

**DISCIPLINE COMMITTEE
OF THE COLLEGE OF DENTAL TECHNOLOGISTS OF ONTARIO**

PANEL:

Nawaz Pirani, Chairperson, Public Member
Shanice Fontaine, Professional Member
Franz Yagin, Professional Member

BETWEEN:

COLLEGE OF DENTAL TECHNOLOGISTS)	Jordan Glick for College
OF ONTARIO)	of Dental Technologists of Ontario
)	
- and -)	
)	
MOHAMMAD AL-ZU'BI)	David Contant
)	Counsel for the Registrant
)	
)	
)	Andrea Gonsalves
)	Independent Legal Counsel
)	
)	Heard: June 6, 2025

REASONS FOR DECISION

[1] This matter was heard by video conference before a panel of the Discipline Committee (the “**Panel**”) of the College of Dental Technologists of Ontario (the “**College**”) on June 6, 2025. The Panel announced its decision orally on the record at the hearing, finding that the Registrant, Mohammad Al-Zu’bi, engaged in professional misconduct and imposing a penalty and costs order. These are the Panel’s reasons for decision.

The Allegations

[2] The allegations against the Registrant as set out in the Specified Allegations appended to the Notice of Hearing dated May 24, 2024, are as follows.

1. You committed an act or acts of professional misconduct as provided by subsection 51(1)(c) of the Health Professions Procedural Code of the Dental Technology Act, 1991, as amended, and subsection 1(2) of Ontario Regulation 798/93, as amended, in that, while engaged in the practice of dental technology as a dental technologist and/or the Registered Dental Technologist (“**RDT**”) responsible for supervising MicroDental Laboratories (the “**Lab**”) in Ottawa,

Ontario, from in or about October 2019 to in or about July 2021, you failed to maintain a standard of practice of the profession when you:

- a. Owned, operated and/or supervised a second lab (the “**Second Lab**”) without registering it with the College of Dental Technologists of Ontario (the “**College**”);
 - b. Failed to update your member profile to reflect that you were employed by and/or acting as the RDT responsible for supervising the Second Lab;
 - c. Supervised the Lab and the Second Lab on the same day;
 - d. Directed and/or permitted the Second Lab to fulfill prescriptions sent to the Lab without permission and/or authority;
 - e. Deleted, directed and/or permitted the deletion of prescriptions from the electronic record system of the Lab;
 - f. Invoiced, directed and/or permitted the Second Lab to invoice for prescriptions that were sent to the Lab;
 - g. Stamped, directed and/or permitted the stamping of one or more invoices from the Second Lab by a RDT who was not designated the RDT in-charge;
 - h. Failed to stamp one or more invoices from the Second Lab prior to releasing the dental device(s);
 - i. Practiced the profession while in a conflict of interest by directing and/or permitting prescriptions sent to the Lab to be fulfilled and released by the Second Lab, a lab which was owned by a corporation owned and operated by your wife, spouse, and/or other non-arms length party; and/or
 - j. Failed to maintain records as required.
2. You committed an act or acts of professional misconduct as provided by subsection 51(1)(c) of the Health Professions Procedural Code of the Dental Technology Act, 1991, as amended, and subsections 1(11) of Ontario Regulation 798/93, as amended, in that, while engaged in the practice of dental technology as a dental technologist and/or the RDT responsible for supervising the Lab in Ottawa, Ontario, from in or about October 2019 to in or about July 2021, you practiced the profession while you were in a conflict of interest, when you directed and/or permitted prescriptions sent to the Lab to be fulfilled and released by the Second Lab, a lab which was owned by a corporation owned and/or operated by your wife, spouse, and/or other non-arms length party.
 3. You committed an act or acts of professional misconduct as provided by subsection 51(1)(c) of the Health Professions Procedural Code of the Dental Technology Act, 1991, as amended, and subsection 1(21) of Ontario Regulation 798/93, as amended, in that while engaged in the practice of dental technology as the RDT responsible for supervising the Lab, from in or about October 2019 to in or about July 2021, you failed to keep records as required.

4. You committed an act or acts of professional misconduct as provided by subsection 51(1)(c) of the *Health Professions Procedural Code of the Dental Technology Act, 1991*, as amended, in that while engaged in the practice of dental technology as a dental technologist and/or the RDT responsible for supervising the Lab, from in or about October 2019 to in or about July 2021, you contravened subsection 1(25) of *Ontario Regulation 798/93*, as amended, by submitting an account or charge for services that you knew was false or misleading when you:
 - a. Stamped, directed or permitted the stamping of one or more invoices from the Second Lab by a RDT who was not designated the RDT in-charge;
 - b. Invoiced, directed and/or permitted the Second Lab to invoice for prescriptions that were sent to the Lab.

5. You committed an act or acts of professional misconduct as provided by subsection 51(1)(c) of the *Health Professions Procedural Code of the Dental Technology Act, 1991*, as amended, in that while engaged in the practice of dental technology as a dental technologist and/or the RDT responsible for supervising the Lab, from in or about October 2019 to in or about July 2021, you contravened subsection 1(34) of *Ontario Regulation 798/93*, as amended by engaging in conduct or performing an act, in the course of practicing the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional when you:
 - a. Owned, operated and/or supervised the Second Lab without registering it with the College;
 - b. Failed to update your member profile to reflect that you were employed by and/or acting as the RDT responsible for supervising the Second Lab;
 - c. Supervised the Lab and the Second Lab on the same day;
 - d. Directed and/or permitted the Second Lab to fulfill prescriptions sent to the Lab without permission and/or authority;
 - e. Deleted, directed and/or permitted the deletion of prescriptions from the electronic record system of the Lab;
 - f. Invoiced, directed and/or permitted the Second Lab to invoice for prescriptions that were sent to the Lab;
 - g. Stamped, directed and/or permitted the stamping of one or more invoices from the Second Lab by a RDT who was not designated the RDT in-charge;
 - h. Failed to stamp one or more invoices from the Second Lab prior to releasing the dental device(s);
 - i. Practiced the profession while in a conflict of interest by directing and/or permitting prescriptions sent to the Lab to be fulfilled and released by the

Second Lab, a lab which was owned by a corporation owned and operated by your wife, spouse, and/or other non-arms length party; and/or

- j. Failed to maintain records as required.

Registrant's Plea

[3] The Registrant admitted to each of the allegations specified in the Notice of Hearing. The Panel conducted an oral plea inquiry and was satisfied that the Registrant's admissions were voluntary, informed and unequivocal.

Agreed Statement of Facts

[4] Counsel for the College advised the Panel that the parties had reached an agreement on the facts. An Agreed Statement of Facts was presented to the Panel, the relevant portions of which are as follows.

The Registrant

1. At all times relevant, Mr. Mohammad Al-Zu'bi (the "**Registrant**") was a registered member of the College.
2. At all times relevant to the allegations, the Registrant was the Registered Dental Technologist in charge ("**RDT-in-charge**") and manager at MicroDental Laboratories ("**MicroDental**") in Ottawa, Ontario.
3. In addition, the Registrant and his spouse operated a second dental technology lab, Digital Dental Solutions ("**DDS**") later renamed Family Dental Lab Inc. ("**FDL**"). DDS/FDL were never registered as labs with the College, nor did the Registrant update his profile to reflect that he was employed by, or acting as the RDT in charge of either DDS or FDL.

Report to the College

4. On August 21, 2021, the Manager of MicroDental reported to the College concerns with respect to the Registrant's conduct relating to suspicious invoices from DDS, deletions to the MicroDental database and concerns that the Registrant was using MicroDental staff to fulfill DDS client orders, among other things.

College Investigation

5. College investigators were appointed under section 75(1)(a) of the *Health Professions Procedural Code* (the "**Code**") on October 18, 2021.
6. The College investigation uncovered, and the Registrant acknowledges that:
 - A. DDS and subsequently FDL was a corporation solely owned by the Registrant's wife. From 2019 until 2021, DDL operated out of

MicroDental. In March of 2021, after concerns were raised at MicroDental regarding DDL, the Registrant and his wife amended the corporate documents by changing the name to FDL. FDL continued to operate as DDL had prior.

- B. Within the years of 2019-2021, DDS and subsequently FDL had clients that would send prescriptions for dental devices to the MicroDental location. Those prescriptions would be fulfilled at the MicroDental location using MicroDental materials without MicroDental permission.
- C. Within the years of 2019-2021, dozens of prescriptions that that were ordered on MicroDental prescription pads were dealt with as follows:
 - a. The prescription would be recorded into the MicroDental system.
 - b. The prescription would be prepared by the Registrant and/or the MicroDental staff;
 - c. The Registrant would then prepare the bill under DDS or FDL and send out an invoice under letterhead of DDS or FDL;
 - d. The Registrant or his wife or a staff working under the Registrant's direction would then delete the order from the MicroDental system. The Registrant would not retain any record of the transaction or the original prescription;
 - e. The Registrant would send out the prescription and either DDS or FDL would accept payment;
 - f. In several cases, neither the prescription nor the invoice were stamped with the Registrant's RDT stamp;
 - g. On two occasions, the Registrant stamped invoices using a RDT stamp belonging to another RDT at MicroDental.
- 7. During the College investigation, it was uncovered that at least seven MicroDental staff were working on cases for the Registrant while employed at MicroDental. One RDT acknowledged that they were paid a salary from MicroDental plus a small amount of additional money via e-transfer from the Registrant. The use of MicroDental staff and the payment of additional fees was not authorized by MicroDental.
- 8. The College investigator additionally spoke with several dentists who voiced concerns regarding the fact that they were receiving invoices from DDS and/or FDL despite sending prescriptions to MicroDental.

ADMISSIONS

- 9. By virtue of the above conduct, the Registrant admits to having committed professional misconduct as provided by subsection 51(1)(c) of the *Health Profession Procedural Code* by contravening the following sections of *Ontario Regulation 798/93 of the Dental Technology Act, 1991*:
 - A. subsection 1(2) by failing to maintain a standard of practice of the profession;

- B. subsection 1(11) by practicing the profession while in a conflict of interest;
- C. subsection 1(21) by failing to keep records as required;
- D. subsection 1(25) by submitting an account or charge for services that he knew was false or misleading;
- E. subsection 1(34) of *Ontario Regulation 798/93*, as amended by engaging in conduct or performing an act, in the course of practicing the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

Decision

[5] The Panel found that the Registrant committed all acts of professional misconduct alleged in the Notice of Hearing.

Reasons for Decision

[6] The Panel found that the College met its burden of proving the allegations of professional misconduct against the Registrant on a balance of probabilities. The Panel considered the evidence in the Agreed Statement of Facts, as well as the relevant legislation, regulations, standards, and practice advisories in reaching its conclusions.

[7] **Failure to Maintain Standards of Practice** (*O. Reg. 798/93, s. 1(2)*). The Panel found that the Registrant failed to maintain the standards of practice of the profession in several respects:

- a. The Registrant owned and supervised a second laboratory (DDS/FDL) that was not registered with the College, contrary to the requirements set out in the College's Registration Regulation and By-Laws that all laboratories be registered and all practice locations be disclosed to the College.
- b. The Registrant did not update his member profile to reflect his employment and supervisory role at DDS/FDL, breaching the College's By-Laws, s. 21.11, which requires notification of changes in employment or practice location within 30 days.
- c. The Registrant supervised two laboratories on the same day and permitted DDS/FDL to fulfill prescriptions sent to MicroDental without authorization, contrary to the College's Laboratory Supervision Standards, which require a supervising RDT to be responsible for all technical aspects of the laboratory and to supervise only one laboratory per day.
- d. The Registrant used MicroDental resources to fulfill DDS/FDL prescriptions without authorization and deleted records from MicroDental's system, failing to

maintain proper documentation as required by the Laboratory Supervision Standards and the Professional Misconduct Regulation.

[8] These actions are contrary to the standards set out in the Laboratory Supervision Standards and the College's Code of Ethics, which require integrity, transparency, and the maintenance of public trust.

[9] **Practicing While in a Conflict of Interest** (O. Reg. 798/93, s. 1(11)). The Panel found that the Registrant practised the profession while he was in a conflict of interest. Specifically:

- a. The Registrant directed and permitted prescriptions sent to MicroDental to be fulfilled and released by DDS/FDL, a business owned by his spouse. This arrangement created a conflict of interest as defined in the College's Practice Advisory: Conflict of Interest, which prohibits arrangements that may compromise professional judgment or create the appearance of self-dealing.
- b. There was no evidence that the Registrant disclosed his ownership interest in DDS/FDL to prescribing dentists, as required by the Practice Advisory and the standards of the profession. Indeed, the evidence is that dentists had concerns that they were receiving invoices from DDS and/or FDL despite sending prescriptions to MicroDental, indicating they were kept in the dark about the Registrant's activities.

[10] The evidence demonstrates that the Registrant's conduct placed his personal and family financial interests above his professional obligations, in violation of the College's Conflict of Interest Practice Advisory and O. Reg. 798/93, s. 1(11)3.

[11] **Failure to Keep Records as Required** (O. Reg. 798/93, s. 1(21)). The Panel found that the Registrant failed to keep records as required. In particular:

- a. The Registrant, or those under his direction, deleted records of prescriptions from the MicroDental system and failed to retain copies of original prescriptions and related documentation.
- b. The Registrant did not maintain invoices, records of work performed, or evidence that cases were properly stamped and authorized, contrary to the requirements of the CDTO Laboratory Supervision Standards and the Professional Misconduct Regulation.

[12] These failures are professional misconduct pursuant to O. Reg. 798/93, s. 1(21). Members are required to keep records in accordance with the College's standards.

[13] **Submitting False or Misleading Accounts** (O. Reg. 798/93, s. 1(25)). The Panel found that the Registrant submitted accounts or charges for services that he knew were false or misleading:

- a. The Registrant prepared invoices under DDS/FDL letterhead for prescriptions that were sent to and fulfilled by MicroDental, creating the false impression that DDS/FDL had performed the work.
- b. Invoices were stamped with the RDT stamp of another technologist or not stamped at all, contrary to the Laboratory Supervision Standards, which require the supervising RDT to personally stamp and authorize each case.

[14] This conduct amounts to professional misconduct under O. Reg. 798/93, s. 1(25).

[15] **Disgraceful, Dishonourable, or Unprofessional Conduct** (O. Reg. 798/93, s. 1(34)). The Panel found that the Registrant engaged in conduct that would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional.

[16] The Registrant's actions, including operating an unregistered lab, failing to update his profile, misusing resources, deleting records, invoicing improperly, and practising in a conflict of interest, collectively represent a serious breach of the profession's ethical and regulatory standards. In previous decisions of the Discipline Committee (e.g., *College of Dental Technologists of Ontario v. Charlebois*), similar conduct was found to be unprofessional and dishonourable, especially where there is an element of deceit and disregard for the standards of the profession. The Registrant's conduct fell well below the standards expected of dental technologists in Ontario.

[17] Accordingly, by finding that the Registrant engaged in acts of professional misconduct as defined in the Professional Misconduct Regulation, the Panel found that the Registrant committed acts of professional misconduct under s. 51(1)(c) of the Health Professions Procedural Code.

Penalty Submissions

[18] Counsel for the College advised the Panel that the parties had arrived at a Joint Submission on Order. The Joint Submission was presented to the Panel and requested that the Panel make an order as follows.

1. Directing the Registrant to appear before the panel to be reprimanded and the reprimand to be administered immediately following the hearing on June 6, 2025.
2. Directing the Registrar to suspend the Registrant's certificate of registration for a period of six (6) months beginning June 6, 2025 and running until December 6, 2025.
3. Directing the Registrar to impose a term, condition and limitation on the Registrant's certificate of registration after the suspension at paragraph 2 is completed:
 - a) requiring the Registrant to successfully complete, with an unconditional pass, at his own expense and before December 6, 2025, the ProBE Program

on professional/problem-based ethics for health care professionals offered by the Centre for Personalized Education for Professionals;

- b) In the alternative to 3(a), requiring the Registrant to successfully complete, at his own expense and before December 6, 2025, a course with a professional ethics consultant acceptable to the College, to be designed by the consultant, with the purpose of addressing the professional misconduct issues raised in this case; the following terms apply to the course:
 - i. the number of sessions shall be at the discretion of the consultant, but shall be a minimum of 3;
 - ii. the manner of attendance at the session(s) (e.g., in person, electronically, etc.) is a matter to be discussed in advance between the Registrant and the consultant, but shall ultimately be at the discretion of the consultant;
 - iii. the consultant shall be supplied with the Notice of Hearing as well as the Agreed Statement of Facts, Joint Submission as to Order and the Decision and Reasons of the Discipline Committee to assist with structuring the course should they become available before the course is completed;
 - iv. the Registrant will request a report from the consultant confirming that the Registrant has completed the course to the satisfaction of the consultant, and the Registrant will provide a copy of the report to the College on or before December 6, 2025.
- c) requiring the Registrant to receive supervision of his practice to begin after the suspension at paragraph 2 is completed, for a period of two (2) years, on the following terms:
 - i. the supervisor shall be appointed by the Registrar and shall be a professional member of the College¹;
 - ii. the supervisor shall visit with the Registrant on four (4) occasions at the Registrant's site(s) of practice. The first two site visits shall be announced while the latter two visits shall be unannounced;
 - iii. the supervisor shall determine the length of each visit;
 - iv. in conducting site visits, the supervisor shall review the Registrant's documentation relating to supervision including, but not limited to, supervisory logs and invoices to ensure compliance with the College's supervision standard;

¹ The supervisor shall not be from within a 20 km radius of the Registrant's place of business, unless approved by the Registrant.

- v. the supervisor shall prepare a report to the Registrar for every site visit that will be provided directly to the Registrar²; and,
 - vi. the Registrant shall pay the costs of the supervision and report and shall fully reimburse the College for these costs within twenty (20) days of receiving an invoice from the College for the supervision.
- d) Requiring the Registrant to provide the name of the Supervising Registered Dental Technologist (“**Supervising RDT**”) in charge of any lab owned or controlled, in whole or in part, by the Registrant and/or his immediate family including, but not limited to, his wife and children by 5 PM on June 7, 2025, and:
- i. Requiring the Registrant to advise the College within 24 hours of the Supervising RDT ceasing to be employed at any lab identified in paragraph 3(d) while the Registrant is under suspension; and
 - ii. Requiring the Registrant to advise the College of the name of any new Supervising RDT of any lab owned as described in paragraph 3(d) prior to them beginning employment while the Registrant is under suspension.
4. Directing the Registrant to pay the College’s costs fixed in the amount of \$15,000 to be paid by certified cheque according to the following schedule and provided that this Joint Submission as to Penalty is accepted in its entirety:
- a) \$7,500 to be paid by certified cheque or equivalent on the day of the oral hearing; and,
 - b) \$7,500 to be paid on or before December 31st, 2025.

In the event that the Registrant does not pay \$7,500 on the date of hearing, the payment of the entire \$15,000 becomes immediately due and enforceable.

[19] The Joint Submission also reflected the Registrant’s understanding that pursuant to section 56 of the *Health Professions Procedural Code*, the Panel’s decision and reasons, or a summary thereof, will be published in the College’s annual report and may be published in any other publication of the College with the Registrant’s name.

[20] Counsel for both parties made submissions in support of the Joint Submission.

[21] The Panel heard submissions from counsel for the College in support of the proposed Joint Submission. Counsel referenced s. 51(2) of the *Health Professions Procedural Code*, which authorizes the Panel to make a range of orders upon a finding of professional misconduct, and s. 53.1, which permits the Panel to order payment of costs and expenses in appropriate circumstances.

² For clarity, in the event that the supervisor’s reports suggest that the Member is continuing to engage in professional misconduct, the reports may be relied upon by the Registrar in considering whether to appoint an investigator pursuant to section 75(1)(a) of the *RHPA Procedural Code*.

[22] College counsel submitted that the penalty proposed serves the three core principles of discipline: specific deterrence, general deterrence, and rehabilitation. The six-month suspension is intended to provide both specific and general deterrence, demonstrating to the Registrant and the profession that such conduct will not be tolerated. Remediation and rehabilitation are addressed through mandatory ethics coursework and a period of supervised practice. The oral reprimand provides further specific deterrence. College counsel emphasized that the overall penalty sends a strong message to the profession regarding the seriousness of the misconduct.

[23] Counsel also addressed aggravating and mitigating factors. The Registrant's admission of misconduct and acceptance of the penalty were identified as mitigating factors. An aggravating factor was the uncertainty regarding the number of patients and clients affected by the Registrant's conduct, due to the destruction of records. Counsel submitted that the penalty strikes an appropriate balance between these considerations.

[24] Counsel cited prior precedents including *College of Dental Technologists of Ontario v. Charlebois* and *College of Dental Technologists of Ontario v. Grunwald*, both of which involved similar misconduct and resulted in comparable penalties, including suspension, supervision, and cost orders. Counsel further referenced the Supreme Court's decision in *R v. Anthony-Cook*, 2016 SCC 43, underscoring the importance of respecting joint submissions unless they would bring the administration of justice into disrepute.

[25] In summary, College counsel submitted that the proposed penalty is fair, proportionate, and consistent with the range of penalties imposed in similar cases, and that it fulfills the College's mandate to protect the public interest.

[26] The Registrant's counsel emphasized the effort the parties put into working together on the Joint Submission and arriving at an appropriate penalty. He reminded the Panel of the *Anthony-Cook* test, which has been applied by the discipline committees of multiple *Regulated Health Professions Act* colleges.

Penalty Decision

[27] The Panel accepted the Joint Submission and made the following order:

1. The Registrant is directed to appear before the Panel to be reprimanded and the reprimand to be administered immediately following the hearing on June 6, 2025.
2. The Registrar is directed to suspend the Registrant's certificate of registration for a period of six (6) months beginning June 6, 2025 and running until December 6, 2025.
3. The Registrar is directed to impose a term, condition and limitation on the Registrant's certificate of registration after the suspension at paragraph 2 is completed:
 - a) requiring the Registrant to successfully complete, with an unconditional pass, at his own expense and before December 6, 2025, the ProBE Program on professional/problem-based ethics for health care professionals offered by the Centre for Personalized Education for Professionals;

- b) In the alternative to 3(a), requiring the Registrant to successfully complete, at his own expense and before December 6, 2025, a course with a professional ethics consultant acceptable to the College, to be designed by the consultant, with the purpose of addressing the professional misconduct issues raised in this case; the following terms apply to the course:
 - i. the number of sessions shall be at the discretion of the consultant, but shall be a minimum of 3;
 - ii. the manner of attendance at the session(s) (e.g., in person, electronically, etc.) is a matter to be discussed in advance between the Registrant and the consultant, but shall ultimately be at the discretion of the consultant;
 - iii. the consultant shall be supplied with the Notice of Hearing as well as the Agreed Statement of Facts, Joint Submission as to Order and the Decision and Reasons of the Discipline Committee to assist with structuring the course should they become available before the course is completed;
 - iv. the Registrant will request a report from the consultant confirming that the Registrant has completed the course to the satisfaction of the consultant, and the Registrant will provide a copy of the report to the College on or before December 6, 2025.
- c) requiring the Registrant to receive supervision of his practice to begin after the suspension at paragraph 2 is completed, for a period of two (2) years, on the following terms:
 - i. the supervisor shall be appointed by the Registrar and shall be a professional member of the College³;
 - ii. the supervisor shall visit with the Registrant on four (4) occasions at the Registrant's site(s) of practice. The first two site visits shall be announced while the latter two visits shall be unannounced;
 - iii. the supervisor shall determine the length of each visit;
 - iv. in conducting site visits, the supervisor shall review the Registrant's documentation relating to supervision including, but not limited to, supervisory logs and invoices to ensure compliance with the College's supervision standard;

³ The supervisor shall not be from within a 20 km radius of the Member's place of business, unless approved by the Registrant.

- v. the supervisor shall prepare a report to the Registrar for every site visit that will be provided directly to the Registrar⁴; and,
 - vi. the Registrant shall pay the costs of the supervision and report and shall fully reimburse the College for these costs within twenty (20) days of receiving an invoice from the College for the supervision.
- d) Requiring the Registrant to provide the name of the Supervising Registered Dental Technologist (“**Supervising RDT**”) in charge of any lab owned or controlled, in whole or in part, by the Registrant and/or his immediate family including, but not limited to, his wife and children by 5 PM on June 7, 2025, and:
- i. Requiring the Registrant to advise the College within 24 hours of the Supervising RDT ceasing to be employed at any lab identified in paragraph 3(d) while the Registrant is under suspension; and
 - ii. Requiring the Registrant to advise the College of the name of any new Supervising RDT of any lab owned as described in paragraph 3(d) prior to them beginning employment while the Registrant is under suspension.
4. Directing the Registrant to pay the College’s costs fixed in the amount of \$15,000 to be paid by certified cheque according to the following schedule and provided that this Joint Submission as to Penalty is accepted in its entirety:
- a) \$7,500 to be paid by certified cheque or equivalent on the day of the oral hearing; and,
 - b) \$7,500 to be paid on or before December 31st, 2025.

In the event that the Registrant does not pay \$7,500 on the date of hearing, the payment of the entire \$15,000 becomes immediately due and enforceable.

Reasons for Penalty Decision

[28] A penalty order should protect the public and enhance public confidence in the ability of the College to regulate dental technologists. These purposes are achieved through a penalty that addresses specific deterrence, general deterrence and, where appropriate, rehabilitation and remediation.

[29] As the parties presented the Panel with a Joint Submission, the Panel was required to accept the Joint Submission unless it fell so far outside the range of an appropriate sanction that

⁴ For clarity, in the event that the supervisor’s reports suggest that the Member is continuing to engage in professional misconduct, the reports may be relied upon by the Registrar in considering whether to appoint an investigator pursuant to section 75(1)(a) of the *RHPA Procedural Code*.

accepting it would bring the administration of justice at the College into disrepute, or be otherwise contrary to the public interest.

[30] The Panel accepted the Joint Submission as to Order, having considered the objectives of professional discipline and the specific circumstances of this case. The penalty imposed reflects the principles of specific deterrence, general deterrence, and rehabilitation.

[31] The Panel found that a six-month suspension of the Registrant's certificate of registration, together with an oral reprimand, directly addresses the goal of specific deterrence. By imposing a substantial interruption to the Registrant's ability to practise, and by requiring the Registrant to appear before the Panel to be reprimanded, the order ensures that the Registrant is personally confronted with the seriousness of his misconduct and is deterred from engaging in similar conduct in the future. The Panel is satisfied that these measures will serve as an effective specific deterrent to this Registrant.

[32] The Panel was also satisfied that the penalty order fulfills the goal of general deterrence. The suspension, publication of this decision, and the imposition of supervision and costs, collectively demonstrate to the profession at large that breaches of professional standards and ethical obligations will result in significant consequences. By ordering a penalty that is consistent with those imposed in similar cases, the Panel sends a clear message to other members that such misconduct will not be tolerated, thereby advancing the goal of general deterrence.

[33] The Panel further found that the elements of the penalty order relating to remediation and oversight are well-suited to the goal of rehabilitation. The requirement that the Registrant complete an ethics course and practise under supervision upon his return to practice after the suspension are designed to address the underlying issues that contributed to the misconduct. These measures will support the Registrant's remediation and facilitate a safe and ethical return to practise, and practice improvement in the future, thereby fulfilling the goal of rehabilitation.

[34] The Panel also considered mitigating factors, including the Registrant's admission of misconduct and cooperation with the College, which demonstrate insight and a willingness to accept responsibility.

[35] Finally, the Panel was satisfied that the agreed costs order is appropriate. The costs award is not punitive, but rather reflects a reasonable contribution to the College's expenses in investigating and prosecuting the matter, in accordance with section 53.1 of the Code.

Reprimand

[36] At the conclusion of the hearing, the Registrant indicated that he was prepared to receive the reprimand ordered by the Panel. The Registrant confirmed orally, on the record, that he waived his right of appeal. Accordingly, the Panel delivered the reprimand electronically, by video conference.

I, Nawaz, sign this decision and reasons for the decision as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel as listed below:



June 19, 2025

Nawaz Pirani, Chairperson
Shanice Fontaine
Franz Yagin