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# Discipline Summary

Dr. Gabor Diosy  
1822 Whites Road  
Pickering, Ontario

Hearing Date: May 27, 2020

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## Allegations of professional misconduct

### Notice of Hearing #1

- Abuse of a patient (withdrawn)
- Contravened a federal, provincial, territorial law, municipal by-law or rule of a public hospital (withdrawn)
- Disgraceful, dishonourable, unprofessional or unethical treatment

### Notice of Hearing #2

- Contravened a federal, provincial, territorial law, municipal by-law or rule of a public hospital (withdrawn)
- Disgraceful, dishonourable, unprofessional or unethical conduct

## Synopsis

### Notice of Hearing #1

- Patient A was a patient of Dr. Diosy's practice between 1984 and 2010, and also worked in the practice.
- In 2009, Dr. Diosy was charged with three counts of assault, one count of uttering threats of bodily harm, and one count of assault causing bodily harm.
- In 2010, Dr. Diosy pled guilty to and was convicted of the criminal offenses in the Ontario Superior Court. As part of the guilty plea, Dr. Diosy admitted to pushing and choking Patient A, threatening Patient A with bodily harm, a violent assault lasting over two hours in which Patient A was tied to the stairs naked while Dr. Diosy whipped and kicked her, and punching Patient A in the head and chest multiple times.
- Dr. Diosy received the equivalent of a 25-month custodial sentence. In addition, Dr. Diosy was made subject to a three-year probation order, a weapons prohibition order, and a DNA order. Dr. Diosy was ordered not to communicate with Patient A, except with Patient A's written revocable consent.

### Notice of Hearing #2

- In 2017, Dr. Diosy pled guilty and was sentenced to two counts of assault against Patient A in the Ontario Superior Court. As part of the guilty plea, Dr. Diosy admitted to punching Patient A numerous times, and punching, kicking and threatening Patient A with a knife.
- Dr. Diosy was sentenced to six months' custody minus credit for time served, and three years' probation. Following the completion of his sentence in Ontario, Dr. Diosy was held in custody pending extradition to Florida for outstanding battery charges, also in relation to Patient A.
- In 2014, in Florida, Dr. Diosy was charged for a felony battery. The charge stemmed from an incident in which Dr. Diosy hit and kicked Patient A multiple times. Patient A suffered serious injuries, including three broken ribs.
- In 2018, Dr. Diosy subsequently pled guilty and was convicted of the charges in Florida. He was sentenced to 160 days in custody.
- In 2018, Dr. Diosy was also charged with additional criminal charges in Ontario, in relation to Patient A. In 2019, Dr. Diosy pled guilty to a charge of failure to comply with probation, and the remaining charges were withdrawn. Dr. Diosy received a further order of probation.

## Decision

### 1. Finding

Dr. Diosy pleaded guilty and was found guilty with respect to disgraceful, dishonourable, unprofessional or unethical treatment in respect to one patient in both Notice of Hearing #1 and #2.

The College sought to withdraw the remaining three allegations in Notice of Hearing #1 and #2 on consent and the panel agreed.

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## 2. Penalty

- Revocation

## 3. Costs

- Dr. Diosy to pay costs to the College in the amount of \$2,000

## Panel's reasoning

- The public and College cannot tolerate the physical abuse of a patient under any circumstances.
- Dr. Diosy's conduct was inexcusable and caused significant physical and emotional trauma to Patient A for many years.
- Dr. Diosy's conduct would be regarded by the profession as disgraceful, dishonorable and unprofessional.
- Public protection is the primary concern when considering a joint submission on penalty. While Dr. Diosy has not practised dentistry since 2011 and has been the subject of an undertaking since 2013, revocation is the only appropriate remedy in the circumstances. Revocation ensures that Dr. Diosy will not practise dentistry in Ontario again and that public confidence in the profession is maintained.