



# Summaries of Recent Discipline Committee Hearings

The College publishes edited summaries of the decisions of the Discipline Committee for three reasons:

1. It is required by law to do so under the Regulated Health Professions Act, 1991.
2. It assists dentists and readers of Dispatch in understanding what does and does not constitute professional misconduct, incompetence and the consequences.
3. These decisions also provide important direction to dentists about practice standards and professional behaviour if they should find themselves in similar situations.

Pursuant to legislation, the name of the member who is the subject of the hearing must be published if there has been a finding of professional misconduct. With respect to findings of professional misconduct made prior to June 4, 2009, in rare circumstances and by order of the Discipline Committee, a summary could be published without the name of the member included. Where the date(s) of suspensions already served or to be served are known at the time of publication, they are noted.

All allegations of professional misconduct are referable to numbered paragraphs in Section 2 of Ontario Regulation 853/93 made under the Dentistry Act, 1991. In the summaries, the relevant paragraph number follows each allegation.

For copies of the full text versions of the following decisions, please contact the College directly.

## COLLEGE CONTACT

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## Decision #1

Dr. Victor Caratun  
5741 Finch Ave E #4  
Scarborough, Ontario

### ALLEGATIONS OF PROFESSIONAL MISCONDUCT

Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59)

### BRIEF SYNOPSIS OF FACTS

A patient complained that the member placed instruments on her chest during dental treatment and that he and/or his office staff harassed her by making repeated, unwanted telephone calls to her with respect to scheduling appointments.

### DECISION

#### 1. Finding

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

#### 2. Penalty

- Reprimand
- Suspension of certificate of registration for one month (April 29, 2010 – May 28, 2010)
- Counselling regarding patient boundaries and appropriate professional conduct
- Course in dental jurisprudence
- Practice to be monitored for 24 months

#### 3. Costs/Publication

- Costs to the College in the amount of \$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

- Penalty was a joint submission resulting from a pre-hearing conference.
- Penalty achieves the purpose of ensuring the protection of the public.
- Panel considered both aggravating and mitigating factors of the case.
- Of an aggravating nature is the fact that the evidence documented a history of patient complaints involving the placement of instruments on patients' chests and other incidents that showed the member's failure to appreciate appropriate patient boundaries.
- Of a mitigating nature was the important fact that it was agreed the action of the member in placing the instruments on the patient's chest was not sexual in nature. Also, the member cooperated with the College and pleaded guilty to the allegation;
- The counselling and monitoring will serve to rehabilitate the member and assist him in becoming a better dentist.
- The penalty imposed will act as both a specific deterrent to this member and a general deterrent to the profession at large.