

SUMMARY

DR. JOSEPH ARMAND KORKIS (CPSO# 56687)

1. Disposition

On November 7, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required otolaryngologist-head and neck surgeon Dr. Korkis to appear before a panel of the Committee to be cautioned with respect to infection prevention and control (IPAC) protocols and regarding unprofessionalism (sending a letter publicly questioning the authority of Halton Region Health Department (HPH) to impose an order on his practice related to IPAC lapses when physicians, as part of the privilege of belonging to a self-governing profession, have a professional and legal obligation to comply with such orders).

2. Introduction

The College received information raising concerns about Dr. Korkis's IPAC protocols. It conducted a joint inspection of Dr. Korkis's practice with HPH. HPH then ordered Dr. Korkis to cease practice until the breach of IPAC protocols had been rectified. Following the order, Dr. Korkis released a letter to colleagues that caused the College to question Dr. Korkis's professional conduct. Subsequently, the Committee approved the Registrar's appointment of investigators to investigate the matter.

Dr. Korkis responded that he took prompt steps to rectify all IPAC deficiencies identified by HPH. He noted, however, that HPH also published the findings of its initial inspection of his practice on their web-site; this information was transmitted through the community, damaging his reputation. Dr. Korkis expressed regret at having sent the letter to his colleagues. He indicated he did so to provide context and background regarding the order. He denied any intention to downplay the significance of the order or the IPAC breaches identified.

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. 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 lapses in IPAC protocols that occurred at Dr. Korkis's clinic were varied, and not as significant as have occurred at other, similar clinics. Regardless, the lapses that did occur were concerning. The Committee acknowledged that the HPH order has had a negative impact on Dr. Korkis's clinic. Nonetheless, the Committee noted that its primary concern is protection of the public and patient safety, and the lapses in Dr. Korkis's IPAC protocols represented a risk to the public. The Committee therefore cautioned Dr. Korkis on this issue.

The Committee noted the importance of respect for the authority of public institutions, especially by physicians, who are members of a self-governing profession. While acknowledging that the public disclosure of the HPH order was detrimental to Dr. Korkis, the Committee also stated that Dr. Korkis's objection to the order in an aggressive and public manner was imprudent. The Committee noted that Dr. Korkis should have reviewed the content of the letter and moderated the language used therein before circulating it. Ultimately, the Committee noted, the order was necessary to address significant public safety concerns.

Given its concern about Dr. Korkis's lapses in IPAC protocols, and his unprofessional response to an order of the Halton Region Health Department, the Committee issued a caution.