed alcohol in such a quantity that the concentration in the person’s blood exceeds eighty milligrams of alcohol in one hundred millilitres of blood contrary to s. 253(1)(b) of the *Criminal Code of Canada*; and
- (c) Failing to comply with his recognizance of bail contrary to s. 145(3) of the *Criminal Code of Canada*.

11. A copy of the criminal information related to the December 2016 charges is attached at Tab 6 to the Agreed Statement of Facts and Admission (Liability).

12. Contrary to s. 85.6.4 of the Code, Dr. Dhanoa failed to report the December 2016 charges to the College until April 25, 2018, as attached at Tab 7 to the Agreed Statement of Facts and Admission (Liability).

13. On December 7, 2016, Dr. Dhanoa was released on a recognisance of bail, with conditions (the “December 2016 bail conditions”), including that he not buy, possess or consume alcohol. A copy of the recognizance of bail dated December 7, 2016 is attached at Tab 8 to the Agreed Statement of Facts and Admission (Liability).

14. Dr. Dhanoa failed to report his December 2016 bail conditions to the College, contrary to s. 85.6.4 of the Code. The College did not learn of Dr. Dhanoa's December 2016 bail conditions until April 2018, during its investigation of the December 2016 charges.

15. On June 1, 2017, Dr. Dhanoa completed his 2017 CPSO Annual Renewal Form, as attached at Tab 9 of the Agreed Statement of Facts and Admission (Liability). In doing so, Dr. Dhanoa failed to disclose the December 2016 charges. He falsely answered "No" to the question:

"Since April 1, 2016, have you been charged with, and/or found guilty of, any offences in Canada or elsewhere? (Include all offences under the Criminal Code of Canada, the controlled Drugs and Substances Act, the Food and Drugs Act, the Health Insurance Act, and/or related legislation in any province or jurisdiction. In addition, include any other offences related to the practice of medicine.)"

16. On November 1, 2017, Dr. Dhanoa pleaded guilty to, was found guilty of, operating a motor vehicle while impaired contrary to s. 253(1)(a) of the *Criminal Code of Canada*. The other two charges were withdrawn. A transcript of the November 1, 2017 guilty plea proceedings is attached at Tab 10 to the Agreed Statement of Facts and Admission (Liability).

17. By way of sentencing, Dr. Dhanoa was prohibited from driving for 12 months, fined \$1,000, and ordered to pay a \$300 victim surcharge.

18. Contrary to s. 85.6.1 of the Code, Dr. Dhanoa failed to report the finding of guilt on the December 2016 offence of operating a motor vehicle while impaired to the College in a timely manner. As set out in s. 85.6.1:

85.6.1 (1) A member shall file a report in writing with the Registrar if the member has been found guilty of an offence.

(2) The report must be filed as soon as reasonably practicable after the member receives notice of the finding of guilt.

(3) The report must contain,

- (a) the name of the member filing the report;
- (b) the nature of, and a description of the offence;
- (c) the date the member was found guilty of the offence;
- (d) the name and location of the court that found the member guilty of the offence; and
- (e) the status of any appeal initiated respecting the finding of guilt.

19. Dr. Dhanoa did not report the finding of guilt on the offence of operating a motor vehicle while impaired until April 25, 2018 (attached at Tab 7 above).

20. The offence of operating a motor vehicle while impaired contrary to s. 253(1)(a) of the *Criminal Code of Canada*, of which Dr. Dhanoa was found guilty, is relevant to his suitability to practise.

August 2017 criminal charges

21. On August 4, 2017, Dr. Dhanoa was charged with three criminal offences (the "August 2017 charges"):

- (a) Assault, contrary to s. 266 of the *Criminal Code of Canada*;

- (b) Failing to comply with a recognizance of bail, contrary to s. 145(3) of the *Criminal Code of Canada*; and
- (c) Failing to comply with a recognizance, contrary to s. 811 of the *Criminal Code of Canada*.

22. A copy of the criminal information related to the August 2017 charges is attached at Tab 11 to the Agreed Statement of Facts and Admission (Liability).

23. Contrary to s. 85.6.4 of the Code, Dr. Dhanoa failed to report the August 2017 charges to the College in a timely manner. He did not report them to the College until April 25, 2018 (as attached at Tab 7 above).

24. On March 26, 2018, Dr. Dhanoa pleaded guilty to, was found guilty of assault, contrary to s. 266 of the *Criminal Code of Canada* with respect to a family member. The other two charges were withdrawn. The agreed facts in relation to the finding of guilt were that:

On 3 August 2017, at 6:25 p.m., Mr. Dhanoa and [a family member, the complainant] were in a heated verbal exchange. [The family member] and [another family member], refused to drive him to the LCBO. Mr. Dhanoa has a substantial alcohol addiction issue, Your Honour. Following, both the complainant and [the other family member] refusing transportation, he charged at the complainant chasing her into the main living room area. Once there, he proceeded to strike her in the head with a closed fist several times. She, by unknown means, fell to the ground. He ceased with intervention of [the other family member]. The complainant suffered a bloody nose.

25. A transcript of the March 26, 2018 guilty plea proceedings is attached at Tab 12 to the Agreed Statement of Facts and Admission (Liability).

26. By way of sentencing, Dr. Dhanoa was given a conditional discharge, placed on probation for three (3) years, ordered to submit his DNA, and was ordered to pay a \$100 victim surcharge.

27. Contrary to s. 85.6.1 of the Code, Dr. Dhanoa failed to report the finding of guilt on the August 2017 charge of assault to the College in a timely manner. Dr. Dhanoa did not disclose it to the College until April 25, 2018 (attached at Tab 7 above).

28. The offence of assault contrary to s. 266 of the *Criminal Code of Canada*, of which Dr. Dhanoa was found guilty, is relevant to his suitability to practise.

PART II – ADMISSION

29. Dr. Dhanoa admits the facts at paragraphs 1 to 28 above, and admits that, based on these facts, he engaged in professional misconduct:

- a) under clause 51(1)(a) of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c.18 (the “Code”), in that he has been found guilty of an offence that is relevant to his suitability to practise; and
- b) under paragraph 1(1)33 of Ontario Regulation 856/83, made under the *Medicine Act, 1991*, in that he has engaged in conduct or an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

FINDING

The Committee accepted as correct all of the facts set out in the Agreed Statement of Facts and Admission (Liability). Having regard to these facts, the Committee accepted Dr. Dhanoa's admission and found that he committed an act of professional misconduct under clause 51(1)(a) of the Code, in that he has been found guilty of an offence that is relevant to his suitability to practise; and under paragraph 1(1)33 of Ontario Regulation 856/83, in that he has engaged in conduct or an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

The College withdrew the allegation under paragraph 1(1)34 of O. Reg. 856/93 that Dr. Dhanoa engaged in conduct unbecoming a physician.

PENALTY AND REASONS FOR PENALTY

FACTS ON PENALTY

The following facts were set out in an Agreed Statement of Facts (Penalty) which was filed as an exhibit and presented to the Committee:

AGREED STATEMENT OF FACTS (Penalty)

1. In 2019, Dr. Dhanoa was diagnosed with a severe substance use disorder with respect to alcohol which had been ongoing since 2016, for which he is currently being treated.
2. On January 8, 2019, in light of information the College had received respecting his capacity to practice medicine, Dr. Dhanoa entered into an undertaking with the College by which he agreed not to practise medicine in any jurisdiction until

various conditions had been met, one of which was that Dr. Dhanoa enter into a monitoring contract with the Ontario Medical Association's Physician Health Program ("PHP"). The January 2019 undertaking is attached at Tab 1 to the Agreed Statement of Facts (Penalty).

2. On February 21, 2019 Dr. Dhanoa entered into a five-year Substance Use Disorder (Moderate-Severe) Monitoring Contract with the PHP ("PHP Monitoring Contract"). On March 28, 2019, Dr. Dhanoa entered into an undertaking with the College by which he agreed to comply with his PHP Monitoring Contract. A copy of Dr. Dhanoa's March 2019 undertaking to the College, enclosing the PHP Monitoring Contract, is attached at Tab 2 to the Agreed Statement of Facts (Penalty).

3. Dr. Dhanoa has been compliant with his March 2019 undertaking and his PHP Monitoring Contract.

SUBMISSIONS

College counsel and counsel for Dr. Dhanoa both submitted that penalty should include a suspension of Dr. Dhanoa's certificate of registration for five months, participation in the PROBE Ethics & Boundaries Program offered by the Centre for Personalized Education for Professionals ("PROBE course") and costs in the amount of \$6,000.00. The penalty was not a joint proposal, as counsel did not agree upon the issue of a reprimand.

The Committee heard submissions from both parties about a reprimand. The College asserted that a reprimand was usually included in the penalty proposal because it achieves the purpose of general and specific deterrence. It provides a way for the Committee to express the abhorrence of the membership for the misconduct.

Counsel for Dr. Dhanoa submitted that the parties came to an agreement for the penalty and she was surprised to hear College counsel proposing a reprimand in her submissions at the hearing for this first time. The draft order as proposed and provided to the Discipline Committee for consideration did not include a reprimand. Counsel for Dr. Dhanoa submitted that he had made significant concessions, including a longer suspension than might have been otherwise agreed to. Besides the unfairness of adding a reprimand at this stage, counsel for Dr. Dhanoa submitted that Dr. Dhanoa wants to move forward with his life. Due to the Covid-19 emergency situation in the province, an in-person reprimand may not be scheduled for months into the future and Dr. Dhanoa does not want that possibility hanging over his head. Notwithstanding the disagreement between counsel as to what had been agreed upon as the basis for the admissions to the allegations, Dr. Dhanoa was satisfied that the hearing continue and the Committee make the decision about the reprimand.

Dr. Dhanoa's conduct that led to the criminal convictions was serious. He drank and drove, endangering the lives of those who were sharing the road with him. He was violent in a domestic setting. His actions are abhorrent to this Committee and to the profession as a whole. Physicians who are guilty of these criminal offences have no credibility when they themselves must counsel patients who have been perpetrators of similar behaviour or patients who have been affected by domestic violence or impaired driving. The main redeeming feature of Dr. Dhanoa's behaviour is that he has taken his rehabilitation seriously and continues to be monitored and attend counseling for alcohol addiction.

The College's role in governance of the profession can only be maintained and trusted by the public if members are honest in their communication with the College. Dr. Dhanoa neglected to report to the College his criminal charges, bail conditions and convictions. In doing so, Dr. Dhanoa hampered the College's role in regulation of the profession.

Aggravating and mitigating factors

In assessing penalty, the Committee considered the mitigating and aggravating factors in this case.

Aggravating factors

Aggravating factors include that violence was a component of the criminal conviction. Dr. Dhanoa was convicted of assault and given a conditional sentence and probation. The assault occurred in a family setting, which was particularly egregious. The fact that this was male violence against a female augments the egregiousness of the misconduct. As a physician, Dr. Dhanoa may be called upon to treat patients who have been subjected to domestic assault. He needs to be approachable and open to doing that. A conviction of this sort does not inspire confidence that he will fulfill his duty in that regard.

Dr. Dhanoa was also convicted of operating a motor vehicle while impaired. In the last few years, this type of behaviour has been sanctioned with penalties that are increasingly severe because the public is justifiably outraged about the ongoing scourge of drinking and driving. Dr. Dhanoa's decision to engage in drinking and driving reveals a remarkable lack of judgment. His actions posed a serious threat of harm to the public.

Dr. Dhanoa was required to report to the College, in a timely way, his criminal charges, bail conditions and criminal convictions. He did not do that. In its role as governing body of the profession, the College depends on the membership being accurate, timely and forthright in reporting such contacts with the law. The College cannot ensure the protection of the public if physicians are not honest in their reporting to the College.

Mitigating factors

Dr. Dhanoa's admissions in this proceeding reduced the time and costs associated with a contested hearing. His criminal offences are tied to his alcohol dependency and Dr. Dhanoa has demonstrated insight as well as willingness to approach his rehabilitation seriously. He ceased practicing while he completed intensive rehabilitation. He registered for the Physician Health Program and has ongoing monitoring, and support that has resulted in positive reports of his progress. These are mitigating factors.

Prior Cases

There are several prior cases that guided the Committee in its decision. None was exactly the same as the current one. The first four cases that follow below involved assaultive behaviour, although in none of these cases did the physician fail to report criminal charges and convictions to the College. In the following cases, the physician did not report relevant criminal or other pertinent behaviour to the College or their hospitals, although these cases did not involve violent convictions or impaired driving.

In *Ontario (College of Physicians and Surgeons of Ontario) v. Sewchand*, 2001 ONCPSD 24, the physician had been found guilty in criminal court of assault and uttering threats. The Discipline Committee found that he engaged in conduct that was unbecoming a physician. The penalty order included a reprimand, a three month suspension of his certificate of registration which would be suspended if he completed successfully an anger management and boundary courses, and costs. Several years ago, the Discipline Committee discontinued the practice of suspension of suspensions based on successful completion of courses.

In *Ontario (College of Physicians and Surgeons of Ontario) v. Prebtani*, 2005 ONCPSD 26, the physician had been found guilty in criminal court of assault, assault with a weapon and uttering a threat to cause death. The Discipline Committee found that Dr. Prebtani

committed professional misconduct in that he had been found guilty of an offence relevant to his suitability to practice. The Committee ordered a suspension of Dr. Prebtani's certificate of registration for three months, two months of which was suspended upon successful completion of boundary and anger management courses and costs. As noted above, the suspension of suspensions is no longer deemed appropriate, and is not part of penalty orders currently. No reprimand was ordered in this case.

In *Ontario (College of Physicians and Surgeons of Ontario) v. Georgantopoulos*, 2007 ONCPSD 4, the physician had been found guilty in criminal court of threat to cause bodily harm. The Discipline Committee found that Dr. Georgantopoulos engaged in conduct that was unbecoming a physician. The penalty included a reprimand and a three month suspension which would be suspended if the boundaries course and anger management courses were successfully completed. Dr. Georgantopoulos was also ordered to pay costs.

In *Ontario (College of Physicians and Surgeons of Ontario) v. Mukherjee*, 2019 ONCPSD 16, the physician was found guilty in criminal court of mischief and uttering threats. The physician was found to have engaged in professional misconduct relevant to his suitability to practice, as well as an act or omission relevant to his suitability to practice that the members would find disgraceful, dishonourable and unprofessional. Prior to the Discipline hearing, Dr. Mukherjee had already complied with terms of his conditional discharge from the court, as well as a hospital safety plan, and a 12 month counseling and rehabilitation program for resolving conflict in non-abusive ways. He had also completed a boundaries course and a forensic psychiatric assessment. The physician was given a reprimand, his certificate of registration was suspended for six months and he was required to continue anger management programming.

In *Ontario (College of Physicians and Surgeons of Ontario) v. Varenbut*, 2015 ONCPSD 40, the physician failed to disclose to several hospitals that he had been subject to

College investigations in the previous year or that he had restrictions on his certificate of registration. The Discipline Committee found that he engaged in conduct that would be considered by the members to be disgraceful, dishonourable, and unprofessional. Dr. Varenbut had a prior history with the College as in 2013, he was found to have failed to maintain the standard of practice. The Discipline Committee ordered a reprimand and a three month suspension of Dr. Varenbut's certificate of registration as well as costs.

In *Ontario (College of Physicians and Surgeons of Ontario) v. Khuon*, 2019 ONCPSD 3, the Discipline Committee found that the physician had engaged in professional misconduct that the members would view as disgraceful, dishonourable and unprofessional. He failed to notify the College that he was a member of the Collège des Médecins du Québec (CMQ) for three years when in the preceding years he had noted his membership when he renewed his Ontario certificate. Dr. Khuon failed to notify the College that he had resigned his membership in Quebec after incidents there. The Discipline Committee ordered a reprimand, a two-month suspension of his certificate of registration as well as terms, conditions and limitations on his practice and an ethics course and costs.

None of the foregoing cases involved the combined misconduct of violence, or impaired driving, along with failing to notify the College of pertinent criminal offences, bail conditions or criminal convictions. The Committee found that Dr. Dhanoa engaged in all of these acts. The Committee considers the proposed order of a five-month suspension along with a PROBE course to be appropriate for the reasons set out below.

The Committee considered the parties' respective positions with regard to a reprimand. The draft Penalty Order submitted to the Committee for consideration did not include a reprimand. The Committee was persuaded by the submissions of counsel for Dr. Dhanoa. A reprimand was not factored as part of the joint submission originally, and to impose a reprimand after the negotiations between the parties were completed and the admissions were given would not be fair. Accordingly, a reprimand was not ordered. Dr.

Dhanoa has taken steps to manage his alcohol addiction and the penalty principles in this case would be fulfilled without the necessity of a formal reprimand. The Committee has already expressed in these reasons that the conduct at issue is abhorrent.

The paramount penalty principle is protection of the public. The Discipline Committee considers that end will be served by the five-month suspension and the requirement to complete the PROBE course. Dr. Dhanoa has ongoing addiction counseling and monitoring for compliance, which will augment that principle. The penalty will deter Dr. Dhanoa from similar misconduct in the future and will remind the general membership that this behaviour will not be tolerated. The integrity of the College's role in regulating the profession will be maintained. The penalty will also provide rehabilitation for Dr. Dhanoa with the PROBE course and takes into account his ongoing participation in the PHP program.

Costs

Costs are always in the discretion of the Committee, but in this case the parties are in agreement that Dr. Dhanoa pay costs to the College in the amount of \$6,000.00.

ORDER

The Committee stated its findings in paragraph 1 of its written order made on April 6, 2020 and released on April 8, 2020. In that order, the Committee ordered and directed as follows on the matter of penalty and costs:

2. THE DISCIPLINE COMMITTEE DIRECTS the Registrar to suspend Dr. Dhanoa's certificate of registration for a period of five (5) months, commencing from April 8, 2020 at 12:01 a.m.

3. THE DISCIPLINE COMMITTEE DIRECTS the Registrar to place the following terms, conditions and limitations on Dr. Dhanoa's certificate of registration:

(a) Dr. Dhanoa shall comply with the College Policy "Closing a Medical Practice";¹

(b) Dr. Dhanoa will participate in the PROBE Ethics & Boundaries Program offered by the Centre for Personalized Education for Professionals ("the PROBE program") by receiving a passing evaluation or grade, without any condition or qualification. Dr. Dhanoa will complete the PROBE program within six (6) months of the date of this Order, and will provide proof to the College of his completion, including proof of registration and attendance and participant assessment reports, within one (1) month of completing it.

4. THE DISCIPLINE COMMITTEE ORDERS Dr. Dhanoa to pay costs to the College in the amount of \$6,000.00 within thirty (30) days from the date of this Order.