

SUMMARY

Dr. Clement Sun (CPSO# 27390)

1. Dispositions

On September 11, 2017, the Inquiries, Complaints and Reports Committee (“the Committee”) ordered general practitioner Dr. Sun to complete a specified continuing education and remediation program (“SCERP”), and to attend the College to be cautioned with respect to his assessment and management of patients, delegation, record-keeping and billing. The SCERP requires Dr. Sun to:

- complete Buprenorphine-Assisted Treatment Opioid Dependence: An Online Course for Front-Line Clinicians;
- review and provide written summaries of the College’s policies on *Methadone Maintenance Treatment for Opioid Dependence, Prescribing Drugs, Delegation of Controlled Acts, Telemedicine, Confidentiality of Personal Health Information, and Medical Records*; the March 2016 Bulletin in *Methadone News* by Dr. Garber regarding Quick Visits; *Management of Alcohol Use Disorders, Opioid Prescribing, and Opioid Use Disorders in Primary Care: A Pocket Reference for Family Physicians*; and *Canadian Guideline for Safe and Effective Use of Opioids for Chronic Non-Cancer Pain*;
- practice under a clinical supervisor for a period of 12 months; and
- undergo a reassessment of his practice approximately six months following the completion of the education program.

2. Introduction

The College received information from a peer assessor in the College’s Methadone Program raising concerns about Dr. Sun’s methadone practice. The Committee subsequently approved the Registrar’s appointment of investigators to conduct a broad review of Dr. Sun’s practice in this area. As part of this investigation, the Registrar appointed a Medical Inspector (MI) to

review a number of Dr. Sun's patient charts and interview Dr. Sun. The MI found that Dr. Sun failed to meet the standard of care in 27 of the 30 charts reviewed, that he displayed a lack of skill, judgment and knowledge in certain cases (although knowledge in most of the cases was difficult to determine due to poor documentation), and that his practice exposed his patients to a risk of harm. Upon reviewing witness information from staff and physicians who had worked or did currently work at Dr. Sun's methadone clinics, the MI stated that her concern about a risk of harm to patients was even higher.

Dr. Sun provided a detailed response to the MI's report, on the issues of concern raised by the MI, including the nature of "quick visits", frequency of visits, delegation, documentation and billing. He also provided a report from another physician opining on his practice.

The MI provided an addendum report, in which she stated that having reviewed Dr. Sun's response (including the report he provided from another physician opining on his practice), her opinion about Dr. Sun's practices remained unchanged.

3. Committee Process

A Mental Health 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 Committee noted that the information before it indicated significant issues regarding many aspects of Dr. Sun's practice. The Committee was impressed with the extent of the MI's review (including a very lengthy and exhaustive interview process), and the thorough and considered nature of her comments regarding Dr. Sun's practice.

The Committee stated that while Dr. Sun denied that he was Medical Director of the methadone clinics as he does not run out of hospital premises, it was clear to the Committee that Dr. Sun had been involved in designing the clinic structure and determining the suitability of physicians to work there, and he had participated in the creation of a clinic policy and procedure manual.

The Committee shared the MI's concerns regarding Dr. Sun's practice, which relate to multiple areas, including the frequency and utility of certain visits, documentation, and billings. In particular, the Committee identified concerns with (among other things):

- "quick visits" (acknowledging that Dr. Sun is no longer using this term and indicates he has changed approach), including assessment, privacy/confidentiality, frequency of visits, etc.
- adherence to the Methadone Maintenance guidelines, including safe storage of methadone and frequency of visits
- weekend dosing visits and the use of telemedicine (and issues around billing for same)
- documentation overall, including with respect to dosing changes
- starting an opioid naïve patient on a higher than recommended dose of methadone

Given the Committee's concerns, it reached the two-fold disposition set out above.

In addition, given that the Committee was not in a position to state definitively whether Dr. Sun acted appropriately in billing visits as he did, the Committee referred the matter to the General Manager of OHIP, who is better suited to review the issues that arose in this investigation regarding Dr. Sun's billing practices.