

DECISION 5

Dr. Sanjay Agrawal  
395 Southdale Rd E, Unit C  
London, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Treated a patient without consent (para. 7).
- Contravened the standards of practice in relation to inducing general anaesthesia or conscious sedation (para. 11).
- Failed to keep records as required by the regulations (para. 25).
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).

BRIEF SYNOPSIS OF FACTS

- Member inappropriately delegated the administration of a sedative to an unqualified staff member, contrary to the College’s Guidelines on the Use of Sedation and General Anaesthesia in Dental Practice, resulting in a medically compromised patient being administered Triazolam (0.50mg), which was actually intended for a different patient.
- He failed to ensure that the patient, who is legally blind and hearing impaired, understood that a sedative agent had been accidentally administered to him and he proceeded with planned restorative treatment without the patient’s consent to do so under those circumstances.
- He failed to monitor patient’s level of consciousness and vital signs subsequent to the administration of the sedative agent and failed to assess the patient prior to discharge.

- He did not document the administration of the sedative agent to the patient and failed to provide post-operative instructions to the patient and/or his wife with respect to the administration of the sedative agent.
- When the patient’s wife inquired as to whether her husband had been sedated, the member’s staff falsely informed her that a “fast-acting antibiotic” had been administered.
- He was not forthcoming to the patient’s wife about the medication error when she asked about her husband’s apparent sedation.

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 (June 12, 2011 – August 11, 2011)
- Course in professional ethics
- Practice to be monitored for 24 months following completion of course

3. Costs/Publication

- Costs to the College in the amount of \$2,500
- 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

- Penalty was a joint submission as a result of a pre-hearing conference.
- All aspects of the penalty are significant deterrents to the member for re-offence and general deterrence to the profession at large.
- The penalty reminds the membership of potential outcomes of professional misconduct and consequences when the College’s Guidelines for the Use of Sedation and General Anaesthesia in Dental Practice are contravened.
- The public is protected by the rehabilitation of the member through education and by monitoring of the member’s practice to ensure maintenance of standards.