



DECISION 2

Dr. Peter Sbaraglia

2000 Credit Valley Rd #122

Mississauga, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Used a term, title or designation indicating specialization in dentistry (para. 45)
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59)

BRIEF SYNOPSIS OF FACTS

- In an affidavit sworn by the member and filed in the Ontario Superior Court of Justice, he referred to himself as a “dental anaesthesiologist” and a “dental specialist” when he was registered as a general practitioner.
- In regulatory proceedings against him by the Ontario Securities Commission (OSC), the member acknowledged that he materially misled staff of the OSC, a regulatory body that he was also a member of, during the course of its investigation by giving misleading evidence both under oath and in a signed undertaking.
- At all times relevant to the allegations set out in the Notice of Hearing, Dr. Sbaraglia was not actively practising dentistry, rather he was working in the investment industry.
- Dr. Sbaraglia has been registered with the College since 1990 as a general practitioner. He received a diploma in Dental Anesthesia in 1997 but at no time did he hold a specialty certificate from the College.

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 one month (September 1 – September 30, 2015)
- Course in professional ethics

3. Costs/Publication

- Costs awarded to College in the amount \$1,500
- 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 prehearing conference.
- The penalty meets the objectives of protecting the public, serving as specific deterrence for the member and general deterrence for the profession, rehabilitates the member and maintains public confidence in the profession.
- The panel was satisfied that the penalty clearly demonstrates to the public that the profession holds all members to the highest levels of honesty and integrity and that there is no tolerance for a dentist who is found to have misrepresented himself as a specialist in dentistry.

- The panel believed that it was an aggravating factor that, on two separate occasions, Dr. Sbaraglia provided sworn affidavits to a court that contained false statements related to specialization in dentistry.
- The panel believed that the following were mitigating factors:
 - The member had no discipline history at the College.
 - The member cooperated with the College.
 - The member’s admission of guilt.
 - The fact that the panel heard no evidence that patients were misled or harmed by the member’s actions.