

**Indexed as: Doré (Re)**

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

**IN THE MATTER OF** a Hearing directed  
by the Complaints Committee of  
the College of Physicians and Surgeons  
of Ontario, pursuant to Section 38 to 56  
of the Health Professions Procedural Code  
of the Regulated Health Professions Act 1991,  
S.O.1991, c. 18 as amended.

**BETWEEN:**

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

**- and -**

**DR. MARCEL JOSEPH RENATO DORÉ**

**PANEL MEMBERS:** DR. O. KOFMAN (CHAIR)  
DR. B. ADAMS  
H. MAEOTS  
K. MANSEAU

**HEARING DATE(S):** DECEMBER 7 & 8, 1998

**DECISION/RELEASED:** DECEMBER 8, 1998

## DECISION AND REASONS FOR DECISIONS

The matter was heard by the Discipline Committee of the College of Physicians and Surgeons of Ontario at Toronto on December 7 & 8, 1998.

### NOTICE OF HEARING

The Complaints Committee of the College of Physicians and Surgeons of Ontario has directed that the following matters regarding the conduct or actions of Dr. Marcel Joseph Renato Doré (Dr. Doré) be referred to the Discipline Committee of the college.

It was alleged in the Notice of Hearing that Dr. M.J.R. Doré is guilty of professional misconduct under,

- (1) paragraph 29.22 of Regulation 548 of the Revised Regulations of Ontario, 1990, for failure to maintain the standard of practice of the profession.

As noted in the Schedule to the Notice of Hearing the allegations are based upon,

- 1) the information and the opinion in the attached report of Dr. J. David Giddens to the effect that Dr. Doré:
  - (a) did not prescribe narcotics and benzodiazepines appropriately for a patient, the complainant and
  - (b) failed to maintain appropriate boundaries in his relationship with the patient.

Dr. Giddens' report is attached to the Notice of Hearing.

### THE PLEA

Dr. Doré entered a plea of **No contest.**

## THE FACTS

At the onset of the hearing, a Statement of Agreed Facts was entered as an exhibit and presented to the Committee.

1. Dr. Doré is a physician who carried on the general practice of medicine in Guelph, Ontario. He is approximately 37 years of age and obtained his medical degree from McGill University in 1985. Dr. Doré does not have fellowship accreditation in any specialized area of medicine.
2. Dr. Doré was the complainant's family physician from May 2, 1990 until approximately March 17, 1992. Dr. Doré also provided psychotherapy and counselling to the complainant for what he diagnosed as multiple personality disorder (MPD) resulting from early childhood sexual abuse.
3. The complainant had a lengthy medical history prior to being treated by Dr. Doré. A summary of the complainant's complex and extensive past medical history was attached as an exhibit.
4. Prior to treating the complainant, Dr. Doré had not previously engaged in long-term psychotherapy with a patient.
5. Prior to treating the complainant, Dr. Doré had no experience treating victims of sexual abuse or patients diagnosed as MPD.
6. Dr. Doré wrote multiple prescriptions for the complainant which included Demerol, lectopam, fluorazepam, lorazepam, diazepam, oxazepam, and other pharmaceuticals. Copies of the many of these prescriptions were provided in a brief of documents.

7. Psychotherapy sessions between Dr. Doré and the complainant occurred in and out of his office. On December 6, 1990, Dr. Doré drove the complainant to attend an all-day conference on MPD in Toronto. After the conference they went out for dinner. He dropped her off at 9:30 p.m. Late that night the complainant attempted suicide at approximately midnight by ingesting bellergal, diazide and gravel.
  
8. The College expert, Dr. David Giddens, has reviewed the relevant and necessary medical records of the care and treatment of the complainant by Dr. Doré. The College expert has opined that Dr. Doré failed to maintain the standard of practice in that he prescribed Demerol and other pharmaceuticals in circumstances where he knew or ought to have known that the patient was abusing or misusing the pharmaceuticals. Further, the College expert concluded that Dr. Doré failed to set and maintain appropriate boundaries in their psychotherapeutic relationship when he held sessions in coffee shops, restaurants, parks and drives in the country and when he engaged in hugs with the patient, particularly during therapy sessions.

A summary of Chronology of Events with regard to the complainant's medical treatment prior to her treatment by Dr. Doré including the period from 1970 until May 2, 1990, which had been prepared by Dr. George Glumac, psychiatrist and defence expert was entered as an exhibit. This clearly indicated multiple ongoing complex psychiatric problems, chronic headaches as well as substance abuse.

### **DECISION RE PLEA**

After due deliberation and review of the evidence that had been presented which included the report of Dr. J. David Giddens, expert for the College, as well as the Statement of Agreed Facts and the Chronology of Events prepared by Dr. George Glumac and other briefs that were entered as exhibits, the Committee accepted the plea of no contest and accepted as correct the facts alleged against Dr. Doré and found Dr. Doré guilty of professional misconduct for failure to maintain the standard of practice of the profession as set out in the Notice of Hearing.

## SUBMISSIONS WITH REGARD TO PENALTY

The prosecution presented a recommendation with regard to the appropriate penalty pertaining to the finding that Dr. Doré was guilty of professional misconduct and failure to maintain the standard of practice of the profession. The recommendation included:

1. A reprimand
2. Terms and conditions on Dr. Doré's certificate of registration
3. A four-month suspension on Dr. Doré's certificate of registration all of which would be suspended if Dr. Doré completed the proposed specific requirements.

At a later stage in the hearing, counsel for the defence and counsel for the College agreed on the recommendation for penalty as submitted by the College and hence, this became a joint submission for penalty. The prosecution did not call any witnesses.

## DEFENCE EVIDENCE

Dr. M.J.R. Doré was the first witness called by defence counsel. Dr. Doré confirmed that the complainant first became his patient on May 2, 1990, presenting initially with a complaint of abdominal pain. During subsequent visits he recognized that she was angry, depressed and suicidal. His clinical records, in a note dated September 21, 1990, indicated he was aware of her previous psychiatric treatment although the information obtained with regard to this was limited to a telephone call to two of her previous psychiatrists.

Dr. Doré testified that on several occasions when the complainant was upset he offered a hug. His records indicated that he hugged the patient. When counsel for the defence asked whether it was appropriate to hug a patient, he answered No. He felt that the patient had wanted to be reassured and she felt that people were against her.

Dr. Doré testified that he had attended a conference in Toronto on MPD on December 6, 1990 in conjunction with the complainant. When asked if it was appropriate to attend the conference with the complainant, he answered "No". He stated that the boundaries at that time were not clear to him. He testified that after the conference on December 6, 1990, he took her to dinner and following that, he drove her back home. He confirmed that she attempted suicide later that night.

He further testified that he did not know of her previous addiction to Demerol and Morphine. He determined that the complainant was a victim of Satanic ritual abuse and sexual abuse. He considered her problems to represent a Dissociative Disorder as well as MPD.

Dr. Doré testified that he was not qualified to deal with the complainant's psychiatric problems and that "he was out of his depth." He continued with long term psychotherapy even after she had been discharged from a substance abuse rehabilitation centre, primarily because he could not find anyone to continue with her long term psychotherapy. Some of these psychotherapy sessions occurred outside of the office which he testified was not appropriate. He testified that on two occasions the complainant had seductive feelings about him and on one occasion she suggested having sex which he rejected. He acknowledged a letter that he had written to the complainant which was signed "Love Marcel." He further testified that it was common for him to hug her at the end of the psychotherapy session in a reassuring manner. He would open his arms and offer a hug the meaning of which was sometimes misconstrued. He testified that he had held her hand to reassure her.

He also testified that he had kissed her on the cheek to reassure her. He received a letter from the complainant in early 1992 indicating that she was no longer his patient and she had requested a transfer of her medical records.

Dr. Doré testified that he temporarily stopped practising medicine in 1997 and resumed part time clinical practice one day a week recently for several years and currently he has been the medical director of a medical publishing firm.

He testified that in September of 1997 he saw a psychologist because of inability to sleep, difficulty concentrating and overwork. He discussed boundaries and emotional attachment. He improved temporarily; however, in the summer of 1998 his symptoms of sleeplessness and difficulty concentrating recurred and he became depressed with suicidal thoughts. He was initially assisted by a family physician and currently he is under the continuing care of a psychiatrist. During the sessions with the psychiatrist, he has been treated for depression and has discussed boundary issues.

Dr. Doré testified that he had attended a three-day skills update course at McGill in October of 1998 as well as a one-day course in pain management. He has registered for a CPSO Physician Prescribing Course to be held in May of 1999. He further testified that he required further personality disorder training and that he was not qualified in that area. He testified that he has dealt with other patients who have had narcotic addiction and he is currently firmer with regard to prescriptions. He has also become very cautious with regard to personal boundaries with patients.

In cross-examination by College counsel, Dr. Doré testified that he needed training in boundaries with regard to his patients as well as in psychotherapy. He testified that he should have recognized the complainant's addiction to Demerol in the summer of 1990 rather than in January of 1991. He also testified that the complainant was a nurse who had a known substance abuse disorder and that she had attempted suicide on two occasions.

The second witness for the defence was Dr. George Glumac who was accepted by the Committee as an expert in psychiatry and psychotherapy. Dr. Glumac specialized in Dissociative disorders and practised in Guelph, Ontario. His practice consisted of fifty percent clinical psychiatry and fifty percent forensic psychiatry. His report had not been filed but his review of the Chronology of Events, relating to the complainant's medical and psychiatric care from 1970 to May 1990 prior to Dr. Doré's care was filed as an exhibit. He testified that the complainant had a variety of severe psychiatric problems in addition to depression.

At this state following a recess, the Committee was informed that the defence counsel

was in agreement with the recommended penalty that had been submitted by the prosecution and hence, the prosecution's submission could be regarded as a Joint Submission as to Penalty.

### **PENALTY**

The Committee considered all of the evidence that had been presented during the hearing and imposed the following penalty:

1. Dr. Doré is to receive a reprimand and such reprimand is to be recorded on the Register.
2. Terms and conditions are imposed on Dr. Doré's certificate of registration;
  - (a) that he continue under the care and treatment of his psychiatrist or another psychiatrist acceptable to the Registrar, and such psychiatrist is to provide quarterly reports satisfactory to the Registrar until such time as the Registrar has determined that such reports are no longer required.
  - (b) that Dr. Doré be prohibited from practising psychotherapy until he is able to satisfy the Registrar based on the reports of two experts acceptable to the Registrar that this term and condition ought to be removed.
3. The College imposes a four-month suspension on Dr. Doré's certificate of registration, which suspension will be suspended if Dr. Doré completes to the satisfaction of the Registrar the following three requirements:
  - (a) that Dr. Doré participate and complete the physician review program (PREP) assessment program.
  - (b) that Dr. Doré completes the Physician's Prescribing Skills Course that is provided by the College.
  - (c) that Dr. Doré completes a course acceptable to the Registrar on

physician-patient boundaries.

- (d) the suspension is to commence on a date to be determined by the Registrar, not to exceed a period of eight months from the final disposition of this matter.

This proposed penalty was presented and was accepted by both College counsel and counsel for Dr. Doré.

Dr. Doré subsequently signed a waiver with regard to his right to appeal the penalty. A verbal reprimand was administered to Dr. Doré by the Committee.