



DECISION 5

Dr. Haren Jagan

67 George St
Brockville, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Failed to keep records as required by the regulations (para. 25).
- Signed or issued a certificate, report or similar document that contained a false, misleading or improper statement (para. 28).
- Charged excessive or unreasonable fees (para. 31).
- Submitted false or misleading accounts or charges (para. 33).
- Recommended or provided an unnecessary dental service (para. 6).
- Failed to make reasonable attempts to collect the co-payment balance from patient(s) without consent of third party payer (para. 34).

BRIEF SYNOPSIS OF FACTS

An investigation into Dr. Jagan's practice revealed concerning conduct in respect to numerous patients, which included:

- inadequate recordkeeping.
- billing for services not rendered and/or services which did not accurately reflect the treatment provided.
- excessive fees.
- unnecessary treatment.
- failure to collect the co-payment.

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 four months (December 20, 2015 – April 19, 2016)
- Course in professional ethics
- Course in recordkeeping
- One-on-one course in financial recordkeeping
- Practice to be monitored for 24 months

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 penalty was reasonable and in the public interest and meets the objectives of protecting the public, serving as specific deterrence for the member and general deterrence for the profession, serving to rehabilitate the member, and maintaining public confidence in the profession.
- The panel was satisfied that the penalty clearly demonstrates to the public that the profession has no tolerance for a dentist who is found to have committed serious acts of professional misconduct and who breached the trust that his employees and patients placed in him.
- The panel considered as mitigating factors that the member cooperated with the College, participated in a pre-hearing conference and took responsibility for his actions by pleading guilty.
- The panel considered as aggravating factors that the conduct involved a breach of trust, the number of patients affected by the conduct and that unnecessary treatment was performed on four patients.