

IN THE MATTER OF

The Health Professions Act RSBC 1996 c. 183

Between:

THE COLLEGE OF DENTAL SURGEONS OF BRITISH COLUMBIA

And:

LESLIE WINICK

CITATION

TO: Leslie Winick
261 - 7184 120th St.
Surrey, BC V3W 0M6
(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, 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.

The hearing will be held from May 27, 2014, to May 30, 2014, at the Sutton Place Hotel, 845 Burrard Street, Vancouver, British Columbia. 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. With respect to a Memorandum of Agreement and Understanding (the "MAU") you entered into with the College in October 2010, you:
 - a) failed to respond to College communication with respect to your obligations under the MAU in a timely manner; and
 - b) breached the MAU by failing to comply with the provision at Paragraph 1(d) requiring a monitoring period and chart review through your failure to provide the requisite patient charts.

2. In or about April 2012, with respect to your patient [WH] you:
 - a) provided substandard care in the post-extraction treatment related to tooth 1-7;
 - b) failed to inform the patient of a fractured tuberosity related to tooth 1-7 and the procedures you undertook to address the fracture; and
 - c) billed the patient for a surgical extraction of tooth 1-7 despite conducting a different procedure for the extraction.

3. In or about December 2011 through March 2012, with respect to your patient [TG], you:
 - a) failed to properly diagnose the severe periodontal condition related to the patient's tooth 2-7; and
 - b) provided substandard care in the treatment of tooth 2-7.

4. In or about April 2012, with respect to your patient [ZC], you:
 - a) failed to diagnose and treat the caries on tooth 4-6.

5. With respect to your patient [EP] you:
 - a) in or about October 2011, provided substandard care in the treatment of tooth 2-6; and
 - b) in or about December 2011, provided substandard care in the treatment of tooth 4-7.

6. You provided substandard care by improperly treating patients with formocresol as further particularized:
 - a) in or about November 2011, with respect to your patient [CS] and teeth 2-8 and 3-7;
 - b) in or about April 2012, with respect to your patient [AL] and tooth 4-7;
 - c) in or about April 2012, with respect to your patient [JS] and tooth 2-7;

- d) in or about April 2012, with respect to your patient [PC] and tooth 4-5;
 - e) in or about April 2012, with respect to your patient [SQ] and tooth 4-5;
7. In or about March 2012, with respect to your patient [AB] you:
- a) provided substandard care in the treatment of tooth 1-5;
8. In or about December 2011, with respect to your patient [BK], you:
- a) provided substandard care in the treatment of tooth 1-5;
9. In or about April 2012, with respect to your patient [EZ], you:
- a) failed to properly treat the infection related to tooth 1-1;
10. In or about April 2012, , with respect to your patient [WS] you:
- a) failed to diagnose the seriousness of the patient's infection; and
 - b) failed to properly treat the infection and/or refer the patient for an assessment by an emergency physician or oral surgeon.
11. In or about May 2012 through July 2013, you failed to respond to College inquiries and requests for information in a substantive and timely manner with respect to the complaints, investigations and issues raised in this Citation.

FURTHER TAKE NOTICE that after completion of the hearing under s. 38 of the *Act* the Panel, under s. 39 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 practiced 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.

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

Enclosed with this Citation is Part III of the *Act*, Schedules G and H of the bylaws.

THE COLLEGE OF DENTAL SURGEONS OF BRITISH COLUMBIA:



Jerome Marburg, Registrar
March 18, 2014