

COLLEGE OF PHYSICIANS & SURGEONS OF ALBERTA

IN THE MATTER OF
A HEARING UNDER THE *HEALTH PROFESSIONS ACT*,
RSA 2000, c. H-7

AND IN THE MATTER OF A HEARING REGARDING
THE CONDUCT OF DR. ALTAF KHUMREE

**DECISION OF THE HEARING TRIBUNAL OF
THE COLLEGE OF PHYSICIANS
& SURGEONS OF ALBERTA**
March 31, 2025

I. INTRODUCTION

1. The Hearing Tribunal held a continuation of a hearing into the conduct of Dr. Altaf Khumree by videoconference on December 10, 2024. The members of the Hearing Tribunal were:

Mr. Glen Buick as Chair (and public member);
Dr. Kimberly Myers;
Dr. Pooja Das Kumar;
Ms. Sarita Dighe-Bramwell (public member).

2. Appearances:

Mr. Craig Boyer, legal counsel for the Complaints Director;
Dr. Altaf Khumree;
Ms. Valerie Prather, legal counsel for Dr. Khumree;
Mr. Greg Sim acted as independent legal counsel for the Hearing Tribunal.

II. PRELIMINARY MATTERS

3. Neither party objected to the composition of the Hearing Tribunal or its jurisdiction to proceed with the hearing. There was no application to close the hearing and there were no other preliminary applications.

III. NOTICE OF CONTINUATION OF HEARING

4. The Notice of Continuation of Hearing addressed to Dr. Khumree stated that the purpose of the Hearing was to determine:
 1. Whether you have complied with the directions of the Hearing Tribunal set out in Order 2(b) in paragraph 121 of the Sanction Decision [issued March 2, 2022]; and
 2. Whether the period of suspension of three months held in abeyance should be served by you.

IV. EVIDENCE

5. The following Exhibits were entered into evidence during the hearing:

Exhibit 1- Agreed Exhibit book containing Tabs 1-12:

1. Notice of Continuation of Hearing dated May 7, 2024.
2. Dr. H █████ letter to V. Prather dated April 5, 2022 with listed courses for remediation work directed by the Hearing Tribunal in paragraph 121 of the Hearing Tribunal Sanction decision dated March 2, 2022.

3. V. Prather letter to Dr. H [REDACTED] dated May 5, 2022 confirming receipt of April 5, 2022 letter.
4. V. Prather letter to Dr. H [REDACTED] dated May 19, 2022 confirming Dr. Khumree will complete the remedial courses by deadline in March 2023.
5. B. G [REDACTED] letter to V. Prather dated November 20, 2023 requesting confirmation that Dr. Khumree had completed the courses.
6. V. Prather letter to B. G [REDACTED] dated November 30, 2023 re course work completed by Dr. Khumree.
7. B. G [REDACTED] letter to V. Prather dated December 18, 2023 regarding course work taken by Dr. Khumree.
8. Dr. Khumree letter to B. G [REDACTED] dated January 15, 2024 re course work taken.
9. Documents related to course work described in V. Prather letter dated November 30, 2023.
10. Letter from University of Saskatchewan to CPSA dated Feb. 7, 2024 regarding dates Course: The Role of Practitioners in Indigenous Wellness was offered in 2022 and 2023.
11. Email from K. U [REDACTED] of the University of Saskatchewan to B. G [REDACTED] dated February 14, 2024 regarding hours of instruction for online course.

Exhibit 2 – Admission and Joint Submission Agreement

V. SUBMISSIONS

6. Mr. Boyer advised that the current proceeding was a continuation of a hearing for the purpose of dealing with some specific issues arising from previous proceedings.
7. A previous Hearing Tribunal had issued an order suspending Dr. Khumree's practice permit for a period of six months, three months of which was to commence on a date acceptable to the Complaints Director with the remaining three months to be held in abeyance provided that Dr. Khumree complied with the previous Hearing Tribunal's other orders (the "Sanction Order"). One of the other orders was a direction by the previous Hearing Tribunal to successfully complete education approved by the Complaints Director.
8. Mr. Boyer spoke to documents in the Exhibit Book in Exhibit 1 which established that the Complaints Director had identified two courses that would be sufficient to satisfy the previous Hearing Tribunal's order relating to

education and that Dr. Khumree's counsel had confirmed that the courses would be completed by the required deadline. He also referenced documents that demonstrated that the courses were not completed as ordered by the previous Hearing Tribunal.

9. Mr. Boyer explained that in the interim, some of the members of the previous Hearing Tribunal had been unable to continue, and accordingly this Hearing Tribunal had been established.
10. Mr. Boyer referred to the definition of "unprofessional conduct" in the *Health Professions Act* ("HPA") and specifically to s. 1(1)(p)(viii) which includes in the definition the failure to comply with an order of a Hearing Tribunal under Part 4 of the HPA.
11. Mr. Boyer confirmed Dr. Khumree's admission in the Admission and Joint Submission Agreement in Exhibit 2 to failing to comply with the directions of the previous Hearing Tribunal and that this failure constituted unprofessional conduct.
12. Mr. Boyer also thanked Ms. Prather, counsel for Dr. Khumree for her cooperation in bringing the issues forward by way of the agreed Exhibit Book and the Admission and Joint Submission Agreement.
13. On behalf of Dr. Khumree, Ms. Prather confirmed his admission that he had engaged in unprofessional conduct in failing to complete the educational requirements ordered by the previous Hearing Tribunal and determined by the Complaints Director.
14. Ms. Prather submitted that there were a number of contextual factors that led to Dr. Khumree being unable to complete the required courses in time and that those were set out in the agreed exhibits. She referred to the Admission and Joint Submission Agreement and supported Mr. Boyer's submission that the conduct in question was unprofessional conduct under the HPA.

VI. FINDINGS

15. The Tribunal considered the evidence put forward in the agreed Exhibit Book and the submissions of counsel. The Tribunal accepts Dr. Khumree's admissions as to his conduct and finds that the conduct in question is unprofessional conduct under the HPA.

VII. DECISION WITH REASONS

16. The evidence and submissions with respect to this issue are clear and the reasons for the Hearing Tribunal's decision are straightforward.
17. A previous Hearing Tribunal ordered that Dr. Khumree complete education approved by the Complaints Director. The Complaints Director identified

specific courses and a time frame for completion. Dr. Khumree confirmed he would complete the identified courses within the time frame.

18. Dr. Khumree did not take the courses, did not seek a variation of the order and did not seek an extension of time. He did take some measures which he hoped would substitute for the courses, but not in consultation with the CPSA. By his own admission, Dr. Khumree's conduct could not be excused and was unprofessional. The measures Dr. Khumree took were clearly not what had been ordered by the Hearing Tribunal. Furthermore, Dr. Khumree did not bring his failure to comply with the Hearing Tribunal's order to the attention of the CPSA in a timely manner.
19. Dr. Khumree's conduct falls squarely within the definition of conduct that can be considered unprofessional conduct pursuant to section 1(1)(pp)(viii) of the HPA. Compliance with orders of the Hearing Tribunal is essential for public confidence in the proper regulation of the medical profession.
20. For all of those reasons, the Hearing Tribunal had no difficulty concluding that Dr. Khumree had engaged in unprofessional conduct that was deserving of sanction.

VIII. SANCTIONS SUBMISSIONS

21. The Admission and Joint Submission Agreement proposed that commencing on February 1, 2025 Dr. Khumree would serve one of the three months of suspension that had previously been held in abeyance. In addition, Dr. Khumree is to complete two specified courses and provide proof of their completion by June 2025. In the event of non-compliance by Dr. Khumree, he is to be suspended for the remaining two months. Finally, the Joint Submission contemplates Dr. Khumree paying two-thirds of the additional investigation and continuation of the Hearing to a maximum amount of \$5,000.
22. Mr. Boyer submitted that the proposed sanctions reflected a blend of remediation (completing the educational requirement) and deterrence (an additional period of suspension) with the balance of the suspension to be held and applied in the event of further non-compliance.
23. With respect to costs, Mr. Boyer submitted that in light of the expedited process that had been followed the costs were not significant. Dr. Khumree would benefit from his cooperation and admissions through the modest amount of additional costs.
24. Mr. Boyer submitted that the proposed sanctions and costs were appropriate in all of the circumstances.
25. On behalf of Dr. Khumree, Ms. Prather supported Mr. Boyer's submissions and agreed with the law outlined in Mr. Boyer's brief of law accompanying the

Admission and Joint Submission Agreement. In particular, Ms. Prather reminded the Hearing Tribunal of the law requiring joint submissions such as these to be given considerable deference. She submitted that the joint submissions should only be rejected if they were not manifestly in the public interest.

26. Ms. Prather submitted that the compromise reached between the Complaints Director and Dr. Khumree protected the public interest and the integrity of the CPSA's disciplinary process while ensuring that Dr. Khumree could responsibly deal with his patients.

IX. SANCTIONS

27. The Hearing Tribunal accepts the Admission and Joint Submission Agreement and makes the following orders:
 1. Of the three months of suspension held in abeyance under the Sanction Order, Dr. Khumree shall serve one of those months with his practice permit being suspended for a period of one month starting on February 1, 2025.
 2. Dr. Khumree shall provide proof to the satisfaction of the Complaints Director that he has, at his own cost, successfully completed by June 30, 2025, the required courses, being:
 - a. The Role of Practitioners in Indigenous Wellness, as offered by the University of Saskatchewan, and
 - b. The Clinical Communications Program, as offered by the Canadian Medical Protection Program.
 3. If Dr. Khumree fails to successfully complete both courses by June 30, 2025, his practice permit shall then be suspended for a further two months, that being the remaining portion of the original three months held in abeyance under the Sanction Order, starting on a date determined by the Complaints Director.
 4. Dr. Khumree shall be responsible for two-thirds of the costs of the additional investigation and the continuation of the hearing, to a maximum of \$5,000, which shall be paid in accordance with the current agreed payment schedule for Dr. Khumree's payment of costs under the Sanction Order.

X. REASONS FOR SANCTIONS

28. The Hearing Tribunal understands that the parties' ability to reach agreements in these types of proceedings is of benefit to all of the participants and that ability would be undermined if those agreements are not given appropriate

deference. Accordingly, the Hearing Tribunal considered the proposed sanctions and whether they could be considered to be contrary to the public interest or to otherwise undermine the administration of justice.

29. The Hearing Tribunal is satisfied that the jointly proposed sanctions are appropriate given the nature of the conduct at issue and the surrounding circumstances. The sanctions address the objectives of remediation and deterrence and recognize Dr. Khumree's admissions and cooperation.
30. The Hearing Tribunal sees no basis upon which to conclude that the jointly proposed sanctions would be contrary to the public interest or should be interfered with.
31. The Hearing Tribunal has already stressed to Dr. Khumree the importance of his compliance with the orders given by Hearing Tribunals. The acceptance of the Admission and Joint Submission Agreement by the Hearing Tribunal is recognition of and deference to the agreement reached by the parties in the public interest. The Hearing Tribunal's decision to accept the jointly submitted sanctions also reflects its faith in Dr. Khumree's commitment to honouring his agreement.

Signed on behalf of the Hearing Tribunal by the Chair:



Mr. Glen Buick

Dated this 31st day of March, 2025.