

SPSO decision report



Case: 202001685, A Medical Practice in the Ayrshire and Arran NHS Board area

Sector: Health

Subject: Clinical treatment / diagnosis

Decision: not upheld, no recommendations

Summary

C complained that the practice had unfairly accused them of being threatening and aggressive, resulting in their removal from the practice list and that C had been unreasonably placed on an opiate reduction programme. C said that they had been targeted because they had successfully complained about the services provided by the practice in the past. C said that the practice had misrepresented the opiate reduction as mandatory, when in fact they were only required to review opiate use. C said that the practice had not taken into account the impact of the opiate reduction on them.

The practice said that they had a zero tolerance for aggressive or inappropriate behaviour. C had abused the prescription request service and had entered the practice and refused to leave unless they were provided with an additional prescription. The practice had, after review, reinstated C to the practice, but C had continued to request medication early, breaching their agreements with the practice. This had resulted in their removal from the practice lists. The practice had reviewed and reduced C's medication in line with best practice and health board guidance. C had previously sought medication early and was considered by the practice to meet the criteria for opiate reduction.

We took advice from an independent medical adviser. We found that the practice had acted reasonably in seeking to reduce C's opiate use. We also found that arguably the practice should have provided C with a written warning prior to the first decision to remove them from the practice list. When C had appealed against this decision, however, the practice had reviewed it and agreed to reinstate C subject to commitments about their behaviour. C's second removal had been due to the practice's view that the agreements reached with C had been breached. The practice were entitled to reach this decision and had acted reasonably. Therefore, we did not uphold the complaint.