

**INQUIRY COMMITTEE
RECORD OF DECISION**

File Reference: DH1305

ELEMENTS OF COMPLAINT

On May 16, 2013, the College received a notification from Criminal Justice Branch, Ministry of Justice that a Registrant had been charged with two counts of assault with a weapon and one count of possession with the intent to commit an offence.

On May 17, 2013, the CDHBC Inquiry Committee initiated an investigation under s. 33(4) of the *Health Professions Act*, and took extraordinary action under s. 35(1)(b) of the Act to suspend the Registrant's registration pending the outcome of its investigation. The Inquiry Committee also appointed an inspector to assist with its investigation.

On November 6, 2013, the Inquiry Committee vacated the suspension under s. 35(1)(b) of the Act and accepted an undertaking from the Registrant containing terms and conditions on the Registrant's license to practice dental hygiene pending the outcome of the investigation.

On July 7, 2014, the College confirmed that the Registrant received a conditional discharge in the criminal proceedings. The Registrant was placed on probation for two years.

COMMITTEE DECISION

At the conclusion of the investigation, the Inquiry Committee determined under s. 33(6)(c) of the Act that this would be an appropriate case to seek a consent order under s. 36 of the Act because (a) the assault was an isolated incident attributable to the use of an illicit drug; (b) there was no medical evidence that the Registrant suffers from an addiction; (c) the Registrant received counselling; (d) the Registrant cooperated fully with the College's investigation; and (e) the terms of the Probation Order will ensure that that there is no general risk to public safety.

The Inquiry Committee and the Registrant agree that the appropriate remedial action is a consent order pursuant to ss. 33(6)(c) and 36 of the Act imposing undertakings not to repeat the conduct, to advise the College of any violations or amendments to his/her Probation Order, to keep the College apprised of his/her place of employment, and to provide to the College with copies of any reports for treatment or counselling mandated as part of his/her Probation Order

RELEVANT PROVISION OF ACT, REGULATION OR BYLAWS

Act, section 33(4); 33(5); 33(6)(a); 36; 36(1)(a) and (d), Bylaws, section 70

STATUS

Closed.