



DECISION 2

Dr. Luckshi Kunaratnam

NO CURRENT PRACTICE ADDRESS

Brampton, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Charged excessive or unreasonable fees (para. 31)
- Failed to keep records as required by the regulations (para. 25)
- Failed to make reasonable attempts to collect the co-payment balance from patient(s) without consent of third party payer (para. 34)
- Falsified a record (para. 26)
- Signed certificates, reports or similar documents that contained false, misleading or improper statements (para. 28)
- Submitted false or misleading charges (para. 33)
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59)

BRIEF SYNOPSIS OF FACTS

- Dr. Kunaratnam issued false/misleading insurance claims for 26 patients, including claims for treatment not provided, claims for unnecessary treatment, excessive billings and performing treatment for one family member but claiming it for another, which displayed a pattern of repeated insurance fraud, including falsifying records to justify claims billed for one patient.
- She failed to collect co-payments and or deductibles from eight patients and failed to record cash payments from three patients.

- Her records displayed multiple deficiencies including failing to keep any or adequate progress notes for numerous patients and failing to document a clinical diagnosis and rationales for treatment.

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 5 months (September 30, 2015 – February 29, 2016)
- Course in professional ethics
- Course in recordkeeping
- Practice to be monitored for 24 months following completion of courses
- Certificate of registration to be suspended immediately if member fails to comply with courses or monitoring

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 mitigating factors in this case which included the member's full cooperation with the investigation, her admission of guilt and the fact that it was her first appearance before the Discipline Committee.
- The panel considered the aggravating factors in this case which included the large number of patients who were affected by the member's actions and the extensive list of allegations admitted by the member. In addition, the panel was particularly concerned that she provided unnecessary treatment for some of her patients.