DECISION 1

Dr. Rolando Estrabillo
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ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Contravened a standard of practice or failed to maintain the standards of practice of the profession (para. 1).
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).

BRIEF SYNOPSIS OF FACTS

- With respect to five patients, the member failed to adequately probe and/or document a known medical condition with the patient or with the patient's physician.
- With respect to two patients, he charged for a complete examination where he did not examine the patient or did not chart that he had conducted a patient examination.
- With respect to five patients, he proposed a comprehensive treatment plan without adequately charting the patient's condition in order to support the diagnosis and subsequent treatment plan. In respect of four patients, he did not chart extra- or intra-oral findings before completing extractions. With respect to one patient, there was no chart of the extra/intra-oral findings or notations on the odontogram before cavitation surgery was completed.
- With respect to 17 patients, he recommended and/or provided an unnecessary dental service, including providing a CAVITAT ultrasonograph scan for the diagnosis of cavitations and provision of osteocavitation surgery and bone curettage.
- With respect to 29 patients, he had missing, incomplete and inadequate documentation of diagnoses and treatment plans and inadequate progress notes. In addition, the patient records failed to document the dental justification for CVT scans.

DECISION

1. Finding

- The member pleaded guilty and was found guilty with respect to the above allegations.

2. Penalty

- Reprimand
- Suspension of certificate of registration for four months to be served in two intervals of two consecutive months (April 11, 2011 – June 10, 2011 and August 22, 2011 – October 21, 2011)
- Course in oral diagnosis and treatment planning
- Course in recordkeeping and informed consent
- Prohibited from using the CAVITAT ultrasonograph scan in any further diagnosis or treatment of patients
- Restricted from performing osteocavitation surgery without the express approval of the Registrar
- Restricted from performing bone curettage except when necessary as part of a routine extraction or apical surgery
- Practice to be monitored by a mentor

3. Costs/Publication

- Costs to the College in the amount of $10,000
- Mentoring costs
- Pursuant to the legislation, publication of this matter includes the member's name and address.

4. Panel's Reasoning

- Penalty was a joint submission resulting from a pre-hearing conference and case management process.
- Panel considered both aggravating and mitigating factors of the case.
- Of an aggravating nature was the delay in reaching a conclusion in this matter, which had been pending since 2007, and the significant number of patients involved.
- Panel accepted as a mitigating factor, the decision of the member to plead guilty thereby sparing the College additional time and expense.
- Penalty serves as a deterrent to both the member and the profession as a whole.