



SUMMARIZED DISCIPLINE COMMITTEE DECISIONS

COCOO v. Barbara Sliwa

The Member admitted that she engaged in professional misconduct in that she had knowledge of, and was complicit in, providing incentives (shoes and/or compression stockings) to patients who purchased orthotics from the clinic. She also acknowledged that she did not offer and/or document other treatment options or explanations of the benefits and risks associated with various treatment options. As well, the Member acknowledged that she failed to offer follow-up to patients she prescribed orthotics after they were dispensed by clinic staff. Finally, the Member admitted that her record keeping is deficient in terms of lacking sufficient clinical details to demonstrate compliance with the College's standards, and to demonstrate that certain treatments were medically necessary.

Based on the Member's admissions, the Panel found that the Member:

- failed to meet or contravened the College's standards,
- practised the profession in a conflict of interest,
- failed to keep records as required by the regulations,
- signed or issued a document that contained a false or misleading statement, and
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The College and the Member presented the Panel with a Joint Submission on Penalty requesting that the Panel make an order that included the following:

- Oral reprimand
- 6-month suspension (2 remitted for completing courses)
- Restricted from imaging, casting, prescribing, constructing, fitting, dispensing or ordering the fabrication of orthotics for six months from the date her suspension ends
- Supervision of practice upon return to work.

The Panel accepted the Joint Submission on Penalty, concluding that the proposed penalty was reasonable and in the public interest.

The Member was ordered to pay \$25,000 in costs to the College.

COCOO v. Alan Moses

The Member admitted that he engaged in professional misconduct in that he was employed at a clinic that was giving patients incentives to purchase orthotics, including free shoes. Although the Member



said he was not aware that incentives were being offered to patients, he acknowledged that incentives are prohibited and contrary to the regulations and the College's standards, and that as a member of the College, he was responsible to know what billing and advertising practices were at the clinic. He also admitted that he failed to keep and maintain proper records as required by the Regulation and the College's standard.

Based on the Member's admissions, the Panel found that the Member:

- failed to meet or contravened the College's standards,
- practised the profession in a conflict of interest,
- failed to keep records as required by the regulations,
- charged a fee that was excessive in relation to the services or devices charged for;
- contravened the *Chiropody Act* and its regulations, and
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The College and the Member presented the Panel with a Joint Submission on Penalty requesting that the Panel make an order that included the following:

- Oral reprimand
- Seven-month suspension (two remitted for completing courses)
- Restricted from imaging, casting, prescribing, constructing, fitting, dispensing or ordering the fabrication of orthotics for six months from the date her suspension ends
- Supervision of practice upon return to work.

The Panel accepted the Joint Submission on Penalty, concluding that the proposed penalty was reasonable and in the public interest.

The parties will submit submissions to the Panel about what the appropriate cost order should be.

COCOO v. David Allison

The Member admitted that he engaged in professional misconduct in that he failed to take or record patient M.H.'s medical history in his clinical notes. He also admitted that he charted "cellulitis" in his clinical notes but did not take any steps to assess M.H.'s risk with respect to infection or to investigate the source of the infection. The Member charted that M.H. should follow up with a physician before returning to the clinic, but he did not make a follow-up appointment for M.H. The Member also admitted that he provided M.H.'s brother with a copy of his chart without obtaining consent from M.H.

Based on the Member's admissions, the Panel found that the Member:

- failed to meet or contravened the College's standards,
- gave information about a patient to a person other than the patient or his or her authorized representative except with the consent of the patient or their authorized representative as required or allowed by law;



- failed to keep records as required by the regulations,
- contravened the Act, the RHPA or the regulations under either of those acts;
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The College and the Member presented the Panel with a Joint Submission on Penalty requesting that the Panel make an order that included the following:

- Oral reprimand
- Seven-month suspension (two remitted for completing a course)
- Upon returning to practice after completion of the suspension, an order prohibiting the Member from assessing or treating ulcerations beyond the level of the dermis, or ulcerations breaching the subcutaneous tissues of the foot, including fat, muscle, tendon, fascia, joint capsule, and beyond, until the Member submits proof to the Registrar that he has successfully completed the University of Toronto International Interprofessional Wound Care Course (IIWCC-CAN) and until a mentor report is submitted to the satisfaction of the Registrar as described below;
- Supervision of practice upon return to work.

The Panel accepted the Joint Submission on Penalty, concluding that the proposed penalty was reasonable and in the public interest.

The Member was ordered to pay \$15,000 in costs to the College.

COCOO v. Eddie Chan

The Member was found to have engaged in professional misconduct, in that he:

- failed to meet or contravened the College's standards,
- practised the profession in a conflict of interest,
- failed to keep records as required by the regulations,
- signed or issues, in his professional capacity, a document that contained a false or misleading statement;
- submitted an account or charge for services that he knew were false or misleading;
- charged a fee that was excessive in relation to the services or devices charged for;
- contravened the *Chiropody Act* and its regulations, and
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The Panel will reconvene to consider submissions from both parties on the appropriate penalty in light of the findings of professional misconduct.

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