

SUMMARIES OF RECENT DISCIPLINE COMMITTEE HEARINGS

Decision No.1

Dr. Brian Demontmorency
51 Nelson St
Brantford, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Recommended and/or provided unnecessary dental services (para. 6).

BRIEF SYNOPSIS OF FACTS

- For ten patients, the member placed restorations that extended to interproximal surfaces when radiographically there was no indication that those surfaces required a restoration.
- For the same ten patients, the member replaced amalgam restorations with composite restorations when there was no evidence that the existing restorations were clinically unacceptable and no evidence radiographically of any existing caries.

DECISION

Finding

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

Penalty

- Reprimand
- Suspension of certificate of registration for eight consecutive weeks (November 29, 2009 – January 24, 2010)
- Practice to be monitored for 24 months following suspension

Costs/Publication

- Costs to the College in the amount of \$3,000
- Monitoring costs of \$600 per visit
- Pursuant to the legislation, publication of this matter includes the member's name and address.

Panel's Reasoning

- The penalty was a joint submission on penalty resulting from the pre-hearing conference process.
- The panel considered both the aggravating and mitigating factors present in the case.
- Aggravating factors included the fact that the patients were vulnerable, the damage inflicted is irreversible and the member abused his patients' trust to his own benefit.
- Mitigating factors included that the member pleaded guilty and avoided the necessity of a hearing, acknowledged his wrongdoing and made restitution of \$15,000 to the Non-Insured Health Benefits Program (NIHB).
- The panel was satisfied that the primary objective, protecting the public interest, would be achieved by the penalty.
- The suspension will act as a deterrent for both the member and the profession.
- The period of monitoring will ensure protection of the public and encourage the rehabilitation of the member.



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