

**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. ALLAN ETCOVITCH** of the City of Alexandria, 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”).

Members in Attendance:      Dr. Richard Hunter  
   Dr. Elaine Fishbein  
   Mr. Rod Stableforth

**BETWEEN:**

<b>ROYAL COLLEGE OF DENTAL SURGEONS OF ONTARIO</b>	)	Appearances:
	)	
	)	Ms. Luisa Ritacca
	)	Independent Counsel for the
	)	Discipline Committee of the Royal
	)	College of Dental Surgeons of Ontario
- and -	)	
	)	Ms. Megan Shortreed
	)	For the Royal College of Dental
	)	Surgeons of Ontario
	)	
<b>DR. ALLAN ETCOVITCH</b>	)	Self- represented
	)	

Hearing held by way of teleconference

## **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 May 4. This matter was heard electronically.

At the outset of the hearing, the College sought an order banning the publication of the names of patients or any information that could be used to identify the patients. The Member consented to the request. The Panel granted the order, which extends to the exhibits filed, as well as to these reasons for decision.

### **THE ALLEGATIONS**

The allegations against the Member were contained in the Notices of Hearing, dated November 26, 2018 (Exhibit 1 and Exhibit 2).

#### **H180012**

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, during the year 2016, you abused a patient, namely Patient A, contrary to paragraph 8 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

#### Particulars:

- On or about September 21, 2016, you asked Patient A to remove her shirt and/or had Patient A remove her shirt, which was not necessary in the context of the treatment you were providing.
  - On or about September 21, 2016, you touched Patient A’s breast(s), which was not necessary in the context of the treatment you were providing.
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, during the year 2016, you treated a patient for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent relative to one of your patients, namely Patient A, contrary to paragraph 7 of

Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

Particulars:

- You did not provide adequate information to Patient A about TENS treatment to enable her to provide informed consent before providing this treatment to her on or about September 21, 2016. You did not discuss the risks and side effects; alternatives to the proposed treatment, including the likely result if no treatment is done; and/or the fees to be charged.
  - You did not explain to Patient A that TENS treatment would not address her chief complaint on or about September 21, 2016.
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, during the year 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 relative to one of your patients, namely Patient A, contrary to paragraph 59 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

Particulars:

- On or about September 21, 2016, you asked Patient A to remove her shirt and/or had Patient A remove her shirt, which was not necessary in the context of the treatment you were providing.
- On or about September 21, 2016, you touched Patient A's breast(s), which was not necessary in the context of the treatment you were providing.

### **H180013**

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 you abused the following patient(s) during the year or one or more of the years specified opposite that patient's name, contrary to paragraph 8 of Section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

Patients	Year(s)
Patient A	2016
Patient B	2016
<del>Patient C</del>	<del>2013</del> – <i>Particular Withdrawn</i>
Patient D	2016

Particulars:

- You asked the following patients to and/or had the following patients remove their shirts, which was not necessary in the context of the treatment you were providing:
    - o Patient A, for whom you provided TENS treatment on or about September 21, 2016
    - o Patient B, for whom you provided TENS treatment on or about September 15, 2016
    - o ~~Patient C, for whom you provided TENS and/or ultrasound treatment on or about February 14, 2013; February 21, 2013; March 12, 2013; and/or March 21, 2013 – Particular Withdrawn~~
    - o Patient D, for whom you provided TENS treatment on or about March 9, 2016
  - You touched the breasts of the following patients, which was not necessary in the context of the treatment you were providing:
    - o Patient A, for whom you provided TENS treatment on or about September 21, 2016
    - o Patient B, for whom you provided TENS treatment on or about September 15, 2016
    - o ~~Patient C, for whom you provided TENS and/or ultrasound treatment on or about February 14, 2013; February 21, 2013; March 12, 2013; and/or March 21, 2013 – Particular Withdrawn~~
    - o Patient D, for whom you provided TENS treatment on or about March 9, 2016
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 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 following patient(s) during the year 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.

Patients	Year(s)
Patient A	2016
Patient B	2016
Patient C	2013
Patient D	2016
Patient E	2016

Particulars:

- You asked the following patients to and/or had the following patients remove their shirts, which was not necessary in the context of the treatment you were providing:
  - o Patient A, for whom you provided TENS treatment on or about September 21, 2016
  - o Patient B, for whom you provided TENS treatment on or about September 15, 2016
  - o Patient C, for whom you provided TENS and/or ultrasound treatment on or about February 14, 2013; February 21, 2013; March 12, 2013; and/or March 21, 2013
  - o Patient D, for whom you provided TENS treatment on or about March 9, 2016
  - o Patient E, for whom you provided TENS treatment on or about October 5, 2016
- You touched the breasts of the following patients, which was not necessary in the context of the treatment you were providing:
  - o Patient A, for whom you provided TENS treatment on or about September 21, 2016
  - o Patient B, for whom you provided TENS treatment on or about September 15, 2016
  - o ~~Patient C, for whom you provided TENS and/or ultrasound treatment on or about February 14, 2013; February 21, 2013;~~

~~March 12, 2013; and/or March 21, 2013~~ – *Particular Withdrawn*

- o Patient D, for whom you provided TENS treatment on or about March 9, 2016

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

The Member admitted the allegations of professional misconduct as set out in the Notices of Hearing, marked as Exhibit 1 and Exhibit 2, save for those particulars that the College sought to withdraw.

The Panel confirmed with the Member that he understood that he had entered and as such was satisfied that Member's admissions were voluntary, informed and unequivocal.

The Panel agreed to the withdrawal of the particulars as set out above. This was done at the request of the College and with the Member's consent.

### **THE EVIDENCE**

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

#### **Allegations of Professional Misconduct**

1. Dr. Allan Etcovitch (or the "Member") first registered with the College as a general dentist in 1977, for a brief period between June and December. He then renewed his certificate with the College in 2001. His certificate of registration has not been active since January 2, 2019, when he resigned.
2. The Member's Ontario practice was in Alexandria, where he practiced one day a week. He also practiced in Quebec, including at the Montreal General Hospital.

#### **The Notices of Hearing**

3. The allegations of professional misconduct against the Member are set out in two Notices of Hearing, as follows:
  - a. H180012: Notice of Hearing dated November 26, 2018 (attached at Tab A); and

- b. H180013: Notice of Hearing dated November 26, 2018 (attached at Tab B).
4. The College and the Member have agreed to resolve the allegations on the basis of the facts and admissions set out below.

#### Withdrawals and Pleas

5. The College is not proceeding with respect to Allegation 1 of H180013, in respect only of the particular respecting Patient C in 2013.
6. Accordingly, with leave of the Discipline Committee, the College withdraws this Allegation in respect of Patient C in 2013.
7. Additionally, the College is not proceeding with respect to the following particulars under Allegation 2 of H180013: Member touched the breasts of Patient C, for whom he provided TENS and/or ultrasound treatment on or about February 13, 2013, February 21, 2013, March 12, 2013, and/or March 21, 2013, which was not necessary in the context of the treatment he was providing.
8. The Member pleads guilty to the remaining particulars of professional misconduct, as detailed below.

#### Facts and Admissions

9. The facts giving rise to the allegations in H180012 came to the attention of the College through a complaint made through the College's website on September 28, 2016, by Patient A, a patient of the Member's. In summary, Patient A stated in her complaint and subsequent communications with the College that the Member sexually assaulted her when she attended at his office on September 21, 2016.
10. The facts giving rise to the allegations in H180013 arose from an investigation that was initiated by the College's Registrar when he received information from the ODQ (Ordre des dentistes du Quebec) on October 3, 2016, advising that the ODQ was investigating a complaint that the Member "took advantage of his professional relationship to make improper gestures of a sexual nature".
11. On October 6, 2016, the ICRC approved the Registrar's appointment of an investigator under section 75(1)(a) of the RHPA with respect to whether the Member committed an act or acts of professional misconduct in respect of boundary related issues and sexual impropriety.

12. In respect of Patient A's complaint, she attended an emergency appointment with the Member on September 21, 2016 related to concerns she had from a previous dentist's root canal, including experiencing soreness in her mouth, ear ache, and swelling in her face. During the appointment, the Member told Patient A that she needed TENS treatment in relation to the pain she was feeling. The Member did not discuss with Patient A the risks and side effects of TENS, alternatives to TENS, the likely result if no treatment was done, and/or the fees to be charged for the TENS treatment. The Member also did not tell Patient A that TENS treatment would not address her complaint of pain related to the root canal. The Member's chart for Patient A contained no notes of having obtained informed consent for the procedure, and the Member admits that he did not do so.
13. The Member asked Patient A to take her shirt off for the TENS treatment. Patient A did not comply, and only took her arm out of her sleeve and exposed her right shoulder and right arm. The Member reached under Patient A's shirt for the stated purpose of checking to see if she had underwire in her bra. In the course of doing so, the Member touched Patient A's breast.
14. On November 2, 2016, the College investigator attended the Member's practice in Alexandria. She conducted interviews and obtained patient files for Patient A, as well as other cases that could be identified where the Member had provided TENS treatment.
15. In February 2018, the College investigator conducted telephone interviews with some of the patients who had received TENS treatment. The following is a summary in relation to four of these patients who received TENS treatment from the Member.
16. The Member provided Patient B with TENS treatment on or about September 15, 2016. He asked Patient B to take her shirt off for the treatment. During the course of the treatment, the Member lifted Patient B's breast for the stated reason of checking to see if she had underwire in her bra.
17. The Member provided Patient E with TENS treatment on or about October 5, 2016. He asked Patient E to take her shirt off for the treatment. Patient E took only her arm out of her shirt, but the Member told her that was not enough and that she had to take her shirt off more.
18. The Member provided Patient C with TENS and/or ultrasound treatment on or about February 13, 2013, February 21, 2013, March



- 12, 2013, and/or March 21, 2013. He asked Patient C to take her shirt off for the treatment.
19. The Member provided Patient D with TENS treatment on or about March 9, 2016. He asked her to take her shirt off for the treatment. The Member placed the TENS electrodes on different muscles between Patient D's jaw and underarm, including under her armpit on the side of her breast. During the course of the treatment, the Member touched Patient D's breast. On subsequent appointments, he touched her breast again, including one appointment when he removed her breast from her bra.
  20. The College investigator obtained an expert opinion from Dr. Michael Goldberg (who sought assistance from Dr. Erdum Hunter, a physiotherapist) in relation to TENS treatment. In summary, Dr. Goldberg's opinion stated that TENS and/or ultrasound may be appropriate treatment for TMJ/TMD, but that at the time of these events, it was required by the standard to be directed by a qualified physiotherapist. Regarding placement of the TENS electrodes, these would be placed around the face and jaw for this treatment, and it would not be uncommon to also stimulate around the neck. However, TENS electrodes should not be placed on the chest, near the breasts or under the arm for management of TMJ/TMD. The same placement would apply to ultrasound. Regarding the issue of metal in a bra, and whether this was problematic, the opinion stated that it would only be a problem if the electrode was placed directly on the metal (i.e., on the breast), which would not be the correct placement for treatment of TMJ/TMD, as noted above. Dr. Goldberg would testify that it is never appropriate for a general dentist to ask a female patient to remove all or part of her shirt, or for the dentist to touch a female patient's breasts at any time.
  21. The College Guideline with respect to Diagnosis and Management of Temporomandibular Disorders in place at the time of the conduct stated, in respect of the clinical examination, "It is generally inappropriate for the general dentist's physical examination to extend beyond the head and neck region" (July 2009 Guideline, attached at Tab C).
  22. If the Member were to testify, he would state that he asked the patients about their underwire bra because he has had patients experience electrical stimulation through an underwire. With respect to the College Guideline, the Member would state that the Guideline was updated in 2018 (after the events set out above) to state, "It is inappropriate for the dentist's physical examination to extend beyond

the head, neck and shoulder region” (November 2018 Guideline, attached at Tab D). The Member would explain that his practice of placing TENS electrodes on the shoulders was consistent with the updated Guideline. However, the Member admits that he was expected to practice in accordance with the Guideline in place at the particular time and that it was never appropriate to ask a female patient to remove all or part of her shirt, or for the dentist to touch a female patient’s breasts at any time.

A. H180012: Allegation 1 and H180013: Allegation 1 – Abuse of Patients

23. The College’s investigation identified instances of abuse with respect to 3 patients. In particular, the Member admits that he abused patients in the following manner:

a. The Member asked the following patients to and/or had the following patients remove their shirts, which was not necessary in the context of the treatment he was providing, including:

i. Patient A, for whom he provided TENS treatment on or about September 21, 2016;

ii. Patient B, for whom he provided TENS treatment on or about September 15, 2016; and

iii. Patient D, for whom he provided TENS treatment on or about March 9, 2016; and

b. He touched the breasts of the following patients, which was not necessary in the context of the treatment he was providing, including:

i. Patient A, for whom he provided TENS treatment on or about September 21, 2016;

ii. Patient B, for whom he provided TENS treatment on or about September 15, 2016; and

iii. Patient D, for whom he provided TENS treatment on or about March 9, 2016.

24. Therefore, the Member admits that he abused the patients listed above, contrary to paragraph 8 of Section 2 of the Dentistry Act Regulation, as set out in Allegation 1 of the Notice of Hearing H180012 and Allegation 1 of the Notice of Hearing H180013.

B. H180012: Allegation 2 – Lack of Informed Consent

25. The College's investigation revealed that the Member failed to obtain informed consent in relation to the treatment provided to Patient A on September 21, 2016. In particular, the Member admits that he:
  - a. Did not provide adequate information to Patient A about TENS treatment to enable her to provide informed consent before providing this treatment to her on or about September 21, 2016, including not discussing the risks and side effects, alternatives to the proposed treatment, including the likely result if no treatment was done, and/or the fees to be charged; and
  - b. Did not explain to Patient A that TENS treatment would not address her chief complaint on or about September 21, 2016.
26. Therefore, the Member admits that, during the year 2016, he treated a patient for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent relative to Patient A, contrary to paragraph 7 of Section 2 of the Dentistry Act Regulation, as set out in Allegation 2 of the Notice of Hearing H180012.
- C. H180012: Allegation 3 and H180012: Allegation 2 - DDUU
27. As set out in paragraph 23, above, the College's investigation identified instances in which the Member both asked patients to remove their shirts and also touched their breasts. The Member has admitted this conduct with respect to 3 patients, Patient A, Patient B and Patient D above.
28. Additionally, the College's investigation identified 2 other instance in which the Member asked patients to remove their shirt, but did not touch their breasts. In particular, the Member admits that:
  - a. in respect of Patient E, for whom he provided TENS treatment on or about October 5, 2016, that he asked Patient E to and/or had her remove her shirt;
  - b. in respect of Patient C, for whom he provided TENS treatment on or about February 13, 2013, February 21, 2013, March 12, 2013, and/or March 21, 2013, that he asked Patient C to and/or had her remove her shirt; and

in both cases, it was not necessary in the context of the treatment he was providing.

29. Therefore, in respect of all 5 patients, the Member admits that he 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 the patients listed, contrary to paragraph 59 of Section 2 of the Dentistry Act Regulation, as set out in Allegation 3 of the Notice of Hearing H180012 and Allegation 2 of the Notice of Hearing H180013.

#### Past History

30. The Member has no prior findings of professional misconduct by the Discipline Committee of the College. However, he does have relevant history before the ICRC. In particular, in October 2017, the Member received a caution and order to complete a SCERP from the ICRC in relation to a complaint from a patient that he had left a surgical bur in her mouth during the removal of his wisdom teeth, and had not informed her of this. The ICRC Panel noted concerns about the Member's practice which included, among other things, issues regarding informed consent.
31. The ICRC decision is attached at Tab E.

#### General

32. The Member admits that the acts described above constitute professional misconduct and he now accepts responsibility for his actions and the resulting consequences.
33. The Member's admissions in this agreement and his plea to the allegations in the Notices of Hearing are voluntary, informed and unequivocal. Specifically, by signing this agreement, Dr. Etcovitch acknowledges that:
- a. he understands the nature of the allegations that have been made against him;
  - b. he has no questions with respect to the allegations made against him;
  - c. he understands that by admitting the allegations, he is waiving the right to require the prosecution prove the case against him;
  - d. he understands the consequences of admitting to the allegations;
  - e. he is aware that there will be a record of his admission and that a penalty will be imposed;

- f. he is aware that the penalty could include a fine, suspension or revocation of his certificate of registration;
- g. he is aware that the results of this proceeding will be available to the public from the College's register, and that the College must publish the panel's decision and a summary of its reasons, including his name;
- h. he voluntarily decided to admit the allegations against him;
- i. he was not pressured in any way by a person in authority to admit the allegations;
- j. he was not offered any bribe, or promised any reward to admit to the allegations; and
- k. he understands that any agreement between him and the College with respect to the issue of penalty does not bind the Discipline panel, and that the panel could order something different than what the parties have agreed to.

## **DECISION**

Having considered the evidence and submissions of the parties, the Panel found that the Member committed professional misconduct as alleged in the Notices of Hearing.

## **REASONS FOR DECISION**

The Panel was of the view that the evidence contained in the Agreed Statement of Facts clearly substantiated the allegations of abuse and demonstrated the Member's disregard for his patient's well being and the College's Guideline with respect to Diagnosis and Management of Temporomandibular Disorders.

Dr. Etcovitch admitted to:

- abusing three (3) of his patients
- failing to properly obtain informed consent prior to treating a patient
- engaging 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.

The admissions, coupled with the agreed facts, satisfied the Panel that the Member engaged in professional misconduct as alleged.

## **PENALTY SUBMISSIONS**

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

The panel of the Discipline Committee make the following order:

1. Requiring the Member 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; and
2. There will be no order as to costs.

The College and the Member further submit that pursuant to the Regulated Health Professions Act, 1991, the results of these proceedings must be recorded on the Register of the College and publication of the Decision of the panel will therefore occur with the name and address of the Member included.

Together with the Joint Submission on Penalty, the parties provided the panel with a copy of an Undertaking (Exhibit 5), signed by the Member which provides as follows:

WHEREAS, on November 12, 2018, a panel of the Inquiries, Complaints and Reports Committee referred specified allegations of professional misconduct to the Discipline Committee;

AND WHEREAS two Notices of Hearing were issued under H180012 and H180013 on November 12, 2018;

AND WHEREAS, I resigned my membership with the College on January 2, 2019 after the Notices of Hearing were issued, and I intend never practice dentistry again in Ontario;

AND WHEREAS in consideration of my permanent resignation and my plea to the allegations of professional misconduct set out in the Notices of Hearing, I understand that the College will seek a reprimand as a penalty in respect of the findings of professional misconduct, as set out in the Joint Submission on Penalty, before a panel of the Discipline Committee;

NOW THEREFORE, I, Dr. Allan Etcovitch, do hereby undertake and agree as follows:

1. having resigned my membership with the College, effective January 2, 2019, never to practice dentistry again in the province of Ontario;

2. not to apply to the College at any time for reinstatement of my certificate of registration;
3. not to apply to the College at any time for a new certificate of registration; and

## **PENALTY DECISION**

In light of the Member's signed Undertaking, 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; and
2. There will be no order as to costs.

Pursuant to the *Regulated Health Professions Act, 1991*, the results of these proceedings must be recorded on the Register of the College and publication of the Decision of the panel will therefore occur with the name and address of the Member included.

## **REASONS FOR PENALTY DECISION**

The Panel considered the Joint Submission on Penalty, together with the signed Undertaking and concluded that the proposed penalty was appropriate in all the circumstances of this case.

When considering the appropriateness of a Penalty Decision, a Discipline Panel must consider the protection of the public, as well as specific and general deterrence. Remediation is also a factor, in appropriate cases.

Dr. Etcovitch has signed an Undertaking which assures that he will never practice dentistry in the province of Ontario again and that he will never seek to apply to practice in the province. This will adequately protect the public and will send a clear message to the profession that the conduct at issue here will not be tolerated by the College.

Remediation is not an issue in this case in light of the fact that the Member as signed an Undertaking not to return to the practice.

Given the fact of the Undertaking, the Panel was satisfied that in all of the circumstances of the case, the Joint Submission on Penalty was appropriate.

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



Richard Hunter



Date



**RCDSO v. Dr. Ectovitch**

Dr. Ectovitch, as you know, this Discipline panel has ordered you be given an oral reprimand as part of the sanction imposed upon you. The reprimand should impress upon you the seriousness of your misconduct.

The fact that you have received 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.

The panel has found that you have engaged in serious acts of professional misconduct, including abuse, providing treatment without obtaining informed consent, and engaging in conduct that would reasonably be regarded by other members of this profession as disgraceful, dishonourable, unprofessional or unethical.

Your professional misconduct and your seeming lack of remorse is a matter of profound concern. It is completely unacceptable to the public and your fellow dentists. You have brought discredit to the entire profession and to yourself. Public confidence in this profession has been put in jeopardy.

Of special concern to us is the fact that the professional misconduct in which you engaged has involved asking patients to remove their tops and/or touching patients' breasts. While you have attempted to explain the reason for asking patients to remove clothing, this panel finds that there is simply no reason why a patient should be asked to do so.

The panel appreciates your cooperation with the College today. We understand that given your Undertaking, you will not be in a position to practice dentistry in this province again. This provides necessary protection to the public.

Thank you for attending today. We are adjourned.