
Discipline Summary

Dr. Sahar Rakhshanfar
535A Bloor Street W., #201
Toronto, Ontario

Hearing Date: June 12, 2020

Allegations of professional misconduct

- Disgraceful, dishonourable, unprofessional or unethical conduct
- Failed to abide by a written undertaking given to the College
- Used a name other than the member's name as set out in the Register in the course of providing or offering dental services

Synopsis

- This matter arose from a prior disposition of the College's Inquiries, Complaints and Reports Committee ("ICRC"), in which Dr. Rakhshanfar was ordered to complete a specified continuing education and remediation program ("SCERP"), which included, in part, a prosthodontic course and mentoring requirement.
- Dr. Rakhshanfar advised the College that she had enrolled in a three-year program in prosthodontics at the University of British Columbia ("UBC Program"). The UBC Program would satisfy the SCERP requirements.
- As a result of her enrollment in the UBC Program, Dr. Rakhshanfar provided an undertaking to the College in which she agreed to not provide any fixed prosthodontic treatment until she had satisfied the requirements of the SCERP.
- After providing the undertaking to the College, Dr. Rakhshanfar elected to defer her start of the UBC Program.
- An investigation was commenced after the College received information from a member. The College's investigation raised concern that Dr. Rakhshanfar had worked in five locations without notifying the practice owners of her practice restrictions; she completed crown treatments; she billed/claimed for prosthodontic treatments for seven patients; and she was identified as "Dr. Sahar," on the website and business cards of one dental office.

- Dr. Rakhshanfar admitted that she engaged in professional misconduct by:
 - failing to abide by a written Undertaking that she had given to the College not to provide any fixed prosthodontic treatment in Ontario in respect of seven patients.
 - using a name other than her name as set out in the register or practice name, in the course of providing or offering to provide dental services.
 - engaging in disgraceful, dishonourable, unprofessional or unethical conduct by performing or billing/claiming prosthodontic treatment for seven patients prior to completing the prosthodontic course and mentoring requirement of the SCERP.

Decision

1. Finding

- Dr. Rakhshanfar pleaded guilty and was found guilty with respect to all three allegations.

2. Penalty

- Reprimand
- Suspension for 8 months (June 13, 2020 – February 12, 2021)
- Course in ethics (one-on-one course)
- Mentoring Program in relation to prosthodontic treatment, specifically bridges
- Practice to be monitored for 48 months following completion of mentoring program

3. Costs

- Dr. Rakhshanfar to pay costs to the College in the amount of \$10,000
- Dr. Rakhshanfar to pay monitoring costs

Panel's reasoning

- The jointly proposed penalty was appropriate in the circumstances of this case.
- Joint submissions should be accepted unless they fall so far outside the range of an appropriate sanction that they would bring the administration of justice into disrepute or would otherwise be contrary to the public interest.
- The suspension, reprimand and publication on the College register will provide adequate specific and general deterrence. Dr. Rakhshanfar will be deterred from engaging in similar misconduct again, and the penalty sends a clear message to the profession that the College will not tolerate misconduct of this nature.
- The terms, conditions and limitations on Dr. Rakhshanfar's certificate of registration will protect the public by helping to remediate her practice. The course in ethics will help Dr. Rakhshanfar gain insight and improve her practice. The mentoring program in prosthodontics, to be completed when the concerns of the ICRC have been met, and the 48-month period of practice monitoring, will facilitate public protection and assist with remediation.
- An aggravating factor was the seriousness of the misconduct. Dr. Rakhshanfar failed to abide by a SCERP and undertaking, and identified herself on business cards by a name not registered with the College. This prevented patients from being able to find her on the College register.
- Mitigating factors were that Dr. Rakhshanfar accepted responsibility, admitted to her misconduct, and agreed to an uncontested hearing which saved time, costs, and prevented having to call witnesses.