#### ONTARIO PHYSICIANS AND SURGEONS DISCIPLINE TRIBUNAL

Tribunal File No.: 24-019

Date of Order: January 31, 2025

David A. Wright (Tribunal Chair) Stephen Bird (public) Veronica Mohr (physician) Linda Robbins (public) Janet van Vlymen (physician)

College of Physicians and Surgeons of Ontario

College

- and -

Sean Carlysle Prabhu

Registrant

#### **ORDER**

This referral was heard on January 31, 2025.

## <u>Finding</u>

The Tribunal finds that the registrant committed the following act(s) of professional misconduct:

- 1. under clause 51(1)(b.1) of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c.18 in that the member engaged in sexual abuse of a patient;
- 2. under paragraph 1(1)33 of Ontario Regulation 856/93 made under the Medicine Act, 1991 ("O. Reg. 856/93"), in that the member has engaged in an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

### **Penalty**

- 1. The Tribunal requires the registrant to appear before the panel to be reprimanded.
- 2. The Tribunal directs the Registrar to:
  - a. revoke the registrant's certificate of registration effective February 1, 2025 at 12:01 a.m.

# <u>Costs</u>

3. The Tribunal requires the registrant to pay the College costs in the amount of \$6,000 by February 28, 2025.

# **Reimbursement for Therapy and Counselling**

4. The Tribunal requires the registrant to reimburse the College \$17,940 for funding provided for therapy and counselling under s. 85.7 of the Health Professions Procedural Code and to post security acceptable to the College to guarantee the payment of this amount, by February 28, 2025.

The reasons for the decision will be released later.



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**BETWEEN:** 

College of Physicians and Surgeons of Ontario

College

- and -

Sean Carlysle Prabhu

Registrant

The Tribunal delivered the following Reprimand by videoconference on Thursday, October 31, 2024.

### \*\*\*NOT AN OFFICIAL TRANSCRIPT\*\*\*

Dr. Prabhu,

We have found you engaged in sexual abuse of a patient and in acts that are disgraceful, dishonourable, and unprofessional.

You violated the trust of an extremely vulnerable patient who relied on you for her psychiatric care. You had a physical sexual encounter with her. You went on to exchange hundreds of text messages, many that were sexually explicit. Your sexual messages were interspersed with discussions regarding her psychiatric treatment including texts about medication prescriptions, referrals, and disability paperwork.

You exhibited disgraceful, dishonourable, and unprofessional conduct when you pressured your vulnerable patient to withdraw her complaint and had her send a message to the College investigator retracting her allegations. When the investigator informed your counsel that you needed to preserve all communications with this patient, you deleted them. These actions interfered with the ability of the College to protect the public.

These acts are a gross violation of your patient's trust and an exploitation of your power and authority as a psychiatrist. Engaging in a sexual relationship with a patient is a fundamental breach of professional ethics and boundaries. It violates the trust and integrity that must exist in the doctor-patient relationship.

The patient's victim impact statement clearly describes her ongoing pain, fear, and shame after this abuse. She has flashbacks of the conduct and is fearful to leave her home. She has difficulty trusting physicians and is hesitant to seek medical treatment when needed.

She is unable to concentrate even on simple tasks and is not able to be fully attentive to her son.

We recognize that you have acknowledged that your actions were boundary violations, spared the complainant the need to testify by pleading no contest and begun therapy to explore and address the causes of your misconduct. We encourage you to go further and confront the reality that even your text messages were sexual abuse. You took advantage of information you gained during your therapeutic relationship. Your actions had an immeasurable negative impact on your patient.

You have harmed the public's confidence in the entire medical profession. This reprimand and the revocation of your certificate is a powerful message to you, the profession and the public that we will not tolerate registrants who abuse their power and privilege.