

HEARING COMMITTEE OF
THE COLLEGE OF PHYSICIANS AND SURGEONS OF PRINCE EDWARD ISLAND

BETWEEN:

COLLEGE OF PHYSICIANS AND SURGEONS
OF PRINCE EDWARD ISLAND

AND:

DR. ARVIND SINGH

REVISED NOTICE OF HEARING

TO: Dr. Arvind Singh
c/o Thomas Laughlin, K.C.
Stewart McKelvey
65 Grafton Street, Charlottetown, Prince Edward Island

TAKE NOTICE THAT THE COUNCIL OF THE COLLEGE OF PHYSICIANS AND SURGEONS OF PRINCE EDWARD ISLAND (“Council”) has referred to a Board of Inquiry (“Board”) constituted under the provisions of Section 35 of the *Medical Act*, 1988, R.S.P.E.I. Cap M-5, (“former Act”) the allegations that Dr. Arvind Singh (“Dr. Singh”), a member of the College of Physicians and Surgeons of Prince Edward Island has committed an act or acts of professional misconduct, as hereinafter set out. The allegations were originally set for hearing on December 7, 2020, but the hearing was adjourned with agreement of the College and Dr. Singh. This Amended Notice of Hearing is being issued under the provisions of Subsection 55(2) of the *Regulated Health Professions Act*, R.S.P.E.I. 1988, c. R-10.1, and has been modified from the original. This Notice will form the basis of the charges against Dr. Singh at the hearing.

Professional Misconduct

Under the regulations (“Regulations”) as enacted pursuant to Section 67 of the former Act, it is alleged that Dr. Singh, while practicing psychiatric medicine in Prince County, Prince Edward Island, did engage in professional misconduct during the period of November 15, 2016 to June 9, 2017, which consisted of a failure to maintain the standards of practice of the medical profession, with respect to an individual for whom he was providing care and treatment, which individual is herein referred to as Patient “A”, by

Allegation A

Contrary to Regulation XI-1(a), failing 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 A;
- ii) failed to practice the profession of medicine in a manner that treated Patient A with dignity and as a person worthy of respect;
- iii) failed to provide for appropriate care of Patient A, including physical comfort and psychological support;
- iv) failed to recognize that additional opinions and services were indicated for Patient A, specifically, by failing to obtain prior medical records when caring for Patient A and failing to consult a colleague when Patient A was not improving;
- v) failed to make every reasonable effort to communicate with Patient A in such a way that information exchanged was understood;
- vi) failed to respect the right of Patient A to accept or reject any medical care recommended; or
- vii) failed to be considerate of Patient A's family and significant others and cooperate with them in Patient A's interest.

Allegation B

Contrary to Regulations XI-1(e) and XI-1(m), prescribing, administering, or assisting any person 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:

- i) by prescribing an inappropriate dose of anti-anxiety and anti-depression medications to Patient A;
- ii) by his choice and use of electroconvulsive therapy ("ECT"); and
- iii) his use of restrictive behavioural protocol in his treatment of Patient A.

Allegation C

Contrary to Regulation XI-1(h), engage 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:

- i) by failing to adhere to the fundamental principles of professionalism, communication and collaboration in his interactions with Patient A. Patient A's family and medical staff at the Prince County Hospital in Summerside, Prince Edward Island.

Allegation D

Contrary to Regulation XI-1(n), abusing a patient verbally or physically:

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

Allegation E

Contrary to Regulation XI-1(p), providing a professional medical service without the consent of the patient where consent was required by law:

- i) by failing to obtain proper and informed medical consent from Patient A and Patient A's spouse prior to conducting ECT on Patient A.

The Hearing Committee will hold a Hearing under the authority of Sections 99(3) and 55 of the new Act for the purposes of determining whether Dr. Singh has committed an act or acts of professional misconduct as defined in the former Act and Regulations made under the former Act.

The Hearing will be held at the offices of the College of Physicians and Surgeons of Prince Edward Island at 14 Paramount Drive, Charlottetown, Prince Edward Island commencing at 9:30 a.m. on Monday, January 23, 2023 and continuing daily until 5:00 p.m. on Friday, February 3, 2023, as well as such further dates as might be required.

AND FURTHER TAKE NOTICE that failure to attend the Hearing might not prevent the Hearing from continuing in your absence, with no further notice to you.

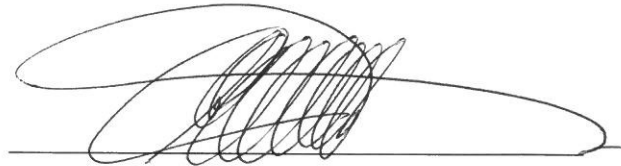
AND FURTHER TAKE NOTICE that the Hearing Committee may make one or more of the orders set out in Subsection 58(2) of the *Regulated Health Professions Act* in the event that the Hearing Committee finds that Dr. Arvind Singh has committed an act or acts of professional misconduct, as that term is defined in the former Act and its regulations.

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 that is relevant to the allegations against him, and confirms that this evidence has been disclosed

previously to Dr. Singh or his legal counsel. If additional evidence comes to light, it will be disclosed in a timely fashion.

AND FURTHER TAKE NOTICE that Subsection 56(6) of the new Act states that a Hearing Committee is not bound by the strict rules of evidence or the provisions of the Prince Edward Island *Evidence Act*.

DATED at Charlottetown, Prince Edward Island, this 6th day of December, 2022.

A handwritten signature in black ink, consisting of a large, sweeping loop followed by several smaller, more intricate loops and strokes, all contained within a horizontal oval shape.

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

TO: Council of the College of Physicians and Surgeons of Prince Edward Island

Patient A

Patient A's spouse