

SUMMARY

DR. BRIGITTE DARLEEN ALA (CPSO #63766)

1. Disposition

On June 18, 2018, the Inquiries, Complaints and Reports Committee (the Committee) required radiologist Dr. Ala to appear before a panel of the Committee to be cautioned with respect to conflict of interest.

2. Introduction

The College received information raising concerns about Dr. Ala's professional conduct and subsequently, the Committee approved the Registrar's appointment of investigators to examine Dr. Ala's radiology practice.

3. Committee Process

An Internal Medicine 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

The Medical Advisory Committee (MAC) of Windsor Regional Hospital (WRH) indicated to the College that there were reasonable grounds to believe that Dr. Ala diverted requisitions for ultrasound-guided procedures that referring physicians were sending to WRH between May 2015 and May 2016 to a Windsor Radiological Associates (WRA) clinic without a requisition/referral being sent to the WRA clinic. It was the MAC's view that in doing so Dr. Ala

was intentionally advancing the interests of the WRA to the detriment of WRH and was therefore in a conflict of interest.

Dr. Ala indicated to the College that she disagreed with many of the factual conclusions set out in the MAC's decision and felt she did not have the full opportunity to respond to the allegations against her. She acknowledged that she transferred certain patients from the hospital to WRA, where she had a financial interest. Dr. Ala indicated that she did not believe she contravened any of the provisions of WRH's by-law but now appreciates that she should have been forthright with the hospital about the reasons for these transfers.

While Dr. Ala disputed the timeline of WRH's allegations, the Committee noted that she acknowledged diverting requisitions from the hospital to WRA for a certain period of time. In the Committee's view, given that there appeared to be a conflict of interest in Dr. Ala's diverting of patients, this was enough to warrant a caution in this matter.

The Committee would have expected that the remediation Dr. Ala completed as a consequence of WRH's handling of this matter would have conveyed the message to Dr. Ala about her lapse in professionalism. It was troubling for the Committee to note, however, that while Dr. Ala acknowledged the coaching required as a part of the remediation was useful, she defended her behaviour and attempted to justify it by citing the long wait times at the hospital. It was not apparent to the Committee that Dr. Ala had developed any insight into her conduct in this matter, which further reinforced the Committee's view that a caution was warranted.