
Decision Two

Dr. Boris Pulec
985 Broadview Ave
Toronto, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Treated a patient without consent (para. 7).

BRIEF SYNOPSIS OF FACTS

- Patient attended at member's office with his Power of Attorney who has express power to make decisions with respect to patient's personal care.
- Member proposed implant treatment for maxillary right teeth and obtained a signed consent from the patient and Power of Attorney to proceed on the right side. Payment for the treatment was to be made by the Power of Attorney.
- At a subsequent appointment, the member advised the patient and Power of Attorney of the need for implants on the left side as well, however, at that stage the agreement was to proceed with the right side only.
- Following implant grafting on the right side, the patient attended for follow-up appointments in the absence of his Power of Attorney. Member discussed need for implants on the left side after the removal of tooth 27 and bridge pontics the day before.
- Member provided patient with a written estimate of approximately \$11,000 for the proposed implant treatment on the left side, advising the patient to discuss the work and estimate with his Power of Attorney and to make an appointment if he wished to proceed.
- Patient subsequently made appointment and proceeded with implant surgery on the left side. Member did not contact the Power of Attorney to obtain his consent prior to performing the surgery.

DECISION

1. Finding

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

2. Penalty

- Reprimand.

3. Costs/Publication

- Costs to the College in the amount of \$5,000.
- Pursuant to the legislation, publication of this matter includes the member's name and address.

4. Panel's Reasoning

- Member acknowledged that he should have obtained proper consent prior to initiating treatment on the left side.
- Treatment was necessary and performed competently.
- Agreed Statement of Facts and Joint Submission on Penalty were reached as a result of a pre-hearing conference.
- Member was cooperative with College throughout proceedings.