

INQUIRY COMMITTEE RECORD OF DECISION

FILE NAME: DH0971

FACTS

In April 2009, the Registrar received a complaint from a dentist (employer), indicating that a former employee, who is a registrant of the College of Dental Hygienists of British Columbia, had removed patient contact information from the complainant's office, contacted patients and provided them with misleading information.

The Committee's investigation of the complaint comprised of the following:

- clarification and elaboration of the elements of the complaint letter, through telephone discussions between the complainant and the Registrar;
- interviews with the complainant's clients to confirm that they had been contacted by the registrant and what the nature of the conversation was;
- information provided by the registrant including a formal response to the complaint and a list of individuals contacted by the registrant.

The Inquiry Committee considered all of the relevant information gathered during the investigation and made the following findings:

- There was insufficient evidence that the registrant removed contact information of clients from the complainant's office;
- Obtaining contact information through publicly available means does not constitute a professional offense;
- The registrant having informed clients of the registrant's new employment location does not constitute a professional offense
- Some elements of the complaint are of an employment or civil matter which is outside of the College's purview of public safety.

COMMITTEE DECISION

After the course of the investigation there was insufficient evidence to prove a breach of CDHBC bylaws and/or ethics, therefore, in accordance with section 33(6)(a) of the *Health Professions Act*, the Inquiry Committee determined to take no further action and considered the case closed.

RELEVANT PROVISION OF ACT, REGULATION, OR BYLAWS: *Act, section 33; 33(5); 32(2); 36(1)(a)*

STATUS: *Closed*

LEGISLATIVE AUTHORITY: *Health Professions Act s 32; 33; 36*