

## SUMMARY

### DR. EDGARD ALFONSO ARCIA-BRAVO (CPSO# 67277)

#### 1. Disposition

On January 10, 2018, the Inquiries, Complaints and Reports Committee (the Committee) ordered family physician Dr. Arcia-Bravo to appear before a panel of the Committee to be cautioned with respect to professionalism (including cooperation with colleagues in the provision of care, and with the College in the timely provision of records), and abiding by the College Policy, *Ending the Physician-Patient Relationship*. The Committee also asked Dr. Arcia-Bravo to submit a report to the College on the College policies, *Physician Behaviour in the Professional Environment* and *Ending the Physician-Patient Relationship*.

#### 2. Introduction

A patient complained to the College that Dr. Arcia-Bravo failed to take her concerns about her pregnancy seriously and was argumentative with her at office visits; blocked the family physician who took over her prenatal care from accessing her chart; and terminated her and her family from his practice without discussion or cause.

Dr. Arcia-Bravo responded that he took the patient's concerns seriously and ordered the testing she requested. He sent a paper copy of this patient's prenatal records to the family physician, and would have sent the remainder of the chart had the patient attended to sign a release for this purpose and paid the fee to complete the records transfer. He did not terminate care, rather the patient chose to seek care elsewhere, and he understands patients cannot have two family physicians. He is still willing to see the patient's family members.

### 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/investigation. 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.cpsso.on.ca](http://www.cpsso.on.ca), under the heading "Policies & Publications."

### 4. Committee's Analysis

The Committee is limited to a paper review of information and is unable to know with certainty exactly what Dr. Arcia-Bravo said or the manner he used during his visits with the patient early in her pregnancy. However, having reviewed the record, the Committee notes that Dr. Arcia-Bravo did order testing as requested by the patient, which indicates to us that he did ultimately recognize her concerns. The Committee did not take any action on this area of concern.

However, the Committee is troubled about the way in which Dr. Arcia-Bravo ended the physician-patient relationship with the patient and his interactions with his colleague during the process of transfer of this patient's care. As set out in the College policy, *Ending the Physician-Patient Relationship*: "...physicians should always carefully evaluate any decision to discontinue care and should use reasonable efforts to resolve any issues affecting the relationship with the patient prior to any final decision."

The Committee is unable to know the details of the interactions between the physician who assumed this patient's prenatal care and Dr. Arcia-Bravo. However, the record before us supports that Dr. Arcia-Bravo needlessly complicated the transfer of records, which provides some support that his actions were unprofessional and uncollegial, whether or not he used inappropriate language. Aside from complicating the records transfer, which could have been seamless given both physicians were in the same Family Health Organization, Dr. Arcia-Bravo

did not provide a bona fide rationale for terminating the patient's care, as required by College policy.

The Committee also considered a broader, parallel investigation at the same time as this matter, where concerns were identified with Dr. Arcia-Bravo's communication, collegiality, professionalism, and record-keeping, and the Committee ordered Dr. Arcia-Bravo to complete education to address those concerns. The similarity between the professionalism issues identified in that broader investigation and those in this current matter provides support that Dr. Arcia-Bravo's interactions with the physician who assumed care of this patient were inappropriate and unprofessional.

As well, despite numerous letters from the investigator and one from a Committee Chair, Dr. Arcia-Bravo was slow to provide the medical records required for this investigation. Dr. Arcia-Bravo indicated this was due to trouble with the EMR, but in the Committee's view, he and his staff should be aware how to access and provide copies of records, whether upon the request of the College or a patient, and be able to provide them in a timely manner.

The Committee also noted that Dr. Arcia-Bravo has some history of prior complaints and investigations at the College, including those of a similar nature, and one in which the Committee advised him regarding timely transfer of records.