

SUMMARY

DR. OLANREWAJU DAVID OGUNMODEDE (CPSO# 87840)

1. Disposition

On May 11, 2017, the Inquiries, Complaints and Reports Committee (“the Committee”) required Dr. Ogunmodede to appear before a panel of the Committee to be cautioned with respect to his lack of cooperation with the College around the condition of his office practice (not rectifying the deficiencies identified in a timely manner). The Committee also required Dr. Ogunmodede to review literature on public health guidelines for office practice, and submit a written report on this literature to the College.

2. Introduction

Dr. Ogunmodede’s former patient expressed concern that Dr. Ogunmodede failed to administer his office in a proper manner during an office visit, in that Dr. Ogunmodede’s office was dirty and uninviting with stains on the floor and walls, and that Dr. Ogunmodede’s secretary was rude and refused to provide a copy of the patient’s test results to him.

Dr. Ogunmodede responded that there is a large coffee stain on the carpet in his office waiting area that remains despite steam cleaning, and that he is in ongoing negotiations with the landlord to change the carpeting to a hard surface that can be easily cleaned. He indicated that the patient spoke to his secretary in a demeaning discriminatory manner which was unacceptable, and that he would not apologize for the reaction of his secretary (which he felt was justified in the circumstances). He indicated that he tried to calm the patient and assured him that he would see him at his first opportunity, but the patient left the clinic before he could see him and provide him with his test results. He indicated that he contacted the patient and offered to meet with him to discuss the results, but the patient advised that he would be seeing another physician.

3. Committee Process

A Family Practice 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 unable to arrive at any definitive conclusions about the conduct of Dr. Ogunmodede's staff, but noted that Dr. Ogunmodede did not appear to offer any solution to the impasse between the patient and his secretary, although he did state that he became involved once he heard the argument taking place.

The Committee noted that it is Dr. Ogunmodede's, and not his staff's, responsibility to ensure appropriate and timely communication of laboratory results to his patients, as set out in the College's policy on *Test Results Management*. The Committee found reasonable Dr. Ogunmodede's response that his staff are not permitted to provide test results to patients absent discussion with him. The Committee noted that Dr. Ogunmodede did, in fact, take steps to provide the patient in this case with the test results, but that the patient advised him that he would not be returning to the clinic. The patient's information confirmed this chain of events. As such, the Committee took no action on this aspect of the complaint.

The Committee noted that an inspection of Dr. Ogunmodede's practice by the College confirmed the patient's concerns regarding large stains on the carpeting and the overall poor condition of the clinic. The investigators noted many deficiencies with respect to public health recommendations for office practice and advised Dr. Ogunmodede that a re-inspection would be scheduled. At the time of the re-inspection, investigators noted improvements, however

some deficiencies still remained. Dr. Ogunmodede's lawyer advised the College by letter in April 2017 that Dr. Ogunmodede had addressed the remaining deficiencies.

The Committee was troubled by Dr. Ogunmodede's history with the College, which includes previous remediation and a caution in person. The Committee noted that the complaints and deficiencies in these previous matters encompass a broad range of issues, including Dr. Ogunmodede's office management, clinical care, communication and records; and that several complaints pertained to the rudeness of his office staff.

The Committee found suboptimal Dr. Ogunmodede's cooperation with the College in this case, noting the College had difficulty getting in touch with Dr. Ogunmodede and was unable to reach him on the first inspection date; and noting that Dr. Ogunmodede did not comply in a timely manner with the College's recommendations to address the deficiencies identified in his office following the inspection/re-inspection of his practice.