

BOARD OF INQUIRY OF
THE COLLEGE OF PHYSICIANS AND SURGEONS OF PRINCE EDWARD ISLAND,
ACTING AS A HEARING COMMITTEE UNDER THE *REGULATED HEALTH
PROFESSIONS ACT*, R.S.P.E.I. 1988 Cap. R-10.1

BETWEEN:

COLLEGE OF PHYSICIANS AND SURGEONS
OF PRINCE EDWARD ISLAND

AND:

DR. ARVIND SINGH

NOTICE OF HEARING

WHEREAS THE COUNCIL OF THE COLLEGE OF PHYSICIANS AND SURGEONS OF PRINCE EDWARD ISLAND ("Council") has referred the following allegations to a Board of Inquiry ("Board") constituted under Section 35 of the *Medical Act*, R.S.P.E.I. 1988, Cap. M-5, ("former Act") against Dr. Arvind Singh ("Dr. Singh"), a member of the College of Physicians and Surgeons of Prince Edward Island;

AND WHEREAS the allegations arise out of a referral from the Council to determine whether Dr. Singh has committed any act of professional misconduct or has demonstrated unfitness to practice, as alleged below;

AND WHEREAS the former Act was repealed on November 1, 2021, and the College of Physicians and Surgeons of Prince Edward Island was continued under the *Regulated Health Professions Act*, R.S.P.E.I. 1988, Cap. R-10.1 (the "RHPA"), the Board of Inquiry is authorized by subsection 99(3) of the RHPA and by subsections 9(2) and (3) of the *Interpretation Act*, S.P.E.I. 2021, Cap. I-8.1, to act as a Hearing Committee under the RHPA;

TAKE NOTICE that a hearing into the following allegations against Dr. Arvind Singh will be held in Charlottetown, Prince Edward Island at the Best Western Charlottetown, 238 Grafton Street, Charlottetown, Prince Edward Island, , in the Court Room, commencing at 9:30 a.m. on Monday, December 13, 2021, and continuing on December 14, 15, 16, 17, 20, and 21, 2021, if necessary, as well as such further dates as might be required.

FURTHER TAKE NOTICE that the allegations against Dr. Arvind Singh involved events which occurred while he was engaged in the practice of psychiatric medicine in Prince County, Prince Edward Island, during the period of January 20, 2017 to May 1, 2018 inclusive, and the allegations described below related to an individual for whom Dr. Singh was providing care and treatment, and who is referred to in this notice as Patient "B", to protect his or her privacy. The allegations are that Dr. Arvind Singh:

Professional Misconduct

Allegation A

Failed to maintain accepted professional standards and procedures in the practice of medicine in some or all of the following instances, by providing treatment and prescribing treatment orders that:

- i) failed to consider first the well-being of Patient B;
- ii) failed to practice the profession of medicine in a manner that treated Patient B with dignity and as a person worthy of respect;
- iii) failed to provide for appropriate care of Patient B, including physical comfort and psychological support;
- iv) failed to recognize that additional opinions and services were indicated for Patient B;
- v) failed to be considerate of Patient B's family and significant others and cooperate with them in Patient B's interest,

contrary to Regulation XI-1(a) of the College of Physicians & Surgeons of Prince Edward Island Regulations made under the former Act.

Allegation B

Prescribed, administered, or assisted any persons in the use of any drugs or therapy in a manner that is not consistent with generally accepted professional standards and procedures in the practice of psychiatry, by his choice and use of behaviour modification therapy and his use of restrictive behavioural protocol in his treatment of Patient B,

contrary to Regulations XI-1(e) and XI-1(m) of the College of Physicians & Surgeons of Prince Edward Island Regulations made under the former Act.

Allegation C

Engaged in conduct relevant to the practice of medicine that, having regard to the circumstances, would reasonably be regarded by medical practitioners as disgraceful, dishonourable or unprofessional in that Dr. Singh failed to adhere to the fundamental principles of professionalism, communication and collaboration in his interactions with Patient B, Patient B's family and medical staff at the Prince County Hospital in Summerside, Prince Edward Island,

contrary to Regulation XI-1(h) of the College of Physicians & Surgeons of Prince Edward Island Regulations made under the former Act and the CMA Code of Ethics and Professionalism (the "Code")

Allegation D

Abused a patient verbally or physically:

- i) by failing to adhere to the fundamental principles of professionalism, communication and collaboration in his interactions with Patient B; or
- ii) by failing to adhere to the fundamental principles of professionalism, communication and collaboration in his interactions with Patient B's family.

contrary to Regulation XI-1(n) of the College of Physicians & Surgeons of Prince Edward Island Regulations made under the former Act and the Code.

Allegation E

Providing a professional medical service without the consent of the patient where consent was required by law by failing to obtain proper and informed medical consent for Patient B through her legal guardian, prior to altering Patient B's medication,

contrary to Regulation XI-1(p) of the College of Physicians & Surgeons of Prince Edward Island Regulations made under the former Act.

Unfitness

Allegation F

Demonstrated a lack of necessary knowledge, skill and judgment in his medical treatment of Patient B in a nature and to an extent that illustrated him to be an unfit member, as that term is defined in the former Act.

FURTHER TAKE NOTICE that failure to attend the Hearing might not prevent the hearing from proceeding in your absence, and if so, you will be given no further notice of the hearing proceedings.

AND FURTHER TAKE NOTICE that the Board of Inquiry acting as a Hearing Committee may make one or more of the orders set out in subsection 58(2) of the RHPA in the event that the Board finds that Dr. Singh has committed an act or acts of professional misconduct, or is found to have been an unfit member, as that term is defined in the former Act.

AND FURTHER TAKE NOTICE that the College of Physicians and Surgeons of Prince Edward Island understands and agrees that Dr. Singh is entitled to disclosure of the evidence against him and evidence which may be relevant to the allegations contained in

this Notice, and has disclosed all relevant documentation to him or his legal counsel. In case of any doubt, disclosure can be obtained by Dr. Singh or his legal counsel or agent at the office of the College of Physicians and Surgeons of Prince Edward Island, 14 Paramount Drive, Charlottetown, Prince Edward Island, C1E 0C7, telephone 902-566-3861.

AND FURTHER TAKE NOTICE that the College intends to introduce business records and other records and documents at the hearing into the allegations against Dr. Singh and had previously given notice in this regard under the *Evidence Act*, R.S.P.E.I. 1988, Cap. E-11, but a Hearing Committee under the RHPA is not bound by strict rules of evidence or the provisions of the PEI *Evidence Act*, as noted in subsection 56(6) RHPA.

DATED at Charlottetown, Prince Edward Island, this 12th day of November, 2021.



Dr. George Carruthers, Registrar
College of Physicians and Surgeons of
Prince Edward Island
14 Paramount Drive
Charlottetown, PE C1E 0C7

TO: Dr. Arvind Singh
c/o Thomas P. Laughlin, Q.C.
and Janet Clark
Stewart McKelvey
65 Grafton Street
Charlottetown, PE
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AND TO: Council
College of Physicians and Surgeons of Prince Edward Island
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