

DECISION 1

Dr. Derek Maheux
1344 County Rd #22
Emeryville, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

Notice of Hearing #1

- Engaged in disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).

Notice of Hearing #2

- Engaged in disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).

BRIEF SYNOPSIS OF FACTS

- The member admitted to disgraceful, dishonourable, unprofessional or unethical conduct in carrying on a romantic/sexual relationship with an employee in his office, who was also the spouse of a patient.

DECISION

1. Finding

- The member pleaded guilty and was found guilty with respect to the above allegations.

2. Penalty

- Reprimand
- Suspension of certificate of registration for 4 consecutive months (August 9, 2012 – December 8, 2012)

3. Costs/Publication

- Costs awarded to the College in the amount of \$5,000.
- Pursuant to the legislation, publication of this matter includes the member's name and address.

4. Panel's Reasoning

- Penalty was a joint submission reached following two pre-hearing conferences presided over by a former judge.
- In reaching the agreement, there had been extensive consultation with the complainant.
- The member had not previously appeared before the Discipline Committee and he cooperated with the College and admitted his conduct in a manner that demonstrated openness and remorsefulness.
- The penalty addressed the aggravating and mitigating factors of the case and was in the range of appropriate penalties in all of the circumstances.
- The rehabilitative aspects of the penalty are extensive.
- The penalty satisfies the rationale of specific and general deterrence.
- The length of suspension carries a significant cost and financial burden on the member.
- The penalty protects the public and demonstrates that this type of behaviour will not be tolerated.