



Summary of Adjudication Tribunal Decision

IN THE MATTER OF: Dr. Adekunle Owolabi, Family Medicine
Practice Address: Labrador West Health Centre, Labrador City, NL

In its written decision dated August 25, 2016, an Adjudication Tribunal of the College of Physicians and Surgeons of Newfoundland and Labrador (the “Tribunal”) found Dr. Adekunle Owolabi, a general practitioner, guilty of professional misconduct in relation to complaints filed by four female patients.

The Tribunal found that during a clinic visit at the Labrador West Health Centre in January 2015, Dr. Owolabi complimented the Complainant Mizurka on her appearance, told her he loved her, told her that he had a crush on her and asked to massage her. The Tribunal also found that Dr. Owolabi placed his forehead on her forehead.

The Tribunal found that during a clinic visit at the Labrador West Health Centre in March 2014, Dr. Owolabi made comments while performing a pap test on the Complainant Johnson which could be interpreted as having a sexual connotation. The Tribunal also found that Dr. Owolabi hugged the Complainant Johnson and whispered a sexualized comment to her.

The Tribunal found that during a clinic visit at the Labrador West Health Centre in September 2013, Dr. Owolabi complimented the Complainant Edmunds on her appearance and hugged and kissed her when she was leaving his office.

The Tribunal found that during a clinic visit at the Labrador West Health Centre in January 2014, Dr. Owolabi made comments while performing a pap test on the Complainant Snow which could be interpreted as having a sexual connotation.

The Tribunal found that the comments made by Dr. Owolabi to each of the four Complainants reflected a lack of respect for the dignity and privacy of the Complainants, which is prohibited by section 4(oo) of *By-Law 5: Code of Ethics*. The Tribunal also found that Dr. Owolabi touched the Complainants Mizurka, Johnson and Edmunds without legitimate medical reasons, contrary to section 4(ss) of the same By-Law.

The Tribunal found that the professional misconduct described above in respect of each of the four Complainants amounted to conduct deserving of sanction in keeping with section 39(c)(i) of the *Medical Act, 2011*.

In its further written decision dated October 11, 2016, the Tribunal ordered as follows:

1. Dr. Owolabi's licence to practise medicine shall be suspended for six months, effective September 26, 2016.
2. Dr. Owolabi must complete a boundary education course prior to returning to the practice of medicine, the costs of which are to be borne by Dr. Owolabi.
3. Dr. Owolabi's medical licence shall contain a condition that he must be chaperoned by a female chaperone when seeing female patients for a period of two years following his return to the practice of medicine.
4. Dr. Owolabi must pay part of the cost of the hearing, in the amount of \$75,000, to be paid over a period of thirty-six months after his return to the practice of medicine.
5. The Tribunal's findings will be published in accordance with the requirements of the *Medical Act, 2011*.

Linda Inkpen, MD
Registrar, CPSNL
November 14, 2016