



DECISION 2

Dr. Bruce Fletcher

NO CURRENT PRACTICE ADDRESS

London, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

Notice of Hearing #1

- Contravened a standard of practice or failed to maintain the standards of practice of the profession in treating a patient (para. 1).
- Treated a patient for therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which consent is required by law, without such consent (para. 7).
- Failed to itemize in a statement of account that includes a commercial laboratory fee, the portion of the fee relating to the actual costs associated with the use of the commercial laboratory (para. 24).
- Failed to keep records as required by the regulations (para. 25).
- Engaged in disgraceful, dishonourable, unprofessional or unethical conduct (para. 59).

Notice of Hearing #2

- Contravened a standard of practice or failed to maintain the standards of practice of the profession relative to 42 patients between the years 2010-2014 (para. 1).
- Charged a fee that was excessive or unreasonable in relation to the services performed relative to four patients between the years 2012-2013 (para. 31).
- Failed to keep records as required by the Regulations relative to 43 patients between the years 1999-2014 (para. 25).
- Failed to take reasonable steps to ensure that any information provided by the member or on the member's behalf to the College was accurate, relative to 29 patients between the years 1998-2014 (para. 57).

- Engaged in disgraceful, dishonourable, unprofessional or unethical conduct relative to 29 patients between the years 1998-2014 (para. 59).
- Failed to abide by a written Undertaking given by the member to the College or to carry out an arrangement entered into with the College, relative to 21 patients during the years 2010-2014 (para. 54).

BRIEF SYNOPSIS OF FACTS

Notice of Hearing #1

- A former patient filed a formal complaint with the College alleging that an implant restored by Dr. Fletcher in 2010 failed in 2014 as a result of improper work.
- Dr. Fletcher did not obtain the patient's informed consent to proceed with the unusual method of restoring the tooth which led to a poor prognosis and eventual failure of the implant.
- Dr. Fletcher did not obtain the patient's informed consent in respect of the fees and failed to itemize the laboratory fees in his billings.
- His recordkeeping for the patient was very scant and did not contain any radiographs confirming the placement or seating of the restoration he placed in 2010.
- Dr. Fletcher's conduct during the investigation reflects that of an ungovernable member, including delay in providing records to the College. In addition, he has a lengthy history of past complaints and outcomes that does not reflect a willingness to improve or learn from past attempts at remediation.

Notice of Hearing #2

- These allegations arose from the contents of a Registrar's investigation into information received by the College from an informant regarding concerns about Dr. Fletcher's standards of practice, charting and honesty.
- Investigation revealed:
 - Poor quality digital radiographic x-ray images.
 - Failure to adequately diagnose and/or treatment plan and/or treat pathology evident radiographically.
 - Failure to obtain informed consent.
 - Inadequate restorations.
 - Failure to use a rubber dam.
 - Inadequate endodontic treatment.
 - Post, core and crown provided to wrong tooth.
 - Inadequate posts, cores and crowns.
 - Crown placed on tooth with hopeless prognosis.
 - Attempt to fabricate crowns on teeth with guarded/hopeless prognosis.
 - Inadequate extractions.
 - Failure to disclose adverse treatment outcomes.
 - Illegible record entries.
 - Medical histories missing information.
 - Failure to document signs, symptoms, findings, diagnoses and/or treatment plans.
 - Failure to document x-rays.
 - Failure to document details of surgery.
 - Inaccurate tooth numbers in chart.
 - Failure to record periodontal pocket depths.
 - Failure to record prescriptions.



- Deleted radiographic images and intra-oral photographs, despite an undertaking given to the College to maintain these images in order to facilitate monitoring of his practice by the College.
- Failure to provide paper based records upon request of investigator.
- Failure to make chart entries.

DECISION

1. Finding

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

2. Penalty

- Reprimand
- Revocation of certificate of registration (Effective March 29, 2017).

3. Costs

- Costs awarded to College in the amount \$2,500.00.

PANEL'S REASONING

- Dr. Fletcher admitted to professional misconduct as set out in an agreed statement of facts and he did so with the benefit of independent legal advice.
- With respect to Notice of Hearing #1, Dr. Fletcher's conduct was so far outside the standards of practice it amounted to treatment without informed consent, among other things.
- For Notice of Hearing #2, Dr. Fletcher's standard of treatment fell below the standard of care. The College's ability to monitor him and hold him accountable was threatened by the deficiencies in recordkeeping, his failure to provide accurate information to the College and his breach of the undertaking that he gave to the College. The member's conduct in its totality would reasonably be regarded by members of the profession

as disgraceful, dishonourable, unprofessional or unethical.

- With respect to the penalty, the panel is of the view that Dr. Fletcher's conduct demonstrated his disregard for his patients and the profession as a whole. His professional misconduct was widespread, repeated and ongoing.
- On a review of 48 patients, there were several breaches of the standard of care including poor or no patient records, inappropriate billing, failures of basic dentistry and some egregious cases of treatment on the wrong tooth or the wrong treatment. As a result of previous matters before the screening committee, attempts were made to remediate the member but they did not result in a better dental practice.
- Revocation is generally reserved for the most serious cases. It is the opinion of the panel that revocation is the only penalty that meets the objectives of protecting the public, serving as a deterrent for the profession and maintaining public confidence in the profession and its ability to regulate itself in the public interest. This is not a case where specific deterrence and remediation are applicable goals. Dr. Fletcher conceded that revocation was the only option in the circumstances of this case.