

**Indexed as: Skocylak (Re)**

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

**IN THE MATTER OF** a Hearing directed  
by the Executive Committee of the College of Physicians  
and Surgeons of Ontario, pursuant to Section 36(2)  
of the *Health Professions Procedural Code*,  
being Schedule 2 to the  
*Regulated Health Professions Act*, 1991,  
S.O. 1991, c.18, as amended

**B E T W E E N:**

**THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO**

**- and –**

**DR. GEORGE WILLIAM SKOCYLAK**

**PANEL MEMBERS:**

DR. M. GABEL (CHAIR)  
DR. M. DAVIE  
D. MACKINNON  
DR. F. SLIWIN  
M. WAESE

**Hearing Date:**

**January 10, 2005**

**Decision/ Release Date:**

**January 10, 2005**

## **DECISION AND REASONS FOR DECISION**

The Discipline Committee of the College of Physicians and Surgeons of Ontario heard this matter at Toronto on January 10, 2005. At the conclusion of the hearing the Committee stated its finding that the member committed professional misconduct and delivered its penalty order with written reasons to follow.

### **ALLEGATION**

The Notice of Hearing alleged that Dr. Skocylak committed professional misconduct:

- (1) 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 conduct or an act or acts 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
- (2) under paragraph 1(1)2 of Ontario Regulation 856/93 made under the *Medicine Act, 1991* (“O/Reg. 856/93”), in that he failed to maintain the standard of practice of the profession.

### **RESPONSE TO THE ALLEGATIONS**

Dr. Skocylak entered a plea of no contest to the allegations as set out in the Notice of Hearing.

### **EVIDENCE**

The following Statement of Facts was presented to the Committee:

1. Dr. Skocylak is a general practitioner who has held a certificate of registration authorizing independent practice in Ontario since 1973.

2. On April 2, 1991, after an investigation into his prescribing practices by Health and Welfare Canada, Dr. Skocylak voluntarily surrendered his privileges to prescribe narcotics and controlled drugs.
3. Subsequently, Health and Welfare Canada circulated a letter dated May 6, 1991, to licenced narcotic and controlled drug dealers and pharmacists in Ontario notifying them of the termination of Dr. Skocylak's prescribing privileges.
4. Despite having voluntarily surrendered his prescribing privileges, Dr. Skocylak continued to prescribe medication with either a narcotic or a controlled drug content on numerous occasions to at least 16 patients throughout at least 2002 and 2003.
5. In the case of at least two patients, Dr. Skocylak prescribed percocet, talwin, or oxycocet: all narcotics with an addictive potential.
6. After his prescribing privileges were terminated and despite being aware of an investigation regarding one of his patient's forging of prescriptions, Dr. Skocylak continued to prescribe narcotics to this patient on at least one occasion. This patient was charged with one count of Utter Forged Document in relation to forged prescriptions and entered a plea of guilty to such charge.
7. Dr. Skocylak pleads no contest to the facts as set out above.

## **FINDING**

The Committee accepted as true all of the facts set out in the Statement of Facts. Having regard to these facts, the Committee found that Dr. Skocylak committed professional misconduct:

- 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 conduct or an act or acts 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

- under paragraph 1(1)2 of Ontario Regulation 856/93 made under the *Medicine Act, 1991* (“O/Reg. 856/93”), in that he failed to maintain the standard of practice of the profession.

## **PENALTY DECISION AND REASONS**

Counsel for the College and counsel for Dr. Skocylak made a joint submission regarding penalty, which is reflected in the following Order.

The Committee was of the opinion that the agreed upon penalty met the need of expressing the profession’s condemnation of Dr. Skocylak’s having continued to write prescriptions for narcotics and controlled substances while his privileges to do so had been restricted. The suspension should act as a deterrent to behavior of this kind. The educational component of the penalty should help to impress upon Dr. Skocylak the absolute necessity of ethical behavior as well as the fundamental importance of safeguarding the public in the context of prescribing medication.

## **ORDER**

Therefore, the Discipline Committee ordered and directed that:

1. The Registrar to suspend Dr. Skocylak’s certificate of registration for a period of six (6) months, four months of which shall be suspended upon Dr. Skocylak’s successful completion of the College’s Medical Ethics and Informed Consent course by no later than April 14, 2005 and the College’s Physicians’ Prescribing Skills course by no later that April 14, 2005.

2. The Registrar to commence the suspension of Dr. Skocylak's certificate of registration on February 14, 2005.
3. The Registrar to impose the following terms, conditions and limitations on Dr. Skocylak's certificate of registration for an indefinite period of time:
  - a. that Dr. Skocylak's privileges to prescribe narcotics or controlled drugs be suspended;
  - b. that Dr. Skocylak prominently display a sign in his office(s) advising his patients of his suspension in privileges to prescribe narcotics and controlled drugs; and
  - c. that in the event that Dr. Skocylak fails to comply with any of the terms of this Order, his certificate of registration shall be immediately suspended for the remainder of the six (6) month period.
4. The results of this proceeding are to be included in the register.