

**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. Stefan Joseph Konasiewicz (CPSO# 60999)
(the Respondent)**

INTRODUCTION

The Complainant underwent a cosmetic facial treatment at a clinic where the Respondent was the medical director. The Complainant did not see the Respondent; a registered nurse performed the procedure. Subsequently, the Complainant experienced complications from the procedure and was not able to contact the Respondent to discuss her concerns. The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concern about the Respondent's care and oversight of the RN to whom the Respondent had delegated care.

COMPLAINANT'S CONCERNS

The Complainant is concerned the Respondent:

- **in his role as medical director at a cosmetic clinic—**
 - **failed to ensure that his delegate, a registered nurse (RN), obtained informed consent for each treatment provided**
 - **failed to ensure that the RN was competent to provide the treatments**
- **failed to provide the Complainant an opportunity to discuss her treatments with the Medical Director/physician**
- **failed to provide the Complainant with an opportunity to consult the Medical Director/physician when complications evolved.**

COMMITTEE'S DECISION

A General Panel of the Committee considered this matter at its meeting of June 22, 2022. The Committee required the Respondent to appear before a Panel of the Committee to be cautioned with respect to his failure to properly fulfil his role as medical director and failure to adhere to the College's policy on delegation of controlled acts (in particular, failing to have proper oversight of a registered nurse performing assessments and treatments). The Committee also accepted an undertaking from the Respondent.

COMMITTEE'S ANALYSIS

The Committee noted that the primary issue in this case is that the Respondent failed to adhere to the College's policy on delegation of controlled acts, and failed to properly fulfil his role as medical director.

In particular, the Committee noted that the Respondent did not follow the College's delegation policy (and failed in his role as medical director) as the act delegated must be one that is within the scope of practice of the physician delegating said act. Administration of Botox may be within the Respondent's scope of practice, but the injection of dermal fillers and hyaluronidase, as well as other procedures carried out by the RN on patients, were not acts that were within the Respondent's scope of practice to begin with and as such it was improper for him to delegate such acts to the RN. In particular, the Respondent, a licensed neurosurgeon, would need to undergo the College's change of scope of practice process in order to be deemed qualified to perform these procedures himself, and in turn delegate such procedures to others.

The Committee also observed that the Respondent's oversight of delegated acts specifically and quality assurance at the clinic generally, was scant and there was no documentation of any oversight of the RN, especially with regard to medical record-keeping.

The policy on delegation of controlled acts states that a physician-patient relationship must be established. The Committee pointed out that there was no documentation to support that a physician-patient relationship was established in the Complainant's case, or that the Respondent reviewed the treatment plan or the Complainant's progress, as required.

The Committee shared the Complainant's concerns about the care she received at the clinic, noting it was clear the Respondent failed to fulfil his role as medical director, failed to follow the College's policy on delegation of controlled acts, was not qualified to delegate some of the procedures done by the RN, and was responsible for inadequate oversight and quality assurance.

Given the concerns identified, the Committee determined that it was appropriate to caution the Respondent in addition to accepting the Respondent's undertaking.