

# CPSO Commences Investigations Into Physicians Prescribing High Doses of Opioids

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The regulatory body that governs Ontario physicians has recently launched investigations into 86 physicians who allegedly prescribed high doses of opioids to their patients, based on information provided to media sources.

These sources have advised that the College of Physicians and Surgeons of Ontario (CPSO) commenced the investigations based on information provided by the Ministry of Health and Long-Term Care (MOHLTC), which had conducted a review of a narcotics monitoring database. The MOHLTC apparently used two criteria to identify potentially problematic prescribing patterns, including prescribing opioids in amounts equivalent to 650 milligrams of morphine a day, or prescribing the equivalent of 20,000 milligrams of morphine for a patient at one time.

This type of an investigation, formally known as a Registrar's Investigation, is a very serious matter for a physician, as it provides the CPSO with far reaching powers of investigation, the results of which are then placed before the Inquiries, Complaints and Reports Committee (ICRC) for a determination as to what action is to be taken. The ICRC is entitled to make a wide range of dispositions, including dismissing the matter, providing advice and recommendations, issuing a caution or referring the matter to the Discipline Committee for a full hearing.

As a lawyer who practises in this area, I can verify that commencing this many investigations (re the same subject matter) is extremely rare - and signifies the importance that the CPSO has placed on this item.

In considering the decision to commence these investigations, it is also noteworthy to recognize that the investigations come on the heels of the Province unveiling its first "Comprehensive Opioid Strategy", on 12 October 2016, which is designed to prevent opioid addiction and overdose by enhancing data collection, modernizing prescribing and dispensing practices, and connecting patients with high quality addiction treatment services.

As Registrar's Investigations are not public matters, the public will only become aware of the dispositions if the ICRC refers a physician to the Discipline Committee, or if it issues a caution or orders the completion of a Specified Continuing Education Remediation Program. As these types of investigations are also quite lengthy, it would not be surprising if the ICRC did not render decisions regarding these cases until late 2017 or early 2018.

*(This blog is provided for educational purposes only, and does not necessarily reflect the views of Gardiner Roberts LLP).*

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