



DECISION 1

Dr. Helmut Ragnitz

NO CURRENT PRACTICE ADDRESS

Ottawa, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

Notice of Hearing #1:

- Contravened a term, condition or limitation on certificate of registration (para. 2).
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).
- Failed to abide by a written undertaking given to the College (para. 54).
- Failed to provide accurate information to the College (para. 57).

Notice of Hearing #2:

- Contravened a term, condition or limitation on certificate of registration (para. 2).
- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).
- Failed to abide by a written undertaking given to the College (para. 54).
- Failed to reply appropriately or within a reasonable time to a written enquiry made by the College (para. 58).

BRIEF SYNOPSIS OF FACTS

Notice of Hearing #1:

- Dr. Ragnitz contravened a term, condition or limitation imposed on his certificate of registration and failed to abide by a written undertaking that he gave to the College by providing prosthodontic treatment for 63 patients and by providing implant treatment for 13 patients after he voluntarily signed an undertaking on September 29, 2014 restricting his practice in implant placement and prosthodontic treatment.

- Dr. Ragnitz provided inaccurate information to the College during the course of the investigation about the prosthodontic procedures, including implant-related procedures that he performed subsequent to signing the undertaking/agreement. Specifically, he denied that he had started new prosthodontic cases after the terms, conditions and limitations took effect on his certificate of registration, when he had initiated 16 new cases.
- Dr. Ragnitz engaged in disgraceful, dishonourable, unprofessional or unethical conduct by breaching the undertaking within one day of signing it by providing prosthodontic treatment relative to 76 patients subsequent to signing the undertaking/agreement and by holding himself out as being permitted to provide prosthodontics and implant treatment despite signing an undertaking which restricted his provision of these services.

Notice of Hearing #2:

- Dr. Ragnitz contravened a term, condition or limitation imposed on his certificate of registration and failed to abide by a written undertaking that he gave to the College by providing prosthodontic treatment to one patient on six separate occasions after he voluntarily signed an undertaking on September 29, 2014 restricting his practice in prosthodontic treatment.
- Dr. Ragnitz did not respond to the College's written request to provide records in respect of this patient, including financial records, treatment plan and models.

- The non-compliance with the terms on his certificate of registration and the undertaking given to the College is disgraceful, dishonourable, unprofessional or unethical conduct and shows he is ungovernable.

DECISION

1. Finding

The member pleaded guilty to three of the four allegations in Notice of Hearing #1 and was found guilty of all four allegations. The member denied all allegations in Notice of Hearing #2 and was found guilty in relation to each allegation.

2. Penalty

- Revocation of certificate of registration (effective March 29, 2017)

PANEL'S REASONING

Notice of Hearing #1:

- The Panel found that although the member was not represented by counsel, his admissions of guilt were voluntary, informed and unequivocal.
- The Panel was satisfied that the member's admissions, together with the evidence and exhibits tendered, provided sufficient foundation for it to make findings of professional misconduct.
- The member denied failing to take reasonable steps to ensure that any information provided by him or on his behalf to the College were accurate. However the Panel found him guilty of professional misconduct with respect to that allegation on a balance of probabilities.



- The Panel accepted the evidence of the College's investigator that on two occasions the member told her that he was not performing any surgery and that he was treating 12 cases that were started before the undertaking was signed. The investigator testified that the records did not support the member's statements.
- Uncontradicted documentary evidence confirmed that 16 cases were initiated after he signed the undertaking .

Notice of Hearing #2:

- The Panel found that the evidence clearly showed that prosthodontic treatment for this patient was initiated after the member had signed the undertaking restricting him from initiating any implant placement or providing prosthodontic treatment.
- The member should have reasonably understood that a denture attached by screws to an implant supported structure would contravene the practice restriction related to implants and prosthodontic treatment.
- The exhibits and testimony of the College investigator support the Panel's finding of guilt on the allegation that the member failed to reply appropriately or within a reasonable time to a written enquiry made by the College.

Reasons for Decision on Penalty

- The Panel was convinced by the evidence and submissions presented by the College that the member is ungovernable.
- The past decisions of the Complaints Committee and the ICRC about the member demonstrate a prolonged and escalating level of failure by the member to recognize and accept the authority of the College.

- The member's decision to disregard his voluntary undertaking/agreement clearly indicates that he placed his own interest above those of his patients and that he had a complete disregard and contempt for the College and its public protection role in the regulation of its members.
- The member lied to the College investigator when asked if he had initiated any new patient treatment while the undertaking/agreement was in effect.
- While the member did submit an apology letter to a panel of the Inquires, Complaints and Reports Committee, he did not express any remorse or demonstrate any real insight, understanding or acceptance during the course of the discipline hearing which led the Panel to put little weight on the apology letter.
- The member referred to personal circumstances that he suggested influenced his decisions and actions and submitted three reference letters.
 - The Panel, though sympathetic to members with personal difficulties, found that such circumstances cannot exempt that member from the ultimate responsibility that he has to his patients and to the profession and public.
 - The reference letters did not address the member's ability to be governed by the College and were therefore not accorded weight by the Panel.
- The Panel concluded that Dr. Ragnitz is ungovernable and thus did not believe that any remedial action would have a positive influence on the member.

- This decision will serve to send a message to the profession that compliance with the College's regulation is essential and will demonstrate to the public that they can have confidence in the self-regulation of the dental profession.
- The decision to revoke Dr. Ragnitz's certificate of registration was not made lightly and was reached first, and foremost, for reasons of public safety.