



DECISION 2

Dr. Sunny Dhingra

9983 Keele St #202

Maple, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Failed to comply with Section 3 relating to an agreement with the guardian of a minor patient (para. 20)
- Charged a fee that was excessive or unreasonable fee (para. 31)
- Charged a fee or an amount under an agreement that was excessive or unreasonable (para. 32)
- Submitted a false or misleading account or charge (para. 33)

BRIEF SYNOPSIS OF FACTS

- The parent of a minor patient paid a \$200 deposit towards treatment to be rendered to her child, for the cost of the general anesthetic procedure which was expected may not covered by Ontario Works.
- On the patient account ledger the payment was listed as “prepay allocated for: ga deposit”.
- On the day of treatment, the parent paid an additional \$250 for the treatment
- Following reimbursement by Ontario Works, there was a balance of \$191.53 of the prepayment amount of \$450.
- More than six months after the dental services were rendered, the dental office account showed two additional charges for non-clinical services; “telephone time” for \$90 and “extraordinary prepayment 1U” for \$101.53, which were excessive and/or unreasonable and/or abusive billing practices, given that these services were not provided and/or there was no documentation to justify the fees.

- The parent, who filed a complaint with the College was not informed of these charges, nor agreed to allow money pre-paid for a general anaesthetic to be reallocated for telephone time with third party administrators and the submission of pre-determinations.

DECISION

1. Finding

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

2. Penalty

- Reprimand
- Course in financial recordkeeping, including the appropriate use of billing codes
- Practice to be monitored for 24 months following completion of course

3. Costs/Publication

- Costs awarded to College in the amount \$1,250
- 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 resulting from a pre-hearing conference.
- The penalty was reasonable and in the public interest.
- The penalty 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.

- It was not the most serious misconduct but it is the panel’s view that it is always the dentist’s responsibility to ensure there is no misunderstanding about the services to be provided for the fees charged.
- The panel considered the following as mitigating factors: the member has no discipline history, the member cooperated with the College and admitted his guilt which showed responsibility and remorse, and he voluntarily repaid the disputed amount of money to the complainant.