

SUMMARY

DR. MAYER YACOWAR (CPSO# 70982)

1. Disposition

On May 2, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required family physician Dr. Yacowar to appear before a panel of the Committee to be cautioned with respect to unacceptable delay in responding to the College, despite multiple requests to provide medical records.

2. Introduction

A patient complained to the College raising various clinical and conduct concerns regarding Dr. Yacowar. After investigation, the Committee was satisfied that it did not need to take any action with respect to the concerns raised by the patient. However, in the course of reviewing this complaint, the Committee was concerned that Dr. Yacowar significantly delayed this investigation by not responding to College requests for records in a timely manner, despite multiple letters and office visits.

Dr. Yacowar apologized for the late response but otherwise provided no explanation for it.

3. Committee Process

A General Panel of the Committee, consisting of public and physician members, met to review the relevant records and documents related to the complaint/investigation. 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

The Committee did not take any action with respect to the concerns raised by the patient. While the Committee did not identify any concerns with the care Dr. Yacowar provided to the patient or with the conduct concerns raised by the patient, we were troubled that Dr. Yacowar significantly delayed this investigation by not responding to College requests for records in a timely manner, despite multiple letters and office visits.

Ontario Regulation 856/93 under the *Medicine Act*, includes failing to respond appropriately or within a reasonable time to a written inquiry from the College as an act of professional misconduct.

Dr. Yacowar did not provide patient records until seven months after the College initially requested them.

The Committee's concerns were further heightened by the fact that Dr. Yacowar has a significant history of prior College investigations, including some that raised concerns of a similar nature. For example, in 2017, the Committee advised Dr. Yacowar with respect to providing records for a court case in a timely manner, and in 2011, the Committee cautioned him in writing for failing to make a mandatory report to the College.