

SUMMARY

DR. ADRIAN GABRIEL SAVIN (CPSO# 75842)

1. Disposition

On November 28, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required Dr. Savin (Family Medicine) to appear before a panel of the Committee to be cautioned with respect to inappropriately altering medical records.

2. Introduction

A family member of the patient complained to the College that Dr. Savin failed to provide the patient with appropriate care before the patient committed suicide, including recognizing the patient's risk of harm to himself and providing the patient with adequate follow-up. The patient's family members also complained about Dr. Savin's conduct, including that he altered the patient's medical record and refused to provide a copy of the patient's health record.

Dr. Savin responded that he last saw the patient approximately two years before the patient committed suicide, and that the patient never made follow-up appointments since that time. Dr. Savin explained that he did not provide the patient's family member with the patient's record because he did not receive a written request. He also acknowledged that he made alterations to four notes and explained that he did so because when he reviewed the chart after speaking with the patient's family member, he felt his records could have better reflected what actually occurred at the patient's appointments.

3. Committee Process

A General Panel of the Committee, consisting of public and physician members, met to review the relevant records and documents related to the complaint. The Committee always has before it applicable legislation and regulations, along with policies that the College has

developed, which reflect the College's professional expectations for physicians practising in Ontario. Current versions of these documents are available on the College's website at www.cpso.on.ca, under the heading "Policies & Publications."

4. Committee's Analysis

The Committee was satisfied that the record demonstrated that Dr. Savin provided the patient with reasonable and appropriate care, including properly referring the patient to a psychiatrist when the patient was experiencing increased anxiety. Furthermore, the record revealed that Dr. Savin had not provided care to the patient for approximately two years before the patient committed suicide. The Committee noted that while the patient failed to attend two follow-up appointments with the psychiatrist, it was not Dr. Savin's responsibility to ensure that the patient attended these appointments, especially given that the record did not indicate the patient was at high risk for suicide at the time. The Committee also remarked that its role was to determine if Dr. Savin's care was appropriate (which the Committee determined it was), rather than if he caused or contributed to a particular outcome.

With respect to altering records, the audit trail demonstrated that Dr. Savin inappropriately modified four of his notes in the patient's record. The Committee was of the view that Dr. Savin should have delineated clearly in the record which information he modified at the subsequent date. The Committee concluded that there was no justification to ever modify a patient's record without properly documenting and dating the modifications being made. In the circumstances, the Committee believed that it was appropriate to caution the Respondent to impress upon him the importance of ensuring he does not inappropriately alter medical records.

With respect to the records request, while there was a delay, Dr. Savin did eventually provide the patient's records to the patient's family member. The Committee took no action, but given that a patient's estate trustee does have the right to receive a copy of the patient's chart in the event of the patient's death, the Committee took this opportunity to state its expectation in

that regard. The Committee also noted that, aside from the letter of complaint, there was no independent information before it indicating that Dr. Savin deliberately withheld the patient's record for any reason, or that he was trying to hide discrepancies or changes he made to the record.