

**SUMMARY of the Decision of the Inquiries, Complaints and Reports Committee
(the Committee)**
(Information is available about the complaints process [here](#) and about the Committee [here](#))

**Dr. Suman Kumar Koka (CPSO #88116)
(the Respondent)**

INTRODUCTION

The Complainant attended a clinic for Suboxone treatment. The Respondent provided telemedicine at the clinic.

The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concerns about the Respondent's care.

COMPLAINANT'S CONCERNS

The Complainant is concerned that the Respondent:

- **Had a female assistant do the telemedicine appointments with the Complainant, who thought she was seeing the Respondent**
- **Prescribed Suboxone to the Complainant without ever having seen her**
- **Was associated with the clinic, which was under construction when the Complainant attended and did not provide adequate protection of the Complainant's privacy.**

COMMITTEE'S DECISION

A General Panel of the Committee considered this matter at its meeting of February 20, 2019. The Committee accepted an undertaking from the Respondent and required him to attend the College to be cautioned in person with respect to delegation and use of a physician assistant (including the lack of an established physician-patient relationship and lack of examinations), and medical record-keeping.

COMMITTEE'S ANALYSIS

Concerns that the Respondent had a female assistant do the telemedicine appointments with the Complainant, who thought she was seeing the Respondent and prescribed Suboxone to the Complainant without ever having seen her

- The Respondent indicated to the College that his practice makes use of a physician assistant. The physician assistant had telemedicine appointments with the Complainant.
- The College's *Delegation of Controlled Acts* policy clearly sets out that the primary consideration for every instance of delegation must be the best interests of the patient.

In the Committee's view, delegating methadone maintenance therapy to a physician assistant is not likely in the patient's best interest.

- The Committee saw no indication from the physician assistant's CV that she completed the methadone treatment workshop that was needed for this delegation to be successful.
- The delegation policy also sets out that delegation must only occur in the context of an existing physician-patient relationship, but there was no physician-patient relationship in this case. The Respondent acknowledged that he had never met the Complainant in person or over video conference before he delegated his methadone maintenance therapy to the physician assistant. The Respondent had never conducted an examination of the Complainant prior to the delegation.
- The Respondent indicated that he reviewed the physician assistant's notes of her meetings with the Complainant prior to signing the prescriptions for methadone maintenance therapy. It was impossible, however, for the Committee to distinguish the physician assistant's assessments and notes from the Respondent's notes, as they were not separately identified in the electronic medical record. The Committee could find no indication from the documentation to support the Respondent's claim that he reviewed each case with the physician assistant.
- Furthermore, the Committee found that the notes were overly templated and lacking in detail regarding history and physical examinations. The medical record did not include a copy of the consent form the Complainant signed authorizing the physician assistant's involvement in her care.

Concerns regarding the clinic

- The Committee took no further action on the concerns respecting the clinic, including the possible lack of patient confidentiality. The Committee stated its expectation that members ensure any clinic they work with adheres to College policies and other regulations.

As a result of this investigation, the Committee had concerns about the Respondent's delegation and use of a physician assistant, and his medical record-keeping. The Committee accepted the Respondent's signed undertaking and required him to attend at the College to be cautioned in person.