

SUMMARY

Dr. Foluso Ayomitunde Olusegun Ola (CPSO# 81417)

1. Disposition

On May 18, 2016, the Inquiries, Complaints and Reports Committee (“the Committee”) required family physician Dr. Ola to appear before a panel of the Committee to be cautioned with respect to his billing, professionalism and medical record-keeping.

2. Introduction

A representative of an insurance company complained to the College that Dr. Ola had been slow to respond to the insurance company’s request for his medical records respecting a person who was Dr. Ola’s patient and the insurance company’s client. The insurance company further complained that Dr. Ola proposed to charge an excessive fee for reviewing and transmitting the records, and that the records, once obtained, contained irregularities. The insurance company representative alleged that the patient seemed intimidated by Dr. Ola.

Dr. Ola described what the fee had covered and how he had calculated his fee, and pointed out that in the end, he released the records at no charge. Dr. Ola discussed the quality of his records and commented on his use of templates in charting.

3. Committee Process

A 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.cpsso.on.ca, under the heading “Policies & Publications.” The Committee referenced, in this case, the College’s Policy Statement #2-12, *Medical Records*.

4. Committee’s Analysis

Dr. Ola’s proposed fee (which in the end he did not charge) was unequivocally excessive for reviewing 72 pages of records. His hourly rate calculated at almost \$500 exceeded the OMA

(Ontario Medical Association) recommended rate of \$380.95 per hour. Dr. Ola's taking just over six months to transmit the records was not timely.

The Committee decided to caution Dr. Ola in person with respect to his professionalism and billing practices.

Regarding the content of the records, the Committee was concerned that Dr. Ola over-used templates, to the extent that the Committee questioned whether what was reflected in the chart represented what actually happened at any patient encounter.

The Committee decided to caution Dr. Ola in person with respect to his medical record-keeping.

The Committee wished Dr. Ola to submit, before attending for his caution, a written report with respect to the College's *Medical Records* policy and to the recommended costs in the OMA *Schedule of Fees*.

The Committee did not have sufficient information upon which to conclude whether the patient was too intimidated to approach Dr. Ola but notes it expects physicians to deal with patients in a professional, approachable manner.