

**INQUIRY COMMITTEE
RECORD OF DECISION**

File Reference: DH1704

ELEMENTS OF COMPLAINT

On July 24, 2017, the College received a written complaint alleging that a Registrant had (a) practiced outside the scope of practice of a dental hygienist by adjusting crowns; (b) participated in unethical billing; and (c) failed to adequately complete periodontal examinations on a number of clients.

The CDHBC Inquiry Committee initiated an investigation under s. 33(1) of the *Health Professions Act*, R.S.B.C. 1996, c. 183 (the "Act") to investigate the concerns identified by the Complainant and appointed an inspector.

On September 11, 2017, the CDHBC Registrar notified the Registrant of the investigation and an interview and inspection of his/her place of business were scheduled. The Registrant was invited to submit a response in accordance with s. 33(5) of the Act.

On November 30, 2017, the College received the Inspector's Report, a copy of which was provided to the Complainant and the Registrant for response. The inspector gathered evidence that the Registrant had, on multiple occasions, adjusted a client's crown as it was documented in the client's record. The Registrant acknowledged using a slow speed handpiece to polish/adjust the crown during the interview. The Registrant also acknowledged that s/he had completed a filling on a dentist that s/he used to work for at the dentist's request and that the dentist walked him/her through the process. The Registrant denied that there were issues with improper billing.

The inspector also conducted a random chart audit in order to investigate concerns regarding billing practices and a lack of periodontal examinations. The inspector reported that services provided by the Registrant generally aligned with the time spent with clients although s/he typically does not document an early or late start time of an appointment in his/her charts. Deficiencies in charting were observed.

COMMITTEE DECISION

At the conclusion of the investigation, the Inquiry Committee determined that there was evidence that the Registrant: (a) provided treatment outside of the dental hygienist's scope of practice by adjusting and polishing a crown and by completing a filling on a dentist; and (b) failed to maintain adequate or accurate clinical records. The Inquiry Committee determined that there was insufficient evidence concerning the allegation of improper billing.

In accordance with section 33(6)(c) of the Act, the Inquiry Committee determined this would be an appropriate case to seek a consent order under s. 36 of the Act because the Registrant acknowledged that s/he exceeded scope of practice. The Inquiry Committee determined that the appropriate remedial action was a consent order which will ensure s/he does not repeat the conduct of engaging in treatment outside the scope of practice and completing inadequate charting which both raise public safety concerns and represent serious issues for the College.

Under terms of the Consent Order, the Registrant:

- undertakes not to repeat the conduct of: (a) providing treatment outside the scope of practice of a dental hygienist; and (b) completing inadequate clinical charting.
- undertakes and consents to review and thoroughly familiarize him/herself with the requirements set out in the CDHBC College Bylaws and Standards of Practice within seven days of the date of the Consent Order.
- undertakes and consents to complete the online Jurisprudence Education Module (JEM) within ten days of the date of the Consent Order and to provide evidence satisfactory to the Inquiry Committee of successful completion.
- undertakes and consents to successfully complete the British Columbia Dental Hygiene Association's (BCDHA) Module C5: Dental Materials, at his/her cost, within 60 days of the date of the Consent Order. The Registrant acknowledges that s/he must provide written evidence satisfactory to the Inquiry Committee that s/he has successfully completed the BCDHA Module within 90 days of the date of the Consent Order.
- undertakes and consents to write an essay of not less than 1200 words outlining his/her understanding of the dental hygiene scope of practice and the standards of practice, and to submit a draft essay for approval to the Inquiry Committee within 60 days of the date of the Consent Order and to make such changes to the essay on the terms directed by the Inquiry Committee if it is not satisfactory.
- undertakes to view the Documentation Webinar posted on the College's website (<http://www.cdhbc.com/Professional-Development/Quality-Assurance.aspx>) within 60 days of the date of the Consent Order.
- consents and undertakes to cooperate with two random site-based audits by a College appointed inspector at his/her cost at any time during the 18-month period following the date of the Consent Order.
- consents and undertakes to take such further remedial action directed by the Inquiry Committee, on the terms directed by the Inquiry Committee, in the event that any area(s) of deficiency are identified during the random site-based audits.
- agrees to pay the sum of \$500.00 towards the College's costs of investigation in accordance with the College Bylaws Schedule "G" Tariff of Costs (Investigations).

RELEVANT PROVISION OF ACT, REGULATION OR BYLAWS

Act, section 13; 33(4); 33(5); 33(6)(c) Bylaws 59.3 (1)

STATUS

Closed.