

**Indexed as: Vasic (Re)**

**THE DISCIPLINE COMMITTEE OF THE COLLEGE  
OF PHYSICIANS AND SURGEONS OF ONTARIO**

**IN THE MATTER OF a Hearing directed  
by the Complaints Committee of  
the College of Physicians and Surgeons  
of Ontario, pursuant to Section 58(2) of  
the Health Disciplines Act  
R.S.O. 1990**

**BETWEEN:**

THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

- and -

DR. VLADIMIR VASIC

**PANEL MEMBERS:** H. MAEOTS (CHAIR)  
K. MANSEAU  
DR. M. RAPP  
MR. R. SANDERS

**HEARING DATE:** August 23, 1999

**DECISION /RELEASED:** August 23, 1999

## **DECISION AND REASONS FOR DECISION**

This matter was heard on August 23, 1999 before the Discipline Committee of the College of Physicians and Surgeons of Ontario at Toronto.

### **THE ALLEGATIONS**

The College filed an Amended Notice of Hearing which alleged that Dr. Vasic was guilty of professional misconduct,

- (a) for failing to maintain the standard of practice of the profession, which is professional misconduct under paragraph 29.22 of Ontario Regulation 548, R.R.O. 1990, and
- (b) for conduct or an act relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, which is professional misconduct under paragraph 29.33 of Ontario Regulation 548, R.R.O. 1990.

The Amended Notice of Hearing set out particulars of the allegations.

### **BACKGROUND**

Dr. Vasic, a native of Yugoslavia, was certified by the RCPS in 1979 and has practised until recently in Ontario as a general surgeon specializing in head and neck problems. He has no prior record with the College. He moved his practice to the U.S.A., where the Committee was advised he intends to remain, in 1997.

### **THE PLEA AND FINDINGS**

By means of a Statement of Agreed Facts and Consent Disposition, Dr. Vasic agreed that certain facts are true and that the behaviour described constitutes professional misconduct as defined in paragraphs 29.22 and 29.33 of Ontario Regulation 548,

R.R.O. 1990, made under the *Health Disciplines Act*, R.S.O. 1990, in that he failed to maintain the standard of practice of the profession, and in that the admitted conduct is conduct or an act relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

The Statement of Agreed Facts disclosed the following:

1. Complainant 1 was admitted to the hospital in May 26, 1992, for a cholecystectomy.
2. Dr. Vasic performed the cholecystectomy in May 27, 1992, and discharged Complainant 1 home on June 1, 1992.
3. Complainant 1 had a fever on June 1, 1992 when she was discharged from the hospital.
4. Complainant 1 attended the hospital emergency room with right upper quadrant pain, fever and chills.
5. Dr. Vasic attended Complainant 1 in the emergency room on June 2, 1992, and, after examination with an instrument, found no infection in or near the wound site, but diagnosed a urinary tract infection. Dr. Vasic ordered that Complainant 1 stay in the holding area overnight for conservative therapy.
6. Dr. Vasic used an instrument from an open cart to examine the wound of Complainant 1 thereby failing to use a proper sterilized technique in treating the infection.

7. Dr. Vasic was inappropriate and unprofessional in his communications with Complainant 1, her family and a colleague in the holding area on June 2, 1992. Dr. Vasic denied there was infection, was rude to the patient and her family, and ignored the request of a nurse that Complainant 1 required her regular medication.
8. Complainant 1 remained in the holding area until June 4, 1992 when she was admitted to a ward in the hospital. She continued to have pain, fever and chills, and a large amount of infection was draining from the wound.
9. Dr. Vasic discharged Complainant 1 home on June 9, 1992. Dr. Vasic ordered home care from the Victorian Order of Nurses with instructions to apply a dry dressing and use an antiseptic of choice.
10. Dr. Vasic failed to give appropriate orders to the Victorian Order of Nurses.
11. On June 14, 1992 Complainant 1 again attended the emergency room at the hospital, as she continued to have a fever and her surgical incision was draining pus. She was monitored in the holding area overnight, and was admitted to the hospital on June 15, 1992.
12. Dr. Vasic was inappropriate and unprofessional in his communications with Complainant 1 and her family, in the holding area on June 15, 1992. Dr. Vasic was rude and abusive to Complainant 1 while she was sedated.
13. Dr. Vasic was inappropriate and unprofessional in his communications with Complainant 1 and her family on June 16, 1992, and denied that she had a fever when she was sent home on the previous two occasions.
14. Dr. Vasic failed to recognize and properly treat the infection in Complainant 1's wound, and failed to prescribe the required medication.

15. Dr. Vasic treated Complainant 2 at the hospital in April 25, 1993, when she was referred to him for the insertion of a central venous line.
16. Dr. Vasic inserted the line into the left internal jugular vein.
17. In April 25, 1993, a portable chest radiograph showed a widening of the superior mediastinum and a malposition of the left subclavian line.
18. Complainant 2 was transferred to the university medical centre in April, 1993, with a left pneumothorax and a collapsed left lung.
19. Dr. Vasic failed to insert the central venous line properly.
20. Dr. Vasic failed to consider the radiological findings after he inserted the line or, alternatively, he failed to take any action once he had seen the results of the chest audiograph.

## **DECISION**

On reading the Amended Notice of Hearing, the Agreed Statement of Facts and Consent Disposition, and on hearing submissions of counsel for the College and for Dr. Vasic, the Committee found Dr. Vasic guilty of professional misconduct as defined in paragraphs 29.22 and 29.33 of Ontario Regulation 548, R.R.O. 1990, made under the *Health Disciplines Act*, R.S.O. 1990, in that he failed to maintain the standard of practice of the profession, and in that the conduct set out in the agreed statement of facts is conduct or an act relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

## **PENALTY**

Counsel for the College and counsel for the defendant made a joint submission regarding penalty.

In weighing penalty, the Committee considered Dr. Vasic's clean prior record with the College, his co-operation in the matter and his admission of responsibility. The Committee was satisfied that the consent disposition described below was fair and appropriate in the particular circumstances and met the need for specific punishment and deterrence as well as the larger need to protect the public and the reputation and integrity of the profession.

The Committee ordered the following:

1. Dr. Vasic be reprimanded by the Committee;
2. The fact of the reprimand be recorded on the Register;
3. Dr. Vasic's certificate of registration be suspended for a period of six (6) months. The suspension shall commence on a date which shall be fixed by the Registrar who shall take this action upon Dr. Vasic's return to practice in Ontario;
4. Four (4) months of the said suspension of Dr. Vasic's certificate of registration shall itself be suspended, provided that Dr. Vasic fulfills the following terms and conditions;
  - (a) Dr. Vasic attends an assessment program as arranged for him by the College;
  - (b) Prior to commencement of the program, Dr. Vasic provides written consent to the release by the College to the assessor(s) of any information considered appropriate by the Director of the Professional Enhancement

Department of the College;

- (c) Dr. Vasic co-operates in every respect with the assessment process;
  - (d) Dr. Vasic provides his written consent to the release by the assessor(s) to the College of the result of the assessment and of any information with respect to the assessment as may be considered necessary by the Director of the Professional Enhancement Department of the College or the assessor(s);
  - e) Dr. Vasic completes successfully and to the satisfaction of the assessor(s) any program of upgrading which may be recommended by the assessor(s), and submits himself to such further re-assessments as may be recommended by the assessor(s), and completes any training or upgrading recommended by the assessor(s) from time to time on the occasion of any re-assessment(s) which may be recommended;
  - (f) Dr. Vasic shall within thirty (30) days of the submission of an invoice therefor pay the costs of his assessment and re-assessment(s).
5. In the event that Dr. Vasic fails to comply with any of the terms and conditions as set out in paragraph 4 of this order, the balance of his suspension shall commence immediately.

Dr. Vasic waived his right of appeal and the reprimand was administered on August 23, 1999.