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Doc gets 'slap on wrist' at misconduct hearing

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TORONTO — Pat McDougall wanted to hear an apology from Dr. Eoghan O'Shea after the prominent Ottawa physician pleaded guilty to professional misconduct, but it never came.

"I'm shocked, I'm shocked," McDougall said after O'Shea's disciplinary hearing at the Ontario College of Physicians and Surgeons wrapped up quickly Tuesday morning after beginning just over an hour earlier.

"Frankly I did expect an apology, but you'll notice that he not only didn't apologize through his lawyer, but he didn't apologize to me personally," an angry McDougall said.

O'Shea, the former medical director of the Ottawa-based Canadian Cancer Research Group (CCRG) and now vice-president of the Ottawa Academy of Medicine, pleaded guilty to misconduct for his role in prescribing nutritional supplements to terminally ill cancer patients while employed with the CCRG from 2000 to 2006.

He didn't speak during the hearing and afterwards made no comment as he left the college's headquarters in downtown Toronto.

High-profile lawyer Tim Danson, who has represented the families of Paul Bernardo murder victims Kristen French and Leslie Mahaffy as well as former NHLer Steve Moore, appeared at the hearing on behalf of CCRG.

Although not a party to the hearing, Danson appeared briefly before the panel and said he would be monitoring for any "negative" or "disparaging" remarks about CCRG and that if any were made, he would make a formal request for intervener status to defend the organization.

"To their knowledge Dr. O'Shea conducted himself professionally and patients were fully informed," he said after the hearing ended.

Danson said CCRG's clients "are some of the highest-respected members of the community, business and otherwise" but said he couldn't release those names.

In the hearing, O'Shea's lawyer Karen Hamway cited his work in the community as a family physician, as well as at the Ottawa Hospital, a local nursing home, and a clinic in an underprivileged area of town as evidence of his character and professionalism.

O'Shea's admitted he failed to examine CCRG's patients or obtain informed consent before prescribing to them, didn't communicate with the patients' physicians or oncologists, and didn't chart his communications with patients' physicians and oncologists.

O'Shea's punishment from the college, effective immediately, is that he's now barred from engaging in or associating with providing complementary medical treatment for terminal diseases.

He also is prohibited from prescribing so-called "compound products" to treat terminal illness. He was also ordered to pay \$3,650 in costs to the college and enrol in a the college's ethics and informed consent course within a year. He's also barred from ever associating with CCRG.

McDougall's daughter Kathy was one of the terminally ill patients who sought help from CCRG. She died in 2003 but in two years paid between \$10,000 and \$20,000 to CCRG for the treatments, McDougall estimated.

"It's a slap on the wrist, the whole thing right from the start," McDougall said. "I expected a much heavier penalty."

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