
Discipline Summary

Dr. Mustafa Abouzgia
1D Conestoga Dr #100
Brampton, Ontario

Hearing Date: October 22, 2019

Allegations of professional misconduct

- Contravened a standard of practice or failed to maintain the standards of practice of the profession
- Treated without consent

Synopsis

This matter arises from a complaint filed by the parent of a minor child on whom Dr. Abouzgia, an oral and maxillofacial surgeon, performed surgery.

Dr. Abouzgia mistakenly planned the surgery based on the CBCT scan of another patient and did not review the patient's chart prior to surgery, which would have clarified which impacted tooth needed to be removed. The surgery was performed under general anesthesia for at least 40 minutes. During the surgery, Dr. Abouzgia removed bone in an attempt to locate the teeth he thought he was to extract, which in fact this patient did not have. Two days later when reviewing the patient's chart, Dr. Abouzgia discovered that he had performed the incorrect surgery and told the patient's family and referring dentist of his error.

Dr. Abouzgia admitted that, with respect to this case, he did not meet the standards of practice of a specialist in oral and maxillofacial surgery with regard to treatment planning and providing a surgical procedure for this patient. He also admitted that he did not have the proper office protocols to prevent this occurrence. Dr. Abouzgia acknowledged that the treatment discussion he had with the patient and the patient's parents was at a general level and did not contain sufficient detail for them to realize he was discussing removal of the wrong teeth or for him to obtain proper informed consent.

Decision

1. Finding

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

2. Penalty

- Reprimand
- Course on Informed Consent
- Practice to be monitored for 24 months following completion of course

3. Costs

- Dentist to pay costs to the College in the amount of \$2,500
- Dentist to pay monitoring costs

Panel's reasoning

- The penalty was a joint submission reached as a result of a pre-hearing conference which the panel felt was appropriate in all circumstances of the case.
- Public protection is paramount and the panel was satisfied that the provisions set out in the penalty, including the course in informed consent and practice monitoring, achieves this objective.
- The reprimand and publishing of this matter will act as a specific and general deterrent for the dentist and the profession at large.
- The only aggravating factor was Dr. Abouzgia's sloppy office protocol.

-
- The panel was reassured that Dr. Abouzgia had instituted changes to his office protocol to help ensure this does not happen again.
 - Mitigating factors included:
 - Dr. Abouzgia had been registered with the College for 23 years and had never previously appeared before the Discipline Committee;
 - This was an isolated incident;
 - Dr. Abouzgia immediately advised the patient, his family and the referring dentist of the error once he realized it;
 - Dr. Abouzgia admitted responsibility and demonstrated remorse.