

COLLEGE OF PHYSICIANS AND SURGEONS OF NOVA SCOTIA
SUMMARY OF DECISION OF INVESTIGATION COMMITTEE “B”

Dr. Christian Hackshaw
License Number 014607

Investigation Committee “B” of the College of Physicians and Surgeons of Nova Scotia (the College) concluded its investigation into a complaint against Dr. Christian Hackshaw by Decision dated September 1, 2017. The Investigation Committee reached agreement with Dr. Hackshaw with respect to the disposition of the complaint. A summary of the complaint and its disposition appears below.

PROCESS:

This matter was initiated by a letter from the complainant, Dr. Gus Grant, received on October 14, 2015. A response from Dr. Christian Hackshaw was received on October 30, 2015.

Investigation Committee “B”, formed in accordance with the *Medical Act* of Nova Scotia, 2011, was responsible for the investigation of this complaint.

In addition to the complaint and response, the Committee considered all other documentation before it including Clinician Assessment and Professional Enhancement program (CAPE) results, MSI billings and an interview with Dr. Hackshaw.

OVERVIEW AND SUMMARY OF COMPLAINT AND RESPONSE:

Dr. Christian Hackshaw is a physician, licensed to practice medicine in Nova Scotia since 2008. His practice is based in Bedford, Nova Scotia.

Dr. Gus Grant is the Registrar and CEO of the College of Physicians and Surgeons of Nova Scotia.

Dr. Grant believes that the content of Dr. Hackshaw’s advertisement appearing in *Fine Lifestyles* magazine does not meet the standards of the medical profession and is not in keeping with College guidelines. Specifically, he has concerns with the use of patient testimonials, and the unscientific description of fat “melting” therapy.

Dr. Hackshaw responds that he does not understand why the College would take issue with a patient publicly reporting a positive experience with a physician, but he apologizes for not being cognizant at the time it did not follow the guidelines. Regarding the term “fat-melting”, Dr. Hackshaw states he uses this term because a layperson would not likely understand the actual term, which is “apoptosis” of adipose tissue. He reports that the device does indeed cause fat cell destruction, so his use of the lay term is not misleading.

Dr. Grant alleges that Dr. Hackshaw's inclusion of a patient testimonial in an advertisement in "Fine Lifestyles" magazine does not reflect the Principles of Fairness and Professionalism enumerated in the College Guidelines Regarding Advertising and Public Communications by Physicians. Further, Dr. Grant objects to the use of the unscientific term "fat-melting" therapy in Dr. Hackshaw's Fine Lifestyles advertisements because it is misleading and deceptive, or reasonably capable of being misleading or deceptive.

OTHER MATTERS ADDRESSED BY THE COMMITTEE

As with all complaints, the Investigation Committee is not limited to investigating only the concerns set out in the complaint. The Committee has the responsibility to look into all aspects of a physician's conduct, capacity or fitness to practice medicine that arise in the course of the investigation.

In this matter, after reviewing all available information, the Committee identified the following additional issues/concerns arising from the investigation of this complaint:

- Dr. Hackshaw describes himself on his website as being an anti-aging specialist;
- Dr. Hackshaw describes himself on his website as being 'double-board certified' in Family Medicine and Anti-Aging Medicine;
- Dr. Hackshaw practiced alternative and complementary medicine while describing himself as a Family Physician;
- Dr. Hackshaw ordered lab work investigations funded by provincial health care when seeing the patient for a privately covered consultation;
- Dr. Hackshaw's documentation was sometimes inadequate;
- Dr. Hackshaw did not provide information, in particular, newly prescribed medications to the identified family physicians;
- Dr. Hackshaw has not remained current with CPD related to his actual scope of practice;
- Dr. Hackshaw is not appropriately discussing risks and side effects of bioidentical hormones to patients.

DISCUSSION:

Following receipt of this complaint, Dr. Hackshaw took steps to address potential concerns regarding his online footprint. Specifically, he took steps to address to ensure that his website did not contain any references to him or members of his clinic "specializing" or having a "specialty" in Anti-Aging medicine. He also deactivated a feature on his clinic's Facebook page which allowed people to leave ratings and reviews regarding the clinic. He also advised the Committee that he and his staff would review every comment posted on the Facebook wall as soon as they received notification of the post, and immediately delete it if it contained anything akin to a testimonial.

The Committee shares Dr. Grant's assertion that describing apoptosis, the death of cells that occurs as a normal and controlled part of growth or development, as "fat-melting" is misleading.

At the time of this complaint, Dr. Hackshaw's website claimed that AdvancedMD was Nova Scotia's first and only medical clinic that specialized in Anti-Aging medicine. Dr. Hackshaw's biography on the website referenced the specialty of Anti-Aging medicine, and that he was double-board certified in Family medicine and Anti-Aging medicine.

Anti-Aging medicine is not a recognized medical specialty in Canada. Dr. Hackshaw is certified by the American Academy of Anti-Aging Medicine, which does not belong to any of the more reputable umbrella organizations. The Committee is concerned that Dr. Hackshaw is holding himself out to be a specialist in the area of Anti-Aging medicine, but he is not on the list of physicians approved as specialists by the College, which is in contravention to the College Guidelines Regarding Advertising and Public Communications by Physicians.

Dr. Hackshaw stating he is presently the only board-certified Anti-Aging physician in Nova Scotia suggests that he is superior to other physicians in the province who offer similar services to Dr. Hackshaw, for which no such specialty exists. Further, by Dr. Hackshaw stating he is double-board certified in Family Practice and Anti-Aging medicine in the same sentence arguably devalues the process involved in becoming a member of the College of Family Physician of Canada. These processes are vastly different and that distinction should be made. The use of the phrase "double-board certified" in this case is confusing and misleading. Dr. Hackshaw informed the Committee that all references to being "double-board certified" had been removed from his website, however, references remained on the site as recently as February 28, 2017.

Dr. Hackshaw admits to ordering lab work that is publically funded through the Nova Scotia Health Authority for his private clinic patients. The Committee informed the Registrar, who in turn, informed the Deputy Minister of the Nova Scotia Department of Health and Wellness, Dr. Peter Vaughan. The Committee does not have jurisdiction over this matter.

Participation in the College of Family Physicians of Canada (CFPC) Mainpro program is mandatory to maintain a medical license in Nova Scotia. In a letter to the College dated November 10, 2016, Dr. Hackshaw indicated he had become aware that his enrolment in the Mainpro program had lapsed in 2004. CFPC informed Dr. Hackshaw of the lapse by email in 2008, however Dr. Hackshaw indicates he did not receive the email. He was unaware of his obligation to submit CPD online, and instead mailed his CPD to the program in 2013. He does not know what became of the CPD he sent. Dr. Hackshaw, during an interview with the Committee informed them he had completed regular CPD related to Anti-Aging.

Dr. Hackshaw states he does not practice as a family physician, rather he practices Complementary medicine, yet he still holds himself out to be a family physician. The Committee is concerned his patients, some of whom do not have a family physician, would fail to know the difference. The Committee was further concerned Dr. Hackshaw did not complete any Family medicine-related CPD since 2004, as he continued to provide occasional family practice locums and occasionally saw patients within his private clinic as MSI-billed visits.

To investigate this concern, the Committee ordered an assessment of Dr. Hackshaw's Family medicine practice. The auditor also visited Dr. Hackshaw's Anti-Aging clinic. The auditor found Dr. Hackshaw did not meet the expected standard of a family physician, or of a family physician

with special interests. The following specific concerns were noted:

- Dr. Hackshaw prescribes hydrocortisone orally for adrenal fatigue, and does not believe there are any side effects;
- Dr. Hackshaw does not inform the patient's family doctor of what he has done or prescribed;
- Dr. Hackshaw assumes his patients are followed by family doctors;
- Dr. Hackshaw attributes symptoms to hormone imbalances;
- there was no documentation of patient history or physical examinations in some cases; and
- Dr. Hackshaw's records consistently lacked detail.

At the request of the Committee, Dr. Hackshaw underwent the Clinician Assessment and Professional Enhancement program (CAPE) in Manitoba. Dr. Hackshaw's CAPE score was within the acceptable range for a practicing physician.

DISPOSITION:

In accordance with clause 99(5)(f) of the *Medical Practitioners Regulations*, the Committee has determined there is sufficient evidence that, if proven, would constitute professional misconduct and conduct unbecoming, warranting a licensing sanction.

Pursuant to clause 99(7)(a)(i) of the *Medical Practitioners Regulations*, and with Dr. Hackshaw's consent, Dr. Hackshaw is **reprimanded** for misrepresenting his skills and treatment. Dr. Hackshaw will remove all references to being a double-board certified physician and/or a specialist in Anti-Aging medicine that could be publically available, including but not limited to, his website, Facebook, LinkedIn, YouTube, and the Leading Physicians of the World publication.

In addition, the Committee made recommendations regarding his practice and adherence to the Standards and Guidelines.

Dr. Hackshaw will undergo re-audit of his practice (both Family and Anti-Aging), approximately 6 months from the date of this decision. The re-audit will be arranged by the Professional Conduct and Compliance office of the College and will focus on documentation and follow up with family physicians. The cost of the audit will be borne by Dr. Hackshaw. The Compliance Department of the College will also verify Dr. Hackshaw has remained current with his CPD requirements.

Dr. Hackshaw agrees to contribute an amount toward the College's costs in this matter.

Dr. Hackshaw agreed to accept this disposition on September 1, 2017.