
Discipline Summary

Dr. Richard Pass
No Current Practice Address

Hearing Date: March 9, 2021

Allegations of professional misconduct

Notice of Hearing #1

- Practised dentistry while certificate of registration was suspended
- Contravened a standard of practice or failed to maintain the standards of practice of the profession
- Disgraceful, dishonourable, unprofessional or unethical conduct

Notice of Hearing #2

- Contravened a provision of Dentistry Act, Regulated Health Professions Act (RHPA), or Regulations
- Disgraceful, dishonourable, unprofessional or unethical conduct

Synopsis

- The panel of the Discipline Committee considered the allegations and particulars set out in both Notices of Hearing.
- Dr. Pass practised dentistry, including orthodontics, after his certificate of registration (licence to practise) with the College was suspended for non-payment of fees in February 2019 and after an interim order was imposed by a panel of the Inquiries, Complaints and Reports (ICR) Committee in July 2019.
- Dr. Pass closed his orthodontic practice in 2018.
- He continued to treat patients in 2019 and 2020 despite suspension of his certificate registration by the College.
- He treated patients outside of a sterile office environment, including in the back seat of a motor vehicle and his home, failing to meet the College's Standard of Infection Prevention and Control, as well as treating patients at other dental offices.
- He continued to treat a minor patient for orthodontics without informing the patient's parents that his office had closed.
- He failed to transfer the patient records of a patient.
- He failed to keep proper and complete patient records.

Decision

1. Finding

Dr. Pass pleaded guilty and was found guilty with respect to all three allegations in Notice of Hearing #1.

Dr. Pass pleaded guilty and was found guilty with respect to both allegations in Notice of Hearing #2.

2. Penalty

- Reprimand
- Revocation of certificate of registration effective March 9, 2021

3. Costs

- Dr. Pass to pay costs to the College in the amount of \$7,500

Panel's reasoning

- The panel of the Discipline Committee found that the joint submission on penalty and costs were appropriate.
- The penalty will adequately serve to protect the public and sends a strong message to the profession that conduct of this nature will not be tolerated by the College.
- In reaching this decision, the panel noted the seriousness of the misconduct and their deep concern that Dr. Pass treated numerous patients while his certificate of registration was suspended and that he breached an Interim Order imposed by a panel of the ICR Committee.
- The panel also was disturbed by Dr. Pass' blatant disregard of his patients' well-being by performing dental services in a non-sterile environment.
- The panel deemed Dr. Pass to be ungovernable and, as a result, was of the opinion that revocation was the appropriate penalty.
- Dr. Pass' cooperation at the hearing phase led to an agreed statement of facts and a joint submission with respect to penalty and costs.