

LITIGATIONWORKS

NEWS RELEASE

PATIENT SUFFERING FROM CHRONIC PAIN COMMITS SUICIDE AFTER CPSO SUSPENDS DR. CRYSTAL LUCHKIW'S LICENCE

College of Physicians and Surgeons of Ontario v. Dr. Crystal Luchkiw - Hearing - May 17-19

After the College of Physicians and Surgeons of Ontario suspended Dr. Crystal Luchkiw's licence based on the mere suspicion that she had written one medical exemption for Covid-19 injections, her 1,600-plus patients were deprived of medical care and their prescription medications, leaving many in a state of despair. It was revealed today that one of those patients, who was suffering from chronic pain, has committed suicide.

The patient had seen many doctors over the years for pain control, but none of them had been successful in providing him with relief. Dr. Luchkiw, however, had found a way to treat his condition and had made life tolerable for him again.

In October of 2021, a hospital administrator sent a letter to the College in which he alleged that Dr. Luchkiw had written one medical exemption for Covid-19 injections for a patient who had received treatment at the hospital. However, the patient who claimed to have an exemption did not produce the exemption, nor did he state who had provided it. It was simply assumed that Dr. Luchkiw had provided the exemption because the patient had been receiving medical care in her family practice. Nevertheless, the College launched an investigation and alleged before its Complaints Committee that Dr. Luchkiw had been writing medical exemptions; as a result, the Committee suspended her licence on March 17, 2022.

This was done even though no patient complaint had been made and no proof of patient harm had been produced. Once the suspension was registered, the College prevailed on the College of Pharmacists to cancel all prescriptions and refills for Dr. Luchkiw's patients throughout the Ontario health system. It also cancelled pending tests and appointments with specialists for all patients.

The College claimed the suspension was also justified in relation to a concern that Dr. Luchkiw had not been following proper Covid-19 infection and control practices in her office, even though she had been exonerated of that charge months before by a Ministry of Labour inspector and the College's Complaints Committee.

Dr. Luchkiw's lawyer, Michael Alexander, made the following comment: "Essentially, Dr. Luchkiw had an elder care practice. Twenty percent of her patients were in palliative care. Anecdotally, we know that a number of her palliative care patients have died in awful circumstances because they lacked proper medication and Dr. Luchkiw's advice and support."

Merchandise Building, 155 Dalhousie Street, Suite 410, Toronto ON M5B 2P7
direct: 416-318-4512 e-mail: malexanderjd@protonmail.com
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Further, he said: "The College Tribunal has already ruled that the College's restriction on writing Covid-19 exemptions is only a recommendation that does not have the force of law. So, even if Dr. Luchkiw had written a medical exemption, that could not justify an investigation and prosecution since it's not unlawful to act contrary to a recommendation. Moreover, the College's concern about Dr. Luchkiw's infection and control practices in her office is a non-starter since the College lacks the jurisdiction to regulate those practices. The authority there lies with the Ministry of Health and the Ministry of Labour."

Finally, he said: "Dr. Whitmore, the College Registrar who authorized the investigations, and the members of the Complaints Committee who suspended Dr. Luchkiw's licence certainly had to know that the suspension would cause immense patient harm. And this was done without any proof whatsoever that Dr. Luchkiw herself had caused patient harm."

The College Discipline Tribunal will hold a hearing from May 17th to 19th to determine whether Dr. Luchkiw's licence should be revoked.

For media inquiries, contact Michael Alexander by e-mail at malexanderjd@protonmail.com or by phone at 416-318-4512.