

SUMMARY

DR. BRIDGET SHAKIRA MILLER (CPSO# 102337)

1. Disposition

On December 14, 2017, the Inquiries, Complaints and Reports Committee (the Committee) required Family Medicine physician Dr. Miller to appear before a panel of the Committee to be cautioned with respect to the College's *Medical Records* policy, including methods for amending records. The Committee also required Dr. Miller to complete a written summary two to four pages in length on the *Medical Records* policy, methods for amending records, and what she has learned from its review.

2. Introduction

The sister of one of Dr. Miller's patients complained to the College that Dr. Miller refused to order diagnostic testing for the patient's back pain and prescribed increasing amounts of narcotics instead, refused to provide medical information to her despite her brother's consent, told the patient that if his sister retained a Power of Attorney, she would release him from her medical care, and declined to learn the name of the patient's treating psychiatrist from the sister. Additionally, the sister was also concerned that Dr. Miller made comments in regards to her stockings.

Dr. Miller responded that the patient's back pain did not exhibit any red flags that required further diagnostic testing and that she only prescribed a therapeutic dose of narcotics. She indicated that if the patient required a higher dose, he would be referred to a pain management clinic instead.

Dr. Miller also expressed that her interactions with the sister were troubled. For example, the sister had asked her to fill out forms and for a standing prescription, and she had declined. As she was not comfortable with the sister's involvement in the care, she did not release medical

records to her on behalf of the patient. She also advised her patient that if the sister retained a Power of Attorney, he may have to locate another family physician because of the ongoing issues between herself and the sister.

Dr. Miller denied making any comments regarding her stockings, indicating that she was 36 weeks pregnant at the time and would not have worn stockings for at least several weeks prior to the meeting date.

3. Committee Process

A Family 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 viewed Dr. Miller's care of the patient's back pain and use of narcotics as reasonable. The Committee also determined that, although Dr. Miller did not accept the name of the patient's treating psychiatrist from the sister, she already had this information and therefore did not have to acquire the information from her.

However, they felt that even if Dr. Miller had issues with the patient's sister, she should have focused her attention and energy on providing assistance to the patient. Further, the Committee indicated that Dr. Miller should have communicated professionally, even if she felt provoked by the sister.

Of greater concern to the Committee was that, upon viewing Dr. Miller's medical records, they noted several entries said "edit encounter". Information subsequently provided by Dr. Miller indicated that after she was notified of the complaint, she changed multiple records to make them complete. Some of the changed records were in regards to this complaint. In the Committee's view, Dr. Miller's actions interfered with the investigation into this complaint.

The Committee was also concerned that Dr. Miller did not take ownership for her decision to modify the records inappropriately. Specifically, she blamed poor internet as the reason why she did not complete the records earlier, and had to change them later. In the Committee's view, it is the physician's responsibility to ensure the medical record is up to date and complete, regardless of internet quality. Further, it is also a physician's responsibility to ensure that they follow the College's *Medical Records* policy when amending any existing records.