

PUBLIC RECORD**Date:** 18 July 2023**Medical Practitioner's name:** Dr Inigo IRUSKIETA BLASCO

GMC reference number:	3503135
Primary medical qualification:	LMS 1990 Basque Provinces
Type of case	Outcome on impairment
Misconduct	Impaired

Summary of outcome

Suspension for 12 months

Legally Qualified Chair:

Legally Qualified Chair:	Miss Gillian Temple-Bone
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Review on the papers by a Legally Qualified Chair under section 35(D)(12)**Review on the Papers**

This case was reviewed on the papers, with the agreement of both parties, by a Legally Qualified Chair.

Overarching Objective

1. Throughout the decision making process the chair has borne in mind the statutory overarching objective as set out in s1 Medical Act 1983 to protect, promote and maintain the health, safety and well-being of the public, to promote and maintain public confidence in the medical profession, and to promote and maintain proper professional standards and conduct for members of the medical profession.
2. I have reviewed the background to Dr Blasco's case, which was first considered by a Medical Practitioners Tribunal in July 2018. Dr Blasco qualified in 1990. He became a GP partner with Dr A at Rochford Medical Practice in 2005.
3. Whilst working as a GP Partner at the Rochford Medical Practice, Dr Blasco was referred to the GMC by NHS England, after it was discovered that he had made bulk amendments

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to patient medical records. Dr Blasco had edited diagnostic data. An audit was undertaken in 2014 of Dr Blasco's entries on patient records around Quality and Outcomes Framework ('QOF') indicators. A practice is able to generate income from QOF points which are accumulated through the management of chronic conditions.

4. On the 2 July 2018 the Tribunal found that Dr Blasco had made a number of bulk computer entries, in which he had entered diagnoses for large numbers of patients when he had not examined the patient and knew that he had not done so, nor had he reviewed their records. These included diagnoses for chronic kidney disease, asthma, obesity, depression and medication reviews. The Tribunal found that Dr Blasco had made six inappropriate bulk entries between 2010 and 2012. On the first four occasions Dr Blasco had made a bulk entry which recorded a diagnosis in the patient records of a total of 601 patients (not including a duplicated entry) when he knew he had not examined those patients on the date the entries were made. The First Tribunal found that Dr Blasco's actions were a failure to provide good clinical care. That Tribunal found that in part, Dr Blasco's motivation on each of the six occasions was that he believed that by making the bulk entries he would gain a financial reward for his Practice and that he acted dishonestly. Dr Blasco was not legally represented throughout that hearing.
5. That Tribunal found that Dr Blasco's primary motive in making bulk entries was to improve the performance of the Practice in its achievement of QOF points. The Tribunal accepted that Dr Blasco had in the back of his mind that by doing bulk entries he would set in motion a process by which those patients would attend the Practice and have their diagnoses reviewed and updated.
6. There was witness evidence of a financial gain for the Practice of £50,000 to be shared between the two practitioners, Dr Blasco and Dr A. The Tribunal found the sum to be considerably less than £50,000.
7. In backdating patients' records, the Tribunal found that Dr Blasco had failed to keep accurate records at the time, or as soon as possible afterwards.
8. The Tribunal concluded that Dr Blasco's actions amounted to serious misconduct because they fell far short of the standards of conduct to be expected of a doctor.
9. The Tribunal was not satisfied that Dr Blasco fully understood the potential impact on patients, the effort needed to undo the bulk entries, or the dishonesty or lack of integrity

involved. Ultimately, the Tribunal determined to suspend his registration for 12 months, with immediate effect.

10. XXX

11. There have been two subsequent Review Hearings by Tribunals on 06/08/2019 and on 30/07/2020. On each occasion the Tribunal imposed a suspension for a further period of 12 months. Subsequently there have been two Review Hearings on Paper before a Legally Qualified Chair on 09/07/2021 and on 11/07/2022. On each occasion a further suspension for a period of 12 months was imposed.

12. During the previous reviews, the Tribunal determined that Dr Blasco's insight had developed slightly since the 2019 hearing but remained concerned that Dr Blasco still did not appear to have appreciated the gravity of his dishonesty or the impact on public confidence in the medical profession. The Tribunal acknowledged that Dr Blasco is passionate about medicine and considered that this was reflected in the extensive CPD material that he had provided.

13. At the Second Reviewing Tribunal Hearing there was a finding of impaired fitness to practise. It directed that a further 12-month period of suspension would allow Dr Blasco further time to develop his understanding of the findings of dishonesty and allow him time to remediate fully. A further review hearing was directed to take place at the end of the period of suspension, and it was recommended that a future reviewing tribunal would be assisted by :

- Evidence that Dr Blasco had appointed a mentor or coach and had gone through the determinations of that and the two previous tribunals to help him gain insight into the seriousness and impact of his dishonest conduct;
 - A regular, perhaps monthly, record throughout that period of suspension, written by Dr Blasco showing what he had done to develop his understanding of the seriousness and impact of dishonest conduct;
 - Evidence of any training undertaken, particularly if it related to the findings of the First Tribunal, for example (not exhaustive): the accurate and timely recording of clinical findings and accurate data input;
 - A final written statement towards the end of that period of suspension outlining his reflections in relation to :
- a) His dishonest conduct in deliberately entering false diagnoses in patient records when he knew he had not seen the patients;

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- b) The potential consequences for patients who have false diagnoses entered in their records;
 - c) The potential consequences for colleagues;
 - d) The potential impact on public confidence in the profession;
 - e) The ethical issues arising from the misconduct;
 - f) What he has learnt from the discussions with his coach and mentor regarding dishonesty;
 - g) The learning achieved from the training.
- Evidence that he has undertaken CPD in his area of practice, such as training, seminars, workshops, courses and online study;
 - Any other relevant evidence he wished to present to assist the review tribunal such as testimonials, references or reports from any clinical attachment or observation he may have undertaken
14. On 9 July 2021, a Legally Qualified Chair (LQC) reviewed Dr Blasco's case on the Papers. That LQC noted that on 30 April 2021, Dr Blasco had telephoned the GMC. On 11 May 2021 the GMC wrote to Dr Blasco telling him that a review could take place on the papers. A signed agreement from Dr Blasco dated 7 July 2021 agreeing to a review on the papers was received. The GMC and Dr Blasco provided agreed terms of an order to extend the Suspension Order for a further period of 12 months. The LQC extended the Suspension Order on Dr Blasco's registration for a further period of 12 months.
15. On 20 June 2022, an Agreement form signed by Dr Blasco on 20 June 2022 and the GMC on 23 June 2022 set out the parties' agreement to a further extension of the order of suspension for a further period of 12 months. No evidence had been received from Dr Blasco by that LQC with regard to his remediation and demonstration of insight. The LQC determined that Dr Blasco's registration would be suspended for a further period of 12 months.
16. On 31 March 2023, the GMC wrote to Dr Blasco requesting him to provide information for the Medical Practitioner Tribunal Review Hearing scheduled for 27 July 2023. On 7 July 2023 the GMC wrote to Dr Blasco advising him that a Review on Papers could take place instead of an oral hearing.
17. On 5 July 2023, the GMC received a phone call from Dr Blasco stating that XXX. Dr Blasco stated that he would like to extend his suspension for a further 12 months.

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18. Dr Blasco responded on 12 July 2023 having signed an agreement on 11 July 2023 that his fitness to practise remains impaired by reason of his misconduct and pursuant to s.35(D)(5)(a) of the Medical Act 1983 (as amended). He agreed that the order of suspension currently imposed on his registration shall be extended for a further period of 12 months from the date on which it would otherwise expire, on 18 August 2023.
19. I have considered all the documentary evidence and the agreed terms to extend the suspension order by 12 months. I am satisfied that there is no evidence to suggest that Dr Blasco is incapable of developing insight and remediating.
20. I have received no further evidence relating to insight and remediation with evidence of his compliance as requested by the previous tribunal, from Dr Blasco.
21. In reaching my decision, I have taken account of the Sanctions Guidance. I have borne in mind that the purpose of the sanction is not to be punitive, but to protect patients and the wider public interest, although it may have a punitive effect.
22. I have applied the principle of proportionality, weighing Dr Blasco's own interests with the public interest. The public interest includes amongst other things, the protection of patients, the maintenance of public confidence in the profession, and declaring and upholding of proper standards of conduct and behaviour.
23. Dr Blasco and the GMC have agreed that this review should be considered on the papers in accordance with Rule 21B of the General Medical Council (Fitness to Practise) Rules 2004. They have provided agreed terms of an order which I could make at this review.
24. I have considered all of the information presented to me, and the submissions made by the GMC. In their submissions, Dr Blasco and the GMC agree that the order of suspension should be extended for a further period of 12 months.
25. I have taken into account that since the previous order was imposed there is no evidence that Dr Blasco has remediated or provided the evidence sought by the second reviewing tribunal. Additionally Dr Blasco has indicated that he is currently unwell recovering from a hip operation. The concerns remain and the suspension remains necessary and proportionate.

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26. I am satisfied that a 12 month period of suspension is proportionate. It would be necessary to protect the public and the public interest, whilst allowing Dr Blasco a further period of time to address the findings of the previous tribunals and work towards providing the evidence recommended by the Second Reviewing Tribunal, for which he may need further time given his current need to rehabilitate following surgery. I have therefore determined that Dr Blasco's registration be suspended for a further period of 12 months from 18 August 2023.
27. The effect of this direction is that, unless Dr Blasco exercises his right of appeal, the period of suspension will take effect 28 days from when the written notice of this determination has been served upon him. The current order of suspension will remain in place until the appeal period has ended or, in the event that he does appeal, that appeal is decided. A note explaining Dr Blasco's right of appeal will be provided to him.
28. Notification of this decision will be served on Dr Blasco in accordance with the Medical Act 1983, as amended.