

**INQUIRY COMMITTEE
RECORD OF DECISION**

File Reference: DH1478

ELEMENTS OF COMPLAINT

On May 2, 2014, the College received a complaint alleging that a Registrant had (a) billed for work completed by other dental hygienists who worked at his/her practice under his/her own name; (b) submitted claims for periodontal appliances; (c) billed for periodontal appliances on the date the impression was taken rather than on the date of the delivery of the appliance to the client; and (d) billed for services that plan members indicated they did not receive.

The complaint was referred to the Inquiry Committee of the College for investigation in accordance with s. 32(2) of the *Health Professions Act*, R.S.B.C. 1996, c. 183 (the "Act"). The Inquiry Committee initiated an investigation.

On May 6, 2014, the CDHBC Registrar notified the Registrant of the investigation and invited the Registrant's response to the investigation, in accordance with s. 33(5) of the Act, and received a response from the Registrant on May 14, 2014.

On June 9, 2014, the Inquiry Committee appointed an inspector to assist with the investigation and to attend at the Registrant's clinic to conduct a random chart audit of the patient clinical and billing records.

On October 6, 2014, the Inquiry Committee received the inspector's final report which identified numerous billing and scope of practice problems. Both the Registrant and the Complainant were provided a copy of the report and given the opportunity to respond.

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 the Registrant acknowledged deficiencies in his/her billing procedures, and (s)he acknowledged fabricating nightguards, and confirmed that (s)he had since changed his/her practice.

In accordance with section 33(6)(a) of the *Health Professions Act*, the Inquiry Committee determined that the appropriate remedial action is a consent order pursuant to ss. 36(1)(a) and (d) of the Act which will ensure (s)he does not repeat the conduct of practicing outside of the scope of practice which raises public safety concerns and represents a serious issue for the College and follows proper billing procedures. The Registrant agreed to undertake and consent to: (a) not repeat the conduct of failing to record and maintain proper clinical and billing records for dental hygiene services that (s)he provides; (b) not to prescribe, dispense, construct or fit nightguards; (c) to develop a detailed written policy for his/her practice and clinic addressing the proper scope of practice for dental hygiene with respect to clinical recordkeeping and charting standards and billing practices, to be approved by the Inquiry Committee; (d) to cooperate with random chart audits to be completed by an assessor appointed by the Inquiry Committee for two years; and (e) to carry out such remedial work and/or training that the Inquiry Committee directs following the chart audits.

RELEVANT PROVISION OF ACT, REGULATION OR BYLAWS

Act, section 13; 32(2); 33(6)(c); 36(1)(a) and (d); Regulation, 4

STATUS

Closed.