

IN THE MATTER OF an allegation made against Dr. Rasheed Kadhem pursuant to Section 42(1) of the *Medical Act, 2011*, SNL 2011 c. M-4.02.

ALTERNATIVE DISPUTE RESOLUTION SETTLEMENT AGREEMENT

Dr. Rasheed Kadhem is a medical practitioner formerly licensed pursuant to the *Medical Act, 2011* to practice family medicine. Dr. Kadhem last practised medicine in December 2012 at the Family Medical Clinic in Lewisporte, NL.

On April 28, 2017, an allegation was filed with the College against Dr. Kadhem. The Complainant alleged, in part, that she and Dr. Kadhem engaged in a sexual relationship and that this relationship commenced at a point in time when she would have been considered a patient by the College. The Complainant also alleged that Dr. Kadhem prescribed and dispensed opioid medication to her in an inappropriate manner.

Following an investigation of the Complainant's allegation, the Complaints Authorization Committee of the College referred the allegation back to the Registrar for Alternative Dispute Resolution in accordance with s. 44(1)(a) of the *Medical Act, 2011*. The Complainant and Dr. Kadhem both agreed to participate in Alternative Dispute Resolution. Both parties were represented by independent legal counsel.

Dr. Kadhem admitted that he engaged in a sexual relationship with the Complainant and that this relationship commenced at a point in time when she would have been considered a patient by the College. Dr. Kadhem also admitted that he prescribed and dispensed opioid medication to the Complainant in a manner which did not meet the expected standard of practice of a family physician in the circumstances encountered by him.

Dr. Kadhem acknowledged that his behavior constituted professional misconduct. In particular he acknowledged that his behavior was in violation of:

The College's By-Law 5: Code of Ethics, s. 4(ww): *engaging in sexual intercourse or other sexual activity or sexual touching with a patient, or the attempt to engage in such activity... whether or not with the patient's purported consent.*

The College's By-Law 5: Code of Ethics, s. 4(l): *Prescribing to a patient contrary to a standard of practice, policy or guideline of the College or a guideline or standard of practice generally accepted by the profession...*

Dr. Kadhem, the Complainant, and the College agreed to the following disposition of this allegation:

- 1) Dr. Kadhem was reprimanded for his admitted professional misconduct.
- 2) As Dr. Kadhem withdrew from practice in December 2012 and has not practised medicine since this time, no period of suspension was required.
- 3) Dr. Kadhem must successfully complete, at his cost, the PROBE Ethics & Boundaries Course (or similar course as approved by the Registrar), as a precondition of any future licence to practise medicine issued to Dr. Kadhem by the College.
- 4) Dr. Kadhem must successfully complete, at his cost, a course on safe prescribing of opioid medications, as approved by the Registrar, as a precondition of any future licence to practise medicine issued to Dr. Kadhem by the College.
- 5) Any future licence to practise medicine issued to Dr. Kadhem by the College will include a restriction that he must be chaperoned when seeing female patients for a period of 24 months, beginning on the first date of licensure.
- 6) This summary will be posted on the College website.