



CDSBC statement concerning investigations of Tung Sheng Wu for the illegal practice of dentistry

August 12, 2013

Today, CDSBC was in B.C. Supreme Court for two reasons: to seek a contempt order in relation to the 2003 order prohibiting Mr. Tung Sheng Wu from practising dentistry, and to ask for a new injunction against him. We also asked the judge to order the stiffest penalty available: a fine, jail time, or both.

I am very pleased to say that our lawyers have informed us that the judge has ruled in our favour and issued the injunction for which we have asked. Associate Chief Justice Cullen has also found Mr. Wu in contempt and has issued a warrant to have him appear before the court for sentencing.

CDSBC obtained final orders against Tung Sheng Wu from the courts within 120 days of us becoming aware of his activities in 2013.

We will be placing ads in Chinese and mainstream media to inform the public of the court's findings.



BACKGROUND

The case of Mr. Wu is a complex one. There are several misconceptions about his case. I would also like to set the record straight on a few points:

Delay between search and seizure and public health alert

- CDSBC seized Mr. Wu's client records under a very specific and limited court order – that of search and seizure. The order made allowed the College to take extra-ordinary steps but only under specific direction and supervision of the court. We could not, therefore, turn over files belonging to others (Mr. Wu's clients) to Fraser Health without a court order. For this reason, CDSBC contacted Fraser Health to alert them that we were investigating an unauthorized practitioner, and that we would request permission from the Court to give Fraser Health access to Tung Sheng Wu's client records.
- Following the seizure at the Southwood Street residence, CDSBC was required to prepare a detailed inventory and report to the same judge who made the search and seizure order. This took place on July 24, at which time we also asked for permission to turn the client files over to Fraser Health.

CDSBC Action in 2003

- In 2003 CDSBC did not involve health authorities because it had no evidence of infection control problems.
- We are currently conducting an internal investigation to learn more about the rationale behind decisions made back in 2002/03. Without all of the information about what happened in 2003 it would be hard to speculate. I can only personally speak to how CDSBC has handled this matter in 2013.
- Regardless of what actions the College did or did not take back then, it is unacceptable to the public – and to me as CEO of this organization – that we do not have the answers to these questions immediately at our fingertips. As CEO, I am accountable for this situation.
- The College's document retention and data management systems, policies and procedures are being modernized. The CDSBC Board and every person who works at CDSBC is aware that this is a high priority item on our strategic plan adopted in September 2012, well before this situation arose.

Cost and access to care

- CDSBC has no authority to set pricing of dental services; our mandate is to ensure competency and conduct of our registrants and to prevent unauthorized practice.
- We have heard that Mr Wu offered cut-rate pricing. We have also heard anecdotally that the cost of dental treatment was a factor for some of the clients who chose to go to him for dental services. We have likewise heard anecdotally that cost was not a factor for others.



- Questions regarding whether dental care should be part of the medical services plan (MSP) is a much larger political question outside the jurisdiction or scope of the CDSBC as a regulatory body. That decision belongs with the provincial and federal governments. The level at which dental care should be publicly funded is a complex social and political issue.
- The British Columbia Ministry of Social Development and Social Innovation, provides a range of coverage for families on income assistance. Each year, the province provides dental services to about 140,000 income assistance recipients and, through the Healthy Kids Program, to children in low-income families.
- The Province's dental program helps people on income assistance and disability assistance with the costs associated with basic dental care. For more information on the specific programs offered, please refer to the fact sheets below:
 - Dental coverage: www.sdsi.gov.bc.ca/factsheets/2005/dental.htm
 - Healthy Kids: www.sdsi.gov.bc.ca/factsheets/2005/healthy_kids.htm
- In addition, the British Columbia Dental Association maintains a list of reduced cost clinics where qualified dentists perform dental work for reduced fees. The restrictions on eligibility varies from clinic to clinic but can be reviewed at www.bcdental.org/Find_a_Dentist/ReducedCostClinics.aspx

“Cut-rate” pricing offered by Tung Sheng Wu

- Our evidence suggests that pricing was not the only factor in people seeking treatment and services from Tung Sheng Wu. For example, some clients appear to have had sufficient means to seek licenced dental care. Some clients came to Canada from countries where dentistry is not regulated, and may not have realized that dentists must be registered and qualified to practise in Canada.
- Regardless of the reasons his clients sought him out, Tung Sheng Wu preyed on his clients and took advantage of them, and in so doing, he put their health at risk.

Prevalence of illegal practice of dentistry

- Several questions have been raised about how common the illegal practice of dentistry is, and whether a so-called underground economy for dentistry exists.
- Complaints of unauthorized dental practice are rare. Having said that, it is unlikely that Mr. Wu is the only person practicing dentistry illegally in BC. Any person aware of anyone practicing dentistry illegally should contact CDSBC immediately.

Public protection is the priority

CDSBC's primary role is protection of the public. This is why the College issued a joint health alert with Fraser Health to alert the clients of Tung Sheng Wu about the need to get tested, to visit a registered dentist to review any work he provided and, if needed, to get unsafe material removed. The Fraser Health Hotline number is 1-855-895-7425.



I wish to thank our colleagues from the Fraser Health Authority, the Burnaby RCMP, and members of media for working with us to spread the word about the need for Tung Sheng Wu's clients to be tested.

Above all, I would like to thank the brave soul who contacted us earlier this year to alert us of Mr. Wu's activities. That call set the wheels in motion that resulted in the current investigation and the court findings today.

Jerome Marburg, Registrar & CEO
College of Dental Surgeons of BC