

UNDERTAKING, ACKNOWLEDGEMENT AND CONSENT
(“Undertaking”)

of

DR. WILLIAM WARREN HETHRINGTON RUDD
(Dr. Rudd)

to

COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO
(the “College”)

A. PREAMBLE

- (1) In this Undertaking:

“Code” means the Health Professions Procedural Code, which is Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18, as amended;

“Discipline Committee” means the Discipline Committee of the College;

“ICR Committee” means the Inquiries, Complaints and Reports Committee of the College;

“OHIP” means the Ontario Health Insurance Plan;

“Public Register” means the College’s register that is available to the public.

- (2) I, **Dr. Rudd**, certificate of registration number **17591**, am a member of the College.
- (3) I, **Dr. Rudd**, acknowledge that the College has referred to the Discipline Committee allegations that I engaged in disgraceful, dishonourable or unprofessional conduct with respect to two patients and sexual abuse, involving sexual comments, with respect to one patient.
- (4) I, **Dr. Rudd**, have read the Notice of Hearing dated November 23, 2016 and March 27, 2018, which sets out the allegations against me. I am aware of the College’s concern about protecting the public and I understand the nature of the allegations against me.
- (5) I, **Dr. Rudd**, acknowledge that the College has accepted this Undertaking in lieu of making an Order under section 25.4 of the Code at this time.

- (6) I, **Dr. Rudd**, acknowledge that this Undertaking does not preclude the ICR Committee from making an order at a later date in accordance with the Code.

B. UNDERTAKING AND ACKNOWLEDGEMENT

- (7) I, **Dr. Rudd**, undertake to abide by the provisions of this Undertaking, effective immediately.

(8) ***Resignation***

- (a) I, **Dr. Rudd**, hereby resign from the College effective May 25, 2018 (the “Effective Date”).
- (b) I, **Dr. Rudd**, hereby undertake not to apply or re-apply for registration as a physician to practise medicine in Ontario or any other jurisdiction after the Effective Date.
- (c) I, **Dr. Rudd**, acknowledge that in the event that the College should become aware that I am in breach of this Undertaking including, but not limited to, becoming aware that I have either applied, re-applied or attempted to apply or re-apply for registration as a physician or for a certificate of registration, or equivalent, to practise medicine in any jurisdiction after the Effective Date, the College shall, in its sole discretion, have the right to proceed with a disciplinary proceeding on the basis of a breach of this Undertaking.
- (d) I, **Dr. Rudd**, undertake to abide by the College’s Policy on Practice Management Considerations for Physicians Who Cease to Practise, Take an Extended Leave of Absence or Close Their Practice Due to Relocation, a copy of which is attached hereto as Appendix “A”.
- (e) I, **Dr. Rudd**, undertake that upon signing this Undertaking, I shall forward a request to the General Manager of OHIP that my billing number be deactivated for services rendered after the Effective Date.

(9) ***Practice Monitor***

- (a) Prior to the Effective Date and effective immediately, I, **Dr. Rudd**, undertake to continue my practice of having a regulated health professional present for each and every patient encounter, for the entire duration of the patient encounter, and that I will not engage in any patient encounters unless a regulated health professional is present.

- (10) I, **Dr. Rudd**, acknowledge that all appendices attached to or referred to in this Undertaking form part of this Undertaking.
- (11) I, **Dr. Rudd**, acknowledge and undertake that I shall be solely responsible for payment of all fees, costs, charges, expenses, etc. arising from the implementation of any of the provisions of this Undertaking.
- (12) I, **Dr. Rudd**, acknowledge that I have read and understand the provisions of this Undertaking, and that I have obtained independent legal counsel in reviewing and executing this Undertaking, or have waived my right to do so.
- (13) I, **Dr. Rudd**, acknowledge that this Undertaking constitutes terms, conditions, and limitations on my certificate of registration for the purposes of section 23 of the Code.
- (14) ***Public Register***
 - (a) I, **Dr. Rudd**, acknowledge that, during the time period that this Undertaking remains in effect, this Undertaking shall be posted on the Public Register.
 - (b) I, **Dr. Rudd**, acknowledge that, in addition to this Undertaking being posted in accordance with section (14)(a) above, the following summary shall be posted on the Public Register during the time period that this Undertaking remains in effect:

Dr. Rudd was referred to the Discipline Committee on allegations of disgraceful, dishonourable or unprofessional conduct with respect to two patients and sexual abuse involving sexual comments with respect to one patient. After the allegations were referred to the Discipline Committee and prior to the hearing, Dr. Rudd resigned from the College and has agreed never to apply or reapply for registration as a physician in Ontario or any other jurisdiction. Prior to his resignation, Dr. Rudd will continue to ensure that a regulated health professional is present for the entire duration of every patient encounter.

C. CONSENT

- (15) I, **Dr. Rudd**, give my irrevocable consent to the College to make appropriate enquiries of OHIP and/or any person who or institution that may have relevant information, in order for the College to monitor my compliance with the provisions of this Undertaking.

- (16) I, **Dr. Rudd**, acknowledge that I have executed the OHIP consent form, attached hereto as Appendix “B”.



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