
Discipline Summary

Dr. Claudette Prager
131 Bloor St W #411
Toronto, Ontario

Hearing Date: November 23, 2018

Allegations of professional misconduct

- Charged an excessive or unreasonable fee
- Failed to comply with an order of the Discipline Committee
- Failed to reply appropriately or within a reasonable time to a written enquiry made by the College
- Disgraceful, dishonourable, unprofessional or unethical conduct

Synopsis

A patient complained that Dr. Prager failed to refund a \$1,600 deposit paid for the placement of a crown that was never performed.

Dr. Prager failed to respond to the College's repeated requests to obtain the patient's original record. The patient record was only produced five months after the initial request. In doing so, Dr. Prager breached an order of the Discipline Committee dated April 20, 2015, which stated that she comply with the College's Practice Advisory on Release and Transfer of Patient Records, including responding promptly to all patient record requests from the College.

Decision

1. Finding

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

2. Penalty

- Reprimand

- Continue with psychiatric treatment and comply with all treatment and recommendations; psychiatrist to provide reports to the College
- Continue with mentoring program; mentor to provide reports to the College
- Dr. Prager must:
 - adhere to the College's Dental Recordkeeping Guidelines;
 - adhere to the College's Practice Advisory on the Release and Transfer of Patient Records;
 - complete all dental records contemporaneously with treatment provided;
 - keep all dental records in the office and not at home;
 - respond promptly and thoroughly to inquiries and requests from the College.
- Practice to be monitored for 12 months
- Immediate suspension of certificate of registration if member fails to comply with any aspect of this penalty

3. Costs

- Member to pay costs to the College in the amount of \$12,500
- Member to pay monitoring costs

Panel's reasoning

- The member pled guilty to the allegations, except for the particular alleging that she was ungovernable.
- The penalty was a joint submission reached as a result of a pre-hearing conference.
- Joint submissions should be respected unless they fall so far outside the range of an appropriate sanction that they would bring the administration of justice at the College into disrepute. The panel felt that the joint submission was appropriate and tailored to the unique circumstances of the case.

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- All of the prior discipline decisions against Dr. Prager had similar themes of record keeping issues and a failure to respond to the College in a timely manner. It was highly significant that there were never any issues of patient care.
 - The joint submission demonstrates compassion for Dr. Prager and her mental health struggles while assuring the public that her mental health issues will continue to be addressed. The joint submission ensures that the public is protected by providing detailed terms. If Dr. Prager fails to comply with these terms, she will be suspended immediately. All of the conditions will continue in effect for five years.
 - Dr. Prager has committed to therapy, which is ongoing and will continue in accordance with the terms set out in the Discipline panel's order.
 - Dr. Prager has a mentor and a practice monitor who have provided favourable reports to the College.
 - The innovative penalty in this case demonstrates to the profession that the College is willing to accommodate members should the circumstances be warranted.