

DECISION 3

Dr. John Ohorodnyk
 2400 Dundas St W #12
 Mississauga, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Recommended or provided an unnecessary dental service (para. 6).
- Failed to keep records as required (para. 25).
- Falsified a record (para. 26).
- Signed or issued a document that contained a false, misleading or improper statement (para. 28).
- Charged an excessive or unreasonable fee (para. 31).
- Submitted an account or charge for dental services that he knew or ought to have known was false or misleading (para. 33).
- Failed to collect or attempt to collect the co-payment balance (para. 34).

BRIEF SYNOPSIS OF FACTS

- This matter originated from a complaint and all allegations are in respect to one patient.
- Dr. Ohorodnyk recommended or provided unnecessary treatment including an ostectomy and restorations without justification and performed root canal therapy on a tooth that was not restorable.
- Numerous recordkeeping deficiencies were noted with respect to the member’s clinical chart, financial ledger and radiographs.
- The member falsified the signature of the patient on an insurance claim form. While the agreed statement of facts set out that the member’s employee falsified the signature, the member took ultimate responsibility for this act.

- On approximately ten dates over a period of two years, the member submitted insurance claim forms for treatment that was not performed.
- Fees charged for certain services performed and for services not rendered were excessive and/or unreasonable in the circumstances.
- Dr. Ohorodnyk simply wrote off co-payment balances with respect to this patient without making reasonable efforts to collect them.

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 4 months (June 26 – October 25, 2013).
- Course in ethics.
- Course in recordkeeping.
- Practice to be monitored for 24 months following completion of courses.

3. Costs/Publication

- Costs awarded to the College in the amount of \$3,000.
- Member to pay monitoring costs.
- Pursuant to the legislation, publication of this matter includes the member’s name and address.

4. Panel’s Reasoning

- The penalty was a joint submission reached following a pre-hearing conference.
- The penalty was reasonable and met the objectives of protecting the public, serving as a specific deterrent to the member and a general deterrent for the profession, rehabilitating the member and maintaining public confidence in the profession.
- The panel considered the following aggravating circumstances:
 - ◆ The member had previously been found guilty of professional misconduct by the Discipline Committee in 2000.
 - ◆ The scope of the misconduct – the Member pled guilty to seven separate allegations in the current hearing.
 - ◆ The duration of the professional misconduct, which spanned from 2009 to 2011.
- The seriousness of the allegations – the panel considered all of the allegations serious but of particular concern to the panel was the provision of unnecessary treatment to a patient.
- The panel also considered mitigating factors which included:
 - ◆ The member’s cooperation with the College in this matter.
 - ◆ The member’s participation in a pre-hearing conference.
 - ◆ The admission of guilt, which indicates his acceptance of responsibility and remorse.