

DECISION 1

Dr. Satwant Saggu
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ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Submitted a false, misleading or improper account or charge for dental services (para. 33).
- Signed or issued a certificate, report or similar document that contained a false, misleading or improper statement (para. 28).
- Charged a fee that was excessive or unreasonable (para. 31).
- Failed to keep records as required by the regulations (para. 25).
- Accepted an amount in full payment of an account or charge that was less than the full amount of the account or charge submitted to a third party payer, without making reasonable efforts to collect the balance from the patient or to obtain the written consent of the third party payer (para. 34).
- Engaged in the practice of dentistry where he had a conflict of interest (para. 38).

BRIEF SYNOPSIS OF FACTS

- A formal complaint was filed with the College alleging that, in respect of one patient, the member submitted insurance claims using the emergency examination fee code and the complicated surgical extraction code where clinical notations did not justify the use of these codes. In addition, insurance claim forms for treatment on six dates were submitted where the clinical chart did not have clinical notations of treatment. The member submitted an insurance claim

form for the topical application of chemotherapeutic agents for the patient who was edentulous.

- The member also failed to keep adequate records of treatment, including the lack of medical history updates, missing progress notes, insufficient notations regarding the materials and methods used, and/or lack of notation of informed patient consent.
- Also, with respect to the same patient, the member failed to make reasonable efforts to collect co-payment amounts and/or to obtain the written consent of the third party payer for write-offs on six different occasions.
- In or about the year 2009, the member engaged in inappropriate fee splitting with a dentist.

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 (August 26, 2011 – October 25, 2011)
- Course in ethics
- Practice to be monitored for 24 months following completion of course

3. Costs/Publication

- Costs awarded to the College in the amount of \$5,000.
- 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 appeared proportionate to the particular admission of professional misconduct and fell within the appropriate range of sanctions.
- The penalty satisfied the rationales of protection of the public, specific and general deterrence and rehabilitation of the member.
- The reputation of the profession was maintained by the College discipline process and penalty, which demonstrated that such behaviour would not be tolerated.
- Panel considered its interpretation of both mitigating and aggravating factors of the case in its consideration of penalty.
- The panel believed that the fact that the member's recordkeeping was seriously deficient was not a satisfactory explanation for the billing irregularities and that ignorance of the regulations regarding income splitting with a dentist does not mitigate the member's degree of culpability.