

SUMMARY

DR. OLANREWAJU DAVID OGUNMODEDE (CPSO# 87840)

1. Disposition

On July 11, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required general practitioner Dr. Ogunmodede to appear before a panel of the Committee to be cautioned with respect to ensuring appropriate communications and the timely provision of records.

2. Introduction

A family member of the patient complained to the College that Dr. Ogunmodede used profanities at an appointment, refused to provide the patient's medical record to their new family physician despite repeated requests and the completion of the appropriate release information forms, and diagnosed and treated the patient for a condition without doing a proper assessment or investigations and it turned out later the patient did not have the condition.

Dr. Ogunmodede did not provide a response or records to the College in its investigation of this matter.

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 noted Dr. Ogunmodede's extensive College history included a previous written caution related to issues around the transfer of records. The Committee cited extracts from College policies #3-16, *Physician Behaviour in the Professional Environment* (about disruptive behaviour by physicians) and #4-12 *Medical Records* (about the timely transfer of records). The Committee also noted that O. Reg. 856/93 under the *Medicine Act* defines failing to respond appropriately or within a reasonable time to a written inquiry from the College as an act of Professional Misconduct.

In the end, while the Committee could not definitively conclude what took place, without any refutation of the concerns or any records from Dr. Ogunmodede, given it had nothing to contradict the Complainant's version of events, and in light of Dr. Ogunmodede's history, it decided to caution Dr. Ogunmodede as set out above. The Committee noted that Dr. Ogunmodede's certificate of registration at the College expired on August 10, 2017, for his failure to renew his membership, and he can, therefore, no longer practice medicine in Ontario. The Committee further noted that if Dr. Ogunmodede wishes to practise medicine again in Ontario, he must re-apply and any such application will be considered by the Registration Committee, in light of a number of factors, including his College history (including this matter).

With respect to the clinical concern about diagnosing a certain condition, the Committee accepted that an initial diagnosis of this condition would not be unreasonable and it took no further action.