

DECISION #2

Dr. David Reyhanian
1111A College Street
Toronto, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Failed to keep records as required by the Regulations (para.25).
- Falsified a record relating to the practice (para.26).
- Signed or issued a certificate, report, or similar document that he knew or ought to have known contained a false, misleading or improper statement (para.28).
- Charged a fee that was excessive or unreasonable in relation to the service performed (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

- Information about the member's billing practices was brought to the attention of the Registrar by an insurance company after it conducted its own investigation.
- College's investigation of the member's practice, including an expert report, raised serious questions about the member's records and billing practices.
- For 18 patients, the records had multiple missing/incomplete elements or no patient/financial records at all.
- For 16 patients, he knowingly submitted false or misleading insurance claims.
- Created false entries in a patient chart for 4 dates indicating that work was performed when it was not.
- Altered a laboratory invoice by obscuring a date and the word "vener."
- Knowingly charged an excessive or unreasonable fee for 17 patients.
- Failed to make reasonable efforts to collect the co-payment from the patient and did not receive written consent of the insurance company to write off the amount.

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 7 consecutive months (March 27, 2006 to October 26, 2006).
- Course in dental ethics.
- Course in dental recordkeeping.
- Course in dental jurisprudence.
- Practice to be monitored for 36 months following completion of courses.

3. Costs/Publication

- Costs to the College in the amount of \$7,500.
- 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

- Significant penalty was an adequate deterrent to the member and to the profession and the conditions imposed protect the public and encourage rehabilitation of the member.
- Member co-operated with the College during the process.
- Penalty was a joint submission reached after a pre-hearing conference.