



Summary of Adjudication Tribunal Decision

IN THE MATTER OF: Dr. Eric Elli, Family Medicine

Practice address: Blackmarsh Family Care Centre, St. John's, NL

An Adjudication Tribunal of the College of Physicians and Surgeons of Newfoundland and Labrador has found Dr. Eric Elli guilty of professional misconduct and professional incompetence in relation to two complaints filed by the Registrar of the College.

The Tribunal's written decision was released on November 22, 2024.

The Tribunal accepted two agreed statements of fact that were jointly prepared by the College and Dr. Elli. The dates, locations, and a brief description of the conduct of Dr. Elli that was found to be deserving of sanction is as follows:

Charges 1-2

Dr. Elli submitted Annual Licence Renewal Applications to the College for the calendar years 2020 through 2024. On these applications, he attested that he was and would continue to be a full member, or member for Continuing Professional Development purposes, with the College of Family Physicians of Canada.

In February 2024, the College of Family Physicians of Canada advised that Dr. Elli was discontinued from the Continuing Professional Development program in 2019 and has not been re-instated.

Charge 3

At the direction of the Complaints Authorization Committee, Dr. Elli underwent a practice review conducted by two independent family physicians in February 2024.

The practice reviewers concluded that Dr. Elli's competence to practice medicine is not in accordance with the expected standards of quality and safety, in particular:

- Dr. Elli's medical documentation was scant, with limited details regarding the presenting complaint;
- Dr. Elli's medical records were not legible in many circumstances;
- Dr. Elli's ongoing reliance on phone visits as opposed to in-person office visits was in contradiction to current Public Health guidelines;

- Dr. Elli failed to conduct physical assessments in cases where a physical examination was clearly indicated;
- Dr. Elli's documentation does not indicate that he considered differential diagnoses in the assessment of his patients;
- Dr. Elli's documentation of management plans for his patients was extremely limited;
- Dr. Elli did not apply an organized evidence-based approach to chronic disease management and age-related screening;
- Dr. Elli did not ensure that adult immunizations were current for his patients;
- Dr. Elli failed to follow up on abnormal test results, with the assumption that the patient would raise the red flag if the concern was persisting;
- Dr. Elli failed to attempt to manage conditions that should have been managed in the family practice setting;
- Dr. Elli failed to appropriately work up patients prior to referring them to a consultant;
- Dr. Elli did not provide appropriate continuity of care for 'walk-in' patients;
- Dr. Elli's prescribing practices were not in keeping with current standards of practice;
- Dr. Elli's clinical knowledge and judgement were not at the expected level for a practicing family physician; and,
- Dr. Elli displayed limited insight into his gaps in documentation, clinical care, and practice management.

The Tribunal accepted Dr. Elli's pleas of guilty of professional misconduct and professional incompetence in respect of the complaints. In these pleas, Dr. Elli agreed that:

1. he did not hold a current membership or a membership for Continuing Professional Development purposes with the College of Family Physicians of Canada at any time between January 1, 2020, and April 2, 2024;
2. he represented to the College that he had maintained membership in the College of Family Physicians of Canada, by signing annual license renewal application forms for each of the years 2020, 2021, 2022, 2023, and 2024.
3. the practice review demonstrated that his patient care demonstrated lack of skill or judgment of a nature or to an extent that he was unfit to continue to practice or that his practice should be restricted.

The Tribunal accepted a submission for sanctions that was jointly prepared by the College and Dr. Elli. It then ordered that:

1. Dr. Elli is reprimanded by the Tribunal for his conduct.

2. Within 4 months of the date of the Order of the Tribunal, Dr. Elli shall successfully complete, at his own expense, not fewer than three educational or coaching sessions on ethics and professionalism, which shall be structured as one-on-one meetings with a qualified professional who is acceptable to the Registrar.
3. The parties agree that a suspension is an appropriate sanction in response to Dr. Elli's acknowledged conduct in the nature of professional misconduct. The parties further agree that the appropriate period of suspension of Dr. Elli's medical licence is one month.
4. Dr. Elli shall be credited with the required one-month suspension and shall not serve any further period of suspension, by reason that he has already served a period of suspension pursuant to an Order of the Complaints Authorization Committee effective July 5, 2024.
5. As of the date of this Order, Dr. Elli is eligible to return to practice with the conditions and restrictions on licensure and in accordance with the process described in Schedule "A" of the Joint Submission on Sanction. This process includes an initial period of practising only under direct supervision followed by an independent evaluation.
6. Dr. Elli and the College will enter into a written agreement acknowledging Dr. Elli's obligations to the College during the Evaluation Period and the Supervision Period as defined in Schedule A to the Joint Submission on Sanction.
7. Dr. Elli will post signage in his clinic waiting room advising patients of the restrictions on his medical licence during the Evaluation Period as defined in Schedule A to the Joint Submission on Sanction.
8. Dr. Elli shall be responsible for the costs associated with implementing all aspects of this sanction, save and except for costs associated with publication, including any costs associated with his return to practice pursuant to the processes described in Schedule A to the Joint Submission on Sanction.
9. Dr. Elli shall pay the costs of the College in relation to this matter in keeping with the College's Tariff of Costs.
10. The decision or order of the Tribunal will be published. Publication will take place in the forms and locations set out in the *Medical Act, 2011* and in the College By-Laws.

Tanis Adey, MD
CEO & Registrar, CPSNL
January 7, 2025