SUMMARY

DR. MUHAMMAD MAHBOOB (CPSO# 105456)

1. Disposition

On January 18, 2018, the Inquiries, Complaints and Reports Committee (the Committee) ordered Dr. Mahboob, a physician who currently holds a restricted certificate of registration to practise family medicine under supervision, to complete a specified continuing education and remediation program (SCERP). The SCERP requires Dr. Mahboob to:

- undergo a six-month period of clinical supervision;
- complete the University of Toronto's course on medical record-keeping;
- complete the CMPA's e-learning programs (Documentation I: Charting Medical Records eLearning Module, and Documentation II: Principles of Medical Record Keeping eLearning Module);
- complete either ProBE Program Canada or Western University's the Understanding Boundaries in Managing the Risks Inherent in the Doctor-Patient Relationship course;
- review the following publications and discuss them with the clinical supervisor:
    - The Narcotics and Controlled Drugs section of the College's Policy Statement #7-16, *Prescribing Drugs*;
    - The College's Policy Statement #4-12, *Medical Records*;
    - The College's Policy Statement #2-16, *Physician Treatment of Self, Family Members, or Others Close to Them*;
    - The Canadian Medical Association's Clinical Practice Guidelines, regarding the application to his own practice:
        - diabetes mellitus
        - chronic obstructive pulmonary disease (COPD)
        - hypertension
        - substance abuse
        - anxiety

        - depression
- undergo a reassessment of his practice with an independent assessor selected by the College within six months of completing the remediation set out above.

The Committee also required Dr. Mahboob to appear before a panel of the Committee to be cautioned with respect to the failure to recognize the boundary violations in administering treatment to his practice supervisor over a long period of time, and the failure to meet standards of care in general medical practice.

2. Introduction

The College received information from the Registration Committee raising concerns about the fact that Dr. Mahboob had provided medical care to his clinical supervisor. The Registration Committee also expressed concern about the quality of Dr. Mahboob's patient care in general.

Subsequently, the Committee approved the Registrar's appointment of investigators to conduct a broad review of Dr. Mahboob's practice.

3. Committee Process

As part of this investigation, the Registrar appointed a Medical Inspector (the MI) to review 25 of Dr. Mahboob's patient charts, interview Dr. Mahboob, observe Dr. Mahboob's practice, and submit a written report.

A Family Practice Panel of the Committee, consisting of public and physician members, met to review the relevant records and documents related to the 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

In his initial report, the MI concluded that Dr. Mahboob failed to meet the standard of practice in 18 out of 25 charts reviewed; that he displayed a lack of skill, knowledge and judgment; and that his practice could lead to potential harm to patients. Specifically, the MI noted that Dr. Mahboob failed to meet the standard of practice in the following areas: diabetes management; chronic obstructive pulmonary disease (COPD) management; assessment/reassessment/follow-up of patients for hypertension, anxiety, depression and substance abuse; documentation; and the prescribing of controlled substances. The MI also concluded that Dr. Mahboob demonstrated a lack of skill, knowledge and judgment in the regular care and diabetic care he provided to patients, the use of controlled substances, treating a patient with a close relationship (his clinical supervisor), the management of bipolar disease and his charting practices.

Dr. Mahboob provided a detailed response to the MI report, in which he outlined the experience he had before relocating to Toronto, acknowledged that he could improve his record-keeping and medical knowledge, and conceded that he should not have provided care to his clinical supervisor. Dr. Mahboob also provided specific comments about the patient charts that the MI reviewed, and replied to the concerns the MI had identified. While indicating that some of the MI's concerns likely stemmed from his poor record-keeping, Dr. Mahboob concluded by stating that he did not believe the majority of the MI's concerns were warranted.

The MI submitted an addendum report to address Dr. Mahboob's response, in which he noted that specific concerns he had about one patient were not valid (as he had the wrong age), but confirmed his concerns regarding the care Dr. Mahboob provided to patients based on his review of the 25 charts provided, the observation component of the review, interview and Dr. Mahboob's submission.

Through legal counsel, Dr. Mahboob provided a report from his own opinion provider, who concluded that Dr. Mahboob met the standard of care "the majority of the time". The reviewer

noted, however, that Dr. Mahboob's charting was problematic (although he indicated that the issue of proper resources was fixable and that Dr. Mahboob had already taken some necessary steps to improve), and that Dr. Mahboob's diabetic care was "scattered".

The MI reviewed the report of Dr. Mahboob's opinion provider and submitted another addendum report, in which he maintained that his opinion remained unchanged.

The Committee accepted and agreed with the MI's concerns.

While the Committee appreciated that Dr. Mahboob had reflected on the deficiencies in his practice identified in the investigation and taken some steps to try to improve his practice, the Committee believed that Dr. Mahboob required further, more formalized, education to ensure that he had adequately addressed the Committee's concerns.

For all the above reasons, the Committee required Dr. Mahboob to attend at the College to be cautioned with respect to the above-mentioned aspects of his care, and was of the opinion that Dr. Mahboob would benefit from the further remediation outlined above.