

**THE DISCIPLINE COMMITTEE OF THE COLLEGE
OF PHYSICIANS AND SURGEONS OF ONTARIO**

IN THE MATTER OF a Hearing directed
by the Executive Committee of The College of Physicians
and Surgeons of Ontario, pursuant to Section 36(1)
of the **Health Professions Procedural Code**, being Schedule 2
to the **Regulated Health Professions Act, 1991**,
S.O. 1991, c.18, as amended.

BETWEEN:

THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

- and -

DR. NEENA MARLENE RUBY CAMPBELL

PANEL MEMBERS:

J. MARTEL (CHAIR)
DR. D. BRADEN
DR. J. THOMPSON
V. GRIFFITHS

Hearing Date: July 19, 2001

Decision Date: July 19, 2001

Release of Written Reasons: February 15, 2002

PUBLICATION BAN

DECISION AND REASONS FOR DECISION

This matter came on for hearing before the Discipline Committee of the College of Physicians and Surgeons of Ontario at Toronto on Thursday, July 19, 2001.

PUBLICATION BAN

At the outset of the hearing, a publication ban preventing the identification of the complainant, or any information which could permit his identification, was requested jointly by the prosecution and the defense, and so ordered by the committee.

ALLEGATIONS

The allegations against Dr. Campbell were set out in the notice of hearing as follows:

It was alleged that Dr. Neena Marlene Ruby Campbell is guilty of professional misconduct:

1. under paragraph 51(1)(b) of the *Health Professions Procedural Code* ("the Code"), which is schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991 c. 18, in that the governing body of a health profession in a jurisdiction other than Ontario has found that Dr. Campbell committed an act of professional misconduct that would, in the opinion of a panel of the Discipline committee, be an act of professional misconduct as defined in the regulations; and
2. under clause 1(3) of Ontario Regulation 856/93, made under the *Medicine Act, 1991* in that the governing body of a health profession in a jurisdiction other than Ontario has made a finding of incompetence or professional misconduct or a similar finding against the member, and the finding is based on facts which would, in the opinion of the College, be

grounds for a finding of incompetence as defined in section 52 of the *Code*.

3. That Dr. Campbell has, in the professional care of a patient, displayed a lack of knowledge, skill or judgment or disregard for the welfare of the patient of a nature or to an extent that demonstrates that she is unfit to continue in practice or that her practice should be restricted, which is incompetence under subsection 52(1) of the *Code*

Dr. Campbell not being present but represented by her counsel, Mr. X, pleaded guilty through her counsel to the allegation of professional misconduct as set out in allegation 1 in the notice of hearing.

The College withdrew allegations 2 and 3 set out in the notice of hearing.

THE EVIDENCE

The following is a summary of the findings of the Discipline Committee of the College of Physicians of Quebec with respect to their decision, a translated version of which was jointly submitted:

1. Dr. Campbell is a psychiatrist practicing in the province of Quebec at the time of the allegations.
2. In this capacity, she had been treating patient "A" for several years for anxiety and, for a slightly shorter period of time, for alcohol-related problems.
3. At the end of February 1997, the respondent was informed of an emergency situation encountered by the patient, and asked him to come to her residence so that she could evaluate his condition. She wanted to send him to the hospital, but he refused; she allowed him to stay at her residence after administering him two doses of Ativan.

4. Following this, she continued to lodge him as an employee doing various jobs.
5. From approximately the middle of March 1997 through to the beginning of August of that year, Dr. Campbell allowed the relationship to develop into an intimate and sexual relationship.
6. Dr. Campbell acknowledged that she was guilty of the above, and was declared guilty of such, under article 2.03.08 of the *Quebec Code of Ethics for Physicians* and article 59.1 of the *Quebec Professional Code*.

The Committee also reviewed the Professional Code of Quebec, article 2.03 and the Professional Code of Ethics, section 59.1 which were admitted as Exhibit 2.

THE FINDINGS

Having received the evidence and having received Dr. Campbell's guilty plea, the Committee found Dr. Campbell guilty of professional misconduct as alleged in paragraph 1 of the notice of hearing.

PENALTY SUBMISSION

Counsel for the College and Dr. Campbell submitted a joint recommendation regarding the penalty, recommending revocation.

PENALTY ORDER

The Committee accepted the joint submission and made the following orders:

1. That the Registrar be directed to revoke Dr. Neena Marlene Ruby Campbell's license to practice effective immediately.

2. That Dr. Campbell be reprimanded, and such reprimand be recorded on the register.

The Committee accepted that the serious nature of the misconduct warranted the penalty of revocation.