
Discipline Summary

Dr. Fadi Swaida
3660 Hurontario St #201
Mississauga, Ontario

Hearing Date: May 31, 2018

Allegations of professional misconduct

- Contravened a standard of practice or failed to maintain the standards of practice of the profession
- Recommended and provided unnecessary dental services
- Charged excessive or unreasonable fees
- Failed to keep records as required

Synopsis

With respect to one patient, Dr. Swaida failed to maintain the standards of practice of the profession when he:

- improperly diagnosed the need for restorative treatment;
- improperly performed and/or directed his dental hygienist to perform restorative treatment;
- provided unnecessary dental treatment;
- did not use the best radiographic technique for diagnosis interproximal caries; and
- prescribed an antibiotic without performing adequate diagnostic tests to determine the presence of an infection.

Dr. Swaida also committed professional misconduct by recommending and providing unnecessary dental services to this patient in that he diagnosed the need for restorative treatment where the radiographic imaging did not show caries that required restorative treatment. Additionally, he failed to keep records as required when he failed to chart which specific teeth he had restored and the rationale for the restorative treatments.

Decision

1. Finding

The member pleaded guilty and was found guilty with respect to contravening or failing to maintain the standards of practice of the profession, recommending and providing unnecessary treatment, and failing to keep records. The allegation regarding excessive or unreasonable fees was withdrawn.

2. Penalty

- Reprimand
- Suspension of certificate of registration for a period of one month (July 21, 2018 – August 20, 2018)
- Comprehensive hands-on course regarding the diagnosis and management of dental pain, including the appropriate use of antibiotics
- Practice to be monitored in the areas of oral diagnosis and recordkeeping for 24 months following completion of suspension and courses

3. Costs

- Member to pay costs to the College in the amount \$3,000
- Member to pay for courses and monitoring

Panel's reasoning

- The penalty was a joint submission reached following a pre-hearing conference.
- The joint submission was within the appropriate range of penalties as demonstrated by the cases.
- The penalty adequately protects the public, and satisfies the rationales of rehabilitation and general and specific deterrence.
- In reaching this decision, the panel was mindful of the seriousness of the misconduct and was concerned that the member's problems with diagnosis and restorative treatment might have run deeper than this one case, though the panel did not have any evidence and made no findings about any other instances of similar problems.
- The panel accepted that there were mitigating factors in this case, including Dr. Swaida's cooperation with the College, the fact that he voluntarily took a restorative dentistry course prior to the matter coming to a hearing and that he has no prior history before the Discipline Committee.