

STATEMENT FROM THE REGISTRAR

Dr. Shamooin Hasham Din - Cancellation of Registration

Dr. Shamooin Hasham Din, a registrant of the College of Physicians and Surgeons of Manitoba (CPSM), was charged with professional misconduct and contravening the Act or a Regulation, the Standards of Practice of Medicine and the Code of Ethics, and with demonstrating an unfitness to practice medicine and conduct unbecoming a member. The allegations against Dr. Din, as outlined in a Notice of Inquiry dated September 17, 2021, were:

1. Breaching an undertaking signed with CPSM and breaching orders imposed by an Inquiry Panel, engaging in professional misconduct, unbecoming a member, and/or contravening the Code of Ethics and/or the Practice of Medicine Regulation.
2. Creating false and misleading medical records relating to the presence of a chaperone for 36 female patients to whom Dr. Din provided care to, thereby contravening the Code of Ethics.
3. Practicing beyond the boundaries of his certificate of practice in Family Medicine, which excludes providing medical care to pediatric patients (he provided care to patients under 18 years old whose identities were known to him) and thereby committed acts of professional misconduct, engaging in conduct unbecoming a member, and contravening the Practice of Medicine Regulation and/or Code of Ethics.
4. Failing to maintain professional boundaries with Patient A, thereby violating his ethical obligations to that Patient and engaging in professional misconduct, engaging in conduct unbecoming a member, and contravening the Code of Ethics and the Standards of Practice of Medicine.
5. Displaying an unwillingness or inability to comply with the standards and meet the requirements of and/or be governed by the CPSM and has thereby demonstrated an incapacity or unfitness to practice medicine.

Dr. Din entered a plea of **guilty** to counts 1, 2 and 3 and **not guilty** to counts 4 and 5 of the charges outlined in the Amended Notice of Inquiry. Dr. Din admitted to all of the particulars of counts 1 to 4 as set out in the Amended Notice of Inquiry.

Background

Dr. Din was suspended from practice for one year starting in 2018 and was subject to restrictions to return to practice. When his suspension ended, he signed an undertaking to abide by those restrictions to permit his return to practice.

On September 17, 2021, Dr. Din was charged with professional misconduct, contravening the Act or a Regulation, the Standards of Practice of Medicine and/or the Code of Ethics, demonstrating an unfitness to practice medicine and conduct unbecoming a member.

An inquiry was held on January 31 and February 1, 2022.

Summary

On March 10, 2022, the Inquiry Panel determined that Dr. Din is guilty on all 5 Counts:

1. Guilty of committing acts of professional misconduct, contravening the Code of Ethics, contravening the Practice of Medicine Regulation, and is guilty of conduct unbecoming a member by breaching undertakings given to the CPSM on July 30, 2019, and orders imposed by an Inquiry Panel on September 12, 2018
2. Guilty of contravening the Code of Ethics of the CPSM by creating false and misleading medical records related to the presence of a chaperone for 36 female patients to whom Dr. Din provided care.
3. Guilty of contravening the Code of Ethics of the CPSM by practicing beyond the boundaries of his certificate of practice in Family Medicine, which excluded providing medical care to pediatric patients.
4. Guilty of contravening the Code of Ethics of the CPSM, in particular, Part B and the Commitment to the patient's well-being, by failing to maintain professional boundaries.
5. Demonstrating that he is unfit to practice medicine by displaying an unwillingness or inability to be governed by the CPSM.

The Panel stated,

the Panel is satisfied that Dr. Din's flagrant and repeated breaches of his Undertaking, his falsification of patient charts, his lack of truthfulness, treating female patients and patients under the age of 18 contrary to the conditions imposed on him and failing to be forthright with the CPSM, combined with his disregard for Patient A's well-being, all support a finding that Dr. Din is unfit to practice. The totality of the evidence is that, on a balance of probabilities, Dr. Din is unable or unwilling to be governed by the CPSM and is therefore unfit to practice.

Disciplinary Actions

On March 16 and 17, 2022, the Panel ordered:

- A reprimand;
- Cancellation of Dr. Din's registration with the CPSM;
- An order of costs pursuant to subsection 127 of the Act as follows:
 - (a) The sum of \$40,000 is to be paid by Dr. Din over four years.
 - (b) An additional \$20,000 to be paid by Dr. Din should he be reinstated to practice medicine, payable over a two-year period from the time of reinstatement to practice.

Statement from the Registrar:

The actions by Dr. Din are irresponsible and reprehensible and are destructive for public trust in the medical profession. There would no doubt be a risk of harm to the public if Dr. Din was permitted to continue to practice. As such, a reprimand and revocation are suitable penalties to protect the public and maintain confidence in CPSM's ability to uphold registrants to professional standards.

This also serves as a reminder that failing to maintain boundaries, falsifying documents, and breaching CPSM orders will not be tolerated. Unethical practice will result in severe consequences.