

## INQUIRY COMMITTEE RECORD OF DECISION

**FILE NAME: DH1295**

### **FACTS**

On May 23, 2012, the Registrar received a written complaint from a dentist alleging that the Registrant had engaged in unethical behaviour after being terminated from his/her employment. The Complainant alleged the Registrant returned to the clinic operated by the Complainant on May 12, 2012 after (s)he was terminated and intentionally deleted 96 appointments from the clinic's Dentrix software.

The Inquiry Committee resolved to investigate the matter.

On June 5, 2012, the Registrant provided a response denying that (s)he was responsible for deleting the appointments and pointing out that anyone in the clinic could log into the software and have the ability to move, delete or alter appointments. Before exiting the clinic, the Registrant left his/her key and acknowledged leaving a handwritten note on the Complainant's desk in which (s)he made some disparaging remarks concerning the Complainant.

On June 11, 2012, the Inquiry Committee appointed an inspector to assist with its investigation. The inspector interviewed the Complainant and the Registrant, as well as all of the employees who were present in the clinic on May 12, 2012. She also obtained an independent Dentrix audit trail report (ATR) from a Dentrix IT technician confirming the deletion of the 91 appointments between 11:20-11:29 am on May 12<sup>th</sup>.

On December 18, 2012, the College office received a copy of the inspector's report, a copy of which was provided to both the Complainant and the Registrant for comment. The report and respective responses to the report were submitted to the Inquiry Committee for review in consideration of their decision in this matter.

### **COMMITTEE DECISION**

After reviewing the information gathered for this investigation, the Inquiry Committee passed a motion under s. 33(6)(b) of the *Health Professions Act*, R.S.B.C. 1996, c. 183 (the "Act") to issue a letter of warning to the Registrant containing a number of recommendations which are set out below:

1. The Registrant should provide a letter to the Complainant expressing regret for the tone and content of the handwritten note and acknowledging that it was not professional or warranted. Any such letter should be delivered to the College office, rather than to the Complainant directly, and the College will arrange for delivery of the letter;
2. The Registrant should enroll in and complete a workplace anger management course such as the one offered at the Justice Institute of British Columbia to address the issue of his/her behaviour in the workplace;

3. If the Registrant is unable to find an appropriate course on workplace anger management, (s)he should consider counseling with a qualified professional to address workplace anger issues.

Although these are recommendations rather than directions, the failure to follow these recommendations will be taken into account by the Inquiry Committee or Discipline Committee in the event that there is a future complaint concerning the Registrant's conduct as a decision under s. 33(6)(b) constitutes "past action" within the meaning of s. 39.2(1)(b) of the Act.

The Inquiry Committee warned the Registrant that his/her future behaviour in the workplace must be above reproach, and that (s)he must ensure that (s)he conducts him/herself in a professional, respectful, and ethical manner. The Registrant's handwritten note to the Complainant and his/her behaviour in the workplace reflected poorly on him/her as a professional, and reflected poorly on the profession as a whole.

---

**RELEVANT PROVISION OF ACT, REGULATION, OR BYLAWS:** *Act, section 32(1); 32(2); 33(1); 33(5); 33(6)(a)*

**STATUS:** Closed

**LEGISLATIVE AUTHORITY:** *Health Professions Act s 33, 36*