

DECISION #1

Dr. Douglas Caine
175 Albert Street
London, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Failed to reply appropriately or within a reasonable time to a written enquiry made by the College (para. 58).
- Failed to take reasonable steps to ensure that information provided by him or on his behalf to the College was accurate (para. 57).
- Signed or issued a certificate that he knew or ought to have known was false and/or misleading (para. 28).
- Submitted an account or charge that he knew or ought to have known was false or misleading (para. 33).
- Failed to keep records as required by the Regulations (para. 25).
- Falsified a record related to his practice (para. 26).

BRIEF SYNOPSIS OF FACTS

- The false certificate/account allegation, the recordkeeping allegation and the falsified record allegations were in respect of more than 40 patients.
- Conduct with respect to submitting false claims to insurance companies was an intentional scheme and carried on over a period of five to six years.
- Member failed to provide documents requested by College during investigation.
- Given the member's non-attendance at a large number of hearing days and his decision not to cross-examine any witnesses, the panel proceeded on the uncontradicted evidence of the College.
- College evidence presented was clear, cogent, and convincing and has been proven to the requisite standard.

DECISION

1. Finding

The member pleaded not guilty and was found guilty of professional misconduct with respect to the above allegations.

2. Penalty

- Reprimand.
- Certificate of registration suspended for 12 consecutive months [May 24, 2004 – May 23, 2005].
- Course in ethics.
- Practice monitoring for 24 months following completion of the suspension.

3. Costs/Publication

- Costs to the College in the amount of \$93,942.82.
- Monitoring costs of \$600 per visit.
- Pursuant to the legislation, publication of this matter includes the member's name and address.

4. Panel's Reasoning

- Panel considered seriousness of the conduct, number of incidents, degree of premeditation, specific and general deterrence, denunciation of conduct, rehabilitation, and public's confidence of the profession.
- Conduct was dishonest and a breach of trust.
- Aggravating circumstances included trying to involve office staff and other dentists in his office in scheme of false claims and continued despite their warnings of professional consequences for him.
- Member did not accept responsibility for his conduct.
- With respect to costs, hearing proceeded for 12 days and amount imposed was justified and reasonable and struck a balance between imposing costs on the profession as a whole and the member.