

SUMMARY

DR. STEPHEN JAMES SMALL (CPSO# 66506)

1. Disposition

On June 1, 2016, the Inquiries, Complaints and Reports Committee (“the Committee”) ordered family physician Dr. Small to complete a specified continuing education and remediation program (“SCERP”). The SCERP requires Dr. Small to:

- Provide a written summary of the Provincial Infectious Disease Advisory Committee publication “Infection Prevention and Control for Clinical Office Practice,” with reference to how it applies to Dr. Small’s situation and any changes Dr. Small has made or plans to make to his practice
- Undergo a reassessment approximately nine months following completion of the education program.

2. Introduction

A patient complained to the College about Dr. Small’s conduct and communications, and the cleanliness of the clinic. The patient is concerned that Dr. Small: did not address the symptoms of cold/flu and fever for themselves and their family members, asked a family member to sign a blank “New Patient Declaration” form without explaining the reason for it, was extremely rude, was unwelcoming and did not respect them because they were immigrants, and did not ensure the cleanliness of the clinic.

Dr. Small responded that he examined each family member and recommended appropriate treatment. He believed the family wished to enroll in his practice and once concerns were expressed the enrollment forms were not processed. He treats all patients the same regardless of race. After a College inspection of his office, Dr. Small acknowledged deficiencies and has committed to improving his office practices in infection prevention and control.

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.cpso.on.ca, under the heading "Policies & Publications."

4. Committee's Analysis

After a College inspection in November 2015, the Committee found many deficiencies in infection prevention and control practices in Dr. Small's office. For example, there were deficiencies in the reprocessing of instruments, storage of vaccines and medications, and use of injectable and multi-use vials. Many of the deficiencies were considered "high risk"; that is, an immediate health hazard exists and the practice must be stopped completely. Dr. Small addressed the deficiencies identified and upon re-inspection in January 2016, the College inspector had no concerns.

Though Dr. Small has addressed the deficiencies, given the many, widespread issues identified in his office infection and control practices, the Committee ordered Dr. Small to summarize the publication "Infection Prevention and Control for Clinical Office Practice," with reference to changes he has made to his practice. Nine months after completing this education, the College will re-inspect Dr. Small's office.

Regarding the other concerns raised, the Committee noted as follows:

- According to the family, Dr. Small asked them to sign a form without explaining it. Dr. Small stated that he thought the family wished to join his practice and thus provided the form. The Committee noted that it was unable to know with certainty what Dr. Small said to the family regarding joining his practice as rostered patients. However, because of the importance of clear communications around this issue, the Committee issued advice to Dr. Small to communicate in a professional manner and ensure people understand any documents they sign, and what it means to be a rostered patient.

- With respect to the allegation that Dr. Small mistreated the patients because they were immigrants, according to Dr. Small, he treats all patients the same and denies being rude. With differing versions of events, the Committee had no ability to assess the interaction and for this reason set out its expectation that all physicians would communicate in a professional, respectful and empathetic manner with patients.
- After reviewing the chart, the Committee was satisfied that Dr. Small conducted appropriate examinations of the family and recommended appropriate treatment.