

SUMMARIES OF RECENT DISCIPLINE COMMITTEE HEARINGS

Decision No.1

Dr. Thomas Reavell
326 Queens Ave (2nd Fl)
London, Ontario

ALLEGATION OF PROFESSIONAL MISCONDUCT

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

BRIEF SYNOPSIS OF FACTS

- The member entered into an intimate relationship with a female patient, who was also the wife of a patient.
- The member failed to maintain appropriate boundaries with this female patient.
- At no time during his intimate relationship with the patient did he dismiss her or her husband from his dental practice.
- The member breached the trust between himself and his male patient, whom the member was aware was fragile and being treated for a serious medical condition, by engaging in an intimate relationship with this patient's wife.
- Both the member and the female patient advised the College that their relationship was consensual. However, the parties accept that pursuant to the Regulated Health Professions Act, there is no such thing as consensual relations between a regulated health professional and a patient due to the inherent power differential.
- As set out in the College's Practice Advisory on the Prevention of Sexual Abuse in the Dental Office, when the member wished to commence a romantic or dating relationship with his patient, he should have first appropriately ended the dentist-patient relationship with the female patient and her then husband and arranged for the transfer of their care.
- The male patient filed a complaint with the College which stated that the member breached his trust, caused him great suffering and worsened his medical condition by engaging in an intimate affair with his wife, who was also a patient of the member.
- The member and the female patient got married prior to the Discipline Hearing.

DECISION

Finding

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

Penalty

- Reprimand.
- Suspension of Certificate of Registration for seven consecutive months (September 5, 2009 – April 4, 2010).
- Course in boundary issues.
- Practice to be monitored for 24 months following completion of course.

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 reached by both parties, reached as a result of a pre-hearing conference.
- At the hearing, the parties agreed that neither the evidence of the College nor the admissions made by the member triggered the mandatory revocation provisions in the legislation.
- A significant period of suspension was appropriate in the circumstances and sends a strong message to the member and to the profession that the type of conduct exhibited in this case will not be tolerated.
- The course and monitoring aspects of the penalty provide for the education and rehabilitation of the member.
- The complainant was satisfied with the outcome. While this is not required, it assisted the panel in reaching a decision in this case.
- Overall, the penalty meets the objectives of deterrence, rehabilitation and ultimately protection of the public interest.



**Royal College of
Dental Surgeons of Ontario**

Ensuring Continued Trust

6 Crescent Road
Toronto ON Canada M4W 1T1
T: 416.9616555 F: 416.9615814
Toll Free: 800.565.4591 www.rcdso.org

Environmental Stewardship

This magazine is printed on paper certified by the international Forest Stewardship Council as containing 25% post-consumer waste to minimize our environmental footprint. In making the paper, oxygen instead of chlorine was used to bleach the paper. Up to 85% of the paper is made of hardwood sawdust from wood-product manufacturers. The inks used are 100% vegetable-based.

