

SUMMARY

DR. ELEANOR MARIE LOUISE DE SOUZA (CPSO# 60105)

1. Disposition

On April 10, 2017, the Inquiries, Complaints and Reports Committee (“the Committee”) required Dr. De Souza (General Practice) to appear before a panel of the Committee to be cautioned with respect to: the timely completion of third party reports; medical record-keeping and timely provision of medical records; and office organization and cleanliness.

The Committee also ordered Dr. De Souza to complete a specified continuing education and remediation program (“SCERP”). The SCERP requires Dr. De Souza to:

- Review and provide written summaries of the College policies on *Medical Records* (#4-12) and *Third Party Reports* (#2-12).
- Practice under the guidance of a Clinical Supervisor acceptable to the College for 12 months. At the outset of the period of clinical supervision, the Clinical Supervisor will provide direct patient clinical observation. The Clinical Supervisor will review a minimum of 10-15 charts at all visits, along with all requests for third party reports, and focus on the quality of documentation and care and the timeliness of completion of reports. The Clinical Supervisor will also inspect Dr. De Souza’s office space to verify organization and hygiene.
- Undergo a reassessment of her practice by an assessor selected by the College approximately six months following completion of the education program.

2. Introduction

The College received a complaint from a family member of two patients, raising concerns about Dr. De Souza’s completion of third party reports, response to requests for medical records, charting and medical-keeping, quality of care, and office deficiencies.

In the course of the investigation, College investigators attended Dr. De Souza's office several times, including to obtain the patients' records. The investigators noted several deficiencies related to office organization and cleanliness.

Dr. De Souza responded that the process of re-organizing her office had been ongoing for some time. She acknowledged that further improvement was necessary in relation to her office organization, and said she closed her office for a short period to attend to this. She explained that she completed certain third party reports by way of letter for one of the patients (instead of using the requested form). Dr. De Souza's recollection of the patients' requests for records differed from theirs. She provided comments on her medical record-keeping and charting, and explained aspects of the care she provided to the patients.

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 found that the extended timeline that it took for Dr. De Souza to complete a third party report was not in keeping with the College's policy on this subject. The Committee noted the difficulties the complainant and the patients had in trying to obtain copies of the patients' medical records, as well as efforts by College staff to do the same. The Committee was concerned about the overall quality of Dr. De Souza's medical records, noting she had already done remediation on this subject previously through the College.

While the College investigators noted Dr. De Souza had made improvements to her office organization and hygiene through the course of the various visits that occurred during the investigation of this matter, the Committee was still concerned about this aspect of Dr. De Souza's practice.

The Committee was satisfied on a review of the medical records that appropriate specialists were consulted on the patients' care and the Cumulative Patient Profiles (CPP) were complete, however, it observed that most of the information gathered was from consultant notes, and Dr. De Souza's medical record-keeping made it difficult to assess this aspect of the complaint.

Noting that Dr. De Souza has had multiple opportunities through other College processes to change and improve her practice, this case indicated to the Committee that she has been continuing to have various difficulties with her medical practice. The Committee determined that a caution in person and a SCERP were the appropriate dispositions in this matter.