

SUMMARY OF SETTLEMENT AGREEMENT

DR. STEPHEN HARLEY

On December 4, 2008, the Hearing Committee of the College of Physicians and Surgeons of Nova Scotia (the "College") accepted a Settlement Agreement advanced by the College and Dr. Stephen Harley, and recommended by Investigation Committee "C" of the College pursuant to Section 57 of the *Medical Act*.

The Settlement Agreement outlined the background to the complaint filed with the College, wherein a pharmacist had alerted the Nova Scotia Prescription Monitoring Program of an irregularity in a prescription written by Dr. Harley. Following a preliminary investigation of the matter, Dr. Harley immediately acknowledged he had been diverting prescription medication for his own personal use. He provided an undertaking to the College where he agreed not to return to practice until permitted to do so by the College, and he voluntarily agreed to a suspension of his narcotics prescribing privileges.

Dr. Harley ceased his practice of medicine on May 29, 2008 and since that date has complied with various conditions required by the College.

The Investigation Committee referred the following matter to the Hearing Committee:

Being registered under the *Medical Act*, R.S.N.S 1995-96, c. 10, and being a medical practitioner in the Province of Nova Scotia during the following relevant periods, it is alleged that:

On a number of occasions between 2004 and May 2008, Dr. Harley wrote fraudulent narcotics prescriptions for family and friends which he diverted for his personal use
(*publication ban on remaining portion of this sentence*)

Dr. Harley admitted this allegation and admitted the allegation constitutes a disciplinary matter within the meaning of the *Medical Act*.

The Hearing Committee accepted the disposition proposed by the College and Dr. Harley, as a result of which Dr. Harley was reprimanded, and his practice was made subject to various conditions and restrictions. In particular, Dr. Harley will return to a gradual practice of medicine under agreed upon restrictions and conditions, including the continued suspension of his narcotic prescribing privileges until October, 2009, or such later time as determined by Health Canada.

Dr. Harley must pay the sum of \$2,000 toward the College's costs of this matter.

The Settlement Agreement provides that a breach of any aspect of the Settlement Agreement may be referred as a complaint to the College for further action.