

## **SUMMARY**

### **Dr. Raouf Michel Fahim (CPSO# 80606)**

#### 1. Disposition

On November 23, 2016, the Inquiries, Complaints and Reports Committee (“the Committee”) required Dr. Fahim, a family physician, to appear before a panel of the Committee to be cautioned with respect to misrepresenting himself as an ophthalmologist.

#### 2. Introduction

A policy consultant for the Ontario Association of Optometrists (OAO) wrote to the College and indicated that the OAO received a report about a clinic that was performing eye examinations. As there was no optometrist registered as practising there, the OAO launched an investigation in order to determine the qualifications of the person who was performing the examinations. In the course of the investigation, an investigator was sent to the clinic to pose as a patient. Transcripts of an audio recording of the visit revealed that Dr. Fahim performed the examination and that he identified himself as being an ophthalmologist. The College register indicates that Dr. Fahim’s only specialty designation is in family medicine. The OAO was therefore concerned that Dr. Fahim has been misrepresenting his qualifications.

Dr. Fahim responded that his business cards and office letterhead identify him as a “family physician practising in ophthalmology” and that this accords with the advertising regulations and the description the College suggested he use. He further indicated that the transcript of his visit with the OAO investigator, which documents that he identified himself to the investigator as a “registered ophthalmologist”, is not accurate, as on the audio recording he stated that he was a “British-trained ophthalmologist”. He said that when patients ask him about his experience or qualifications this is how he describes himself and he explains to them the limits of his care which does not include ophthalmological procedures.

### 3. Committee Process

A panel of the Committee, consisting of both public and physician members, met in order 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](http://www.cpso.on.ca), under "Policies & Publications".

### 4. Committee's Analysis

The Committee agreed that the examination transcript is inaccurate as in the audio recording of the encounter Dr. Fahim does not actually identify himself as a "registered ophthalmologist". It is clear from the audio recording, however, that when the OAO investigator inquired as to whether he was an optometrist Dr. Fahim said that he was an "ophthalmologist, British trained".

In the Committee's view, Dr. Fahim should not be identifying himself as an "ophthalmologist". It does not matter where he received his training, or what his qualifications might be abroad. In the province of Ontario Dr. Fahim's only specialty qualification is in family medicine; hence he should only be identifying himself as a family physician and not as an ophthalmologist.

If physicians wish to describe areas of their practice other than their official designation then they may do so provided that they first indicate their designation, specialty, or sub-specialty. The phrase "practising in" must precede any descriptive terms that a physician wishes to use. This is to ensure that descriptive terms physician use are not mistaken for formal specializations.

While Dr. Fahim may have adopted this practice on his business cards and his office letterhead, to the Committee it seemed apparent that he has not yet done so in his interactions with patients. He is still identifying himself to patients as an ophthalmologist and not as a family physician.

The Committee noted with concern that Dr. Fahim has already received four cautions in person about misrepresenting his qualifications by identifying himself to others as an ophthalmologist. The Committee considered this case to be another act of misrepresentation on Dr. Fahim's part.

In the Committee's view, Dr. Fahim's repeated conduct raises concerns about his governability; however, he has signed an undertaking agreeing to post a visible sign in his office that indicates that he is a family physician who is practising in ophthalmology and outlines his qualifications. The Committee viewed the undertaking as a reasonable but partial solution to the concern raised. In addition to accepting Dr. Fahim's proposed undertaking with respect to signage in his office, the Committee will meet with him in person again to express its concerns about his conduct.