

**INQUIRY COMMITTEE
RECORD OF DECISION**

File Reference: DH1611

ELEMENTS OF COMPLAINT

On October 20, 2016, the College of Dental Hygienists of British Columbia (the “College”) received a complaint alleging that a Registrant had engaged in unethical behaviour by accessing and copying client records without authorization.

The CDHBC Inquiry Committee initiated an investigation under s. 33(4)(a) of the *Health Professions Act*, R.S.B.C. 1996, c. 183 (the “Act”) and appointed an inspector to assist with the investigation.

On December 7, 2016, the CDHBC Registrar notified the Registrant of the investigation and the Registrant was invited to submit a response in accordance with s. 33(5) of the Act.

On January 16, 2017, the Registrant submitted a written response to the College in which s/he acknowledged copying the periodontal section of charts for his/her family and friends that s/he knew would follow him/her to his/her new office for dental hygiene care. The Registrant denied having any improper intent in doing so and further acknowledged that s/he should not have copied the patient periodontal charts and should have waited for the patients to attend his/her new office. The Registrant apologized for his/her behaviour.

On June 2, 2017, the College received the inspector’s full report, a copy of which was provided to the Complainant and the Registrant for response.

The College received a written response from the Registrant on June 26, 2017, in which the Registrant again apologized for his/her unethical and unprofessional behaviour and provided a letter of apology to the Complainant.

COMMITTEE DECISION

At the conclusion of the investigation, the Inquiry Committee was concerned that the Registrant had acted in an unethical and unprofessional manner by copying patient records without authorization.

In accordance with section 33(6)(c) of the Act, the Inquiry Committee determined that this would be an appropriate case to seek a consent order under s. 36 of the Act because the Registrant had acted in an unethical and unprofessional manner by copying patient records without authorization but acknowledged his/her error and voluntarily provided a letter of apology.

Under terms of the Consent Order, the Registrant undertakes not to repeat the conduct of engaging in unethical behaviour of copying patient records and information without authorization; to provide a letter of apology addressed to the Complainant within thirty (30) days of the date of the Consent Order; to complete a course related to ethics and communication, at his/her own cost, within one year of the date of the Consent Order and to provide written evidence to the Inquiry Committee that s/he has completed the course within fourteen days of completing the course.

RELEVANT PROVISION OF ACT, REGULATION OR BYLAWS

Act, section 13; 33(4); 33(5); 33(6)(c);

STATUS: Closed.