

June 25, 2019

CPSA files notice of discontinuance for Dr. Johann Maritz case to Court of Appeal of Alberta

Edmonton, AB – The College of Physicians & Surgeons of Alberta (CPSA) has filed a notice of discontinuance to the Court of Appeal of Alberta, withdrawing their appeal in the case of Dr. Johann Maritz.

“The Dr. Maritz case is unique and challenging because it bridges the old and new legislation around boundary violations,” said Dr. Scott McLeod, CPSA Registrar. “CPSA pursued the opportunity to obtain a higher review from the courts; however upon detailed review of the legislation, the appeal is not permitted since the case predates the new legislation.”

Following an unsuccessful appeal to a Council Review Panel, which sought the cancellation of Dr. Maritz’ practice permit, CPSA filed a notice of appeal on March 29, 2019 to the Court of Appeal of Alberta. However, upon legal review of section 27 of *An Act to Protect Patients*, it has been determined the right of appeal does not apply to this matter as it predates when the Act came into effect.

Dr. Maritz was found guilty of four counts of unprofessional conduct for boundary violations by a Hearing Tribunal in August 2018, and was sanctioned to serve an 18-month suspension. The decision was upheld by a Council Review Panel following an appeal by the CPSA to revoke Dr. Maritz’ licence.

While Dr. Maritz has served his suspension and is eligible to practice medicine in Alberta, CPSA will continue to closely monitor his compliance with current practice restrictions and CPSA’s Code of Ethics and Standards of Practice.

Resources:

[Hearing Tribunal decision](#)

[Review Panel decision](#)

[Media Release \(April 1, 2019\)](#)

investigate and resolve physician-related complaints. The CPSA also ensures the safety and quality of medical and diagnostic testing services in Alberta through an independent accreditation program.

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April 1, 2019

CPSA appeal of sanction decision for Dr. Johann Maritz unsuccessful

Edmonton, AB – A Hearing Tribunal Decision to impose an 18-month suspension on Dr. Johann Maritz’s practice permit was upheld by a Council Review Panel, following an appeal by the Complaints Director of the College of Physicians & Surgeons of Alberta (CPSA), which sought the revocation of his license to practise medicine.

Although the Bill 21 legislation does not apply to the sanctions in this case because it was initiated prior to April 1, 2019, the Complaints Director is appealing the decision to the Alberta Court of Appeal to ensure the legislation is appropriately interpreted to protect the public, while ensuring a fair and lawful process.

The Review Panel sanctions on the appeals are as follows:

1. The Panel affirms the Hearing Tribunal’s decision to order that Dr. Maritz serve an 18-month suspension.
2. The Panel allows Dr. Maritz’s costs appeal and varies the order of the Hearing Tribunal that required Dr. Maritz to pay 100 per cent of the investigation and hearing costs:
 - a. Dr. Maritz is hereby ordered to pay 60 per cent of the investigation and hearing costs, totalling \$62,423.37. The terms of payment are at the discretion of the Complaints Director.
 - b. If there are any disputes regarding the payment of costs, the matter may be remitted to a hearing tribunal for consideration.

Additional sanctions outlined in the Oct. 5, 2018 decision still stand:

1. Dr. Maritz will receive credit for the time he served temporary suspensions imposed by the CPSA and for the period he voluntarily withdrew from practice. As a result, Dr. Maritz has already served the 18-month suspension.
2. All current restrictions on Dr. Maritz’s practice license, including a restriction to seeing only male patients, will remain in effect for three years, starting Oct. 5, 2018.
3. Dr. Maritz shall employ a mature practicing physician (approved by the Complaints Director) who will report Dr. Maritz’s adherence to his practice restrictions to the CPSA, for a period of three years from the date of the decision.
4. Dr. Maritz shall post a notice to his patients at his medical practice, outlining the restrictions on his permit.

Resources:

[Hearing Decision press release \(Oct. 5, 2018\)](#)

[Hearing Tribunal decision](#)

[Review Panel decision](#)

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The College of Physicians & Surgeons of Alberta is the regulator for all physicians and surgeons in the province and is governed by the Health Professions Act. Our role is to protect the public by issuing practice permits to those who meet educational and training criteria, hold Alberta physicians to ethical and medical practice standards, and investigate and resolve physician-related complaints. The CPSA also ensures the safety and quality of medical and diagnostic testing services in Alberta through an independent accreditation program.

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