

DECISION 2

Dr. James Tse
3601 Victoria Park Ave #203A
Scarborough, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Contravened a standard or failed to maintain the standards of practice of the profession (para. 1).
- Recommended and/or provided an unnecessary dental service (para. 6).
- Treated a patient without consent (para. 7).
- Failed to keep records as required by the Regulations (para. 25).
- Signed or issued a certificate, report or similar document that he knew or ought to have known contained a false, misleading or otherwise improper statement (para. 28).
- Charged an excessive or unreasonable fee (para. 31).

BRIEF SYNOPSIS OF FACTS

- A patient complained about the member's treatment of him and his two children (aged 15 and 19).
- Member failed to diagnose and/or determine the need for the extraction of tooth 18.
- Member took and charged a fee for two bitewing radiographs that were of no diagnostic value.
- Member took a periapical radiograph for the purpose of extracting tooth 28, which did not adequately show the entire root structure of the tooth.
- Member placed a mesial-occlusal restoration on tooth 14 that was unnecessary, as there was no decay present radiographically.
- Member failed to adequately obtain informed consent with regard to the extraction of the third molar teeth.
- Member failed to maintain adequate clinical and financial records.

- Member submitted a claim for services that were not supported by the radiographs or chart entries; charged a fee for two bitewing radiographs that were not taken; and charged an additional fee for a periodontal examination, which should have been included as part of the complete examination fee.

DECISION

1. Finding

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

2. Penalty

- Reprimand
- Suspension of certificate of registration for two months (August 26, 2010 – October 25, 2010)
- Mentoring program in oral radiology
- Course in informed consent
- Course in recordkeeping
- Practice to be monitored for 24 months following the mentoring program

3. Costs/Publication

- Costs to the College in the amount of \$3,500
- 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

- Member cooperated fully with the College's investigation and demonstrated remorse.
- This was the member's first appearance before the Discipline Committee.
- The public interest is protected by the member's completion of a mentoring program, remedial courses, and office monitoring.