

SUMMARIES OF RECENT DISCIPLINE COMMITTEE HEARINGS

Decision Three

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ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Contravened the standards of practice, as published by the College, in relation to inducing general anaesthesia or conscious sedation (para. 11).

BRIEF SYNOPSIS OF FACTS

- On the date that a College facility inspector attended at a dental office where the member was providing sedation services, the member did not have any of the required sedation equipment with him, with the exception of a pulse oximeter and his emergency drugs.
- In respect of eight patients, all treated on one of three dates, the member did not have the adequate personnel for his sedation team when he administered I.V. sedation, since in addition to himself, the team included an operative assistant and only one registered nurse, who had insufficient time to act as both the sedation assistant and the recovery room supervisor due to the timing overlap of sedation appointments.
- On one occasion, the member administered a combination of nitrous oxide and oxygen with an oral sedative to a patient, but failed to keep an adequate sedation record for this appointment, as required.

DECISION

1. Finding

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

2. Penalty

- Reprimand.
- Course in sedation, including a review of the College's Guidelines.
- Practice to be monitored for 24 months following completion of course.

3. 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.

4. Panel's Reasoning

- The proposed resolution was a joint submission following a pre-hearing conference.
- The panel considered the submissions of Counsel that mitigating factors included: the member was fully co-operative and introduced changes to his practice methods as soon as he became aware of the deficiencies; while patients were at risk, no harm was intended and no harm was actually suffered; the member had not previously appeared before the Discipline Committee.
- Counsel submitted that the penalty is consistent with similar penalties for similar recent offences.
- The panel accepted that the sentencing goals of rehabilitation and specific and general deterrence were addressed by the penalty and that the penalty was in the public interest.