

Decision 1

Dr. Mahmoud Hasanzadeh
6015 Yonge St
North York, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- ◆ Signed or issued documents that contained a false, misleading or improper statement (para. 28).

BRIEF SYNOPSIS OF FACTS

Toward the end of the calendar year, a patient requested that Dr. Hasanzadeh perform as much of the necessary dental work as possible before the end of the year due to insurance coverage. While some work was done, it could not all be completed and the patient asked Dr. Hasanzadeh to bill the insurance company in December for the rest of the work and then perform it in January. Accordingly, he billed the insurance company in December for restorations on six teeth which were not performed. This was false and misleading. Due to a dispute with the patient over billings, the patient did not return to the dental office to have the work completed and the patient filed a complaint with the College.

DECISION**Finding**

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

Penalty

- ◆ Reprimand
- ◆ Suspension of certificate of registration for 6 weeks (August 12, 2013 – September 22, 2013)
- ◆ Course in ethics and jurisprudence
- ◆ Course in recordkeeping, including financial recordkeeping and informed consent

- ◆ Practice to be monitored for 24 months following completion of courses

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.

Panel's Reasoning

- ◆ The penalty was a joint submission reached as a result of a pre-hearing conference.
- ◆ The panel accepted that the joint submission was within the appropriate range for misconduct of this nature.
- ◆ The proposed penalty was fair and achieved an appropriate balance in deterrence, rehabilitation of the member and protection of the public.
- ◆ The misconduct involved one patient and one case.
- ◆ The member was cooperative and forthright with the College from the outset and showed remorse throughout the process.
- ◆ Pleading guilty saved the College time, expense and resources.
- ◆ Rehabilitation of the member will be achieved by the courses in recordkeeping and ethics, and by the practice monitoring.
- ◆ Protection of the public interest is achieved by the courses, monitoring and publication of the results of the proceeding.
- ◆ The length of suspension was considered to be consistent with other penalties.
- ◆ The terms, conditions and limitations on the member's certificate of registration during his suspension will act as a specific deterrent.
- ◆ The amount of money sought for costs was fair.
- ◆ The loss of income during suspension and the money paid for the courses and monitoring will act as a specific deterrent.
- ◆ The reprimand is a specific deterrent as it is shameful to be reprimanded by one's peers.
- ◆ The entry of results of the hearing on the public register is a permanent deterrent to the member.
- ◆ Publication of the results acts as a general deterrent to other members of the profession who might otherwise be inclined to engage in misconduct of this nature.