

Decision 2

Dr. Stan Park
1077 North Service Rd #27
Mississauga, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- ◆ Falsified a record relating to his practice (para. 26).
- ◆ Submitted a false or misleading account or charge (para. 33).
- ◆ Accepted an amount in full payment of an account that was less than the full amount of the account submitted by him to a third party payer without making reasonable attempts to collect the balance (para. 34).
- ◆ Contravened a standard of practice or failed to maintain the standards of practice of the profession (para. 1).
- ◆ Recommended or provided an unnecessary dental service (para. 6).
- ◆ Disgraceful, dishonourable, unprofessional, unethical conduct (para. 59).

BRIEF SYNOPSIS OF FACTS

The managing director of an insurance benefit plan complained to the College about claims filed by Dr. Park in respect of one of the plan members and alleged serious code, fee and claim abuse. Once notified of the College complaint, Dr. Park replaced and altered multiple entries in the patient's chart. He then performed unnecessary treatment on the patient and took and backdated radiographs in order to mislead the College during its investigation.

DECISION**Finding**

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

Penalty

- ◆ Reprimand
- ◆ Suspension of certificate of registration for 7 months (December 21, 2013 – July 20, 2014)
- ◆ Course in professional ethics
- ◆ Course in prosthodontics, including diagnosis and treatment planning
- ◆ Course in recordkeeping
- ◆ Practice to be monitored for 24 months following completion of courses

Costs/Publication

- ◆ Costs awarded to the College in the amount of \$6,000.
- ◆ 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 following a pre-hearing conference.
- ◆ The penalty satisfied the rationales of specific and general deterrence, rehabilitation of the member and protection of the public, and was appropriate in all of the circumstances of the case.
- ◆ Although the misconduct was associated with one patient only, it took place over an extended period of time and involved provision of unnecessary treatment, falsification of records and claims abuse.

- ◆ Dr. Park was remorseful and had informed the College of the alterations made to the patient record.
- ◆ The member had no previous findings of professional misconduct.
- ◆ By pleading guilty and agreeing to a joint submission, the member saved the College the time and expense of a long hearing.
- ◆ The courses ordered will aid in the rehabilitation of Dr. Park and ensure that the public is protected, as will the practice monitoring.
- ◆ The substantial suspension represents a substantial financial penalty in loss of income. The panel believes that this, along with paying costs towards the hearing and the costs of the courses and monitoring, cumulatively acts as a deterrent to Dr. Park and to the profession that this conduct is taken very seriously by the College.
- ◆ The reprimand portion of the penalty is a specific deterrent to the member as it is a shameful experience to be reprimanded by one's peers.
- ◆ Publication of the results of the hearing in Dispatch and on the College website will serve as a permanent deterrent to the member as it is very humiliating and will be a general deterrent to other members of the profession who might otherwise be inclined to engage in this type of misconduct. Publishing the results of proceedings also ensures protection of the public.