



# DECISION 1

**Dr. Mark Loyer**

491 Main St E

Cambridge, Ontario

**ALLEGATIONS OF PROFESSIONAL MISCONDUCT**

- Contravened a standard of practice or failed to maintain the standards of practice of the profession (para. 1)
- Failed to keep records as required by the regulations (para. 25)
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59)

**BRIEF SYNOPSIS OF FACTS**

- Dr. Loyer failed to maintain a drug log or record a prescription for Versed (midazolam) written and filled for “office use”, contrary to the standards of practice and the College’s recordkeeping guidelines.
- In respect of six patients, Dr. Loyer prescribed excessive amounts of narcotic medications in relation to the dental procedures performed.
- The basement area of Dr. Loyer’s dental practice, which contains a laboratory area, was unhygienic and did not meet the College’s standards for infection control, despite previously completing a course in infection control.
- Recordkeeping inadequacies were found with respect to two patients, despite previously completing dental recordkeeping courses.
- He made sexually explicit personal photographs available to staff by failing to permanently delete all copies of such pictures before using that computer in his office.

**DECISION****1. Finding**

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

**2. Penalty**

- Reprimand
- Suspension of certificate of registration for 18 months (Three months remitted upon completion of below courses (December 1, 2015 – March 1, 2017)
- Upon return to practice, member will not own a dental practice and will only work in association with an approved associate.
- Course in infection control
- Course in prescribing, management of pain, use of narcotics and documentation
- Course in professional ethics
- Course in recordkeeping
- Practice to be monitored for 36 months following member’s return to practice

**3. Costs/Publication**

- Costs awarded to College in the amount \$5,000
- 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 joint submission met the objectives of protecting the public, serving as a specific deterrent for the member and a general deterrent for the profession, serving to rehabilitate the member and maintain public confidence in the profession and its ability to regulate itself in the public interest.
- The panel considered the member’s full cooperation with the investigation as a mitigating factor.
- The panel considered as aggravating factors the period of time over which the misconduct occurred, the member’s two previous discipline decisions and the fact that he has been cautioned on three occasions by the Inquiries, Complaints and Reports Committee or its predecessor.