

COLLEGE OF PHYSICIANS AND SURGEONS OF NOVA SCOTIA

DECISION SUMMARY

Dr. William Oxner

By Decision dated August, 2014, Investigation Committee "C" (the "Committee") of the College of Physicians and Surgeons of Nova Scotia ("College") concluded an investigation into a complaint against Dr. William Oxner.

Dr. William Oxner is a spinal orthopedic surgeon in Halifax, licensed to practice medicine in Nova Scotia.

The complaint was initiated by a patient who was originally seen by Dr. Oxner for back pain in 2007. At that time, Dr. Oxner diagnosed the patient with spondylolisthesis, and recommended conservative, non-surgical management. The patient had no concern with the approach of Dr. Oxner during the 2007 assessment and left feeling he had been thoroughly and appropriately examined.

The patient's family physician referred him to Dr. Oxner again in 2010, and the resulting appointment was scheduled for March, 2011. In the referral note from the family physician for the 2011 appointment, the focus of the consultation was for back pain, and no mention was made of neck pain.

During the 2011 appointment, the patient describes Dr. Oxner as appearing very rushed, and suggests that Dr. Oxner did not perform any physical examination. The patient indicates that he advised Dr. Oxner of new neck symptoms, in addition to the back pain for which he was referred. The patient suggests Dr. Oxner was dismissive of his concerns. Following the appointment, Dr. Oxner wrote a report to the family physician, which was brief and provided no details with respect to the type of examination conducted.

Some months after the March 2011 appointment with Dr. Oxner, the patient's symptoms worsened and he subsequently required urgent neck surgery in September, 2011.

The Committee found that while the referral note from the family physician was silent on the issue of neck pain, Dr. Oxner should have made appropriate inquiries and conducted an appropriate examination when the patient voiced concerns about his neck. It appeared to the Investigation Committee that Dr. Oxner treated the matter as a follow-up visit, when he had not seen this patient for a period of 3 1/2 years.

The Committee expressed concern about the consult letter written by Dr. Oxner to the patient's family physician. Dr. Oxner did not describe the type of examination he conducted and failed to include the type of details that would be expected in a reporting letter arising from a full consultation. The reporting letter inaccurately implied that a neck examination had been performed, and may have given false assurance to the patient and the family physician that nothing further was required.

The Committee also concluded that the visit with the patient was rushed, and did not leave the patient with the belief that his concerns had been heard. As a result, the Committee

reprimanded Dr. Oxner for:

- a. failing to conduct a thorough consultation, including history taking and physical examination as appropriate to the patient's complaints;
- b. failing to provide sufficient information in the consult letter to the patient's family doctor to accurately describe the examinations performed and conclusions reached.

Dr. Oxner was also required to pay a contribution toward the College's costs of the investigation into the matter.

The Committee noted that Dr. Oxner did not have a history demonstrating a pattern of similar conduct. The Committee had insufficient evidence to reach any conclusion respecting the relationship of Dr. Oxner's actions to the patient's subsequent need for surgery. The Committee concluded that the reprimand serves the public interest by strongly reinforcing with Dr. Oxner the importance of taking appropriate histories and performing necessary examinations during any consultation, and reminding Dr. Oxner that despite a busy schedule, a patient's concerns need to be heard and dealt with in a professional manner.