

EXTRACT OF THE COUNCIL MINUTES FOR OCTOBER 5, 2001

109f Dr. A. Mettle, accompanied by legal counsel, Ms. C. Glazer, was present at Council following his guilty plea to a charge of unbecoming, improper, unprofessional or discreditable conduct with respect to a boundary breach with two of his patients. Mr. B. Salte, College legal counsel, was also present at this time.

110f Of Mr. Salte reminded Council that there is significant variance in Dr. Mettle's version of what took place between himself and H. K. and that which has been told by the complainant. He advised Council that Dr. Mettle was fully aware of H.K.'s background prior to their sexual relationship and he has admitted to booking counselling sessions for H. K. after office hours on a number of occasions.

111f Mr. Salte referenced a number of articles authored by Dr. S. Blackshaw, a Saskatoon psychiatrist, that deal with psychotherapy and sexual abuse of patients by physicians. These articles clearly state that sexual contact between physician and patient has long been considered unethical. He also referenced a number of cases involving boundary breaches that have been dealt with by Council in the past.

112f Mr. Salte recommended Dr. Mettle's license to practice be revoked for a period of twelve months, that he be required to undertake counseling (at his expense) for sexual abuse and that he pay the costs incurred by the College in this case which amount to \$2,308.08.

113f Ms. Glazer expressed concern that Mr. Salte was recommending revocation of Dr. Mettle's license because this is a departure from what Council has done in the past.

114f Ms. Glazer noted that Council has been asked to focus on the counselling sessions. She summarized for Council the circumstances surrounding these counselling sessions, stating that Ms. [K] was the initiator of these visits and indicating that Dr. Mettle felt obliged to see her. In her opinion Ms. [K] was manipulative, persistent and demanding in her relationship with Dr. Mettle. She did admit, however, that Dr. Mettle appears to have a problem with physician-patient boundary issues as is evidenced by his interactions with the two patients named in this case.

112f Ms. Glazer noted that the cases previously dealt with by Council which were cited by Mr. Salte all involved intercourse between the physician and the patient. In Dr. Mettle's case it does not.

116f Dr. Mettle personally apologized to Council for his actions in this case which culminated in this hearing and advised Council he took full responsibility for his actions. He said it had been his intention to help these two patients. He promised Council he would never again violate physician-patient boundaries and that he was willing to undertake whatever recommendations Council may have.

MOTION

Pursuant to Section 54(1)(a) of **The Medical Profession Act, 1981**, the name of Dr. Armstrong Mettle is immediately struck from the Register of the College of Physicians and Surgeons; and

Pursuant to Section 54(1)(i) of **The Medical Profession Act, 1981**, Dr. Armstrong Mettle shall forthwith pay the costs of and incidental to the investigation and hearing in the amount of \$2,308.08; and

Pursuant to Section 54(1)(a) of **The Medical Profession Act, 1981**, Dr. Armstrong Mettle shall not be eligible to apply to have his name restored to the Register until both of the following conditions are met:

- a) a minimum period of nine months has elapsed; and
- b) the Council receives a satisfactory report from a professional person or persons chosen by the Council which attests that Dr. Armstrong Mettle has undertaken counselling at his expense for sexual abuse, has gained insight into the matter and has achieved a measure of rehabilitation which protects the public from risk of future harm from Dr. Mettle. The Council will accept Dr. Stanley Yaren of Winnipeg, Manitoba as a person to provide such a report; and

Pursuant to Section 54(c)(ii) of **The Medical Profession Act, 1981**, Dr. Armstrong Mettle is prohibited, unless or until given permission of the Council to do so, to provide any form of counseling to any female patient, other than counselling that relates solely to a physical condition of the patient and crisis intervention followed by immediate referral.