

Register of practitioners

Health Practitioner: Dr Sandeep Gupta

Personal Details

Sex:	Male
Languages (in addition to English):	Hindi
Qualifications:	<ul style="list-style-type: none"> Bachelor of Medicine / Bachelor of Surgery, University of Queensland, Australia, 1999

Principal Place of Practice

Suburb:	MAROOCHYDORE
State:	QLD
Postcode:	4558
Country:	Australia

Registration Details

Profession:	Medical Practitioner
Registration number:	MED0001408162
Date of first Registration in Profession:	03/12/1999
Registration status:	Registered

Registration expiry date:

Under the National Law, registrants are able to practise while their renewal application is being processed. Practitioners also remain registered for one month after their registration expiry date. If the practitioner's name appears on the Register, they are registered and can practise (excepting practitioners with a Registration Type of 'non-practising' or those with a condition which stops them from practising, or where their registration is suspended).

Conditions:

- On the 19 October 2018, the Health Ombudsman has decided to take immediate registration action by imposing the following conditions, under section 58 of the Health Ombudsman Act 2013 (the Act), on the registration of Dr Sandeep Gupta (the practitioner), as a medical practitioner in the State of Queensland under the Health Practitioner Regulation National Law (Queensland):

Scope of practice

1. The practitioner is prohibited from promoting, prescribing or administering hyperthermia treatment, referring patients to other practitioners providing hyperthermia treatment, or participating in any patient consultation with other health practitioners about hyperthermia treatment.

2. The practitioner must only prescribe, possess, supply, administer, handle, dispense, access

(hereafter referred to as access), direct and supervise the administration of vitamin C intravenous infusions, under the following provisions:

(a) The infusions must be administered to adult patients only.

(b) The infusions must be administered at doses of no more than 25 grams per patient, per day.

(c) Vitamin C must be intravenously administered in all other respects strictly in accordance with Table V in the Current Oncology review article 'Intravenous vitamin C in the supportive care of cancer patients: a review and rational approach'. (see footnote 1)

3. The practitioner must be supervised by a senior general practitioner who is a member of the RACGP Specific Interests group in integrative medicine (the supervisor) when treating patients with intravenous vitamin C therapy.

For the purposes of this condition, 'supervised' is defined as:

The practitioner must consult with the supervisor, who is to be accessible by telephone or by other means of telecommunication about the management of patients and/or the performance of the practitioner, when necessary and otherwise at fortnightly intervals.

The practitioner must consult with the supervisor regarding:

(a) the suitability of each patient for intravenous vitamin C therapy, prior to the commencement of this therapy including the review of clinical pathology; and

(b) the ongoing suitability of each patient for intravenous vitamin C therapy, throughout the course of this therapy.

Employment conditions

Practise with a supervisor

4. Within five (5) business days of the commencement of the conditions, the practitioner must nominate, on the Nomination of supervisor form, a primary supervisor, and at least one alternate supervisor, for each and every practice location where the practitioner practises as a health practitioner, to be approved by the Health Ombudsman.

5. Within five (5) business days of the commencement of the conditions, the practitioner must provide written authorisation to the Office of the Health Ombudsman, by completing the Authority to contact supervisor form, to contact their nominated supervisor(s) at each and every practice location where the practitioner practises as a health practitioner, to obtain information for the purposes of monitoring the conditions, including reports from the supervisor every three months unless otherwise directed by the Health Ombudsman, that addresses:

- a. the practitioner's compliance with the schedule of conditions
- b. that the supervision occurred at the level required by the practitioner's schedule of conditions
- c. any period of absence or any period of time where the supervisor was not otherwise able to provide supervision
- d. whether the supervisor is aware of any concerns about the practitioner's conduct, professional performance and/or fitness to practise.

6. In the event that no approved supervisor is willing or able to provide the supervision required at a particular practice location, the practitioner must cease the practice detailed at condition 2(a)-(c) of this Schedule of Conditions immediately at that practice location, and may not resume the practice described at condition 2(a) - (c) at that practice location until a new supervisor has been nominated by the practitioner and approved by the Health Ombudsman.

Details of employment - no prior approval required

7. Within five (5) business days of the of the commencement of these conditions or commencing in any new place of practice, the practitioner must complete and submit an Employment Advice form for each place of practice to advise the Office of the Health Ombudsman of the details of any and all places where the practitioner provides a health service (practises) as a registered health practitioner.

Notification to employer

8. Within five (5) business days of the commencement of these conditions, or of commencing in any new place of practice, the practitioner must provide to the Office of the Health Ombudsman a completed Employer acknowledgment form from all employers and/or places where the practitioner practises as a health practitioner, certifying that they are aware of the conditions imposed on the practitioner's registration and have been provided with a copy of this Schedule of Conditions.

Education

9. Within three (3) months of the imposition of these conditions, the practitioner must nominate to the Office of the Health Ombudsman for approval in writing on the Nomination of education form an education course, assessment or program (the education program) addressing the following areas of conduct and performance:

- a. Appropriate management of patients receiving intravenous vitamin C therapy.

10. At the time the practitioner provides information regarding the nominated education program to the Office of the Health Ombudsman, the practitioner must also provide:

- a. If the education program is a course of education, a copy of the curriculum; or
- b. If the education program is tailored to the practitioner and conducted by an individual (the program provider) the practitioner must:
 - i. include a written education plan outlining the nature, content, proposed assessment and outcomes of the education program;
 - ii. provide the contact details for the program provider together with a detailed copy of the program provider's curriculum vitae which demonstrates that the program provider is senior to the practitioner by either years of experience or position and has additional training, experience and/or qualifications in order to provide the education program;
 - iii. ensure the program provider is not in a close collegiate, social or financial relationship with the practitioner;
 - iv. ensure the program provider is not subject to any orders regarding their ability to practise, including being subject to any conditions or restrictions on their practise or otherwise suspended or prohibited from practise within the relevant profession; and
 - v. provide written confirmation from the program provider on the Nominee acknowledgement - education form that they have read and agree with these conditions, they are not in a relationship with the practitioner as described in (iii) and are not subject to any orders with regards to their practice as described in (iv).

11. Within seven (7) calendar days of the completion of the education program, the practitioner must provide to the Office of the Health Ombudsman:

- a. written evidence of the satisfactory completion of the education program
- b. a reflective practice report demonstrating, to the satisfaction of the Health Ombudsman, that the practitioner has reflected on the issues that gave rise to this condition and how the practitioner has incorporated the lessons learnt in the education program into their practise
- c. a report from the program provider demonstrating, to the satisfaction of the Health Ombudsman, the practitioner's participation in the education program, assessment results and their learning outcomes
- d. evidence of having undertaken and successfully completed the formal assessment component of the education program.

12. The education program must be completed within twelve (12) calendar months of the practitioner receiving written notice of the Health Ombudsman's approval of the nominated education program.

13. All costs associated with the education program is to be borne by the practitioner.

14. Upon successful completion of the education program and upon written confirmation from the Office of the Health Ombudsman, the education conditions will be deemed satisfied.

Other matters

15. Within five (5) business days of the commencement of these conditions, the practitioner must provide written authorisation to the Office of the Health Ombudsman on the Authority to access information form to:

- a. inspect, take or copy patient clinical records, log books and/or appointment diaries for any patient at such reasonable time or times as the Health Ombudsman shall determine for the purpose of monitoring compliance with the conditions imposed on the practitioner's registration;

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b. exchange information with the practitioner's employers and/or places of practice.

16. Within five (5) business days of the commencement of these conditions, the practitioner must provide written authorisation to the Office of the Health Ombudsman on the Authority to release information form to obtain the release of information relating to their professional practise and/or prescribing from:

the Department of Health, Queensland Government

the Department of Human Services

Private Health Insurers

any other entity who may provide information relevant to their professional practice and/or prescribing.

17. Within five (5) business days of changing residential address the practitioner must provide written notification to the Office of the Health Ombudsman of that change and provide new contact details.

18. The practitioner must immediately advise the Office of the Health Ombudsman if at any time they are charged with an indictable offence.

19. If, in the event of a medical emergency, the practitioner is unable to comply with a condition, any such incident must be notified to the Office of the Health Ombudsman within two (2) business days. For the purposes of these conditions, a medical emergency is an incident where it is not possible or reasonable to have a patient with a serious or life threatening condition seen by another practitioner or transferred to the nearest hospital.

20. Within five (5) business days of the end of every calendar month (month), the practitioner must provide to the Office of the Health Ombudsman a statutory declaration, using the Statutory Declaration template, stating that they have complied with the Health Ombudsman's requirements and the conditions for that month. The statutory declaration must not be witnessed by a family member or a person connected to its content. The statutory declaration must cover the entire period of the month and must be submitted regardless of whether or not the practitioner has provided a health service during that month. If the conditions came into effect part way through the month, the statutory declaration must cover the entire period that the conditions were in effect during the month. The practitioner must submit the statutory declarations at a monthly frequency unless otherwise directed by the Health Ombudsman.

Costs

21. All costs associated with compliance with the conditions are at the practitioner's own expense.

Period of conditions

The imposition of the conditions will take effect on the day the notice of decision is given to the practitioner, pursuant to section 60 of the Act.

Pursuant to section 62 of the Act, the decision to take immediate registration action continues to have effect until the earlier of the following happens:

a. the Queensland Civil and Administrative Tribunal (the QCAT) sets aside the decision -

i. on application by the practitioner for a review of the decision; or

ii. on referral of the matter to the QCAT by the Director of Proceedings on the Health Ombudsman's behalf; or

b. the Health Ombudsman removes the conditions under section 65 of the Act.

Contact person at the Office of the Health Ombudsman

Further information will be provided via separate correspondence from a Monitoring Officer with respect to any documentary evidence required in compliance with the conditions. In the interim, the practitioner can contact the following person directly for any queries about compliance with these conditions:

Monitoring Officer

Office of the Health Ombudsman

Level 12, 400 George Street, Brisbane

PO Box 13281 George Street, Brisbane QLD 4003

Phone: 3158 1329

Email: monitoring@oho.qld.gov.au

Definitions

'Practise' is defined as any role, whether remunerated or not, in which the individual uses their skills and knowledge as a medical practitioner in their profession. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of a medical practitioner in a direct nonclinical relationship with a client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in the medical profession.

'Practice location' means any location where the practitioner practises the profession including any place where the practitioner:

(a) is self-employed

(b) shares premises with other registered health practitioners

- (c) is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
- (d) provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
- (e) provides professional services at the residential premises of a patient.

'Patient' is defined as any individual awaiting, requiring, or receiving the professional services of the practitioner or a registered health practitioner within the same place of practice as the practitioner and any spouse, partner, parent, family member or guardian/carer of this individual.

'Contact with a patient' includes consultation, interview, examination, assessment, prescribing for, advising, or otherwise treating a patient, whether it is in person or on a communication device.

'Employer' is defined as an entity that-

- (f) Employs the practitioner to provide health services; or
- (g) Engages the practitioner to provide health services under a contract for services; or
- (h) Operates a facility at which the practitioner provides health services.

'Employer' therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).

Footnote 1 - Table V: Rational approach for using intravenous (IV) and oral vitamin C in the supportive care of cancer patients (page 145) in Klimant. E., Wright. H., Rubin. D., Seely. D., and Markman. M. 2018. "Intravenous vitamin C in the supportive care of cancer patients: a review and rational approach." Current Oncology 25, no. 2 (April): 139-148.

Undertakings:

- None

Reprimands:

- None

Registration Type: General

Registration expiry date: 30/09/2018

Endorsements:

- None

Notations - General:

- None

Registration Requirements:

- None

Registration Type: Specialist

Specialty: General practice

Registration expiry date: 30/09/2018

Endorsements:

- None

Notations - General:

- None

Registration Requirements:

- None