

SUMMARIES OF RECENT DISCIPLINE COMMITTEE HEARINGS

Decision #1

Dr. Mark Loyer
491 Main St. E
Cambridge, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

Notice of Hearing #1

- Contravened a term, condition or limitation on his certificate of registration (para. 2).
- Failed to comply with an order of the Discipline Committee (para. 52).
- Failed to abide by a written undertaking given to the College (para. 54).
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).

Notice of Hearing #2

- Contravened a term, condition or limitation on his certificate of registration (para. 2).
- Failed to comply with an order of the Discipline Committee (para. 52).
- Failed to abide by a written undertaking given to the College (para. 54).
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).

BRIEF SYNOPSIS OF FACTS

The panel of the Discipline Committee heard two matters in respect of this member together, one arising from a letter of complaint and one arising from a Registrar's investigation.

The member, a pediatric dentist, acknowledged that he breached an undertaking to the College and/or failed to comply with a previous order of the Discipline Committee (2006) in that he provided dental services to numerous patients under the age of 16, all of whom (with the exception of one) were not included on the list of orthodontic patients for whom he was entitled to provide ongoing treatment, as set out in his undertaking to the College.

This restriction was subsequently removed from the member's certificate of registration in April 2008.

DECISION

1. Finding

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

2. Penalty

- Reprimand.
- Suspension of certificate of registration for six months (April 1, 2010 – September 30, 2010).
- Practice to be monitored for 36 months.

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 penalty was a joint submission resulting from the pre-hearing conference process.
- While the breach of the undertaking and order was a serious matter, the length of suspension agreed to was significant.
- The mitigating circumstances and the member's cooperation and willingness to be governed afforded him an additional opportunity to be a functioning and productive member of this self-regulating profession.
- There was no issue or concern about the quality of the dentistry carried out by the member during this period.

The panel was satisfied that the length of suspension and period of monitoring all serve to protect and enhance the public interest.