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## SUMMARIES OF RECENT DISCIPLINE COMMITTEE HEARINGS

### *Decision One*

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**Dr. Andrew Kwong**  
680 Silver Star Blvd #301-302  
Scarborough, 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 an unnecessary dental service (para. 6).
- Failed to keep records as required by the Regulations (para. 25).
- Signed or issued a false, misleading or improper document (para. 28).
- Submitted a false or misleading account or charge (para. 33).

#### **BRIEF SYNOPSIS OF FACTS**

- Member diagnosed caries on 13 teeth following a brief intraoral examination, and proceeded to place restorations on four teeth, one of which resulted in a large mesial overhang.
- Member failed to conduct a comprehensive clinical examination sufficiently adequate to support his diagnosis and treatment plan and, in particular, he failed to take bitewing radiographs and failed to document the results of his clinical examination.
- Examinations of the patient by subsequent dental practitioners revealed that the patient did not require restorations in 8 of the 13 teeth.
- Member submitted a claim to the patient's insurer for a comprehensive examination when only a cursory examination was undertaken, and the member submitted claims for distal amalgam restorations for two teeth, when these restorations had not in fact been performed.
- Member waived copayments and/or deductible amounts owed by the patient and made no effort to collect or to obtain consent from the insurer.

#### **DECISION**

##### **1. Finding**

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

##### **2. Penalty**

- Reprimand.
- Certificate of Registration suspension for two consecutive months (September 15, 2008 – November 14, 2008).
- Course in the diagnosis of caries, including appropriate recordkeeping.
- Course in professional ethics.
- Practice to be monitored for 24 months following completion of course.

##### **3. Costs/Publication**

- Costs to the College in the amount of \$3,500.
- 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**

- Member was remorseful and cooperative throughout the proceedings.
- This was the member's first appearance before the Discipline Committee.
- Penalty includes both specific and general deterrence appropriate with the scale and scope of the conduct.
- Public is protected by the continuing inspection of the member's practice and by the requirement for the member to successfully complete the courses stated in the penalty.