Summaries of Recent Discipline Committee Hearings

Royal College of Dental Surgeons of Ontario
Ensuring Continued Trust

DECISION #1

Dr. Anoop Sayal
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Georgetown, 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).
- Signed or issued certificates, reports or similar documents that he knew or ought to have known contained false, misleading or improper statements (para.28).
- Submitted accounts or charges for dental services that he knew or ought to have known were false or misleading (para.33).
- Charged fees that were excessive or unreasonable (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 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).

BRIEF SYNOPSIS OF FACTS

- With respect to the standards issues, in particular the endodontic treatment, the member failed to diagnose and treat three patients in a timely fashion, and the treatment he provided to three other patients was inadequate.
- Member failed to treat carious lesions.
- Member failed to diagnose and treat 17 patients involving multiple teeth and surfaces.
- Member billed for services not performed; for example, billed one patient for six crowns, when six veneers were done, and billed for two canals when only one was done.
- Member failed to collect the co-payment balances.

DECISION

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

2. Penalty
- Reprimand
- Certificate of Registration suspended for three consecutive months *(December 1, 2004 – February 28, 2005)*
- Course in ethics
- Course in paediatric dentistry
- Course in endodontics
- Course in restorative dentistry
- Practice to be monitored for 24 months following suspension period

3. Costs/Publication
- Costs to the College in the amount of $6,500
- 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
Based on the evidence, the agreement on facts, and the expert report, the panel found:
- a consistent pattern of totally inadequate recordkeeping;
- a consistent pattern of inadequate examinations, diagnostic testing, differential diagnostic information, and inaccurate final diagnosis prior to prescription of irreversible and/or expensive treatment;
- treatment planning based on non-existent diagnostic information;
- a consistent pattern of use of full fee specific or emergency examination codes, when the records show that these were unnecessary;
- consistent failure to provide restorative treatment of adequate standard;
- evidence of provision of unnecessary treatment;
- consistent failure to provide crown and bridge treatment of adequate standard;
- an entrenched pattern of overly-aggressive restorative treatment.