



DECISION 1

Dr. Fu-Chen Yu

443 The Queensway S #18

Keswick, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59)

BRIEF SYNOPSIS OF FACTS

- Dr. Yu omitted pertinent, personal information that was known to him when he applied for registration with the College in May 2002. This rendered his application for registration false and misleading and placed his patients' safety in jeopardy.
- He was informed by another person in September 2013 that he had an obligation to disclose this information to the College.
- On September 19, 2013, he voluntarily stopped practising dentistry; on October 8, 2013, he disclosed the information to the College; on October 10, 2013, he signed a voluntary undertaking/agreement to cease practising dentistry until permitted by the Registrar or by a panel of the Inquiries, Complaints and Reports Committee.
- Dr. Yu cooperated with the College in its investigation.
- On January 15, 2014, Dr. Yu signed a new voluntary undertaking/agreement that allows him to practise dentistry subject to conditions designed to protect patients.

DECISION

Finding

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

Penalty

- Reprimand
- Suspension of certificate of registration

for two months (November 25, 2014–January 24, 2015)

- Course in Professional Ethics
- Member must continue to comply with the January 15, 2014 undertaking/agreement with the College

Costs/Publication

- Costs awarded to College in the amount of \$5,000.
- Pursuant to the legislation, publication of this matter includes the member's name and address.

PANEL'S REASONING

- Dr. Yu knowingly and repeatedly failed to disclose pertinent information to the College for more than ten years. He likely would have continued to do so had he not been informed by another person of his obligation to disclose the information.
- This jeopardized his patients' safety, put the public at risk, and could have caused severe damage to his reputation and to the dental profession as a whole.
- Once Dr. Yu was advised of his obligation to disclose the information, he did so voluntarily and worked with the College to resolve the issues of concern.
- In admitting the allegations and agreeing to a proposed penalty, Dr. Yu accepted responsibility for his actions and demonstrated remorse. He also avoided the need for a lengthy and costly hearing.
- Dr. Yu has no prior history before the Discipline Committee.
- No patients have been identified as having been harmed.
- The professional ethics course will rehabilitate Dr. Yu by giving him an opportunity to reflect on his conduct and ensure the public is protected.

- The January 15, 2014 undertaking/agreement remains in effect on an ongoing basis, and its terms will protect the public.
- The suspension represents a significant financial penalty. The costs Dr. Yu must pay to the College are of a substantial but not punitive amount. These, plus the fee for the course, are specific deterrents to Dr. Yu and general deterrents to the profession as they demonstrate that this behaviour carries significant financial penalty.
- The reprimand is a specific deterrent to the member, as it is humiliating to be reprimanded by one's peers.
- The publication of this information is a general deterrent because it can be seen by members' peers.
- The entry of the results of the hearing on the public register will deter Dr. Yu permanently and also deter other members of the profession.



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