

Dr. Thomas McDowell
169 Dundas Street East
Trenton, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Contravened a standard of practice or failed to maintain the standards of practice of the profession (para. 1).
- Delegated an act set out in Section 4 of the Act (para. 3).
- Contravened the standards of practice, as published by the College, in relation to inducing general anaesthesia or conscious sedation (para. 11).
- Failed to keep records as required by the Regulations (para. 25).

BRIEF SYNOPSIS OF FACTS

- Case involved member's treatment of one medically-compromised patient who complained to the College.
- Prior to the hearing, the Executive Committee imposed interim terms, conditions and limitations on the member's certificate restricting his ability to induce any form of sedation or general anaesthesia, pending the outcome of the hearing.
- Failed to obtain adequate medical history.
- Failed to properly consider patient's condition in giving pre-treatment fasting instructions and failed to provide written pre-operative instructions.
- Failed to conduct appropriate physical examination including pre-operative heart rate, blood pressure, and weight.
- Failed to determine and record patient's American Society of Anaesthesiologists (ASA) Physical Status Classification.
- Lack of documentation that informed consent was obtained from patient prior to treatment.
- Failed to utilize a suitable qualified sedation assistant as required for parenteral conscious sedation.
- Failed to obtain and record patient's blood pressure, pulse, and respiration immediately prior to, during and post treatment and did not create anaesthetic record.
- Failed to utilize pulse oximeter during treatment and record readings.
- Administered an excessive dose of Triazolam and did not record dosage.
- Prematurely administered a second sedative agent, Versed, without allowing an appropriate time period to assess the effectiveness of the first sedative agent, Triazolam, and did not record dosage or route of administration in chart.
- Discharged the patient prior to the expected duration of the reversal drug, Anexate, without monitoring the patient for signs of re-sedation.
- Prematurely discharged patient who did not meet criteria of being conscious.
- Provided two unqualified lay people [patient and friend] with a syringe of Anexate and instructions to administer the drug to the patient while he was recovering at home.

- Provided an inappropriate prescription to the patient in that he prescribed an analgesic medication, Demerol, with significant sedative properties to a patient who was demonstrating excessive post-operative sedation and failed to record prescription in patient chart.
- Failed to obtain a facility permit to administer parenteral conscious sedation.

DECISION

1. Finding

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

2. Penalty

- Reprimand.
- Certificate of registration suspended for three consecutive months [July 19 – October 18, 2004].
- Certificate of registration restricted such that member is prohibited from prescribing or inducing any form of sedation or general anaesthesia by means of any modality including:
 - Prescription of any narcotic and preparation, controlled drug and preparations, benzodiazepines and other targeted substances and placing the member's name on the drug notification list;
 - Oral administration of not even a single sedative drug;
 - Nitrous oxide and oxygen;
 - Combination of oral sedative drugs or nitrous oxide and oxygen with any oral sedative drug(s);
 - Parenteral administration, intravenous, intramuscular, subcutaneous, submucosal or intranasal administration of sedative drugs; and
 - General anaesthesia and/or deep sedation.
- Course in jurisprudence and ethics.
- Course in ethics.
- Course in recordkeeping.
- Practice monitoring for 24 months.

3. Costs/Publication

- Monitoring costs of \$600 per visit.
- Pursuant to the legislation, publication of this matter includes the member's name and address.

4. Panel's Reasoning

- Member co-operated fully with College investigation and demonstrated remorse by pleading guilty to allegations.
- Penalty reached as a result of a pre-hearing conference.
- Penalty considered general and specific deterrence, seriousness of the case, rehabilitation of member and protection of public.
- Member has no previous discipline history and showed willingness to be governed.
- Member voluntarily took skills upgrading courses prior to hearing.