

## SUMMARY

### DR. ABDULHAFID OMAR ALI (CPSO# 54666)

#### 1. Disposition

On September 5, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required orthopaedic surgeon Dr. Ali to appear before a panel of the Committee to be cautioned with respect to a conflict of interest (in prescribing a knee brace to a patient to be provided by a business in which he has a financial interest). The Committee also requested that Dr. Ali submit a written report, approximately 2-4 pages in length, with respect to the conflict of interest regulation (Part IV of Ontario Regulation 114/94, made under the *Medicine Act, 1991*.)

In addition, the Committee issued advice to Dr. Ali to be aware of pain associated with examination of stability of all knee ligaments in a healing fracture and to consider patient preference and cost considerations in treatment of a compression pattern of tibial plateau fracture at 39 days post fracture.

#### 2. Introduction

The patient complained to the College that Dr. Ali failed to adequately manage care of her healing knee fracture by performing a rough physical examination, providing an incorrect assessment of imaging studies resulting in an incorrect treatment plan, and prescribed a \$1,600 custom knee brace unnecessarily, through a company in which he has a financial interest. The patient also had concerns about Dr. Ali's communications in that she feels he did not treat her with kindness or dignity, provided little information, and rushed through the appointment.

Dr. Ali responded that he was not rough in his examination. He did not agree that he provided an incorrect assessment, and justified his use of the brace he prescribed. Dr. Ali denied that the brace he prescribed was unnecessary. He did acknowledge having a proprietary interest in the company that he advised the patient to get the brace from. Dr. Ali expressed regret that the

patient feels he did not treat her with kindness or dignity. He maintained that he endeavours to treat all patients with kindness and dignity and to provide them with the best care he is able. He maintained he would have explained the patient's injury and his treatment plan and endeavoured to answer any questions.

### **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.cpsa.on.ca](http://www.cpsa.on.ca), under the heading "Policies & Publications."

### **4. Committee's Analysis**

Although Dr. Ali denied conducting a rough examination of the patient's knee, he acknowledged testing the knee for instability in all of the ligaments of the knee, which he stated is his routine. The Committee noted that this is not good practice and for this reason issued advice to Dr. Ali on the appropriateness of his approach.

Regarding the patient's concern that Dr. Ali provided an incorrect assessment of x-ray and MRI films, resulting in an incorrect treatment plan, the Committee agreed that Dr. Ali could have better managed this aspect of the patient's care. For this reason, the Committee issued advice to Dr. Ali to consider the patient's physiology, the state of healing of the fracture, and the importance of discussing treatment alternatives with the patient.

Dr. Ali denied the patient's concern that he did not treat her with kindness or dignity, provided little information, and rushed through the appointment. The Committee noted that Dr. Ali's history with the College includes repeated concerns related to communications issues. The

Committee indicated that it would be appropriate and prudent for Dr. Ali to reflect on his communications with patients to determine how he might improve this aspect of his practice and prevent future complaints.

The Committee noted that the investigative record supported the patient's concern that Dr. Ali prescribed an unnecessary and expensive custom knee brace through a company in which he has a financial interest. The Committee did not find convincing Dr. Ali's claim that he made an unbiased decision in prescribing the brace. The Committee noted Dr. Ali's response that he has since reviewed the conflict of interest regulation and now realizes his error and undertakes to change his practice. Nonetheless, given Dr. Ali's history with the College and the serious issues raised in the patient's complaint, the Committee determined that a caution was indicated.