

File Reference: DH2110

ELEMENTS OF COMPLAINT

On September 1, 2021, the College received a complaint from the Registrant's employer (the "Complainant") alleging that the Registrant: (a) willfully resisted deferring vulnerable patients after full screening and health history review were completed for treatment because of COVID-19 contrary to the Code of Ethics and Practice Standard Policy 1.1; (b) over-prescribed radiographs for patients attending the clinic contrary to the Code of Ethics and Practice Standard Policies 2.2, 2.3, 5.2 and 5.3; (c) was unwilling to refer patients of a complex periodontal classification to the more experienced dental hygiene students for their treatment and consistently classified the patient below the level of severity determined by her colleagues contrary to the Code of Ethics and Practice Standard Policies 4.1 and 4.2; and (d) mismanaged differences of opinion with fellow dental hygienists on the clinic floor and was argumentative and verbally aggressive.

The matter was referred to the Inquiry Committee which initiated an investigation under s. 33(4) of the *Health Professions Act*, R.S.B.C. 1996, c. 183 (the "Act") and the Registrant was invited to respond.

The College received a written response from the Registrant. The Registrant advised that prior to the 2020-2021 year, s/he had never been the subject of a formal complaint or disciplinary proceeding and denied the allegations. The Registrant raised concerns about the employer's actions.

The Inquiry Committee appointed an inspector to interview the parties and review the documentation. A copy of the inspector's report was shared with the Complainant and the Registrant, and both provided detailed responses to the report.

COMMITTEE DECISION

The Inquiry Committee concluded that the Registrant used her extensive knowledge and experience to make the clinical decisions in relation to each of the clients who were identified in the complaint. Based on the clinical information available for these clients, the Inquiry Committee was satisfied that the Registrant provided a reasonable explanation for his/her actions. While other colleagues disagreed with some of the Registrant's clinical decisions, that was not sufficient evidence that s/he departed from proper standards of practice. The Inquiry Committee concluded that the information gathered during the investigation did not reveal a contravention of the Code of Ethics or the Practice Standard Policies as alleged. After considering the information which the Complainant and the Registrant provided during the investigation and the inspector's report and records, the Inquiry Committee passed a motion to take no further action under s. 33(6)(a) of the Act, however, it would recommend that the Registrant review the ALARA principles for prescribing radiographs and issued a caution to focus on his/her interpersonal communication style and consider some additional training in this area.

RELEVANT PROVISION OF ACT, REGULATION OR BYLAWS

Act, section 13; 33(1); 33(5); 33(6)(a) and 36.

STATUS

Closed.