

DECISION #3

Dr. Claudette Prager
94 Cumberland Street, #312
Toronto, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Failed to abide by a written undertaking given by her to the College (para. 54).
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59)

BRIEF SYNOPSIS OF FACTS

- As the result of a patient complaint, Dr. Prager entered into a voluntary undertaking to do certain things including retaining a mentor, approved by the College at her own expense. She undertook to abide by the recommendations of the mentor with respect to her practice management protocols and with respect to the need for further review and assessment.
- The College and the member agreed upon a practice mentor and the mentor prepared an initial report, including findings and recommendations that was provided to the member and the College.
- In the second report, the mentor detailed many remaining deficiencies in the member's practice management skills, which the mentor had noted in the previous visit and advised that the member had not taken the mentoring seriously.
- Deficiencies noted in the mentor report included: not having a complete medical emergency kit; not having current CPR certification; not returning patient telephone calls in timely/orderly manner; and not opening and replying to office mail in timely/orderly manner.
- Mentor advised that while patients not at risk, member showed unwillingness to accept responsibility for her actions and a determination not to change things in her practice.
- Executive Committee determined that the member had not successfully completed the mentoring program.

4. Finding

The member pleaded guilty and was found guilty of professional misconduct with respect to the above allegations.

5. Penalty

- The member will be reprimanded.
- The member will immediately stock and maintain an office emergency kit with all required drugs and appropriate equipment.
- The member will immediately ensure that key office staff, including herself, have and maintain current CPR certification.
- The member will immediately implement and maintain office protocols for: telephone calls and messages; mail; and transfer of patient records.
- The member shall immediately retain a practice mentor approved by the College, who will report periodically to the College, and the member will implement any recommendations made by the mentor in a timely fashion.
- The member's practice will be monitored for 36 months following completion of the mentoring program.
- The member will complete a course in ethics and jurisprudence.
- The member's certificate of registration will be revoked if the protocols are not implemented and the mentor is not retained within 90 days of the order, or if the course is not completed within seven months of the order.

6. Costs/Publication

- The member will pay costs to the College in the amount of \$2,500.
- The member will pay monitoring costs of \$600 per visit.
- Pursuant to the legislation, publication of this matter includes the member's name and address.

7. Panel's Reasoning

- Penalty reached by way of joint submission.
- Penalty encouraged rehabilitation, but was also sufficient to deter this member and others from engaging in this type of conduct.
- Panel satisfied member's patients were not at risk.