

DECISION #1

Dr. Bernard Rubin
419 King Street West
Oshawa, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Engaged in the practice of dentistry where he had a conflict of interest (para. 38).

BRIEF SYNOPSIS OF FACTS

- Member engaged in fee or income sharing with individuals who are neither dentists nor members of the College of Dental Hygienists of Ontario.
- While being the owner of a dental practice, member had no control of the day-to-day operation of the practice as he relinquished operations to a non-dentist.
- These actions were a conflict of interest, contrary to the Regulation.

DECISION

1. Finding

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

2. Penalty

- Reprimand.
- Certificate of registration suspended for one month [January 1 – 31, 2004].

3. Costs/Publication

- Costs to the College in the amount of \$1,000.
- Pursuant to the legislation, publication of this matter includes the member's name and address.

4. Panel's Reasoning

- Penalty adequate to deter member in the future and to deter the profession from this type of misconduct.
- Panel considered member's cooperation and fact that he entered into an undertaking with College to extricate himself from any dental practice within 30 days that does not comply with the conflict of interest regulations. Also, member will continue to cooperate with College and will write letters approved by College to other dentists that he has knowledge are practising at said offices to advise them of the conflict of interest situation and the consequences his involvement had on him.