

SUMMARIES OF RECENT DISCIPLINE COMMITTEE HEARINGS

Decision One

Dr. William Motruk
Bayridge Centre West
775 Strand Blvd #7
Kingston, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Contravened a standard of practice or failed to maintain the standards of practice of the profession (para. 1).
- Contravened the standards of practice, as published by the College, in relation to inducing conscious sedation (para. 11).
- Failed to make arrangements for emergency dental services (para. 18).
- Falsified a record relating to his practice (para. 26).

BRIEF SYNOPSIS OF FACTS

- Member prescribed a sedative, Ativan (lorazepam), to be administered at home to a three-year-old child in advance of the child's dental appointment, contrary to the College's Guidelines which state that oral sedation should be given to the patient in the dental office.
- Expert opinion stated lorazepam is not a drug of choice to induce conscious sedation for a child.
- Further, the dosage prescribed for the child, 4 mg/ml, based on the child's weight, would be at least twice the recommended dose for a healthy adult and eight times the maximum for this three-year-old child.
- When the child's mother went to fill the prescription, the pharmacist was concerned and called the member and attempted to persuade him to reduce the dosage as she felt even half would be very high for a child. After some discussion, the member agreed to reduce the prescription to one 2 mg tablet one hour before the appointment and another 2 mg half an hour before.
- The patient's mother administered the medication as instructed; however, when treatment was attempted at the dental office, the child became frightened, treatment was terminated and a referral was made to a pediatric dentist.
- In the dental office, the child appeared upset, uncomfortable and could not stand up properly but was released by the member without monitoring or follow-up.

- Later that day, the child began vomiting and hallucinating and was rushed to a hospital emergency room where she was given a reversal medication to counteract the Ativan overdose and monitored until the next day. Attempts to contact the member after hours were unsuccessful.
- After learning of the complaint to the College, the member falsified the patient record to reflect that the prescription was 0.4 mg/ml of Ativan, when he knowingly prescribed 4 mg/ml of Ativan.

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 suspension for three consecutive months (December 6, 2008 – March 5, 2009).
- Course in anaesthesiology.
- Course in ethics.
- Restricted from treating patients under the age of 18 years with any conscious sedation until successful completion of course in anaesthesiology.
- Practice to be monitored for 24 months following completion of course.

3. Costs/Publication

- Costs to the College in the amount of \$5,000.
- 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

- The penalty reflected a joint submission from both the College and the member, reached as a result of a pre-hearing conference.
- The panel considered aggravating factors which included: the vulnerability of the patient; the persistence of the member despite the advice of the pharmacist; the outcome could have been more serious for the child had the pharmacist not intervened; member failed to monitor or follow up with patient; and most significantly, the deliberate falsification of the patient's record.

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- The panel considered mitigating factors which included: the member's co-operation with the College throughout; his remorse; guilty plea; and that it was his first appearance before the Discipline Committee.
 - The panel believed that the penalty addressed the primary concern of public interest protection and that the penalty would deter both the member and the profession at large from similar conduct in the future while allowing for the rehabilitation of the member by courses, monitoring and a practice restriction.