

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

| | | |
|--------------------------------------|---|-------------------------|
| Terence Price, Chair – Public Member |) | Thursday the 9th day of |
| Kiran Qureshi – Public Member |) | August, 2018 |
| Derrick Ostner – Elected Member |) | |

B E T W E E N:

COLLEGE OF DENTAL TECHNOLOGISTS OF ONTARIO

- and -

WILLIAM CHAN

ORDER

(Dated August 9, 2018)

THIS MOTION, made by the College of Dental Technologists of Ontario (the “College”) for an Order permanently staying the allegations of professional misconduct against William Chan (the “Member”) set out in the Notice of Hearing dated February 12, 2018, was heard on August 9, 2018.

ON READING the Motion Record and hearing the submissions of the College,

2. **THE DISCIPLINE COMMITTEE** further orders that the public register maintained by the Registrar shall contain a notation of this matter, including a summary of the allegations set out in the Notice of Hearing dated February 12, 2018, and a notation that the allegations have been permanently stayed.

I, Terence Price, sign this Order as Chair of the Discipline Committee.

Dated at the Township of KING,
this 9 day of AUGUST, 2018



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

BETWEEN:

COLLEGE OF DENTAL TECHNOLOGISTS OF ONTARIO

- and -

WILLIAM CHAN

NOTICE OF HEARING

The Inquiries, Complaints and Reports Committee of the College of Dental Technologists of Ontario has referred specified allegations against **William Chan** to the Discipline Committee of the College. The allegations were referred in accordance with paragraph 26(1)1 of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*. The statement of allegations is attached to this notice of hearing. A discipline panel will hold a hearing under the authority of sections 38 to 56 of the *Health Professions Procedural Code* for the purposes of deciding whether the allegations are true.

IF YOU DO NOT ATTEND AT THE HEARING IN ACCORDANCE WITH THE PRECEDING PARAGRAPH, THE DISCIPLINE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDINGS.

If the discipline panel finds that you have engaged in professional misconduct, it may make one or more of the following orders:

1. Direct the Registrar to revoke the member's certificate of registration.

2. Direct the Registrar to suspend the member's certificate of registration for a specified period of time.
3. Direct the Registrar to impose specified terms, conditions and limitations on the member's certificate of registration for a specified or indefinite period of time.
4. Require the member to appear before the panel to be reprimanded.
5. Require the member to pay a fine of not more than \$35,000 to the Minister of Finance.

The discipline panel may, in an appropriate case, make an order requiring you to pay all or part of the College's costs and expenses pursuant to section 53.1 of the *Health Professions Procedural Code*.

You are entitled to disclosure of the evidence against you in accordance with section 42(1) of the *Health Professions Procedural Code*, as amended. You, or your representative, may contact the solicitor for the College in this matter:

Jordan Glick
WEIRFOULDS LLP
Barristers & Solicitors
4100-66 Wellington Street West
PO Box 35, TD Bank Tower
Toronto, ON M5K 1B7

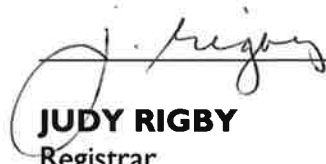
Tel: (416) 365-1110
Fax: (416) 365-1876
Email: jglick@weirfoulds.com

You must also make disclosure in accordance with section 42.1 of the *Health Professions Procedural Code*, which states as follows:

Evidence of an expert led by a person other than the College is not admissible unless the person gives the College, at least ten days before the hearing, the identity of the expert and a copy of the expert's written report or, if there is no written report, a written summary of the evidence.

Date: Feb. 12, 2018

TO: WILLIAM CHAN
376 Elgin Mills Road West
Richmond Hill, ON L4C 4M2



JUDY RIGBY
Registrar
College of Dental Technologists of Ontario
2100 Ellesmere Road, Suite 300
Scarborough, ON M1H 3B7

Statement of Allegations

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 the supervising Registered Dental Technologist (“**RDT**”) at Durham Dental Laboratory (the “**Lab**”) in Pickering, Ontario, you failed to maintain a standard of practice of the profession when you:

- a. were absent from the Lab for more than 30 consecutive days during the 2015 and 2016 calendar years without ensuring that a replacement RDT was hired to oversee the lab;
- b. were absent from the Lab for more than 2 calendar weeks in a 6-week period during the 2015 and 2016 calendar years without ensuring that a replacement RDT was hired to oversee the lab;
- c. directed and/or permitted and/or failed to supervise, oversee and/or review dental prosthetic, restorative or orthodontic devices at the Lab where the technical aspects of the design, construction, repair or alteration were not completed and/or supervised by you, relating to invoices 7118, 7119, 7122, and 7123; and/or,
- d. directed and/or permitted the Lab owner and/or its employees to issue invoices that contained your RDT number and/or affixed your RDT stamp in relation to invoices 7118, 7119, 7122 and 7123 when you were not physically present at the Lab and did not oversee the design, construction, repair or alteration of the dental devices;

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 subsection 1(22) of *Ontario Regulation 798/93*, as amended, in that, while engaged in the practice of dental technology as the supervising RDT at the Lab, you falsified a record relating to the member’s practice when you issued and/or directed to be issued and/or permitted to be issued invoices 7118, 7119, 7122 and 7123 that contained your RDT number and/or affixed your RDT stamp when you were not physically present at the Lab and did not oversee the design, construction, repair or alteration of the dental devices;

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(24) of *Ontario Regulation 798/93*, as amended, in that, while engaged in the practice of dental technology as the supervising RDT at the Lab, you signed and/or issued, in your professional capacity, a document that you knew contained a false and/or misleading statement when you issued and/or directed to be issued and/or permitted to be issued invoices 7118, 7119, 7122 and 7123 that contained your RDT number and/or affixed your RDT stamp when you were not physically present at the Lab and did not oversee the design, construction, repair or alteration of the dental devices;

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, and subsection 1(25) of *Ontario Regulation 798/93*, as amended, in that, while engaged in the practice of dental technology as the supervising RDT at the Lab, you submitted an account or charge for services you knew was false or misleading when you issued and/or directed to be issued and/or permitted to be issued invoices 7118, 7119, 7122 and 7123 that contained your RDT number and/or affixed your RDT stamp when you were not physically present at the Lab and did not oversee the design, construction, repair or alteration of the dental devices;

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, and subsection 1(34) of *Ontario Regulation 798/93*, as amended, in that, while engaged in the practice of dental technology as the supervising RDT at the Lab, you engaged in conduct or performed an act or acts relevant to the practice of dental technology that, having regard to all the circumstances, would reasonably be regarded by members of the profession as disgraceful, dishonourable or unprofessional when you:

- a. were absent from the Lab for more than 30 consecutive days during the 2015 and 2016 calendar years without ensuring that a replacement RDT was hired to oversee the lab;
- b. were absent from the Lab for more than 2 calendar weeks in a 6-week period during the 2015 and 2016 calendar years without ensuring that a replacement RDT was hired to oversee the lab;

- c. directed and/or permitted and/or failed to supervise, oversee and/or review dental prosthetic, restorative or orthodontic devices at the Lab where the technical aspects of the design, construction, repair or alteration were not completed and/or supervised by you, relating to invoices 7118, 7119, 7122, and 7123;
- d. directed and/or permitted the Lab owner and/or its employees to issue invoices that contained your RDT number and/or affixed your RDT stamp in relation to invoices 7118, 7119, 7122 and 7123 when you were not physically present at the Lab and did not oversee the design, construction, repair or alteration of the dental devices; and/or
- e. falsified a record relating to the member's practice and/or signed and/or issued, in your professional capacity, a document that you knew contained a false and/or misleading statement and/or submitted an account or charge for services that you knew were false or misleading when you issued and/or directed to be issued and/or permitted to be issued invoices 7118, 7119, 7122 and 7123 that contained your RDT number and/or affixed your RDT stamp when you were not physically present at the Lab and did not oversee the design, construction, repair or alteration of the dental devices.

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

NOTICE OF HEARING

WEIRFOULDS LLP

Barristers & Solicitors
4100 - 66 Wellington Street West
PO Box 35, TD Bank Tower
Toronto, ON M5K 1B7

Jordan Glick (LSUC # 54274B)

Tel: (416) 365-1110
Fax: (416) 365-1876
jglick@weirfoulds.com

Lawyers for the College of
Dental Technologists of Ontario

