

IN THE MATTER OF

The Health Professions Act RSBC 1996 c. 183

AND

IN THE MATTER OF
THE COLLEGE OF DENTAL SURGEONS OF
BRITISH COLUMBIA AND
DR. DAVEPAL S. DHILLON

CONSENT ORDER AND REASONS

Under s. 37.1 of the *Health Professions Act*

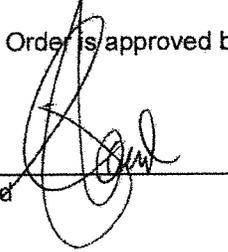
A Panel of the Inquiry Committee (the "Inquiry Committee") of the College of Dental Surgeons of BC (the "College") received a Consent Order Proposal (the "Proposal") from its registrant, Dr. Davepal S. Dhillon (the "Respondent"), on 28 August 2017. It is attached.

The Inquiry Committee has considered the seriousness of the conduct complained of, the admissions made by the Respondent, and the proposed penalty and has resolved to accept the Proposal.

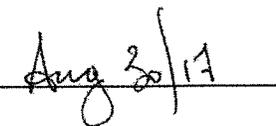
The Inquiry Committee accordingly orders that:

- 1.1 Dr. Dhillon is reprimanded;
- 1.2 Dr. Dhillon is suspended from practice for a period of 30 days, to be served as three 10 day periods. The suspension must be completed by 31 December 2017. The three periods of 10 days each will be set by the College after consulting with Dr. Dhillon;
- 1.3 Dr. Dhillon is fined \$5000.00 payable no later than 30 November 2017;
- 1.4 Dr. Dhillon is ordered to pay \$1000.00 as partial indemnification of the College's costs no later than 30 November 2017;
- 1.5 Dr. Dhillon is ordered to attend, at his own expense, and achieve an unconditional pass in the Professional Problem based Ethics course (ProBE) provided by the Centre for Personalized Education of Physicians (CPEP) by 30 May 2018;

The Consent Order is approved by the following Panel of the Inquiry Committee:



Dr. Greg Cara



Date

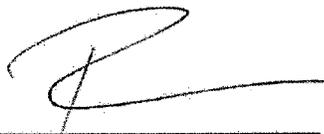
Harpradeep Kalia
Dr. Harpradeep Kalia

29th August 2017
Date

Mr. Thomas Clarke

Date

Dr. Harpradeep Ratia



Mr. Thomas Clarke

Date

Aug 29/17

Date

REDACTED

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IN THE MATTER OF

The Health Professions Act, RSBC 1996 c. 183

Between:

THE COLLEGE OF DENTAL SURGEONS OF BRITISH COLUMBIA

And:

DR. DAVEPAL SINGH DHILLON

**CONSENT ORDER PROPOSAL TO INQUIRY COMMITTEE PURSUANT TO
SECTION 37.1 OF THE HEALTH PROFESSIONS ACT**

1.0 AUTHORITY and ACKNOWLEDGEMENTS

- 1.1 As permitted under section 37.1(1) of the *Health Professions Act* (the "HPA"), Dr. Davepal Singh Dhillon hereby provides this consent order proposal to the Inquiry Committee (the "Committee") of the College of Dental Surgeons of British Columbia (the "College").
- 1.2 This proposal has been arrived at jointly by Dr. Dhillon and counsel to the College.
- 1.3 Dr. Dhillon and the College acknowledge that acceptance of this proposal will result in the Committee making an order consistent with the proposal, which would be considered an order of the Discipline Committee for all purposes.
- 1.4 Dr. Dhillon and the College acknowledge that rejection of this proposal (subject to any further proposal) would result in the hearing of this matter proceeding, and that the Discipline Committee in that hearing must not consider any admission or consent provided herein. The Citation in this matter (the "Citation") is attached as **Appendix "A"**.

2.0 BACKGROUND and SUMMARY OF AGREED FACTS

The Former Registrant

- 2.1 Dr. Dhillon is years old and was registered with the College to practise dentistry as of 1 March 2006.

- 2.2 At all times relevant to the events described in the Admissions below, Dr. Dhillon was a general dentist practising in Victoria, BC.

The Complaint & Investigation Summary

- 2.3 On 28 June 2015 Dr. Dhillon entered into a Memorandum of Undertaking ("MAU") with the College as a resolution of a complaint that had been made against him by one of his patients. One of the commitments made by Dr. Dhillon in the MAU was his agreement that he would:

"(g) undertake to enrol in and attend a clinical Prosthodontic Study Club, approved by the College, as soon as possible;"

- 2.4 Dr. Dhillon did not enrol in a clinical prosthodontic study club and did not respond to the College's inquiries in that regard. Accordingly, the College referred the matter to the Committee in February 2017 for direction.
- 2.5 On 28 March 2017 the Committee directed that a citation be issued under Section 37 of the HPA and the matter be referred to the Discipline Committee. Dr. Dhillon was notified of this decision by letter dated 29 March 2017.
- 2.6 The Citation was issued on 15 June 2017 and was delivered electronically and by registered mail to Dr. Dhillon. The Citation is set for hearing on 30 and 31 August 2017.

3.0 ADMISSIONS

- 3.1 Dr. Dhillon admits to all of the allegations in the Citation.

3.2 Dr. Dhillon acknowledges that these allegations raise serious issues of professional misconduct.

4.0 CONSENT to ORDER and INDEMNITY

4.1 In light of the agreed facts and admissions above, Dr. Dhillon hereby proposes resolution of the Citation on the following terms:

4.1.1 Dr. Dhillon consents to a reprimand;

4.1.2 Dr. Dhillon consents to a suspension of his right to practise dentistry for a total period of 30 days to be completed at intervals of ten day segments. *By Dec 31/2017 DD.*

4.1.3 Dr. Dhillon agrees to pay a fine of \$5000 within 90 days of the date of approval of this proposal;

4.1.4 Dr. Dhillon agrees to partially indemnify the College for its costs of the investigation in an amount fixed at \$1000, payable within 90 days of the date of approval of this proposal;

4.1.5 Dr. Dhillon undertakes to promptly complete, at his own expense, and achieve an unconditional pass in ProBE (Professional Problem based Ethics) within 9 months of the date of approval of this proposal;

5.0 ACKNOWLEDGEMENT and AGREEMENT

- 5.1 Dr. Dhillon confirms that he has been advised and encouraged by the College to seek legal advice and representation throughout the College's investigation, disciplinary and consent order processes. He confirms that he has had the opportunity to obtain legal advice and has either done so or has elected not to do so prior to executing this agreement and agreeing to all of the facts, admissions, consents, indemnities and other terms and conditions herein.
- 5.2 Dr. Dhillon confirms his understanding and agreement with respect to the mandatory public notice requirements set out in Section 39.3 of the *HPA*, including his understanding that his name, the nature of the action taken and the reason for the action taken will be included in this public notice.
- 5.3 Dr. Dhillon acknowledges that the failure to satisfy any one or more of the consents, agreements, conditions, and/or undertakings herein may constitute unprofessional conduct or professional misconduct and may trigger an investigation and discipline proceedings in accordance with the provisions of the *HPA*.

The College and Dr. Dhillon agree that this proposal may be executed in counterpart and delivered by facsimile or as an electronic document.

Respectfully submitted to the Committee by:

Dr. Davepal Singh Dhillon



Date

Aug 27/2017

Signature witnessed on above date by:

Witness printed name and signature

Counsel for the College

Date

Appendix "A"

IN THE MATTER OF

The *Health Professions Act* RSBC 1996 c. 183

Between:

THE COLLEGE OF DENTAL SURGEONS OF BRITISH COLUMBIA

And:

DR. DAVEPAL DHILLON

CITATION

**TO: The Respondent
 Dr. Davepal Dhillon
 201 – 3531 Uptown Blvd.
 Victoria, BC, V8Z 0B9
 (the "Respondent")**

TAKE NOTICE that a Panel of the Discipline Committee (the "Panel") of the College of Dental Surgeons of British Columbia (the "College") will conduct a hearing under s.38 of the *Health Professions Act* RSBC 1996 c. 183 (the "Act").

The purpose of the hearing is to inquire into your conduct and competence as a dentist. The College is conducting this inquiry to determine whether you:

- a) have not complied with the *Act*, a regulation or a bylaw,
- b) have not complied with a standard, limit or condition imposed under the *Act*,
- c) have committed professional misconduct or unprofessional conduct,
- d) have incompetently practised dentistry, or
- e) suffer from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs your ability to practise dentistry.

The hearing will be held from **August 30, 2017 to August 31, 2017**, at **The Sutton Place Hotel, 845 Burrard Street, Vancouver, BC**. The hearing will commence each day at **9:30 a.m.**

You are entitled to attend the hearing and may be represented by legal counsel. If you do not attend the hearing, the Panel is entitled to proceed with the hearing in your absence and, without further notice to you, the Panel may take any actions that it is authorized to take under the *Act*.

Further particulars of the allegations against you are:

1. You failed to comply with a Memorandum of Agreement and Understanding with Mentorship Agreement attached ("MAU") signed by you on 25 June 2015, in that you failed to enroll in and attend a clinical prosthodontic study club as soon as possible or at all.
2. You failed to comply with the MAU in that you failed to respond to requests and inquiries from the College in a substantive and timely manner, or at all including:
 - (i) you failed to respond by December 10, 2016, as requested in correspondence dated November 23, 2016, to provide the details of the study club you were required to attend;
 - (ii) you failed to respond by December 21, 2016, as requested in an email dated December 14, 2016, to confirm whether you had enrolled in the Tucker Study Club; and/or
 - (iii) you failed to respond by March 14, 2017, as requested in correspondence and an email dated March 9, 2017, to confirm whether you would attend a meeting of a panel of the Inquiry Committee.

3. In or about July 2015 through March 2017, you failed to respond to College inquiries and requests for information in a substantive and timely manner, or at all.
4. You failed to comply with the MAU in that you did not inform the College that you had not met the requirements of the MAU or advise the College when the requirements would be met, including:
 - (i) Failing to advise the College, in writing, promptly, that you had not enrolled in or attended a prosthodontic study club;
 - (ii) Failing to advise the College, in writing, promptly, when the requirement of enrolling in or attending a prosthodontic study club would be met and how it would be met;
 - (iii) Failing to pay, promptly, for the mentoring services provided by your mentor; and/or
 - (iv) Failing to advise the College, in writing, promptly, when the requirement for paying for the mentoring services provided by your mentor would be met and how it would be met.

FURTHER TAKE NOTICE that after completion of the hearing under s. 38 of the *Act* the Panel, under s. 39(1) of the *Act*, may dismiss the matter or determine that you:

- a) have not complied with the *Act*, a regulation or a bylaw,
- b) have not complied with a standard, limit or condition imposed under the *Act*,
- c) have committed professional misconduct or unprofessional conduct,
- d) have incompetently practised dentistry, and/or

- e) suffer from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs your ability to practise dentistry.

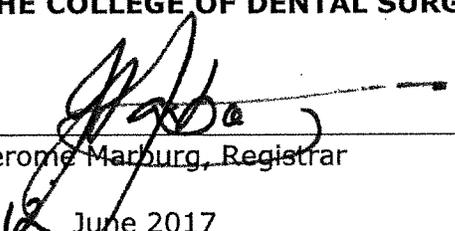
AND FURTHER TAKE NOTICE that if a determination is made under subsection 39(1), the Panel may, by order, do one or more of the following:

- a) reprimand you,
- b) impose limits or conditions on your practice,
- c) suspend you,
- d) impose limits or conditions on the management of your practice during the suspension,
- e) cancel your registration,
- f) fine you.

This Citation is issued at the direction of the Inquiry Committee of the College under section 37 of the *Act*.

Enclosed with this Citation are sections 33 to 39 of Part III of the *Act* and Part 10 of the Bylaws.

THE COLLEGE OF DENTAL SURGEONS OF BRITISH COLUMBIA:



Jerome Marburg, Registrar

12 June 2017