

DECISION 4

Dr. Charles Kamel
525 Legget Dr #120
Kanata, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Recommended and/or provided an unnecessary dental service (para. 6).
- Contravened the standards of practice in relation to inducing general anaesthesia or conscious sedation (para. 11).
- Treated a patient without consent (para. 7).

BRIEF SYNOPSIS OF FACTS

- Patient attended at the member's office for procedures on multiple teeth, including an implant, placement of a crown, replacement of two crowns and replacement of multiple amalgam fillings. The procedures were performed under sedation over several hours.
- He placed a ceramic inlay and failed to ensure that the patient understood that less expensive alternatives were available. No discussions were documented.
- He replaced fillings on two teeth without first obtaining the patient's informed consent.
- Prior to administering sedation, he failed to document changes in patient's medical history and failed to record patient's ASA Classification.
- He failed to monitor the patient's oxyhemoglobin saturation and failed to record the patient's blood pressure and pulse preoperatively and monitor these levels and her respiration throughout the sedation period.

- He failed to adequately evaluate and/or record patient's recovery status to determine if patient met criteria for discharge.
- He failed to maintain necessary records for the sedation services provided.

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 one month (August 13, 2011 – September 11, 2011)
- Course in informed consent
- Practice to be monitored for 24 months following completion of course

3. Costs/Publication

- Costs to the College in the amount of \$5,000
- Monitoring costs
- Pursuant to the legislation, publication of this matter includes the member's name and address.

4. Panel's Reasoning

- Failure by a dentist to follow the College's Guidelines on the Use of Sedation and General Anaesthesia in Dental Practice exposes the patient to potential harm. In the circumstances of this case, including review by an expert, the patient was not exposed to actual risk of harm.
- Penalty was a joint submission resulting from a pre-hearing conference.
- The member admitted his misconduct and had no prior discipline history.
- He will be rehabilitated through the course and subsequent monitoring.
- Reprimand and suspension serve as a specific deterrence to the member, while publication sends a message to the profession that professional misconduct brings dishonour to the profession and is entirely unacceptable.
- Penalty addresses the public interest.