

SUMMARY

DR. BARJINDER SINGH SOHAL (CPSO# 87410)

1. Disposition

On January 27, 2016, the Inquiries, Complaints and Reports Committee (“the Committee”) required family physician Dr. Sohal to appear before a panel of the Committee to be cautioned with respect to his obligation to comply with the College’s Policy on *Block Fees and Uninsured Services* with respect to billing for a copy of a chart; not to bill for services neither asked for or necessary; to comply with the College’s policy on *Medical Records* with respect to providing a copy of a chart in a timely fashion, and with respect to billing for this service; and to supervise and direct his staff to be professional and responsive to all requests for medical records in a timely fashion.

2. Introduction

Dr. Sohal’s patient was involved in a motor vehicle accident in 2013. A lawyer representing the patient in litigation arising from the accident sought a copy of the patient’s medical records from Dr. Sohal, via 8 letters sent between January 2014 and March 2015. Dr. Sohal provided the lawyer with the records in May 2015, 17 months after the lawyer’s initial request.

The lawyer complained to the College that Dr. Sohal had failed to comply with College policies requiring him to provide the records in a timely fashion and for a reasonable fee. The lawyer noted that Dr. Sohal originally billed \$500 for a copy of the patient’s chart. The lawyer further complained that Dr. Sohal had failed to supervise and direct his staff to be professional and responsive to all requests for medical records.

Dr. Sohal told the College that the lawyer had been responsible for part of the delay, that he had initially billed for chart review due to a misunderstanding, but later had reversed that charge, ultimately billing only \$75.20, and that his staff had been professional and responsive throughout.

3. Committee Process

A Panel of the Committee, consisting of public and physician members, met to review the relevant records and documents related to the complaint, as well as College policies and relevant legislation.

4. Committee’s Analysis

The Committee concluded that Dr. Sohal failed to comply with College policies by charging an excessive and unjustified fee for copies of records, by billing for a fee not required or requested

(for reviewing records) and by failing to provide a copy of medical records in a timely manner, even taking into account that the lawyer caused some of the delay. The original \$500 fee was excessive in that Dr. Sohal charged for three hours of chart review, with respect to a 92-page chart, particularly where about half of the pages were actually laboratory results, and charged for chart review, which the lawyer had not requested.

Most of the responsibility for the later component of the delay was due to the failure of Dr. Sohal and/or his staff to deal with the request in an efficient and timely manner. Almost nine months elapsed between the lawyer's initial request and his letter sent on the last day of September 2014, which cited the correct dates for which he sought the chart. Dr. Sohal should have had office policies in place to ensure that staff responded more quickly to clarify the scope of a request for records. Then, only when the lawyer paid the reduced bill did Dr. Sohal's staff realized they did not have the patient's signed authorization for release of her records. Dr. Sohal is responsible for this component of the delay, because his office should have had a process in place whereby staff would have detected early on in the process that patient consent to release the records was missing. Thus, the Committee determined that Dr. Sohal exhibited poor office management in failing to ensure that his staff responded appropriately and in a timely fashion to requests for medical records.