

**SUMMARY of the Decision of the Inquiries, Complaints and Reports Committee
(the Committee)**

(Information is available about the complaints process [here](#) and about the Committee [here](#))

**Dr. Wameed Ateyah (CPSO# 81914)
(the Respondent)**

INTRODUCTION

The Complainant was a patient in the Respondent's family practice between approximately 2008 and 2017.

The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concerns about the Respondent's care and conduct, as follows:

COMPLAINANT'S CONCERNS

The Complainant is concerned that while she was under his care, the Respondent:

- **performed frequent, inappropriate breast examinations using improper technique on several occasions;**
- **performed frequent, inappropriate examinations of her groin and pubic area using improper technique on several occasions; and**
- **performed an inappropriate and improper internal vaginal examination in 2017 when he inserted two fingers of his ungloved hand into her vagina, asked her to cough, and failed to wash his hands prior to leaving the examination room.**

COMMITTEE'S DECISION

A General Panel of the Committee considered this matter at its meeting of April 8, 2020. The Committee required the Respondent to attend at the College to be cautioned in person with respect to overall female preventative care, including Pap smears and breast examinations, and with respect to medical record-keeping.

The Respondent also provided an undertaking to the College which included a provision that he have a practice monitor present during all patient encounters, that he inform patients of the indication for breast, pelvic, genital or rectal examination, that he undergo a period of supervision and complete professional education in certain areas (including in maintaining professional boundaries, appropriate technique and communication for intimate examinations and medical record-keeping), and that he undergo a reassessment of his practice.

COMMITTEE'S ANALYSIS

As part of this investigation, the Committee retained an independent Assessor who specializes in family medicine. The Assessor expressed concern about the Respondent's skill in performing breast examinations (given the Complainant's description of the technique employed and the frequency of the examinations) and his knowledge of Canadian breast screening guidelines.

In terms of the frequency of the examinations performed, the Respondent stated that the templated information in his records was not a true representation of what was performed at each visit. As such, it was difficult for the Committee to know what examinations were performed at each visit. At a minimum this represented to the Committee an issue regarding the Respondent's record-keeping practices.

The Assessor stated that the Respondent demonstrated a lack of skill regarding examination of the lymph nodes in the groin if he performed an examination as described by the Complainant. The Assessor was also of the opinion that the Respondent failed to meet the standard and displayed a lack of judgment in performing three annual Pap tests, the timing of which were not in accordance with screening guidelines.

The Respondent denied performing a vaginal examination as described by the Complainant. His records indicate that he only saw the Complainant twice in 2017 and that he did not perform a vaginal examination at either visit. A nurse was present during one of the visits and she confirmed that the Respondent did not perform a vaginal examination. She advised that the Respondent always wore gloves when conducting examinations and that she never observed him perform an examination that she believed was unnecessary or inappropriate.

The Committee looked at the totality of the evidence before it and determined that there was no reasonable prospect that the concerns the Complainant has raised could be proven at a Discipline hearing. However, given the issues regarding the Respondent's practice that were raised in the investigation, an undertaking was obtained, as set out above, and the Committee decided to require the Respondent to attend at the College to be cautioned in person.