

SUMMARY

DR. IAN DAVIDSON GRAHAM (CPSO #22645)

1. Disposition

On January 17, 2017, the Inquiries, Complaints and Reports Committee (“the Committee”) required psychiatrist Dr. Graham to appear before a panel of the Committee to be cautioned with respect to directing prescribing through other physicians in spite of being restricted from prescribing narcotics or controlled drugs by a 2009 Discipline Committee Order, and for denying to the College that he was doing so.

2. Introduction

The College received information raising concerns about Dr. Graham’s psychiatry practice and subsequently, the Committee approved the Registrar’s appointment of investigators to conduct a broad review of Dr. Graham’s practice.

3. Committee Process

A 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

In April 2010, Dr. Graham underwent a comprehensive practice assessment (“CPA”) pursuant to the Discipline Order from April 2009. The assessor recommended, among other things, that Dr. Graham undergo a further reassessment approximately one year from the date of the CPA.

The reassessment took place in February 2015. The assessor, who reviewed 29 of Dr. Graham's patient records, directly observed Dr. Graham's practice and interviewed Dr. Graham, opined that:

- Dr. Graham did not meet the standard of care in 16 of 29 cases.
- Dr. Graham's care displayed a lack of knowledge, skill and judgement in 28 of 29 cases.
- Dr. Graham's clinical practice, behaviour or conduct exposed or were likely to expose patients to harm or injury in 18 of 29 cases. In one case, the assessor could not determine whether a risk of harm existed, but opined that if Dr. Graham was involved with managing Zopiclone, there would be risk.

In his assessment report, the assessor identified a number of instances where patients were being prescribed medications that Dr. Graham was restricted from prescribing.

In response to this issue, Dr. Graham indicated to the College that he believed he could continue to treat patients with psychotherapy and allow others to prescribe medication for these patients. He indicated that he continued to respect the College's direction and restrictions.

It appeared to the Committee that Dr. Graham had been in communication with the patients' family physicians with regard to medication management. The investigative record indicates he sometimes used prescription pads to convey instructions or prescribing requests to other physicians for specific patients, including indications for medications such as stimulants and benzodiazepines, and directions regarding dosage and even dose increases. Some of the physicians he instructed were unaware that the College had restricted Dr. Graham from prescribing controlled medications.

In this manner, the Committee was of the view that Dr. Graham was sidestepping the terms of the Discipline Order, which restricted him from prescribing narcotics or controlled drugs and substances. At its meeting on January 17, 2017, the Committee decided to require Dr. Graham to attend at the College to be cautioned in person with respect to this issue.

In addition, as a result of this investigation, the Committee had concerns about Dr. Graham's practice and directed staff to negotiate an undertaking with Dr. Graham.

Dr. Graham signed an undertaking on January 11, 2017, providing among other things, that he will restrict his practice to psychotherapy only, not prescribe or recommend any drug or substance for any purpose, practice under the guidance of a clinical supervisor, and undergo a reassessment of his practice.

At its meeting on January 17, 2017, the Committee accepted Dr. Graham's signed undertaking.