



Dr. Mishack ZWANE

Charges

Date Charge(s) Laid:	September 14, 2018
Penalty Hearing:	January 24, 2020
Charge(s):	Unprofessional Conduct
Outcome Date:	January 24, 2020

Charge #1

*You Dr. Mishack Zwane are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(l), and/or 46(p) of **The Medical Profession Act, 1981 S.S.1980-81 c. M-10.1** and bylaw 8.1(b)(iii) of the bylaws of the College of Physicians and Surgeons of Saskatchewan, by excessive billing.*

The evidence that will be led in support of this charge will include one or more of the following:

- a) *In the period of approximately January 3, 2017 to February 16, 2017 you carried on practice at Natural Health Services in Saskatoon.*
- b) *During the period of January 3, 2017 to February 16, 2017 you caused or permitted excessive billing for your services by billing code 3B when the circumstances did not justify the charge.*
- c) *During the period January 3, 2017 to February 16, 2017 you caused or permitted billings in the following approximate numbers:*
 - 972 Code 3B*
 - 17 Code 5B*
 - 5 Code 9B*
- d) *On or about February 1, 2017 an individual identified in this charge by the initials K.K attended at the premises of Natural Health Services.*
- e) *You caused or permitted a bill for a code 3B to be submitted for the services provided to K.K. despite not having met the requirements for that code to be billed.*
- f) *You failed to exercise due diligence to ensure that you billed appropriately for code 3B.*

Charge #2

You Dr. Mishack Zwane are guilty of unbecoming, improper, unprofessional, or discreditable conduct contrary to the provisions of section 46(o) and/or section 46(p) of **The Medical Profession Act, 1981 S.S. 1980-81 c. M-10.1** and/or bylaw 19.2 and/or bylaw 8.1(b)(ix) and/or bylaw 8.1(b)(xix) of the bylaws of the College of Physicians and Surgeons of Saskatchewan.

The evidence that will be led in support of this charge will include some or all of the following:

- a) In the period of approximately January 3, 2017 to February 16, 2017 you carried on practice at Natural Health Services in Saskatoon;
- b) During the period of January 3, 2017 to February 16, 2017 you assessed patients for eligibility to receive a prescription for medical use of marihuana and issued authorizations to allow patients to purchase marihuana for medical purposes;
- c) You failed to meet the standards of the medical profession in relation to your assessment of patients and authorizations issued;
- d) You failed to meet the requirements of College bylaw 19.2 in relation to your assessment of patients and authorizations issued;
- e) You failed to provide appropriate follow up care to one or more patients who presented with medical conditions;
- f) You failed to appropriately assess patients to determine whether a marihuana prescription was appropriate before prescribing marihuana;
- g) You failed to meet the requirement of bylaw 19.2 with respect to medical records
- h) You failed to meet the requirement of bylaw 19.2 with respect to obtaining previous medical records for patients;
- i) You failed to meet the requirement of bylaw 19.2 that "A physician may only prescribe marihuana for a patient for whom the physician is the primary treating physician for the condition for which the marihuana is prescribed";
- j) Failed to require patients to sign a treatment agreement that met the requirements of bylaw 19.2;
- k) On or about February 1, 2017 an individual identified in this charge by the initials K.K attended at the premises of Natural Health Services;
- l) You failed to meet the requirements of bylaw 19.2 with respect to your assessment and/or authorization issued to allow K.K. to purchase marihuana for medical purposes.