

## **College of Physicians and Surgeons of Newfoundland and Labrador**

### **Summary of Adjudication Tribunal Decision**

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#### **IN THE MATTER OF: Dr. Todd Young**

On November 26, 2015, an Adjudication Tribunal established under the Medical Act, 2011 held a hearing into two complaints of conduct deserving of sanction, brought by the College of Physicians and Surgeons of Newfoundland and Labrador (the “College”) against Dr. Todd Kevin Young, a general practitioner practising family medicine in the Town of Springdale, in the Province of Newfoundland and Labrador. The first complaint was based on an allegation filed by Dr. Richard Lush, Vice President Medical Services with Central Health (the “First Complainant”) and the second complaint was based on an allegation filed by a female patient (the “Second Complainant/Patient A”).

The Tribunal heard and accepted an Agreed Statement of Facts as well as Dr. Young’s plea of guilty to conduct deserving of sanction. According to the Decision of the Tribunal, Dr. Young, by two written statements dated April 29, 2014, acknowledged having engaged in a personal and sexual relationship with the Second Complainant/Patient A and also having engaged in inappropriate conduct with a patient referred to in the allegation of the First Complainant while she was a patient of Dr. Young (“Patient B”). The Adjudication Tribunal found Dr. Young guilty of conduct deserving of sanction in relation to his personal and sexual relationship with the Second Complainant/Patient A with whom he had a doctor/patient relationship and in relation to his inappropriate kissing and hugging with Patient B with whom he had a doctor/patient relationship.

The Tribunal heard a Joint Submission on Sanction. After requesting and receiving additional information from legal counsel for the College and legal counsel for Dr. Young, by a written Decision dated December 18, 2015 the Tribunal accepted the Joint Submission on Sanction. The Adjudication Tribunal ordered the following sanctions:

- Dr. Young shall continue to participate in regular counseling services with his present psychiatrist and psychologist who will be provided written authority by Dr. Young to provide to the College quarterly reports confirming Dr. Young’s attendance at the counseling sessions. Dr. Young shall also authorize and instruct his psychiatrist and psychologist to immediately report to the College any concerns with respect to Dr. Young’s medical practice, including concerns with respect to his interpersonal relationships with female patients. Dr. Young will inform the College if he intends to replace either of his present psychiatrist or psychologist, which replacement must be approved by the College.
- Dr. Young will attend at the College for an interview to discuss the conduct he admitted, the assessments and counseling conducted, and his current understanding of and insight into ethical, boundary and professional issues. Dr. Young will also, at the request of the College, attend at the College for further interviews and discussions on a periodic basis over a period of two (2) years.

- Dr. Young will participate in continuing medical education in the areas of ethics and professionalism as and when the courses are available and will report to the College his having done so.
- Dr. Young will employ the services of a female medical professional who will act as a chaperone throughout all examinations of a sensitive nature of female patients for a period of twelve (12) months.
- Dr. Young will pay the costs of the College in relation to the investigation of the two complaints and the Disciplinary Hearing in the amount of twenty thousand dollars (\$20,000.00), which amount will be paid within sixty (60) days of the date of the Adjudication Tribunal's Order.
- Dr. Young's licence to practice medicine is suspended for a period of nineteen (19) months. As Dr. Young voluntarily withdrew from practice of medicine by way of a Voluntary Withdrawal of Practice Form dated 30 April 2014, the period of suspension ends on 30 November 2015.

The Registrar shall publish a summary of this Decision and Adjudication Tribunal's Order pursuant to subsections 50(3) and (4) of the Medical Act, 2011.

January 11, 2016