

DECISION #1

Dr. Suganthy Suthagar
3410 Sheppard Avenue, #311
Scarborough, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Contravened a standard of practice or failed to maintain the standards of practice of the profession (para. 1).
- Recommended and/or provided unnecessary dental services (para. 6).
- Failed to keep records as required by the Regulations (para. 25).
- Falsified a record (para. 26).
- Signed or issued a certificate, report or similar document that she knew or ought to have known contained a false, misleading or improper statement (para. 28).
- Charged excessive or unreasonable fees (para. 31).
- Accepted an amount in full payment of an account or charge that was less than the full amount of the account or charge submitted by her to a third party payer without making reasonable efforts to collect the balance from the patient or to obtain the written consent of the third party payer (para. 34).
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59)

BRIEF SYNOPSIS OF FACTS

- In seven instances involving three patients, the final obturation of root canal therapy was short and underfilled. In one instance patient was not informed of complication involving a broken file; and in five instances, involving three patients, restoration placed that demonstrated significant deficiency which was a failure to maintain the standard of care.
- In four instances involving three young patients, failed to exercise appropriate judgement in prescribing radiographs, including prescribing a second set of full mouth radiographs in a short period of time; and for one young patient prescribed a panorex less than one year after the second full mouth series for no apparent clinical reason.
- The records for 22 patients demonstrated multiple concerns about inadequate recordkeeping;
- For 12 patients, computer system audit trail showed patient's appointment records were subsequently altered with respect to the date of service, apparently so that patient would receive payment from an insurance carrier;
- Scaling services were claimed that were not performed in seven instances, involving three patients, and one instance of curettage claimed that was not performed.
- For two patients, member did not return overpayment of claim to insurance company. In 10 instances involving three patients, inappropriately claimed for radiograph(s) and/or temporary restoration(s) despite the fact performed in conjunction with root canal therapy.

- In 21 instances, involving five patients, member failed to make reasonable efforts to collect co-payment amounts from patients.
- In five instances, despite being aware of College's investigation into her practice, member permitted false claim to be submitted to patient's insurance carrier.
- While she acknowledged the impropriety of her conduct, member offered some explanation(s) and/or mitigating circumstances.

DECISION

1. Finding

The member pleaded guilty and was found guilty of professional misconduct with respect to the above allegations.

2. Penalty

- The member to be reprimanded
- The member's certificate of registration will be suspended for six consecutive months.
- The member must complete courses in dental ethics, recordkeeping, restorative dentistry, endodontics and dental radiology.
- The member's practice will be monitored for 24 months.

3. Costs/Publication

- The member will pay costs to the College in the amount of \$3,000.
- The member will pay 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

- Penalty provides for rehabilitation and deterrence.
- Member co-operated fully with investigation and promptly responded to requests for information.
- Member began to take courses before hearing and expressed remorse.
- Penalty was a joint submission.