

# 2009 ANNUAL REPORT



COLLEGE OF  
PHYSICIANS & SURGEONS  
OF NOVA SCOTIA

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*Excellence in Medical Regulation*

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# President's Report



Shelagh M. Leahey, MD

The past year has been a time for looking forward at the College of Physicians and Surgeons of Nova Scotia.

With the aid of our member physicians, the public, and our many sister organizations, we have worked hard to remain one of the finest medical regulatory colleges in North America.

During the past year, for example, Council

developed a five-year strategic plan that prepares us well to meet the challenges and opportunities that lie ahead. We have also undertaken comprehensive reviews of our discipline processes and our peer review (practice improvement) programs.

The College functions in accordance with the Nova Scotia *Medical Act*, which grants Nova Scotia physicians the privilege of self-regulation. Last year, we began a review of the current act, which has been in place since 1996. The aim of this review was to ensure that this legislation is up-to-date, fair, and as responsive to the needs of Nova Scotians as possible. Council and staff have since drafted a revised version of the act, which is in the process of being circulated for comment.

Further revisions to this draft are likely following input from our member physicians and other key stakeholders. If all goes according to plan, we hope that a new act will be proclaimed by the provincial government within the next 18 months.

As an organization committed to serving the common good, the College depends on the perspective that public members bring to Council and committee meetings. Public members also play an important role in demonstrating that the College is serious about meeting its considerable public obligations. Three of our current five public members have completed their full terms and are expected to be replaced by new government appointees soon. The remaining two public members await decisions from government on their applications for reappointment.

During the past year, I have been pleased to welcome Dr. Farokh Buhariwalla and Dr. Preston Smith to Council. They replace Dr. Rex Dunn and Dr. Doug Sinclair who both served the College with dedication for many years.

My two-year term as president has passed swiftly – highlights include presenting the College's Gold-Headed Cane award for professionalism in medical practice to Dr. Lynn Johnson and Dr. Ann Barry – two exemplary Nova Scotia physicians of whom we can all be very proud. I will also fondly remember working with our

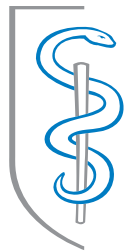
superb Council and staff on several important initiatives, including the strategic plan and various governance improvements.

The staff of the College have been a delight to work with. As demonstrated by

the various awards they have received in the past three years, they are an inspiring and effective team.

I thank-you for the privilege of serving you as College president for the past two years, and I pass on to our President-elect, Dr. Ethel Cooper-Rosen, a Council that is committed to excellence, in a sound fiscal state and enthusiastic to serve.

**Shelagh M. Leahey, MD**  
**President**  
**April 2010**



## COLLEGE OF PHYSICIANS & SURGEONS OF NOVA SCOTIA

### *Excellence in Medical Regulation*

**In 2009, Council requested that the College's vision statement be changed to *Excellence in Medical Regulation* to recognize the high standards expected of the College by the public and the medical profession.**

# 2009 Strategic Milestones

|  | Q1                                  | Q2                                  | Q3                                  | Q4                                  |   |
|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <b>Council</b>   |                                     |                                     |                                     |                                     |   |
| • Strategic review and plan completed  |                                     |                                     | <input type="checkbox"/>            | <input type="checkbox"/>            | 1 |
| • Balanced scorecard assessment of Council completed                             |                                     |                                     |                                     | <input type="checkbox"/>            | 2 |
| • Council self-assessment completed  |                                     | <input checked="" type="checkbox"/> |                                     |                                     |   |
| • Council workplan developed and implemented                                     |                                     | <input checked="" type="checkbox"/> |                                     |                                     |   |
| • Review/enhance liaison with Dalhousie University Faculty of Medicine           |                                     |                                     | <input type="checkbox"/>            |                                     | 2 |
| • Revalidation plan developed  |                                     |                                     | <input type="checkbox"/>            |                                     | 2 |
| • Board development: Strategic review, NSPAR, core functions and risk management |                                     |                                     | <input type="checkbox"/>            |                                     | 2 |
| <b>Clinician Assessment for Practice Program (CAPP)</b>                          |                                     |                                     |                                     |                                     |   |
| • 195 candidates assessed  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |                                     | 3 |
| • Fifth cohort ends 13-month cycle   |                                     |                                     |                                     | <input type="checkbox"/>            | 2 |
| • New physician orientation completed  |                                     |                                     | <input checked="" type="checkbox"/> |                                     |   |
| <b>Nova Scotia Physician Achievement Review (NSPAR)</b>                          |                                     |                                     |                                     |                                     |   |
| • Launch of NSPAR pediatrics version   |                                     |                                     | <input checked="" type="checkbox"/> |                                     |   |
| • Research on physician resource compendium                                      |                                     |                                     | <input checked="" type="checkbox"/> |                                     |   |
| • 620 family physician reviews initiated   |                                     |                                     |                                     | <input checked="" type="checkbox"/> |   |
| • 200 medical specialist reviews initiated                                       |                                     |                                     |                                     | <input checked="" type="checkbox"/> |   |
| • 200 surgeon reviews initiated  |                                     |                                     |                                     | <input checked="" type="checkbox"/> |   |
| • Program evaluation and planning retreat  |                                     |                                     |                                     | <input checked="" type="checkbox"/> |   |
| <b>Registration Department</b>   |                                     |                                     |                                     |                                     |   |
| • Electronic exchange of certificates of standing (national and international)   | <input checked="" type="checkbox"/> |                                     |                                     |                                     |   |
| • Internal database of defined licensees   |                                     | <input checked="" type="checkbox"/> |                                     |                                     |   |
| • Online registration capacity for medical students                              |                                     |                                     | <input type="checkbox"/>            |                                     | 4 |
| • Full online annual licensing renewal in place                                  |                                     |                                     | <input checked="" type="checkbox"/> |                                     |   |
| • Credentialing process with district health authorities in place                |                                     |                                     |                                     | <input type="checkbox"/>            | 4 |
| • Implementation of mentorship program for non-CAPP defined licensees            |                                     |                                     | <input type="checkbox"/>            |                                     | 5 |
| • Secure online access to common College services for physicians                 |                                     |                                     | <input type="checkbox"/>            |                                     | 5 |
| • Compliance with Nova Scotia <i>Fair Registration Practices Act</i>             |                                     |                                     |                                     | <input type="checkbox"/>            | 4 |
| <b>Investigations Department</b>   |                                     |                                     |                                     |                                     |   |
| • Complaint process satisfaction survey  |                                     | <input checked="" type="checkbox"/> |                                     |                                     |   |
| • Physician satisfaction survey regarding complaint process                      |                                     | <input checked="" type="checkbox"/> |                                     |                                     |   |
| <b>Administration</b>  |                                     |                                     |                                     |                                     |   |
| • Communications audit to Council; communication plan implemented                |                                     |                                     | <input type="checkbox"/>            | <input type="checkbox"/>            | 2 |
| • Emergency preparedness plan operationalized                                    | <input checked="" type="checkbox"/> |                                     |                                     |                                     |   |
| • Gold Cane Award for physician professionalism presented                        |                                     |                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 6 |
| • Risk management strategy implemented   |                                     |                                     |                                     | <input checked="" type="checkbox"/> |   |

<sup>1</sup> Review undertaken Q3 2009; plan complete Q2, 2010

<sup>2</sup> Postponed to Q2, 2010

<sup>3</sup> Moved due to scheduled June 2009 assessment

<sup>4</sup> Postponed to Q3, 2010

<sup>5</sup> Postponed to Q1, 2010

<sup>6</sup> Postponed until December 2009 by Dalhousie University

# Auditors' Report

To the Members of the  
College of Physicians and Surgeons of Nova Scotia

We have audited the financial statements of the College of Physicians and Surgeons of Nova Scotia as at December 31, 2008 in accordance with Canadian generally accepted auditing standards and expressed an unqualified opinion on these financial statements in our report dated January 23, 2009. In our opinion, the information contained in the attached condensed statement of operations and the statement of changes in net assets is consistent with the above mentioned financial statements from which it was derived.

To obtain a better understanding of the organization's financial position and the results of its operations for the year ended December 31, 2009, this condensed financial statement should be read in light of the audited financial statements.

WBLI CHARTERED ACCOUNTANTS  
Bedford, Nova Scotia, January 26, 2010

## Notes To Financial Statements For The Year Ended December 31, 2009

### 1. PURPOSE OF ORGANIZATION

The College of Physicians and Surgeons of Nova Scotia is a not-for-profit organization that serves as a licensing and regulatory body for the medical profession within the province of Nova Scotia.

### 2. SIGNIFICANT ACCOUNTING POLICIES

#### Capital Assets

Capital assets are stated at cost. Amortization is provided by the diminishing balance method at the following annual rates:

|                                |     |
|--------------------------------|-----|
| Furniture and equipment        | 20% |
| Computer hardware and software | 30% |

Leaseholds are being amortized by the straight-line method over a period of 15 years. This period is the term of the lease plus one renewal period. Equipment under capital lease is being amortized by the straight-line method over a period of 66 months. This period is approximately the term of the lease.

#### Investments

The short-term investments are classified as a financial asset held for trading and are recognized and measured at their fair value. Cost and fair market value were approximately the same amount at the end of the year.

The long-term investments are comprised of fixed income securities, equities and units of a T-Bill fund. The fixed income securities are classified as an investment held-to-maturity and are recognized and measured at amortized cost. The investment in the equities and T-Bill fund are classified as financial assets held for trading and are recognized and measured at their fair value.

#### Development Costs

Development costs represent costs incurred by the College of Physicians and Surgeons of Nova Scotia to develop an appraisal centre for the licensing of international medical graduates. These costs are amortized against future revenues.

#### Deferred Revenue

Physicians are licensed on a calendar year basis. Annual fees billed by the College of Physicians and Surgeons of Nova Scotia before December 31 and related to the subsequent year, are recorded as deferred revenue.

#### Revenue Recognition

Annual licensing fees and professional corporation fees are recorded as revenue in the year to which they relate. Revenue from other fees and programs is recognized as the service is rendered. Investment income is recognized on the accrual basis. Recoveries of hearing expenses are recorded when received. Government funding is recorded as revenue in the year to which it relates.

#### Deferred Lease Inducement

The lease inducement is being amortized by the straight-line method over the term of the lease.

#### Net Assets

Effective 1996, the College of Physicians and Surgeons of Nova Scotia began following a policy of appropriating surplus for future commitments.

Surplus is now allocated based on expected future use as follows:

## Statement of Operations

|                                 | 2009 Budget<br>\$ | 2009 Actual<br>\$ | 2008 Actual<br>\$ |
|---------------------------------|-------------------|-------------------|-------------------|
| <b>Revenue</b>                  |                   |                   |                   |
| Annual Licensing Fees           | 3,420,050         | 3,458,121         | 2,808,047         |
| Registration Fees               | 196,050           | 183,344           | 154,559           |
| Temporary Fees                  | 47,800            | 53,100            | 42,975            |
| Specialists Registration Fees   | 73,320            | 53,950            | 33,405            |
| Certificates of Good Standing   | 30,000            | 31,980            | 29,215            |
| Professional Incorporation Fees | 136,300           | 137,850           | 131,250           |
| Other Income                    | 19,515            | 6,024             | 25,816            |
| Investment Income               | 65,000            | 13,872            | 44,851            |
| Observation Permits             | 3,000             | 2,500             | 2,040             |
| CAPP Program                    | 182,500           | 424,099           | 379,601           |
| Review of Qualifications        | -                 | 26,755            | -                 |
|                                 | 4,173,535         | 4,391,595         | 3,651,759         |
| <b>Expenses</b>                 |                   |                   |                   |
| Council                         | 235,000           | 262,681           | 206,519           |
| Registrar's Office              | 100,950           | 109,874           | 93,365            |
| Investigations                  | 366,900           | 317,601           | 381,970           |
| Administration                  | 1,909,400         | 2,088,604         | 1,869,434         |
| Occupancy                       | 324,136           | 230,851           | 157,899           |
| Communications and Technology   | 314,950           | 247,998           | 127,819           |
| NSPAR Program                   | 498,889           | 308,609           | 272,997           |
| CAPP Program                    | 363,900           | 417,306           | 356,871           |
| Registration                    | 57,350            | 50,254            | 24,117            |
|                                 | 4,171,475         | 4,033,778         | 3,490,991         |
| Excess of Revenue Over Expenses | 2,060             | 357,817           | 160,768           |

## Statement of Changes in Net Assets

| Net Assets                                      | Reserve Fund<br>\$ | Unrestricted<br>\$ | 2009 Total<br>\$ | 2008 Total<br>\$ |
|---|--------------------|--------------------|------------------|------------------|
| Balance - Beginning of year                     | 1,272,501          | 185,499            | 1,458,000        | 1,187,193        |
| correction of error                             | -                  | (65,803)           | (65,803)         | -                |
| Balance - Beginning of year as restated         | 1,272,501          | 119,696            | 1,392,197        | 1,187,193        |
| Excess of revenue over expenses                 | -                  | 357,817            | 357,817          | 160,768          |
| Investment income                               | 103,461            | -                  | 103,461          | 44,236           |
| Unrealized gain on investments held for trading | 24,106             | -                  | 24,106           | -                |
|   | 1,400,068          | 477,513            | 1,877,581        | 1,392,197        |
| Inter-fund transfers                            | 200,000            | (200,000)          | -                | -                |
| Balance - end of year                           | 1,600,068          | 277,513            | 1,877,581        | 1,392,197        |

(i) Unrestricted net assets – available for future general use of the organization;

(ii) Restricted net assets – funds for which the Council has internally restricted for the purpose of covering expenditures in excess of the organization's operating budget. This internally restricted fund is not available for other purposes without the approval of the Finance Committee.

### 3. AUDITED FINANCIAL STATEMENTS

The full set of audited financial statements can be obtained by writing to the College of Physicians and Surgeons of Nova Scotia at Suite 5005, 7071 Bayers Road, Halifax, Nova Scotia, B3L 2C2.

# Investigations Report

## Complaints by Category: 2005-2009 *as of December 31 each year*

| Category                        | 2005 | 2006 | 2007 | 2008 | 2009 |
|---------------------------------|------|------|------|------|------|
| Quality of care                 | 138  | 158  | 123  | 129  | 127  |
| Communication                   | 29   | 25   | 15   | 23   | 19   |
| Systemic issues                 | 1    | 3    | 3    | 0    | 1    |
| Impaired physician              | 1    | 2    | 1    | 2    | 4    |
| Third-party medical information | 1    | 7    | 12   | 5    | 6    |
| Ethics                          | 20   | 25   | 30   | 26   | 23   |
| Medical reporting               | 4    | 2    | 2    | 2    | 4    |
| Practice management             | 4    | 6    | 9    | 4    | 2    |
| Miscellaneous                   | 1    | 1    | 0    | 3    | 2    |

## Complaint Outcomes: 2005-2009 *as of December 31 each year*

|                        | 2005 | 2006 | 2007 | 2008 | 2009 |
|------------------------|------|------|------|------|------|
| Dismissed              | 82   | 128  | 97   | 125  | 103  |
| Counselled             | 17   | 28   | 20   | 22   | 33   |
| Cautioned              | 4    | 7    | 10   | 12   | 13   |
| Caution / Counsel      | 11   | 21   | 4    | 6    | 2    |
| Reprimand with consent | 3    | 4    | 0    | 1    | 1    |
| Referred to Hearing    | 2    | 3    | 4    | 1    | 2    |
| Open                   | 46   | 28   | 13   | 20   | 33   |

## Hearing Committee Decision / Consensual Reprimand Summary

*Issued between June 1, 2009 and May 31, 2010*

In accordance with section 81 (1) of the Nova Scotia *Medical Act*, the College publishes the following summaries in each year's annual report. This section states: "Subject to any publication bans, the College shall publish a hearing committee's decision or summary of the decision in its annual report and may publish the decision or summary in any other publication."

Complete and up-to-date information about Hearing Committee Decisions and Consensual Reprimands is available at: [www.cpsns.ns.ca/disciplinary-decisions.htm](http://www.cpsns.ns.ca/disciplinary-decisions.htm) or by contacting the College. Copies of full decisions are also available at this link.

### Hearing Committee Decision

**June 19, 2009: Dr. Thomas Crawford, Glace Bay, Nova Scotia**

On June 18, 2009, the Hearing Committee of the College accepted a settlement agreement advanced by the College and Dr. Thomas Crawford. The facts agreed to by Dr. Crawford included having acquired prescription medications without a medical prescription; inappropriately completing blank triplicate prescriptions to access narcotics for his own use; self-administering controlled substances or narcotics without a proper prescription; and breaching conditions and restrictions contained in earlier agreements with the College. The disposition specified that Dr. Crawford be reprimanded and that his licence to practice medicine be suspended until he complied with all requirements of the Settlement Agreement.

Dr. Crawford agreed that a removal of his license suspension would be considered by the College following four months of satisfactory independent reports on his health and addiction status. He also agreed that if the suspension were lifted, his licence would be reinstated subject to certain restrictions. Dr. Crawford agreed to pay \$15,000.00 toward the total costs incurred by the College in the conclusion of the case. On December 23, 2009, the College suspended Dr. Crawford's license once again until further notice.

# College Council and Committees: 2009

As of December 31, 2009

|                           | Position, constituency, or appointment | Executive Committee | Investigation Committee "A" | Investigation Committee "B" | Investigation Committee "C" | Finance Committee | Governance and Quality Committee | Credentials Committee | Nominating Committee | Practice Improvement Committee |
|---------------------------|--|---------------------|-----------------------------|-----------------------------|-----------------------------|-------------------|----------------------------------|-----------------------|----------------------|--------------------------------|
| Dr. Shelagh Leahy         | President (District 3)                 | Chair               |                             |                             |                             | ●                 | ●                                | ●                     | ●                    | Chair                          |
| Dr. Maria Alexiadis       | PI Committee                           |                     |                             |                             |                             |                   |                                  |                       |                      | ●                              |
| Dr. Fiona Bergin          | District 5                             | ●                   |                             |                             |                             |                   | ●                                | Chair                 |                      |                                |
| Mr. Harold Bezanson       | Public Member                          |                     | ●                           |                             |                             |                   |                                  |                       |                      |                                |
| Dr. Farokh Buhariwalla    | District 1                             |                     |                             |                             |                             |                   | ●                                | ●                     |                      |                                |
| Dr. Ethel Cooper-Rosen    | President-Elect (District 5)           | ●                   | Chair                       |                             |                             | ●                 |                                  |                       | ●                    |                                |
| Dr. Al Doucet             | Investigation "B"                      |                     |                             | ●                           |                             |                   |                                  |                       |                      |                                |
| Dr. Mary Doyle            | PI Committee                           |                     |                             |                             |                             |                   |                                  |                       |                      | ●                              |
| Dr. Cynthia Forbes        | Investigation "A"                      |                     | ●                           |                             |                             |                   |                                  |                       |                      |                                |
| Dr. Zachary Fraser        | Investigation "C"                      |                     |                             |                             | ●                           |                   |                                  |                       |                      |                                |
| Dr. Jean Gray             | Investigation "C"                      |                     |                             |                             | ●                           |                   |                                  |                       |                      |                                |
| Mr. Allan Green, Q.C.     | Public Member                          | ●                   |                             |                             |                             | Chair             |                                  |                       |                      |                                |
| Ms. Gwen Haliburton       | Public Member                          |                     |                             |                             |                             |                   |                                  |                       |                      | ●                              |
| Ms. Mary Hamblin          | Public Member                          | ●                   |                             | ●                           |                             |                   | Chair                            |                       | Chair                |                                |
| Dr. Andrew Harris         | Investigation "B"                      |                     |                             | ●                           |                             |                   |                                  |                       |                      |                                |
| Dr. LeRoy Heffernan       | PI Committee                           |                     |                             |                             |                             |                   |                                  |                       |                      | ●                              |
| Mr. Douglas Lloy          | Public Member                          | ●                   |                             |                             | Chair                       | ●                 |                                  | ●                     |                      |                                |
| Dr. Dianne MacDonald      | Investigation "C"                      |                     |                             |                             | ●                           |                   |                                  |                       |                      |                                |
| Dr. James MacLachlan      | District 2                             |                     |                             | ●                           |                             |                   | ●                                |                       |                      |                                |
| Dr. Gisele Marier         | Doctors Nova Scotia                    |                     |                             |                             |                             |                   | ●                                | ●                     |                      |                                |
| Dr. Keri McAadoo          | District 4                             | ●                   |                             | Chair                       |                             | ●                 |                                  |                       |                      |                                |
| Dr. Elizabeth Mann        | District 5                             |                     |                             |                             | ●                           |                   | ●                                |                       | ●                    |                                |
| Dr. Paul Murphy           | Credentials Committee                  |                     |                             |                             |                             |                   |                                  | ●                     |                      |                                |
| Dr. Rajender Parkash      | Investigation "A"                      |                     | ●                           |                             |                             |                   |                                  |                       |                      |                                |
| Ms. Joan Sargeant         | Dalhousie CME                          |                     |                             |                             |                             |                   |                                  |                       |                      | ●                              |
| Dr. Douglas Sinclair      | Dalhousie University                   |                     |                             |                             |                             |                   |                                  | ●                     |                      | ●                              |
| Dr. Ronald Tanton         | PI Committee                           |                     |                             |                             |                             |                   |                                  |                       |                      | ●                              |
| Dr. Scott Theriault       | District 5                             |                     | ●                           |                             |                             |                   |                                  |                       |                      |                                |
| Dr. Ewelina Zeremba       | PARI-MP Representative                 |                     |                             |                             |                             |                   |                                  |                       |                      |                                |
| Ms. Marjorie Hickey, Q.C. | Solicitor                              |                     |                             |                             |                             |                   |                                  |                       |                      |                                |

# Physician Resource Statistics and Obituaries

As of December 31, 2009

| Type of Registration            | Physician Location | In Memoriam                 |
|---------------------------------|--------------------|-----------------------------|
| Full Register 2068              | Annapolis 25       | BUHR, Alvin                 |
| Defined Register 201            | Antigonish 61      | CHISHOLM, James Ian         |
| Temporary Register 72           | Cape Breton 227    | CLARK, Alexander M. (Sandy) |
| <b>Total 2341</b>               | Colchester 93      | DOWSE, David William        |
|                                 | Cumberland 53      | GUHA, Ashim Kumar           |
|                                 | Digby 10           | HANSEN, Eric Louis          |
| <b>Specialists 1195</b>         | Guysborough 7      | HOLLAND, James Gilbert      |
| <b>Non-Specialists 1146</b>     | Halifax 1396       | KUSUMAKAR, Vivek            |
|                                 | Hants 40           | MACDONALD, George           |
|                                 |                    | MACDONALD, John Phillip     |
| <b>Place of Graduation</b>      |                    | MILLER, J. E. Harris        |
| Dalhousie University 1083       |                    | O'BRIEN, Milton Williams    |
| Other Canadian universities 559 |                    | PHILLIPS, H. Ralph          |
| U.S. universities 30            |                    | SIDDALL, Wilson             |
| All other universities 669      |                    |                             |