



Name of Registrant: - Tracy Law
(referred January 23, 2013)

Date of Hearing: - June 27, 2013

Decision and Reasons

In a hearing held on June 27, 2013, a Panel of the Discipline Committee found Ms. Law guilty of professional misconduct in that she engaged in conduct that was disgraceful, dishonourable or unprofessional being that she counseled or assisted in the submission of false or misleading accounts or charges to clients or in respect of their care, and engaged in conduct unbecoming a dental hygienist.

The Panel made the following Order:

1. That Ms. Law receive a reprimand, the fact of which shall be recorded on the register of the College.
2. That the Registrar suspend Ms. Law's certificate of registration for a period of four (4) months, to be served on dates to be set by the Registrar.
3. That the Registrar suspend two (2) months of the suspension ordered herein if Ms. Law pays the fine within thirty (30) days of the date of this Order.
4. That Ms. Law pay a fine of \$750.00 to the Minister of Finance within 30 days of the date the Discipline Panel's Order becomes final.
5. That the Registrar impose a specified term, condition or limitation on Ms. Law's certificate of registration requiring her to successfully complete, in the opinion of the Registrar, an approved ethics course, at her own expense, in August 2013 or at the next available date.
6. That Ms. Law pay to the College costs in the amount of \$2000.00, to be paid in ten (10) monthly installments of \$200.00, starting on the fifteenth day of the first month after the Discipline Panel's Order becomes final. No interest will accrue on the outstanding amounts so long as they are paid on time. At all times, Ms. Law shall be at liberty to increase the amount of her monthly payment, solely at her discretion.

The Panel concluded that a serious penalty was justified by the serious misconduct in this case. Although the allegations of fraud against Ms. Law personally were withdrawn, and there was no evidence before the Panel that she benefitted from the actions of her former boyfriend, she did assist him to make false claims to the Insurer. She gave him access to the information and computers that he used to file the false claims, and she provided false information to the Insurer about the claims that he filed.

A Registrant has a responsibility to protect the integrity of the claims process. She is responsible for her own conduct as a professional. She cannot allow herself to be used in a way that violates that process. In addition, she must safeguard patient confidentiality and the clinical and accounting records of any clinic in which she works.

The Registrant has recognized that she was naïve and that her misconduct was serious, for which she now must suffer the serious penalty that the Panel has ordered. Furthermore, she lost her job as a result of her conduct. The penalty imposed in this discipline hearing sends a clear message to her and to all dental hygienists that they must act at all times with integrity in fulfilling their professional responsibilities.

The Panel considered prior decisions of the Discipline Committee filed by counsel for the College and accepted that the penalty proposed in this case was consistent with those prior decisions.

The Panel also took into account a number of mitigating factors in concluding that the penalty proposed jointly was appropriate in the circumstances of this case.

- The Registrant acknowledged her misconduct early in the proceedings and, through her counsel, expressed remorse for what she did.
- The Registrant cooperated fully with the College in the investigation of this matter and pleaded guilty to the allegation of professional misconduct, without requiring the

College to call evidence or utilize its resources on what would have been a lengthy hearing.

- The Registrant has no prior discipline record.

The Panel is satisfied that the suspension and fine imposed meets the requirements of specific deterrence to the Registrant and general deterrence to the membership at large. It confirms that conduct of this nature is unacceptable to the College and profession and will not be tolerated. The ethics course will assist in rehabilitating the Registrant. And the penalty in all of its terms will serve to protect the public from such misconduct in the future.

At the conclusion of the hearing, Ms. Law waived her right of appeal and the reprimand was administered by the Panel.