



# Summaries of Recent Discipline Committee Hearings

The College publishes edited summaries of the decisions of the Discipline Committee for three reasons:

1. It is required by law to do so under the Regulated Health Professions Act, 1991.
2. It assists dentists and readers of Dispatch in understanding what does and does not constitute professional misconduct, incompetence and the consequences.
3. These decisions also provide important direction to dentists about practice standards and professional behaviour if they should find themselves in similar situations.

Pursuant to legislation, the name of the member who is the subject of the hearing must be published if there has been a finding of professional misconduct. With respect to findings of professional misconduct made prior to June 4, 2009, in rare circumstances and by order of the Discipline Committee, a summary could be published without the name of the member included. Where the date(s) of suspensions already served or to be served are known at the time of publication, they are noted.

All allegations of professional misconduct are referable to numbered paragraphs in Section 2 of Ontario Regulation 853/93 made under the Dentistry Act, 1991. In the summaries, the relevant paragraph number follows each allegation.

For copies of the full text versions of the following decisions, please contact the College directly.

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## Decision #2

**Dr. Paul Mirkopoulos**  
2942 Finch Ave E #101  
Scarborough, Ontario

### ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Signed or issued false, misleading or improper documents (para. 28)
- Charged excessive or unreasonable fees (para. 31)
- Accepted an amount in full payment of an account that was less than the full amount of the account submitted by the member to a third party payer, without making reasonable efforts to collect the balance or to obtain the written consent of the third party payer (para. 34)

- Charged a laboratory fee that was more than the commercial laboratory cost actually incurred (para. 35)

### BRIEF SYNOPSIS OF FACTS

As a result of information received by the College, an investigation was conducted into the member's practice which revealed a number of billing irregularities including: submitting claims under the wrong name, forward-dating a claim, misstating the number of surfaces or units of time claimed, charging improper fees for laser curettage and issues relating to co-payment amounts.

### 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 (May 16, 2010 – July 15, 2010)
- Course in ethics
- Practice to be monitored for 24 months following completion of course

#### 3. Costs/Publication

- Costs to the College in the amount of \$5000
- 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 reached as a result of a pre-hearing conference.
- The panel considered both aggravating and mitigating factors in this case.
- Of an aggravating nature was the seriousness of the misconduct and the fact that the misconduct was not isolated, but was repeated in relation to a significant number of patients.
- Of a mitigating nature were the facts that the member cooperated with the College and entered into an agreement with the College. In addition, he does not have a discipline history with the College and began making restitution early on. An additional mitigating factor is that the member was relatively new to the profession and an inexperienced practice owner when the misconduct took place.
- The panel believed that the penalty achieved the goals of specific and general deterrence, education and rehabilitation and most importantly, public interest protection.