

DECISION #2

Dr. Marites Rosario
777 Red River Road
Thunder Bay, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- 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).
- Recommended and/or provided unnecessary dental services (para.6).

BRIEF SYNOPSIS OF FACTS

- The Non-Insured Health Benefits program of the First Nations and Inuit Health Branch raised specific concerns with specific patients regarding the member's billing practices and use of procedural codes.
- In most cases, where a specific examination was claimed, the procedure code for a recall examination was appropriate.
- Post-operative radiographs demonstrated amalgam restorations placed while charts and ledgers indicated that composite restorations were billed.
- Pre-operative radiographs did not support that restorations were required.

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 3 consecutive months (*February 2, 2005 – May 1, 2005*)
- Course in recordkeeping
- Course in restorative dentistry
- Practice to be monitored for 24 months following completion of courses

3. Costs/Publication

- Costs to the College in the amount of \$3,000
- 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 and costs were result of joint submission.
- Penalty was appropriate for rehabilitation and deterrence.
- Member was co-operative.
- Member's first discipline hearing