

College of Physicians and Surgeons of Newfoundland and Labrador

Summary of Adjudication Tribunal Decision

IN THE MATTER OF: Dr. Peter John Morry

In a written decision dated October 9, 2018, an Adjudication Tribunal of the College of Physicians and Surgeons of Newfoundland and Labrador found Dr. Peter John Morry, a general practitioner, guilty of professional misconduct in relation to a complaint filed by a patient on November 30, 2017.

The Tribunal accepted an agreed statement of facts as well as Dr. Morry's plea of guilty to the complaint. According to the decision of the Tribunal, the patient, a 22-year old male university student, presented at Dr. Morry's walk-in clinic on October 8, 2015 for assessment of genital lesions. Dr. Morry took a swab of the lesions to test the patient for herpes, the results of which were later determined to be negative, and provided the patient with a prescription. The patient recalled that Dr. Morry advised him that the physicians he had visited previously were "idiots" for reaching a diagnosis of scabies. He recalled that Dr. Morry asked him how many sexual partners he had and made a comment to the effect that his response was a high number and that years ago Dr. Morry would have to ask a girl's father for permission to take a girl on a date. The patient recalled Dr. Morry phrasing his questioning as to the patient's sexual orientation as "I assume from the way that you carry yourself that you have sex with men?" The patient also recalled Dr. Morry told him that as he was "well endowed" he could not go around and have "sex with men in alleyways". When the patient said that he had questions about his diagnosis, he recalled that Dr. Morry told him "You know what lasts longer than love? Herpes".

Dr. Morry acknowledged that it was plausible that he made a comment to the effect that the number of sexual partners the patient had was high in his personal view. Dr. Morry also acknowledged that he failed to treat the patient with adequate sensitivity, respect, and dignity in relation to the discussion of the patient's sexual history and diagnosis.

The Tribunal found Dr. Morry's conduct was in violation of s. 4(oo) of the College's *Code of Ethics* which prohibits "*inappropriate comments or questions reflecting a lack of respect for the patient's dignity or privacy*". The Tribunal found that his conduct amounted to conduct deserving of sanction as defined in the *Medical Act, 2011*.

The Tribunal accepted a joint submission on behalf of Dr. Morry and the College.

The Tribunal ordered as follows:

1. Dr. Morry shall be reprimanded.
2. Dr. Morry shall provide a written apology to the patient.
3. Dr. Morry will complete, at his cost, the course "Understanding Boundaries and Managing Risks Inherent in the Doctor-Patient Relationship" offered by Western University.

4. Dr. Morry shall pay the costs of the College in the amount of \$20,000.
5. The Registrar will publish a summary of the decision and order of the Tribunal with any identifying information relating to the complainant removed.

A copy of the Adjudication Tribunal's complete decision will be provided to www.canlii.org in accordance with the College's By-Law 9.

The most recent practice address of Dr. Morry:

Morry Walk-In Clinic
588 Main Road
Bay Bulls, NL A0A 1C0

Linda Inkpen, MD
Registrar
November 9, 2018