

IN THE MATTER OF a Hearing of a panel of the Discipline Committee of the Royal College of Dental Surgeons of Ontario held pursuant to the provisions of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, Statutes of Ontario, 1991, Chapter 18 (“*Code*”) respecting one **DR. HELMUT RAGNITZ**, of the City of Kanata, in the Province of Ontario;

AND IN THE MATTER OF the *Dentistry Act* and Ontario Regulation 853, Regulations of Ontario, 1993, as amended (“*Dentistry Act Regulation*”).

AND IN THE MATTER OF the *Statutory Powers Procedure Act*, Revised Statutes of Ontario, 1990, Chapter S.22, as amended; 1993, Chapter 27; 1994, Chapter 27.

TO: **DR. HELMUT RAGNITZ**
Inova Dental
1405 Bank Street, Unit B
Ottawa ON K1H 8N1

NOTICE OF HEARING

TAKE NOTICE THAT IT IS ALLEGED THAT:

1. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that, commencing from September 29, 2014 onwards you contravened a term, condition

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Particulars:

- You breached the Undertaking/Agreement signed by you on September 29, 2014, in which you voluntarily agreed that you “shall not initiate implant placement or provide any prosthodontic treatment, including prosthetic treatment (crowns, bridges)”.
- You provided prosthodontic treatment and/or performed procedures related to the execution of prosthodontic treatment, to the following patients from September 29, 2014, onwards which was a breach of a term, condition or limitation on your certificate of registration: (Bridge Fabrication:
 - Au 6, 2015; – Nov 19, 24, Dec 4, 9, 19, 27 and 29, 2014 and Jan 9, 2015; – Oct 1, 21 and Dec 23, 2014 and May 13, 2015 ;
 - Apr 16 and Jun 4, 2015; – Apr 7, 2015;

– Jun 13, 2015; – Feb 27, 2015; – Dec
 12, 2014 and Jan 22, 24, Feb 12, May 28, 2015; – Mar 25,
 2015; – Apr 7, 2015; – May 12 and 22, 2015; –
 Feb 25, Mar 12, 16, Apr 16, 2015; May 27, 2015; – May
 19, 2015; – Apr 4, 2015; – Dec 18, 2014 and Apr 14,
 2015. Bridge removal and repairs: – Jun 16, 2015;
 – Feb 3, 2015; – Jun 8, 2015; – Jun 10, 2015;
 – Feb 3, 2015; – Jun 15, 2015; – May 27,
 2015; – Jun 15, 2015; – Mar 25, 2015;
 – Jun 11, 2015; – Jan 7, 2015; – Feb 3, 2015;
 – Apr 29, 2015; – Aug 13, 2015; – Jan 15,
 2015; – Dec 31, 2014. Crown Related: – Apr 17,
 24, Jun 16, 2015; – Jun 12, 2015; – Jan 14, 2015;
 – May 28, 2015; – May 5, 2015; – Oct
 1, 2014; – Mar 25, 2015; – Jun 9, 2015;
 – Feb 3, 4, Mar 21, Jun 22, 26, Aug 10, 20 and 24, 2015; – Jan
 24, 2015; – Mar 9 and May 27, 2015; – Dec 1, 2014
 and Jan 27, Mar 11 and 24, 2015; – Apr 17 and Jun 1, 2015;
 – Jan 31, 2015; – Jul 23, 2015; – Apr 27, 2015;
 – Mar 5, 2015; – Aug 6, 10 and 25, 2015; –
 Jun 12, 2015; – Jan 27, Apr 22, May 4, Jun 16, Aug 11 and 19,
 2015; – Apr 27, 2015; – Apr 24, 2015; – May
 4, 2015; – Apr 4, 2015; – Feb 21, 2015; – Mar
 24, 2015; – Mar 30, 2015. Denture Fabrication: –
 Feb 24, 2015; – Dec 12, 2014 and Jan 22, 2015; –
 Apr 24, 2015; – Jan 23 and 26, Feb 4 and 18, March 6 and 25,
 Apr 7, May 15, Jun 18 and 29, 2015; – Apr 23 and Aug 25,
 2015; – Jun 4, 2015; – Apr 22, 2015; – Jan
 31, 2015; – Apr 21, 2015; – Aug 8, 2015;
 – Aug 26, 2015; – Jun 10, 2015; – Mar 12, Apr
 2, 24, May 1, 6, 11, 20 and 25, Aug 6 and 12, 2015; – Aug 11,
 2015; – May 26 and Jun 25, 2015; – Jul 31, 2015;
 – Aug 18, 2015; – Jan 29, 2015; – Feb 24,
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 11 and 21, 2015; – Apr 24, May 5, 19, Jun 8, 22, 28 and Aug 4,
 2015; – Feb 2, 27, Mar 4, 6, Apr 10, 14, May 5, 29, Jun 3, 11 and
 22, 2015. Denture Adjustments, Relines and Repairs: – Feb 3, 2015;
 – Aug 20, 2015; – Jan 23, 2015; – Jun
 13, 2015; – Apr 17, 2015; – Jan 9, 2015; –
 Aug 22, Oct 14, 16 and 17, 2014; – Jan 29, 2015; –

Aug 13, 2015; – Apr 13 and May 11, 2015; – Feb 24
 and Aug 5, 2015; – Mar 30, 2015; – Jul 31, 2015;
 – Aug 17, 2015; – Jun 9, 2015; – Mar 30, 2015;
 – May 15, 2015; – Jun 24, 2015; – Mar 2,
 2015; – Jun 8, 2015; – Mar 5, 2015; –
 May 5, 11, Jul 30, Aug 4, 2015; – Jan 24, 2015; – Nov
 11, Dec 15, 2014 and Mar 24, 2015; – May 20, 2015; –
 May 5, 2015; – Jan 3, 2015; – Aug 12, 2015;
 – Feb 20, Mar 24, 30, Jul 21 and 30, 2015; – Jan 23 and
 Mar 31, 2015; – Feb 21, Mar 24 and Apr 22, 2015;
 – Aug 4, 2015; – May 12, 2015; – Mar 2,
 2015; – Apr 27, 2015; – Jun 24, 2015; – Apr
 1, 2015; – Jul 21, 2015; – Apr 16, 2015; –
 Aug 24, 2015; – Mar 26, 2015; – Apr 21, 2015;
 – Feb 25, 2015; – Aug 13, 2015; – Jun 22, 2015;
 – Mar 30, 2015; – Jan 15 and Jun 5, 2015;
 – Jun 25, 2015; – Aug 4, 2015; – May 5,
 2015; – Feb 4, 19, Mar 7, 2015; – May 5 and 15,
 2015; – Apr 22 and May 11, 2015; – Oct 6, 7, 23 and Nov
 1, 2014; – Mar 4, 26 and 31, 2015; – May 26, Jun 11,
 Jul 28, Aug 5, 2015; – Jan 19, 2015; – Mar 18 and
 Apr 14, 2015; – Jan 21, May 6, Jun 2, 2015; – Dec 11,
 2014, Jan 12, 27, Aug 6, 2015; – Jun 24, 2015; –
 May 26, 2015; – Mar 30, Apr 13 and Aug 13, 2015;
 – Jun 3, 2015.)

- You provided implant treatment to the following patients from September 29, 2014 onwards which was breach of a term, condition or limitation on your certificate of registration: (Implant-related prosthodontic procedures:
 - Nov 19, Dec 4, Dec 27, 2014 and Jan 9 and 28, 2015;
 - Nov 4, 2014, Jan 7, Feb 4, Mar 10, Apr 13, 17 and 24, Jun 11, 2015; – Apr 23, 2015; – May 24, 2015; – Oct 1 and 21, 2014; – May 30, 2015; – Jan 7 and 22, 2015,
 - Feb 27, 2015; – Mar 25, 2015; –
 - Aug 11, 2015; – Apr 23, May 1, 5, 11 and 30, 2015;
 - Jun 4, 2015; – May 13, 2015; – Feb 3, 2015;
 - May 21 and Aug 4, 2015; – Apr 6, 2015;
 - May 20, 2015; – May 19, 2015; – Jun 4, 2015; .
 - Apr 29, May 1, 5 and Aug 4, 2015)

2. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that you failed to keep records as required by the Regulations relative to one of more the following patients during the year and/or one or more of the years specified opposite that patient's name, contrary to paragraph 25 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

<u>Patients</u>	<u>Year(s)</u>
	2014, 2015
	2015
	2014, 2015
	2014, 2015
	2014, 2015
	2014, 2015
	2012, 2013, 2014 and 2015
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	2013, 2014, 2015
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Particulars:

- Your recordkeeping was inadequate.
- For 37 of your patients, you failed to document the medical histories, medical history review prior to initiation of treatment, odontogram, extra and intra oral examination, complete periodontal probing, PSR, including periodontal evaluation and/or periodontal evaluation of the tooth/teeth prior to the start of treatment, informed consent discussions regarding treatment plan and treatment plan alternatives and detail regarding the materials and methods of the treatment provided (
 - August 6, 2015, .
 - February 11, 2014 – August 12, 2015, - November 19, 2014 – August 20, 2015, - September 12, 2014 – May 13, 2015, - November 4, 2014 – June 22, 2015, May 17, 2012 – August 12, 2015, - August 22, 2014 – October 17, 2014, - March 6, 2013 – May 20, 2015, - January 7, 2015 – January 29, 2015, - May 14, 2014 – October 1, 2014, - November 10, 2014 – April 15, 2015, - December 3, 2014 – May 28, 2015, - August 22, 2015, - March 25, 2015 – June 15, 2015, - May 24, 2014 – August 24, 2015, - January 23, 2015 – July 29, 2015, - May 17, 2013 – August 25, 2015, - May 9, 2014 – March 24, 2015, 1 - November 4, 2014 – April 21, 2015, - August 5, 2014 – August 12, 2015, - March 4, 2015 – March 18, 2015, 3 - February 13, 2015 – March 12, 2015, - February 10, 2016 – May 18, 2016, - April 17, 2014 – August 25, 2015, - June 12, 2012 – June 17, 2015, - October 16, 2014 – July 27, 2015, - May 16, 2014 – August 19, 2015, - February 7, 2014 – August 5, 2015, - December 31, 2014 – March 23, 2015, - September 10, 2014 – November 4, 2015, - June 12, 2014 – August 5, 2015, - September 5, 2014 – January 21, 2015, 3 - April 16, 2016 – June 1, 2016, - July 22, 2014 – April 8, 2015, .

- December 11, 2014 – August 14, 2015, - December 18, 2014 – April 14, 2015, - February 2, 2015 – July 22, 2015).
 - Your progress notes failed to document the amount of local anaesthetic administered - December 5, 2014).
 - Your progress notes were not accurate with respect to the date that treatment was provided - February 14, 2015).
 - Your progress notes were not accurate with respect to tooth number (- April 13 and 17, 2015, - January 6 and 27, 2015 and - November 21, 2014).
 - You failed to document in your progress notes the x-rays that you took (- November 19, 2014 and - October 16, 2014).
 - You failed to document in your progress notes that you provided an extraction (- August 6, 2015).
 - You failed to document in your progress notes details of your surgery corresponding to the complicated/surgical extraction that you billed (- January 28, 2015).
 - You failed to provide your patients' financial ledgers to the College - 2014 and 2015 and - 2014 and 2015).
 - You failed to provide a patient's progress notes/chart entries to the College - October 1, 2014 to May 19, 2015).
 - You failed to provide to the College corresponding chart entries for procedures that were billed/claimed (- December 15, 2014, February 5, 2015, March 30, 2015, April 13, 14, 16 and 29, 2015, March 6, 2015 and April 16, 2015, April 27, 2015, - March 3 and 10, 2015, April 28 and 28, 2015, - October 29, 2014, November 7, 2014 and July 27, 2015, March 21, 2015, - November 22, 2014, December 23, 2014 and March 26, 2015, - October 1, 9, 23, 2014, November 1, 3, 19, 2014, December 1, 2014, January 2, 2015, February 1, 2015 and March 1, 2015).
3. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that you signed or issued a certificate, report or similar document that you knew or ought to have known contained a false, misleading or improper statement relative to one or more of the following patient's during the year and/or one or more years specified

opposite that patient's name, contrary to paragraph 28 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

<u>Patients</u>	<u>Year(s)</u>
	2014, 2015
	2014, 2015
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Particulars:

- You submitted claims for dental services where there were no corresponding progress notes.
 - October 1, 2 and 27, 2014,
 - November 1, 4 and 13, 2014, December 1, 2014, January 2, 8 and 21, 2015,
 - February 1, 5, and 23, 2015, March 1 and 13, 2015, April 1 and 4, 2015 and
 - May 19, 2015, - December 15, 2014, February 5, 2015, March
 - 30, 2015, April 13, 14 and 16, 2015, - March 6, 2015, April 16 and
 - 29, 2015. - April 27, 2016, - March 3 and 10, 2015,
 - April 28 and 29, 2015, - October 29, 2014, November 7, 2014,
 - July 27, 2015, - March 21, 2015, - November 22, 2014,
 - December 23, 2014 and March 26, 2015, -October 1, 9 and 23,
 - 2014, November 1, 3 and 19, 2014, December 1, 2014, January 2, 2015,
 - February 1, 2015 and March 1, 2015).
- You claimed for services which did not accurately reflect the services performed.
 - You submitted claims for complete examinations which were inadequate and/or incomplete (
 - November 10, 2014 and
 - February 13, 2015).

- You submitted a claim for specific examinations which was inadequate and/or incomplete (March 3, 2015).
 - You submitted claims for specific examinations which should not have been claimed as a specific examination but should have been performed as part of the previous periodontal surgery (- November 21, 2014, December 5, 2014 and February 3, 2015).
 - You billed or submitted claims for the following dental services that were not provided in the following cases where there was no documentation in the progress notes/chart entries:
 - You submitted a claim for a recall examination - January 22, 2015).
 - You submitted a claim for a gingivoplasty (- November 4, 2014).
 - You submitted a claim for an implant and associated laboratory fee (-April 13, 2015).
 - You submitted a claim for caries/trauma pain control (- January 7, 2015).
 - You submitted a claim for a permanent composite resin - January 10, 2015).
 - You submitted a claim for four units of treatment for an abscess or periocoronitis, application of chemotherapeutic and/or microbial agents, a repair, removal or a fixed bridged and/or prosthesis, occlusal adjustment and two gingivoplasties (- December 31, 2014).
 - You submitted a claim for an occlusal adjustment and specific examination - June 8, 2015).
 - You submitted claims for treatment prior to treatment being completed - 2015).
4. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that, you charged a fee that was excessive or unreasonable in relation to the service performed relative to the following patient's during the year and/or one or more

years specified opposite that patient's name, contrary to paragraph 31 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended. (#31)

<u>Patients</u>	<u>Year(s)</u>
	2015
	2014
	2015
	2014, 2015

Particulars:

- You claimed for the following services which were excessive and unreasonable:
 - You claimed a fee that was not only the maximum fee for a complete examination but was over and above the maximum fee when you did not perform the necessary charting associated with that examination (- November 10, 2014 and - February 13, 2015).
 - You claimed a fee for a specific examination when you did not perform the examination or evaluation of the specific situation (- March 3, 2015).
 - You claimed a fee for a specific examination which you should not have claimed as the periodontal surgery that you performed includes one month of post-operative care. (- November 21, 2014, December 5, 2014 and February 3, 2015).
5. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that, you submitted an account or charge for dental services that you knew or ought to have known was false or misleading relative to the following patient's during the year and/or one or more years specified opposite that patient's name, contrary to paragraph 33 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

<u>Patients</u>	<u>Year(s)</u>
	2014, 2015
	2014, 2015
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Particulars:

- You submitted claims for dental services where there were no corresponding progress notes. (
 - October 1, 2 and 27, 2014,
 - November 1, 4 and 13, 2014, December 1, 2014, January 2, 8 and 21, 2015,
 - February 1, 5, and 23, 2015, March 1 and 13, 2015, April 1 and 4, 2015 and
 - May 19, 2015,
 - December 15, 2014, February 5, 2015, March
 - 30, 2015, April 13, 14 and 16, 2015,
 - March 6, 2015, April 16 and
 - 29, 2015,
 - April 27, 2016,
 - March 3 and 10, 2015,
 - April 28 and 29, 2015,
 - October 29, 2014, November 7, 2014,
 - July 27, 2015,
 - March 21, 2015,
 - November 22, 2014,
 - December 23, 2014 and March 26, 2015,
 - October 1, 9 and 23,
 - 2014, November 1, 3 and 19, 2014, December 1, 2014, January 2, 2015,
 - February 1, 2015 and March 1, 2015).
- You claimed for services which did not accurately reflect the services performed.
 - You submitted claims for complete examinations which were inadequate and/or incomplete (
 - November 10, 2014 and
 - February 13, 2015).
 - You submitted a claim for specific examinations which was inadequate and/or incomplete (
 - March 3, 2015).
 - You submitted claims for specific examinations which should not have been claimed as a specific examination but should have been performed as part of the previous periodontal surgery (
 - November 21, 2014, December 5, 2014 and February 3, 2015).

- You billed or submitted claims for the following dental services that were not provided in the following cases where there was no documentation in the progress notes/chart entries:
 - You submitted a claim for a recall examination () - January 22, 2015).
 - You submitted a claim for a gingivoplasty () - November 4, 2014).
 - You submitted a claim for an implant and associated laboratory fee () - April 13, 2015).
 - You submitted a claim for caries/trauma pain control () - January 7, 2015).
 - You submitted a claim for a permanent composite resin () - January 10, 2015).
 - You submitted a claim for four units of treatment for an abscess or periocoronitis, application of chemotherapeutic and/or microbial agents, a repair, removal or a fixed bridged and/or prosthesis, occlusal adjustment and two gingivoplasties () - December 31, 2014).
 - You submitted a claim for an occlusal adjustment and specific examination () - June 8, 2015).
 - You submitted claims for treatment prior to treatment being completed () - 2015).
6. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that you accepted an amount in full payment of an account or charge that was less than the full amount of the account or charge submitted by you to a third party payer without making reasonable efforts to collect the balance from the patient or to obtain the written consent of the third party payer relative to the following patients during the year and/or one or more of the years specified opposite the patient's name, contrary to paragraph 34 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

<u>Patients</u>	<u>Year(s)</u>
	2014, 2015
	2014, 2015
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	2014, 2015
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Particulars:

- You failed to collect or make attempts to collect co-payments for dental services provided to the above-named patients.
7. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that during the years 2014 and 2015, you failed to abide by a written Undertaking given by you to the College or to carry out an arrangement entered into with the College, contrary to paragraph 54 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

Particulars:

- You breached the Undertaking/Agreement signed by you on September 29, 2014, in which you voluntarily agreed that you “shall not initiate implant placement or provide any prosthodontic treatment, including prosthetic treatment (crowns, bridges)”.
- You provided prosthodontic treatment and/or performed procedures related to the execution of prosthodontic treatment, to patients from September 29, 2014, onwards which was a breach of a term, condition or limitation on your certificate of registration: (Bridge Fabrication:
 - Au 6, 2015;
 - Nov 19, 24, Dec 4, 9, 19, 27 and 29, 2014 and Jan 9, 2015;
 - Oct 1, 21 and Dec 23, 2014 and May 13, 2015 ;
 - Apr 16 and Jun 4, 2015;
 - Apr 7, 2015;
 - Jun 13, 2015;
 - Feb 27, 2015;
 - Dec 12, 2014 and Jan 22, 24, Feb 12, May 28, 2015;
 - Mar 25, 2015;
 - Apr 7, 2015;
 - May 12 and 22, 2015;
 - Feb 25,

Mar 12, 16, Apr 16, 2015; – May 27, 2015; – May 19, 2015; – Apr 4, 2015; – Dec 18, 2014 and Apr 14, 2015. Bridge removal and repairs: – Jun 16, 2015; – Feb 3, 2015; – Jun 8, 2015; – Jun 10, 2015; – Feb 3, 2015; – Jun 15, 2015; – May 27, 2015; – Jun 15, 2015; – Mar 25, 2015; – Jun 11, 2015; – Jan 7, 2015; – Feb 3, 2015; – Apr 29, 2015; – Aug 13, 2015; – Jan 15, 2015; – Dec 31, 2014. Crown Related: – Apr 17, 24, Jun 16, 2015; – Jun 12, 2015; – Jan 14, 2015; – May 28, 2015; – May 5, 2015; – Oct 1, 2014; – Mar 25, 2015; – Jun 9, 2015; – Feb 3, 4, Mar 21, Jun 22, 26, Aug 10, 20 and 24, 2015; – Jan 24, 2015; – Mar 9 and May 27, 2015; – Dec 1, 2014 and Jan 27, Mar 11 and 24, 2015; – Apr 17 and Jun 1, 2015; – Jan 31, 2015; – Jul 23, 2015; – Apr 27, 2015; – Mar 5, 2015; – Aug 6, 10 and 25, 2015; – Jun 12, 2015; – Jan 27, Apr 22, May 4, Jun 16, Aug 11 and 19, 2015; – Apr 27, 2015; – Apr 24, 2015; – May 4, 2015; – Apr 4, 2015; – Feb 21, 2015; – Mar 24, 2015; – Mar 30, 2015. Denture Fabrication: – Feb 24, 2015; – Dec 12, 2014 and Jan 22, 2015; – Apr 24, 2015; – Jan 23 and 26, Feb 4 and 18, March 6 and 25, Apr 7, May 15, Jun 18 and 29, 2015; – Apr 23 and Aug 25, 2015; – Jun 4, 2015; – Apr 22, 2015; – Jan 31, 2015; – Apr 21, 2015; – Aug 8, 2015; – Aug 26, 2015; – Jun 10, 2015; – Mar 12, Apr 2, 24, May 1, 6, 11, 20 and 25, Aug 6 and 12, 2015; – Aug 11, 2015; – May 26 and Jun 25, 2015; – Jul 31, 2015; – Aug 18, 2015; – Jan 29, 2015; – Feb 24, 2015; – Aug 17, 2015; – Jul 28, 2015; – May 7, 11 and 21, 2015; – Apr 24, May 5, 19, Jun 8, 22, 28 and Aug 4, 2015; – Feb 2, 27, Mar 4, 6, Apr 10, 14, May 5, 29, Jun 3, 11 and 22, 2015. Denture Adjustments, Relines and Repairs: – Feb 3, 2015; – Aug 20, 2015; – Jan 23, 2015; – Jun 13, 2015; – Apr 17, 2015; – Jan 9, 2015; – Aug 22, Oct 14, 16 and 17, 2014; – Jan 29, 2015; – Aug 13, 2015; – Apr 13 and May 11, 2015; – Feb 24 and Aug 5, 2015; – Mar 30, 2015; – Jul 31, 2015; – Aug 17, 2015; – Jun 9, 2015; – Mar 30, 2015;

failed to take reasonable steps to ensure that any information provided by you or on your behalf to the College was accurate, contrary to paragraph 57 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

Particulars:

- You provided inaccurate information to the College during the course of this investigation about the prosthodontic procedures, including implant-related procedures that you performed subsequent to signing the Undertaking/Agreement on September 29, 2014, specifically you asserted that you did not started new prosthodontic cases after the terms conditions and limitation took effect on your certificate of registration.
 - You misled the College's investigator by advising her at the Section 75(1)(a) office visit on August 29, 2015, that you have not provided crowns, bridges and/or implants since May/June 2015, when in fact you continued to provide these services.
9. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that you failed to reply appropriately or within a reasonable time to a written enquiry made by the College relative to one or more of the following patients during the year and/or one or more of the years specified opposite that patient's name, contrary to paragraph 58 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended. (#58)

Patients

Year(s)

2014, 2015

2014, 2015

2014, 2015

Particulars:

- You failed to respond to the College's request at the Section 75(1)(a) visit on August 26, 2015 to courier to the College:
 - Financial ledgers for patients _____ and _____.
 - All of the progress notes/chart entries for patient _____ who was your patient from October 1, 2014 to May 19, 2015.

10. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, Statutes of Ontario, 1991, Chapter 18 in that you engaged in conduct or performed an act or acts that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, unprofessional or unethical relative to one or more of the following patients during the year and/or one or more of the years specified opposite that patient's name, contrary to paragraph 59 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

Particulars:

- You are ungovernable in that you breached your September 29, 2014 Undertaking/Agreement by continuing to perform prosthodontic treatment and/or procedures related to prosthodontic treatment; and by providing inaccurate information to the College; and by failing to respond to an enquiry made by the College in relation to its investigation.
- Your conduct in totality is disgraceful, dishonourable, unprofessional or unethical.

Such further and other particulars will be provided from time to time, as they become known.

AND TAKE NOTICE THAT the said allegations respecting professional misconduct will be heard and determined by a panel of the Discipline Committee of the Royal College of Dental Surgeons of Ontario ("panel") on a date and time to be agreed upon by the parties, or on a date to be fixed by the Chair of the Discipline Committee, at the offices of the Royal College of Dental Surgeons of Ontario, 6 Crescent Road, Toronto, Ontario, M4W 1T1. You are required to appear in person or by a legal representative before the panel with your witnesses, if any, at the time and place aforesaid.

ONCE A DATE IS FIXED, IF YOU DO NOT ATTEND ON THE FIXED HEARING DATE, THE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THE PROCEEDINGS.

The *Code* provides that if a panel finds that you have committed an act of professional misconduct, it may make an order doing any one or more of the following:

- (1) directing the Registrar to revoke your certificate of registration;
- (2) directing the Registrar to suspend your certificate of registration for a specified period of time;
- (3) directing the Registrar to impose specified terms, conditions and limitations on your certificate of registration for a specified or indefinite period of time;
- (4) requiring you to appear before the panel to be reprimanded;
- (5) requiring you to pay a fine of not more than \$35,000.00 to the Minister of Finance;

or any combination thereof.

Furthermore, the *Code* provides that if a panel is of the opinion that the commencement of these proceedings is unwarranted, it may make an order requiring the College to pay all or part of your legal costs.

The *Code* also provides that in an appropriate case, a panel may make an order requiring you, in the event the panel finds you have committed an act or acts of professional misconduct or finds you to be incompetent, to pay all or part of the following costs and expenses:

1. the College's legal costs and expenses;
2. the College's costs and expenses incurred in investigating the matter; and
3. the College's costs and expenses incurred in conducting the hearing.

If you have not done so already, you are entitled to and are well advised to retain legal representation to assist you in this matter.

You are entitled to disclosure of the evidence in this matter in accordance with section 42(1) of the *Code*. You or your representative may contact the solicitor for the College, _____, in this matter at:

You, or your legal representative, should familiarize yourself with your disclosure obligations under law, including section 42.1 of the *Code*.

DATED at Toronto, this 13th day of January, 2017.



Royal College of Dental Surgeons of Ontario

IN THE MATTER OF a Hearing of a panel of the Discipline Committee of the Royal College of Dental Surgeons of Ontario held pursuant to the provisions of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, Statutes of Ontario, 1991, Chapter 18 ("*Code*") respecting one **DR. HELMUT RAGNITZ**, of the City of Kanata, in the Province of Ontario;

AND IN THE MATTER OF the *Dentistry Act* and Ontario Regulation 853, Regulations of Ontario, 1993, as amended ("*Dentistry Act Regulation*").

AND IN THE MATTER OF the *Statutory Powers Procedure Act*, Revised Statutes of Ontario, 1990, Chapter S.22, as amended; 1993, Chapter 27; 1994, Chapter 27.

NOTICE OF HEARING

ROYAL COLLEGE OF DENTAL SURGEONS OF ONTARIO

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IN THE MATTER OF a Hearing of a panel of the Discipline Committee of the Royal College of Dental Surgeons of Ontario held pursuant to the provisions of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, Statutes of Ontario, 1991, Chapter 18 (“Code”) respecting one **DR. HELMUT RAGNITZ**, of the City of Kanata, in the Province of Ontario;

AND IN THE MATTER OF the *Dentistry Act* and Ontario Regulation 853, Regulations of Ontario, 1993, as amended (“Dentistry Act Regulation”).

AND IN THE MATTER OF the *Statutory Powers Procedure Act*, Revised Statutes of Ontario, 1990, Chapter S.22, as amended; 1993, Chapter 27; 1994, Chapter 27.

Members in Attendance:

Dr. Richard Hunter, Chair
Dr. Sandy Venditti
Dr. William Coyne
Ms. Susan Davis
Mr. Derek Walter

Appearances:

Christine Mainville on behalf of the
Royal College of Dental Surgeons of Ontario

No one present for Dr. Helmut Ragnitz

Johanna Braden, Independent Legal Counsel
to the Discipline Committee of the Royal
College of Dental Surgeons of Ontario

Hearing held on April 24, 2017

ORDER AND REASONS FOR ORDER

This matter came on before a panel of the Discipline Committee (the “Panel”) of the Royal College of Dental Surgeons of Ontario (the “College”) on April 24, 2017.

There are two Notices of Hearing in respect of allegations of professional misconduct made against Helmut Ragnitz (the “Member”). This was a first attendance with

respect to both Notices of Hearing. Although properly served, the Member did not attend and was not represented by counsel.

The Member resigned from the College effective March 13, 2017. As of March 29, 2017, the Member's certificate of registration was revoked by order of a different panel of this Discipline Committee.

As the Member's certificate has been resigned and revoked, the College does not think it is in the public interest to proceed with a hearing on the outstanding allegations at this time. College Counsel has asked for the hearing to be adjourned *sine die*, that is, indefinitely.

Having considered the submissions of the College, and in the absence of any submissions from the Member, the Panel hereby orders that the hearings in respect of Notice of Hearing H170006 and H170001 be adjourned *sine die*.

The fact that allegations have been made against the Member will continue to be part of the public record. By adjourning the hearings *sine die*, this order will allow the allegations to be determined at some future date should circumstances change and the College decides that it wishes to proceed with a hearing.

This panel is not seized.

April 26, 2017



Dr. Richard Hunter, Chair
On behalf of the Panel:

Dr. Sandy Venditti
Dr. William Coyne
Ms. Susan Davis
Mr. Derek Walter