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PRIVATE AND CONFIDENTIAL

Sent on December 19, 2019 via UPS and via email to: Christine.Elliott@Ontario.ca

December 19, 2019

Hon. Christine Elliot
Minister of Health
Deputy Premier
5th Floor
777 Bay Street
Toronto, ON M7A 2J3

Dear Minister Elliot,

Subject: Misconduct by the College of Physicians and Surgeons of Ontario

It is incumbent on the Ministry of Health (MOH) to intervene on behalf of Ontario's citizens in the wake of recent misconduct by the College of Physicians and Surgeons of Ontario (CPSO).

The CPSO has breached the social contract between the Ontario medical profession and the Ontario public, and contravened the covenant of the Ontario medical profession. These transgressions were committed in connection with the CPSO's reckless dismissal of a complaint against one of its members, who is also an agent of the MOH.

You will find in this correspondence a detailed and formal complaint, co-signed by more than 100 people and recently submitted to CPSO. It cites unethical behaviour and false and misleading statements made by a CPSO member during a municipal council meeting about a serious matter of public health.

Of the complaint, the CPSO erroneously advised that the actions of a Medical Officer of Health carried out in the course of their duties (i.e. their involvement in public health policy and initiatives), or in the course of advocacy on public health or system issues in a public forum, do not relate to the practice of medicine.

This position is a clear breach of the social contract, also referred to as the "covenant of the profession" in CPSO's 2007 Practice Guide: *Medical Professionalism and College Policies*, which states:

"Professionalism also underpins the social contract between the medical profession and the public: in return for a monopoly over the practice of medicine, professional autonomy and the privilege of self-regulation, the profession has made a commitment to competence, integrity, altruism, and the promotion of the public good within its domain.

This social contract is reflected in the ethical tenets of the profession, the legislation governing the profession, and the standards of practice for physicians.”

“The social contract is a covenant of the profession as a collective.”

<https://www.cpso.on.ca/Physicians/Policies-Guidance/Practice-Guide>

As noted in my response to the Committee:

The public would be horrified to learn that CPSO’s policy is to simply dissociate itself from any public and/or “official” behaviour of Medical Officers of Health, refusing to hold them to any sort of accountability no matter how dishonest, unethical or harmful.

Municipal Councils across Ontario would be especially horrified to learn that the advice they routinely rely upon, in good faith, from Medical Officers of Health when making decisions that affect the health and well-being of millions of people is not held to even a minimal standard of honesty or accuracy by CPSO.

The revelation that Ontario residents are in fact vulnerable to all manner of abuse and harm as a result of a regulatory climate enabling dishonest, unethical and/or incompetent Medical Officers of Health could certainly make headlines. A provincial inquiry may be in order to sort out who is responsible for misleading the public and decision-makers who attended public forums all these recent years for the purpose of learning supposed facts from trusted, regulated medical professionals.

Sincerely,



(Electronically signed)
Christine Massey, M.Sc.

Encl: Complaint dated October 15, 2019 (1), my response to the Committee’s preliminary decision (2)