

DECISION 6

Dr. Douglas Cowdrey
1530 Albion Rd
Etobicoke, Ontario

ALLEGATION OF PROFESSIONAL MISCONDUCT

- Charged a fee that was excessive or unreasonable (para. 31).

BRIEF SYNOPSIS OF FACTS

- In relation to 16 patients named in the allegations, the member billed for the removal of soft tissue overlying teeth (ODA Suggested Fee Guide code 74111/2), which is to be used for surgical excision, tumours, scar tissue or lesions. The member used the Guide code whether erupting, newly erupted or in conjunction with extractions or restorative procedures, which was unnecessary and therefore, charged fees that were excessive or unreasonable.
- Member claimed for caries/trauma/pain control unreasonably. (Code 20111).
- Member inappropriately claimed for periodontal abscess or pericoronitis and may include one or more of lancing, scaling, curettage, surgery or medication, (Code 42832).
- In addition, member billed for the restoration of five proximal surfaces of teeth that did not need to be restored.

DECISION

1. Finding

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

2. Penalty

- Reprimand
- Suspension of certificate of registration for one month (March 30, 2012 – April 29, 2012)
- Reimbursement of \$1,583.31
- Mentoring program in standards of practice and practice management skills
- Practice to be monitored for 24 months following suspension, at member's expense

3. Costs/Publication

- Costs awarded to the College in the amount of \$1,500.
- Member to pay monitoring costs.
- Pursuant to the legislation, publication of this matter includes the member's name and address.

4. Panel's Reasoning

- Penalty was a joint submission reached as a result of a pre-hearing conference.
- Penalty satisfied rationales of maintenance of public confidence in the profession and the College's role as regulator, general and specific deterrence, and rehabilitation of the member.
- College accepted that in large measure the unreasonable charges were borne from misinterpretation and misunderstanding rather than a deliberate intention to overcharge.
- Panel considered both aggravating and mitigating factors of the case.
- Penalty was within the range of appropriate penalties given all of the circumstances of the case.