

**THE DISCIPLINE COMMITTEE OF THE  
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. CHRISTY NATSIS**, of the City of Pembroke, 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  
    Dr. Sandy Venditti  
    Mr. Rod Stableforth  
    Mr. Marc Trudell  
    Dr. Anthony Markowski

**BETWEEN:**

**ROYAL COLLEGE OF DENTAL  
SURGEONS OF ONTARIO**

) Appearances:  
)  
) Ms. Rebecca Durcan  
) Independent Counsel for the  
) Discipline Committee of the Royal  
) College of Dental Surgeons of Ontario  
)  
) Ms. Linda Rothstein and

- and -

**DR. CHRISTY NATSIS**

) Ms. Denise Cooney  
 ) For the Royal College of Dental  
 ) Surgeons of Ontario  
 )  
 ) Mr. Michael Rankin for the Member  
 )

Hearing held by way of videoconference.

### **REASONS FOR DECISION**

This matter came on for hearing before a panel of the Discipline Committee (the “Panel”) of the Royal College of Dental Surgeons of Ontario (the “College”) in Toronto on November 26, 2020. This matter was heard electronically on consent of the parties.

#### *Publication ban*

At the outset of the hearing, the Member sought an order banning the publication or broadcast of certain “irrelevant” and personal information (of the Member and family members) in her affidavit (later admitted as Exhibit 5) as the disclosure would be of such a nature that the harm created by the disclosure would outweigh the desirability of adhering to the principle that hearings be open to the public. The College consented to the request. The Panel was uncertain if the test set out in s. 45(2)(b) and s. 45(3) of the Health Professions Procedural Code would be met. Therefore, it ordered that the ban would be imposed for the duration of the hearing and that following the hearing, they would ascertain if the order would be permanent. After reviewing the passages of Exhibit 5 and appreciating that they did not have any relevance to the decisions of the Panel, the order became permanent.

### **THE ALLEGATIONS**

The allegations against the Member were contained in the Notice of Hearing, dated February 17, 2017 (Exhibit 1).

1. You committed an act or acts of professional misconduct as provided by s.51(1)(a) 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 2011 through 2016, 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<sup>1</sup>, contrary to paragraph 59 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

---

<sup>1</sup> The Panel notes this language was included in the Notice of Hearing but it appears to be a typo.

**Particulars:**

- On or about March 31, 2011, you operated a motor vehicle while under the influence of alcohol
  - On or about March 31, 2011 after consuming alcohol at a tavern, you hit a parked car with your motor vehicle in the parking lot of the tavern and left the scene, continuing to drive under the influence of alcohol
  - On or about March 31, 2011 after the collision in the parking lot, you continued to operate a motor vehicle while under the influence of alcohol and you then caused and/or were involved in a collision where a person died as a result
  - On or about November 17, 2011, you purchased alcohol from the LCBO in breach of a term of your recognizance not to purchase or consume alcohol or be in a place where alcohol is sold or consumed.
  - Your conduct, particularly in terms of the breach of recognizance, shows a lack of insight, reflection and remorse which is expected of health professionals and shows a lack of respect for the administration of justice and is disgraceful, dishonourable, unprofessional and unethical.
2. You committed an act or acts of professional misconduct as provided by s.51(1)(a) 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 year 2014, you contravened a federal, provincial or territorial law, municipal by-law or rule of a public hospital within the meaning of the *Public Hospitals Act*, relevant to the provision of dental care to the public, contrary to paragraph 50 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

**Particulars:**

- On or about May 29, 2015, you were found guilty in criminal court to the charges of Impaired Operation of a Motor Vehicle Causing Death, contrary to section 255(3) of the *Criminal Code of Canada* and Dangerous Operation of a Motor Vehicle Causing Death, contrary to section 249 (4) of the *Criminal Code of Canada*.
- On or about November 12, 2015, the court imposed its sentence of 5 years concurrent for impaired Operation of a Motor Vehicle Causing Death and Dangerous Operation of a Motor Vehicle Causing Death, contrary to section 249 (4) of the *Criminal Code of Canada*.

- On or about October 13, 2015, you pled guilty to the offence of Breach of Recognizance, contrary to section 145(3) of the *Criminal Code of Canada*.
- On or about November 12, 2015, the court imposed its sentence of 40 days consecutive for Breach of Recognizance.

### **THE MEMBER'S PLEA**

The Member admitted the allegations of professional misconduct as set out in the Notice of Hearing, marked as Exhibit 1. The Member signed a Plea Inquiry, which was marked as Exhibit 2.

The Panel confirmed with the Member that she understood her plea and as such was satisfied that Member's admissions were voluntary, informed and unequivocal.

### **THE EVIDENCE**

On consent of the parties, the College introduced into evidence an Agreed Statement of Facts (Exhibit 3) which substantiated the allegations. The Agreed Statement of Facts provides as follows:

#### **Background**

1. Dr. Christy Natsis has been registered with the College as a general dentist since 1992. She received her dental education at University of Detroit Mercy, Michigan, USA.
2. At the time of the events giving rise to the allegations, Dr. Natsis was Chief of Dentistry at the Pembroke Regional Hospital. She also practiced at Dr. Christy Natsis and Associates.

#### **Events giving rise to the Allegations**

3. On the evening of March 31, 2011, Dr. Natsis was arrested following a head-on motor vehicle collision involving her vehicle, and the vehicle of an Ottawa man, Brian Casey. Mr. Casey died as a result of the massive injuries he sustained in the collision. He is survived by his wife, and their three children.
4. Dr. Natsis was charged with Impaired Operation of a Motor Vehicle Causing Death, contrary to s. 255(3) of the *Criminal Code of Canada*, and Dangerous Operation of a Motor Vehicle Causing Death, contrary to s. 249(4) of the *Criminal Code of Canada* (the "Driving Charges").

5. Prior to the collision, Dr. Natsis had been travelling westbound on Highway 17, on her way to her home in Pembroke, Ontario, from Ottawa, Ontario. Along her way home, Dr. Natsis stopped at a licensed establishment, where she consumed at least two eight ounce glasses of wine. Shortly after, she left the bar, got into the driver's seat of her vehicle, put it into reverse, slammed into the vehicle parked immediately behind hers in the parking lot of the parking lot, and did not stop.
6. Dr. Natsis then drove westbound along the busy Trans-Canada Highway for a distance of approximately 45 kilometres over a period of 24 minutes at excessive speeds, directly to the collision site. She passed other vehicles on both sides, drove onto the shoulders several times, and almost struck a concrete barrier in the curb lane of Highway 417 before veering into the remaining passing lane that becomes Highway 17.
7. Within seconds of veering into the passing lane, Dr. Natsis crossed the centre line of Highway 17 entirely into the eastbound lane and, at a speed slightly above the limit, collided with the vehicle being driven eastbound by Mr. Casey, making no effort to slow her vehicle or otherwise take any action to avoid the collision.
8. Following her arrest, Dr. Natsis was released on bail. The conditions of her release included that she not consume, possess, or purchase alcohol, and that she not operate a motor vehicle. Dr. Natsis did not practice dentistry for approximately four weeks following the Driving Charges. Thereafter she resumed the practice of dentistry.
9. On November 17, 2011, in breach of her bail conditions, Dr. Natsis purchased alcohol. She was arrested and charged with Breach of Recognizance, contrary to s. 145(3) of the *Criminal Code of Canada*. Dr. Natsis was thereafter released on bail again, and resumed the practice of dentistry.
10. Other than the one breach, Dr. Natsis fully complied with her bail conditions for seven years both while awaiting trial and her appeal. These included terms that she keep the peace, abstain from drugs and alcohol, not attend premises where alcohol is sold, not drive a motor vehicle, reside at an address as directed and that she have no communication with the victim and family.

#### **Dr. Natsis' conviction and release**

11. Following a lengthy trial before Justice Kozloff of the Ontario Court of Justice, on May 29, 2015, Dr. Natsis was convicted of the Driving Charges (the "Driving Convictions").
12. On October 13, 2015, Dr. Natsis pled guilty to the charge of Breach of Recognizance.

13. On November 12, 2015, Justice Kozloff sentenced Dr. Natsis to five years in prison for the Driving Convictions, and 40 days to be served consecutively for the Breach of Recognizance conviction (**Appendix “A”**.)
14. Dr. Natsis appealed her convictions to the Court of Appeal for Ontario. She was released on bail pending appeal and continued to practice dentistry. Dr. Natsis’ appeal was dismissed by the Court of Appeal for Ontario on May 7, 2018 (**Appendix “B”**). She began serving her sentence on May 8, 2018. Dr. Natsis ceased the practice of dentistry on May 8, 2018.
15. On June 27, 2019, the Parole Board of Canada denied Dr. Natsis’ request for full parole/pre-release, but granted Dr. Natsis day parole on conditions, including that she not enter establishments where the primary source of income is derived from the sale or consumption of alcohol, she not have any direct or indirect contact with the victim(s) or any member of the victim’s family, she not operate a motor vehicle, and she not consume, purchase or possess alcohol.
16. On December 4, 2019, the Parole Board of Canada granted Dr. Natsis’ application for full parole. The Parole Board of Canada imposed the same conditions on Dr. Natsis’ release on full parole as it had imposed on her release on day parole, as set out in paragraph 14 above.
17. Dr. Natsis resumed the practice of dentistry in July 2019<sup>2</sup> following her release on day parole.

#### **Admissions of Professional Misconduct**

18. Dr. Natsis admits and acknowledges that her conduct described above would be reasonably regarded by members of the profession as disgraceful, dishonourable, unprofessional or unethical, contrary to paragraph 59 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended, and as set out in Allegation 1 of the Notice of Hearing.
19. Dr. Natsis admits and acknowledges that by her convictions on May 29, 2015, for Impaired Operation of a Motor Vehicle Causing Death, contrary to s. 255(3) of the *Criminal Code of Canada*; Dangerous Operation of a Motor Vehicle Causing Death, contrary to s. 249(4) of the *Criminal Code of Canada*; and her conviction on October 13, 2015 for Breach of Recognizance, contrary to s. 145(3) of the *Criminal Code of Canada* she contravened a federal law relevant to the provision of dental care to the public, contrary to paragraph 50 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended, and as set out in Allegation 2 of the Notice of Hearing.

---

<sup>2</sup> Note that this originally stated 2020 but was amended on consent by the parties.

20. Dr. Natsis admits and acknowledges that her conduct showed a serious disregard for public safety, and is contrary to the public's fundamental expectations of regulated health professionals.
21. Dr. Natsis admits that the acts described above constitute professional misconduct and she accepts responsibility for her actions and the resulting consequences.
22. Dr. Natsis has taken independent legal advice with respect to her admissions.

## **DECISION**

The only evidence tendered at this phase of the hearing was Exhibit 3. The Panel agreed that the evidence proved the allegations in Exhibit 1 on a balance of probabilities. Therefore, the Panel agreed to find that the Member 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 and that she contravened a federal law relevant to the provision of dental care to the public.

## **REASONS FOR FINDING DECISION**

Dr. Natsis admitted to both of the allegations as set out in the Notice of Hearing (Exhibit 1). She did not dispute the allegations or the facts presented in the Agreed Statement of Facts (Exhibit 3).

The evidence demonstrated that in May 2015, the Member was found guilty of Impaired Operation of a Motor Vehicle Causing Death, contrary to section 255(3) of the Criminal Code of Canada and Dangerous Operation of a Motor Vehicle Causing Death, contrary to section 249 (4) of the Criminal Code of Canada. Further, in October 2015, she was found guilty to the offence of Breach of Recognizance, contrary to section 145(3) of the Criminal Code of Canada. The Panel agreed that these findings of guilt were "relevant to the provision of dental care to the public." Although the conduct that gave rise to the findings of guilt were not within a clinical setting, their significance was relevant to the provision of dental care to the public. Her conduct showed a serious disregard for public safety, and is contrary to the public's fundamental expectations of regulated health professionals.

The consequences of her conduct and the public awareness of her conduct created further nexus to the provision of dental care. Therefore, the Panel was able to make a finding on allegation #2.

The evidence demonstrated that the Member's conduct resulted in the death of Mr. Casey. The evidence also demonstrates that the Member breached the terms of her recognizance by purchasing alcohol – the impetus for the accident and death of Mr. Casey – eleven months later. This type of conduct would clearly and reasonably be found by members of the profession as disgraceful, dishonourable, unprofessional or unethical and therefore proves allegation #1.

The Panel was of the view that the evidence contained in the Agreed Statement of Facts clearly substantiates the allegations and demonstrated the Member's disregard for the health and safety of the public resulting in a tragic death.

### **PENALTY SUBMISSIONS**

The parties presented the Panel with a Joint Submission on Penalty (Exhibit 4), which provides as follows.

- (a) requiring the Member to appear before the panel of the Discipline Committee to be reprimanded within ninety (90) days of this Order becoming final or on a date fixed by the Registrar;
- (b) directing the Registrar to suspend the Member's certificate of registration for a period of six (6) months, to be served consecutively, such suspension to commence within thirty (30) days of this Order becoming final;
- (c) that the Registrar impose the following terms, conditions and limitations on the Member's certificate of registration (the "Suspension Conditions"), which conditions shall continue until the suspension of the Member's certificate of registration as referred to in subparagraph 1(b) above has been fully served, namely:
  - (i) while the Member's certificate of registration is under suspension, the Member shall not be present in her dental office when patients are present, save and except for unforeseen non-patient related emergencies. Where the Member is required to attend for a non-patient related emergency, the Member shall immediately advise the Registrar of that fact including details of the nature of the emergency. This provision shall not prevent Dr. Natsis from attending the spa or business office located in the same building, downstairs from the clinical area;
  - (ii) upon commencement of the suspension, the Member shall advise all of the Member's staff as well as any other dentist in the office that the Member engages in practice with, whether that Member is a principal in the practice or otherwise associated with the practice, of the fact that the Member's certificate of registration is under suspension;

- (iii) during the suspension, the Member shall not do anything that would suggest to patients that the Member is entitled to engage in the practice of dentistry and shall ensure that the Member's staff is instructed not to do anything that would suggest to patients that the Member is entitled to engage in the practice of dentistry during the suspension;
  - (iv) the Member shall permit and co-operate with any office monitoring which the Registrar feels is appropriate in order to ensure that the Member has complied with this Order, and in the connection, the Member shall provide access to any records associated with the practice in order that the College can verify that the Member has not engaged in the practice of dentistry during the suspension; and
  - (v) (the Suspension Conditions imposed by virtue of subparagraphs 1(c)(i)-(iv) above shall be removed at the end of the period the Member's certificate of registration is suspended.
- (d) directing that the Registrar also impose the following additional terms, conditions and limitations on the Member's Certificate of Registration (the "Practice Conditions"), namely:
- (i) the Member's practice shall be monitored by the College by means of office visit(s) by a representative or representatives of the College at such time or times as the College may determine with advance notice to the Member during the period commencing with the finalization of this Order and ending on April 18, 2023;
  - (ii) that the Member shall cooperate with the College during the office visit(s) and further, shall pay to the College in respect of the costs of monitoring, the amount of \$1,000.00 per office visit, such amount to be paid immediately after completion of each of the office visit(s);
  - (iii) that the representative or representatives of the College shall report the results of those office visit(s) to the Inquiries, Complaints and Reports Committee of the College and the Inquiries, Complaints and Reports Committee may, if deemed warranted, take such action as it considers appropriate; and
  - (iv) the Practice Condition imposed by virtue of subparagraph (1) (d)(iii) above shall be removed from the Member's certificate of registration on April 18, 2023 when the monitoring program shall expire.
- (e) that the Member pay costs to the College in the amount of \$7,500.00 in respect of this discipline hearing, such costs to be paid in full within three (3) months of this Order becoming final.

  
 The Member has signed an undertaking whereby she has undertaken to follow a rigorous monitoring and treatment program to ensure her safe return to practice, based on the recommendations of an independent expert (**Appendix**

“A”) (the “Undertaking”). Should the Registrar and/or a panel of the Inquiries, Complaints and Reports Committee receive information that the Member has failed to comply with any of the terms of the Undertaking, including but not limited to any relapse or non-compliance with treatment and monitoring, the College will provide the Member with notice at an email address which she will provide that it has become aware of concerns, and provide her the opportunity to make submissions following a process set out in the Undertaking. In the event the Registrar or a panel of the Inquiries, Complaints and Reports Committee determines that the Member cannot safely continue the practice of dentistry, she will be notified forthwith, and immediately voluntarily withdraw from practice. The Registrar may immediately note on the Register that she has ceased practicing. The Member’s voluntary withdrawal from practice shall remain in effect until such time as the Registrar or a panel of the Inquiries, Complaints and Reports Committee is satisfied that the Member can safely return to the practice of dentistry.

The College and the Member further submit that pursuant to the Code, as amended, the results of these proceedings must be recorded on the Register of the College and any publication of the Decision of the panel would therefore occur with the name and address of the Member included.

The Undertaking referred to in Exhibit 4 set out the following:

1. I shall remain alcohol and drug-free except for those drugs that may be prescribed by my treating physician and/or addiction specialist and, in that circumstance, I shall take only such prescribed drugs in the dosages and at the times prescribed by those physicians.
2. I shall not self-prescribe any drugs or medications and shall not obtain or accept prescriptions or prescription medications from friends or family members.
3. From the date I return to the practice of dentistry following the suspension of my certificate of registration by order of the Discipline Committee (the “Suspension”), until April 18, 2023, I shall not engage in the practice of dentistry without a workplace monitor, or workplace monitors, who is a regulated health practitioner approved by the College (“Workplace Monitor”) being present in the dental office. The Workplace Monitor will report to the College in writing as to my progress and compliance with the terms herein no less than every (2) months.
4. In the event my Workplace Monitor becomes aware of a relapse on my part, or has any concerns with respect to clinical instability, the Workplace Monitor shall advise the Registrar of the College in writing within 24 hours of becoming aware. The College will provide me with notice at an email address which I will provide that it has become aware of concerns with my clinical instability. I will make any written submissions in response to the

notice within five business days of the date of the notice. The Registrar or a panel of the Inquiries, Complaints and Reports Committee will review the information received and my submissions, and consider whether I can safely continue the practice of dentistry. The Registrar or a panel of the Inquiries Complaints and Reports Committee may require additional information from me, my Workplace Monitor, and/or Addiction Specialist in order to consider whether I can safely continue the practice of dentistry. If the Registrar or a panel of the Inquiries Complaints and Reports Committee seeks and obtains such information, it will provide me with any additional information received. I will have the opportunity to make any further written submissions to that information within five business days of the information being provided. In the event the Registrar or a panel of the Inquiries, Complaints and Reports Committee determines that I cannot safely continue the practice of dentistry, I will be notified forthwith, and immediately voluntarily withdraw from practice. In these circumstances, the Registrar may immediately note on the Register that I have ceased practicing. My voluntary withdrawal from practice shall remain in effect until such time as the Registrar or a panel of the Inquiries, Complaints and Reports Committee receives written approval from a physician that I can practice safely and under what conditions, if any.

5. In the event that my Workplace Monitor shall not be able to continue to act in this capacity, I shall immediately advise the Registrar of the College and retain another Workplace Monitor acceptable to the Registrar. In this connection, I authorize the College to provide all relevant information necessary to the replacement Workplace Monitor. I understand and agree that I cannot engage in the practice of dentistry without a Workplace Monitor approved by the College in place and if I do not have a Workplace Monitor in place the College shall forthwith deem this Undertaking to be a consent on my part to immediately cease practicing and to have this noted on the College's Register, and thus available to the public, until such time as I retain a replacement Workplace Monitor, approved by the College.
6. Until April 18, 2023, I shall obtain and continue to obtain treatment and urine testing by Dr. [REDACTED], or other addiction specialist approved by the Registrar of the College ("Addiction Specialist"), at a frequency to be determined by my Addiction Specialist. I shall ensure that the College receives written reports from my Addiction Specialist, at my expense, at least every three (3) months, confirming my attendance at these visits, my compliance with any and all treatment recommendations, and providing copies of the laboratory reports containing the results of all urine, blood, hair analysis tests performed within the three (3) month reporting period. The drug testing shall be random, at such frequency as the Addiction Specialist deems appropriate and shall include testing for ethyl glucuronide.
7. In the event my Addiction Specialist determines that I have relapsed and/or that I am not complying with recommended treatment and/or urine testing, or in the event of a positive urine test, the Addiction Specialist shall advise the Registrar of the College in writing within 24 hours. The College will provide

me with notice at an email address which I will provide that it has become aware of concerns from my Addiction Specialist. I will make any written submissions in response to the notice within five business days of the date of the notice. The Registrar or a panel of the Inquiries, Complaints and Reports Committee will review the information received and my submissions, consider whether I can safely continue the practice of dentistry. The Registrar or a panel of the Inquiries Complaints and Reports Committee may require additional information from me, my Workplace Monitor, and/or Addiction Specialist in order to consider whether I can safely continue the practice of dentistry. If the Registrar or a panel of the Inquiries Complaints and Reports Committee seeks and obtains such information, it will provide me with any additional information received. I will have the opportunity to make any further written submissions to that information within five business days of the information being provided. In the event the Registrar or a panel of the Inquiries, Complaints and Reports Committee determines that I cannot safely continue the practice of dentistry, I will be notified forthwith, and immediately voluntarily withdraw from practice. In these circumstances, the Registrar may immediately note on the Register that I have ceased practicing. My voluntary withdrawal from practice shall remain in effect until such time as the Registrar or a panel of the Inquiries, Complaints and Reports Committee receives written approval from a physician that I can practice safely and under what conditions, if any.

8. I shall pay any costs associated with the urine tests, including any reports to the College by my Addiction Specialist.
9. I agree, in the event Dr. [REDACTED] shall not be able to treat or continue to treat and/or monitor me, to immediately advise the Registrar of the College in writing and to obtain a replacement Addiction Specialist acceptable to the Registrar. In this connection, I authorize the College to provide all relevant information necessary to the replacement Addiction Specialist. I understand and agree that I cannot engage in the practice of dentistry without an Addiction Specialist approved by the College in place to provide treatment, to administer urine tests and to report to the College. If I do not have an approved Addiction Specialist in place, the College shall forthwith deem this Undertaking to be a consent on my part to immediately cease practicing dentistry and to have this noted on the Register and thus available to the public, until such time as I obtain a replacement Addiction Specialist approved by the College.
10. I shall cooperate with my Addiction Specialist and with my Workplace Monitor(s) and I agree to abide by any recommendations they have respecting my practice, continued treatment, counselling, support and recovery, drug screening, work conditions and environment.
11. I hereby authorize the College to provide a copy of this Undertaking to my Addiction Specialist and/or any replacement Addiction Specialist and to my Workplace Monitor(s) and/or any replacement Workplace Monitor(s). I further authorize the College to communicate directly from time to time with

my Addiction Specialist and my Workplace Monitor(s) and/or any replacement Addiction Specialist or Workplace Monitor(s), with respect to my compliance with the terms of this Undertaking and this is my irrevocable authority to do so.

12. I shall attend and participate in [REDACTED] that meet weekly or at such other frequency as my Addiction Specialist recommends.
13. I shall attend at [REDACTED] at least once per week or at such other frequency as my Addiction Specialist recommends. [REDACTED]  
[REDACTED]
14. I agree that, should the Registrar and/or a panel of the Inquiries, Complaints and Reports Committee receive information that I have failed to comply with any of the voluntary terms, conditions and limitations referred to in clauses 1 through 13 above, including but not limited to any relapse or non-compliance with treatment, monitoring, and/or urine testing, the College will provide me with notice of this information at an email address which I will provide. I will make any written submissions in response to the notice within five business days of the date of the notice. The Registrar or a panel of the Inquiries, Complaints and Reports Committee will review the information received and my submissions, consider whether I can safely continue the practice of dentistry. The Registrar or a panel of the Inquiries Complaints and Reports Committee may require additional information from me, my Workplace Monitor, and/or Addiction Specialist in order to consider whether I can safely continue the practice of dentistry. If the Registrar or a panel of the Inquiries Complaints and Reports Committee seeks and obtains such information, it will provide me with any additional information received. I will have the opportunity to make any further written submissions to that information within five business days of the information being provided. In the event the Registrar or a panel of the Inquiries, Complaints and Reports Committee determines that I cannot safely continue the practice of dentistry, I will be notified forthwith, and immediately voluntarily withdraw from practice. In these circumstances, the Registrar may immediately note on the Register that I have ceased practicing. My voluntary withdrawal from practice shall remain in effect until such time as the Registrar or a panel of the Inquiries, Complaints and Reports Committee receives written approval from a physician that I can practice safely and under what conditions, if any.

The parties also provided an Affidavit of the Member, sworn November 20, 2020 (Exhibit 5) which set out her personal, professional and medical history. The publication and broadcasting ban sought by the Member related to certain passages of certain documents contained in Exhibit 5.

Finally, in addition to Exhibit 4 and Exhibit 5, the College asked if statements from Ms. LeeEllen Carroll and William Gus Casey could be provided. Ms. Carroll is the widow and Mr. Casey is the father of Brian Casey - the man who was killed by the Member. The Member advised the Panel that she consented to the family members making said statements. The Panel allowed the family members to provide their statements. The Panel was riveted by the content of the statements and the poise Ms. Carroll and Mr. Casey demonstrated. The Panel would like to thank Ms. Carroll and Mr. Casey for their courage in making their statements.

### **PENALTY DECISION**

In light of the evidence tendered and the agreement reflected in Exhibit 4, the Panel agreed and accepted the Joint Submission on Penalty and ordered that:

1. The Member is required to appear before the panel of the Discipline Committee to be reprimanded within ninety (90) days of this Order becoming final or on a date fixed by the Registrar;
2. The Registrar is directed to suspend the Member's certificate of registration for a period of six (6) months, to be served consecutively, such suspension to commence within thirty (30) days of this Order becoming final;
3. The Registrar shall impose the following terms, conditions and limitations on the Member's certificate of registration (the "Suspension Conditions"), which conditions shall continue until the suspension of the Member's certificate of registration as referred to in subparagraph 1(b) above has been fully served, namely:
  - (i) while the Member's certificate of registration is under suspension, the Member shall not be present in her dental office when patients are present, save and except for unforeseen non-patient related emergencies. Where the Member is required to attend for a non-patient related emergency, the Member shall immediately advise the Registrar of that fact including details of the nature of the emergency. This provision shall not prevent Dr. Natsis from attending the spa or business office located in the same building, downstairs from the clinical area;
  - (ii) upon commencement of the suspension, the Member shall advise all of the Member's staff as well as any other dentist in the office that the Member engages in practice with, whether that Member is a principal in the practice or otherwise associated with the practice, of the fact that the Member's certificate of registration is under suspension;
  - (iii) during the suspension, the Member shall not do anything that would suggest to patients that the Member is entitled to engage in the practice of dentistry and shall ensure that the Member's staff is instructed not to do anything that would suggest to patients that the

- Member is entitled to engage in the practice of dentistry during the suspension;
- (iv) the Member shall permit and co-operate with any office monitoring which the Registrar feels is appropriate in order to ensure that the Member has complied with this Order, and in the connection, the Member shall provide access to any records associated with the practice in order that the College can verify that the Member has not engaged in the practice of dentistry during the suspension; and
  - (v) the Suspension Conditions imposed by virtue of subparagraphs 1(c)(i)-(iv) above shall be removed at the end of the period the Member's certificate of registration is suspended.
4. The Registrar shall impose the following terms, conditions and limitations on the Member's certificate of registration (the "Practice Conditions"), namely:
- (i) the Member's practice shall be monitored by the College by means of office visit(s) by a representative or representatives of the College at such time or times as the College may determine with advance notice to the Member during the period commencing with the finalization of this Order and ending on April 18, 2023;
  - (ii) that the Member shall cooperate with the College during the office visit(s) and further, shall pay to the College in respect of the costs of monitoring, the amount of \$1,000.00 per office visit, such amount to be paid immediately after completion of each of the office visit(s);
  - (iii) that the representative or representatives of the College shall report the results of those office visit(s) to the Inquiries, Complaints and Reports Committee of the College and the Inquiries, Complaints and Reports Committee may, if deemed warranted, take such action as it considers appropriate; and
  - (iv) the Practice Condition imposed by virtue of subparagraph (1) (d)(iii) above shall be removed from the Member's certificate of registration on April 18, 2023 when the monitoring program shall expire.
5. The Member shall pay costs to the College in the amount of \$7,500.00 in respect of this discipline hearing, such costs to be paid in full within three (3) months of this Order becoming final.

## **REASONS FOR PENALTY DECISION**

The Panel heard submissions from Counsel for the College and Counsel for the Member in support of the Joint Submission on Penalty. In light of the singular circumstances of this case, counsel was unable to provide much in the way of analogous case law.

The Panel agrees that the conduct leading to the death of Mr. Casey, and the consequences Mr. Casey's family faced (as noted in their statements to the Panel) are significant aggravating factors.

However, the Panel also reviewed the mitigating factors. The Panel noted that the Member admitted to the allegations and the order. The Panel also noted that the Member expressly sets forth her remorse for her conduct and her efforts to give back to the community since the horrible events of 2011. The Panel read the Member's reference letters which illustrate a professional who is well respected in her community, generous and provided a number of humanitarian deeds.

The Panel was satisfied that the proposed penalty was appropriate in all circumstances. The Panel concluded that the penalty was fair and achieved the objectives of protecting the public while maintaining public confidence in the profession.

The Panel believes that all components of the order serve as a specific deterrent for the Member. The reprimand, suspension and notable terms, conditions and limitations will communicate to the Member the seriousness of the findings and the message that this type of conduct cannot occur again. Compliance with these components of the order will be difficult and will incur significant costs and loss of income. However, they are required in order to communicate the importance of specific deterrence.

The order also serves as a general deterrent for the profession and reminds the profession of the consequences should they breach federal laws and engage in conduct that would be considered disgraceful, dishonourable, unprofessional and unethical. As noted above, the order is both broad and deep. Compliance will require ongoing effort and involvement with the College.

The remedial components (as set out in the terms, conditions and limitations and the Undertaking) are evident with the thorough parameters put in place. These components permit the Member to learn from this situation but also provides a firm structure to ensure the Member is practising safely and providing effective dental care to her patients. For example, when the Member returns to practice, she must comply with the following:

- The Member must follow rigorous monitoring and treatment program for her alcohol use [REDACTED] until April 18, 2023. The results will be reviewed by the Registrar. The Member must obtain treatment and be monitored by a College approved Addiction Specialist. [REDACTED]
- The Member agrees to only treat patients when a College approved regulated health practitioner is present until April 18, 2023.
- The Member's practice shall be monitored by a College representative until April 18, 2023.

And they, along with the significant suspension, will provide the necessary confidence to the public that this is a proportionate and appropriate order in light of the findings of professional misconduct. The Panel therefore accepted the Joint Submission and ordered its terms be implemented.

The Panel is mindful that costs are not part of the penalty order but address a separate goal – namely cost recovery. The Member has agreed to reimburse some of the costs that the College incurred in the investigation, prosecution and hearing of this matter.

The Panel was prepared to issue the reprimand immediately following the hearing. However, a waiver was not provided so the Panel will issue the reprimand within 90 days of its order.

I, Dr. Richard Hunter, sign these Reasons for Decision as Chairperson of this Discipline Panel.

A handwritten signature in black ink, appearing to read "R Hunter", is written above a horizontal line.

December 9, 2020

Date

**RCDSO v DR. NATSIS**

Dr. Natsis on November 26, 2020 the Discipline panel ordered you to appear before us in order to receive a reprimand. The reprimand is but one component of the sanction that has been imposed upon you. The reprimand should impress upon you the seriousness of your misconduct.

The fact that you are receiving this reprimand will be part of the public portion of the Register and, as such, part of your record with the College.

You will be given an opportunity to make a statement at the end of the reprimand if you wish.

As you recall, this panel found that you engaged in two acts of professional misconduct, particularly paragraphs 50 and 59 of section 2 of Ontario Regulation 853. The misconduct relates to your decision on March 31, 2011 to operate a motor vehicle while under the influence of alcohol. This resulted in the death of Bryan Casey. Later in November 2011 you purchased alcohol despite being subject to a recognizance that prohibited such conduct. You were subsequently found guilty of the charges as set out in the Agreed Statement of Facts which was marked as Exhibit #3 during the hearing on November 26, 2020.

As a result of the evidence tendered, it was clear that you contravened a federal law that was relevant to the provision of dental care to the public. Further, the cumulative effect of your conduct would reasonably be regarded by members as disgraceful, dishonourable, unprofessional and unethical.

Your professional misconduct is a matter of profound concern. The conduct that gave rise to the criminal charges is completely unacceptable to your fellow dentists and to the public. You have brought discredit to the entire profession and to yourself. Public confidence in this profession has been put in jeopardy as a result of your conduct.

Of special concern to us is that your conduct resulted in the death of a member of the public. You have devastated Mr. Casey's family. It was also clear that your conduct has also taken its toll on your own family.

Nothing can undo the horrific events that occurred the night of March 31st, 2011. However, the panel hopes that you continue your path of recovery and incorporate the brutal lessons that have been learned so that you never drive under the influence again.

It is well established that alcoholism is a life long disease and must be held in check each and every day. Although not mandated the Panel trusts you will continue therapy to treat the root causes of your disorder as detailed by Dr. [REDACTED] and Dr. [REDACTED].

Public protection is the mandate of the College. We realize that you have a difficult journey ahead but given that you have come this far in rehabilitating yourself we trust that you will continue on the road to recovery and professionally serve the people of Ontario.

As I advised earlier, you will now be given an opportunity to make a comment if you wish to do so. This is not an opportunity for you to debate the merits or the correctness of the decisions we have made.

Do you have any questions or do you wish to make any comments?

*(Hear the Member's comments at this point)*

Thank you for attending today. We are adjourned.