

Ottawa MD pleads guilty to professional misconduct

BY LEE GREENBERG, THE OTTAWA CITIZEN JANUARY 26, 2010



Dr. Eoghan O'Shea pleaded guilty to professional misconduct at a hearing in Toronto on Tuesday.

Photograph by: Lee Greenberg, The Ottawa Citizen

TORONTO—An Ottawa doctor who worked for a controversial alternative cancer care firm admitted to professional misconduct Tuesday in a case believed to be the first of its kind in Ontario.

Dr. Eoghan O'Shea admitted to not properly explaining the risks involved with an alternative therapy offered by an Ottawa company based in the Glebe.

The Canadian Cancer Research Group (CCRG) produces pills that contain a patented mixture of vitamins, minerals and amino acids that cost about \$10,000 per year.

O'Shea worked for CCRG between 2000-20006, serving as the company's medical director for three of those years. Following an investigation by the College of Physicians and Surgeons of Ontario, O'Shea was charged in 2009 with failing "to maintain the standard of practice of the profession."

At a disciplinary hearing here Tuesday, lawyers for the College and O'Shea announced a negotiated settlement. Under the agreement, O'Shea admitted to failing to obtain informed consent before prescribing treatment, failing to communicate with CCRG patients' family doctors and oncologists as well as failing to chart those communications.

Because the misconduct charges weren't fully aired, none of the details of O'Shea's transgressions will be made public.

The CCRG views cancer as an immune system disorder. Company CEO William O'Neill has reportedly said that "it's more therapeutic to drink cold beer" than to do chemotherapy, radiation and surgery.

Printed documents show the CCRG claims to have a 100 per cent one year response rate for stage three and four ovarian, prostate and lymph cancer.

O'Shea remained silent in Tuesday's hearing, giving no indication if he stands behind those claims.

His lawyer, Karen Hamway, told the five-member disciplinary panel the three-and-a-half year investigation into his practice has been very difficult for him and his family.

"That should be considered as part of what has occurred in terms of the punishment and penalty," she said.

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Patrick McDougall, an 80-year-old grandfather whose complaint prompted the investigation into O'Shea, said he was upset the physician got away so lightly. McDougall, whose daughter Kathleen died of cancer in 2003, some time after beginning a course of treatment at CCRG, traveled to the hearing from his home in Ottawa.

"This is a slap on the wrist," he said, adding he would have liked to have seen O'Shea apologize for his failures. "But my quarrel is not primarily with Dr. O'Shea — it's with the people he worked for in full conscience for several years."

McDougall says he wants to see a police investigation of the CCRG.

O'Shea, who faced losing his license and being hit with a fine as high as 35,000, was neither reprimanded nor suspended. He will continue to practice as a family doctor but will not be allowed to provide alternative (or, as the College refers to it, "complementary") medicine for terminal diseases; he is barred from prescribing compounds in the context of alternative medicine; he is also forbidden from associating himself with the CCRG; and he will be forced to take a medical ethics and informed consent course offered by the college.

He will also pay the \$3,650 cost of the hearing.

O'Shea left the hearing without answering any questions from reporters.

"We're not going to make any comment," his lawyer said.

A lawyer for the CCRG said the College's decision had no bearing on the company's reputation.

Timothy Danson said the CCRG's client list shows an "amazing" number of "highly reputable members of the Canadian business community and the community at large."

"The fact is people have gone to CCRG and there have been some very significant successes," said Danson. "But they're not any different than Western medicine. The fact is people will go to CCRG and will die just as they will go to conventional oncologists and die as well. No one is suggesting this is a magic pill or silver bullet as it were. But there have been a lot of successes and there have been failures."

The College's official policy for alternative medicine requires doctors to, among other things, advise patients of their conventional treatment options — telling them the risks and benefits and effectiveness based on current knowledge.

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