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**Doctor suspended in one province for having sex with a patient  
free to practice in another region**

Canada should have procedures in place which prevent physicians suspended in one province from practicing in another region, according to women's advocacy groups. This is in response to the recent case of a psychiatrist who was suspended in Newfoundland and Labrador for having sex with a patient but was allowed to continue practicing in New Brunswick.

"It's absolutely unacceptable there's no system for immediately adopting doctor suspensions across regions," says Leslie MacLeod, president of the Newfoundland and Labrador Advisory Council on the Status of Women. "Without it, Canadian women are vulnerable to doctors like James Hanley who can ignore their suspensions and continue to see patients in other jurisdictions."

In November, 2005, Dr. James B. Hanley was suspended by the College of Physicians and Surgeons of Newfoundland and Labrador after a patient complained he'd had sex with her. Hanley also entered into an undertaking—an agreement not to practice psychiatry in other jurisdictions. He also held a license in New Brunswick and worked there part-time.

In December, 2005, the Newfoundland and Labrador College notified its counterpart in New Brunswick of Hanley's suspension and undertaking. However, the New Brunswick College did not prevent him from practicing. Hanley continued to work in New Brunswick for CFB Gagetown for the next 15 months.

In March, 2007, the College of Physicians and Surgeons of Newfoundland and Labrador found Dr. Hanley guilty of professional misconduct for engaging in sexual encounters with a patient and of breaching his undertaking. The College took away his license to practice in Newfoundland and Labrador. That same month, the New Brunswick College suspended his license on an interim basis. Finally, in November, 2007, the New Brunswick College stripped Dr. Hanley of his license.

Dr. Hanley was allowed to practice in New Brunswick for 15 months after his license was suspended in Newfoundland and Labrador and after he entered an undertaking not to practice anywhere in Canada.

In light of this case, the Coalition of Advisory Councils requested information on information sharing and reporting procedures from government officials and Colleges of Physicians and Surgeons across the country. The responses revealed gaps when it comes to information sharing between regions when concurrent licenses are held.

"We are concerned about patient safety because there are no protocols about information sharing between provinces and territories when it comes to doctors' suspensions or restrictions," says Ginette Petitpas-Taylor, Chairperson of the New Brunswick Advisory Council on the Status of Women. "Even if information is shared, there is no assurance action will follow, which is exactly what happened in the Hanley case."

The Coalition of Advisory Councils has since put together a list of recommendations to ensure information is shared and sanctions are adopted across borders. We have sent these recommendations to the Royal College of Physicians and Surgeons of Canada, The Federation of Medical Regulatory Authorities of Canada, all regional Colleges of Physicians and Surgeons, ministers of health and ministers responsible for the status of women. Our recommendations are as follows:

1. Enact legislation governing doctors in all provinces and territories to ensure information on all suspensions and restrictions on licenses (whether before or after final adjudication of complaints) is immediately made available to other jurisdictions.
2. Enact legislation governing doctors in all provinces and territories to ensure disciplinary actions (both before and after final adjudication) can be easily adopted by another jurisdiction.
3. Create and enforce requirements for members of Colleges to immediately report complaints made against them in all Colleges where they hold a license.
4. Create and enforce requirements for members of Colleges to consent to the release of all information about any complaint made against them to all Colleges where they hold a license.
5. Create and enforce requirements that members provide information which focus on problems with performance, conduct or competence at the time of renewal of their license with all Colleges where they hold licenses.

“Something needs to be done and quickly,” says MacLeod. “Until these recommendations are implemented, the Hanley situation could easily happen again.”

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