
Discipline Summary

Dr. Shainoor Kanji
700 Queenston Rd #7
Hamilton, Ontario

Hearing Date: October 4, 2018

Allegation of professional misconduct

Notice of Hearing #1

- Signed a certificate, report or similar document that contained a false, misleading or improper statement
- Submitted a false or misleading account or charge
- Disgraceful, dishonourable, unprofessional or unethical conduct

Notice of Hearing #2

- Failed to keep records as required
- Falsified a record
- Signed a certificate, report or similar document that contained a false, misleading or improper statement
- Submitted a false or misleading account or charge
- Disgraceful, dishonourable, unprofessional or unethical conduct

Brief synopsis of facts

Notice of Hearing #1

A patient complained that the member billed her insurance company for dental services that the member did not provide, and did not provide x-rays and records to the insurance company when requested. The member's personal familiarity with the patient affected her professional judgment with respect to her billing practices. She submitted claims for services not rendered in an attempt to obtain insurance monies for services that were not covered. The member admitted to the professional misconduct.

Notice of Hearing #2

A Registrar's investigation was commenced after an investigator at an insurance company reported that the member intentionally submitted claims for services which had not been rendered. She intentionally issued inaccurate claims as "favours" in an attempt to obtain insurance coverage for some patients that she had personal familiarity with. The member admitted to committing

professional misconduct by:

- Failing to keep records as required by the Regulations in relation to 25 patients;
- Falsifying a record in relation to one patient;
- Signed or issued a certificate, report or similar document that she knew or ought to have known contained a false, misleading or improper statement in relation to 14 patients;
- Submitting a false or misleading account or charge in relation to 13 patients; and
- Engaged in conduct that was disgraceful, dishonourable, unprofessional or unethical in relation to 4 patients.

Decision

1. Finding

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

2. Penalty

- Reprimand
- Suspension of certificate of registration for a period of 4 months (November 3, 2018 – March 2, 2019)
- Course in financial recordkeeping/billing
- Course in professional/problem-based ethics
- Course in recordkeeping
- Practice to be monitored for 24 months following completion of courses

3. Costs

- Member to pay costs to the College in the amount of \$3,500
- Member to pay monitoring costs

Panel's reasoning

- The member pled guilty to the allegations.
- The penalty was a joint submission reached as a result of a pre-hearing conference.

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- 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 in all of the circumstances of the case.
 - Specific and general deterrence are accomplished by the suspension and reprimand and by the publication on the public register.
 - The terms, conditions and limitations imposed on the member will serve to protect the public as well as remediate the member. The courses she is required to take, including ethics, will help her gain insight and improve her practice in the future.
 - Public protection will also be met by the monitoring component.
 - The member cooperated with the College and admitted the misconduct which avoided a more lengthy and costly hearing.