



Name of Registrant: - Rajwant Girn

Date of Hearing: - October 24, 2005

Decision

In a hearing held on October 24, 2005 Ms. Rajwant Girn was found guilty of professional misconduct under paragraphs 30 (failing to reply), 36 (failing to carry out an undertaking), 42 (contravening the legislation) and 47 (unprofessional misconduct) of the professional misconduct regulations.

Under the quality assurance regulations, registrants are required to comply with the requirements of the quality assurance, which include:

- (a) developing and maintaining a professional portfolio,
- (b) annually participating in continuing quality improvement activities sufficient to indicate that s/he continues to have and to apply in her/his dental hygiene practice the knowledge, skills, judgment and attitudes required to practise dental hygiene in compliance with the College's standards of practice and ethics,
- (c) accurately and completely documenting those activities in her/his professional portfolio, and
- (d) cooperating with an assessment of her/his professional portfolio, quality improvement activities and practice to evaluate her/his knowledge, skills, judgment and attitudes.

Ms. Girn acknowledged that, in the past, she had consistently failed to cooperate with the Quality Assurance Committee and with the College as a whole and had breached her verbal agreements and written undertaking to the College. However, Ms. Girn had recently taken the following steps to bring herself into compliance with the Quality Assurance Program and with her formal written undertaking. Her previous issues with compliance related to her difficulties in prioritizing College-related communications and juggling her personal and professional life.

Ms. Girn admitted that her many failures to communicate with the College and her previous non-compliance with the requirements of the College's quality assurance regulations constituted professional misconduct.

The Panel wanted to make clear that compliance with Quality Assurance Committee obligations was a fundamental obligation of the profession. It was not just a matter of a filing requirement – not just a technical breach of the Rules. Quality Assurance Committee obligations are strongly connected to client care. The CDHO's Quality Assurance Program of which the Professional Portfolio is a component, requires the dental hygienist to:

- Reflect upon one's own performance in the provision of patient care
- Identify areas of performance that require improvement
- Develop Continuing Quality Improvement (CQI) activities

These requirements are essential to ensure that the dental hygienist maintains and improves her/his level of competence through the continuous acquisition of knowledge, skills and judgment.

The Panel was dismayed to learn that this matter of non-compliance with the College spanned such a long period of time. During this period the Registrar provided numerous opportunities for Ms. Girn to respond and comply, which she failed to do. This failure to comply was a clear indication that she failed to understand the importance of not only responding to the College, but ensuring compliance with the submission of the professional portfolio upon request. This was a serious breach of conduct. The Panel did note that there was no allegation and no evidence before it that this had translated into a failure to maintain standards of patient care in any particular case.

The Panel also considered the following mitigating factors:

- * There was a prompt admission of misconduct by Ms. Girn
- * She made genuine efforts to address the issue of her misconduct
- * Ms. Girn showed remorse

- * This was Ms. Girn's first time before the Discipline Committee. There was no prior record of misconduct.

Therefore, the Panel accepted a joint submission on order as follows:

1. that the Registrar suspend Ms. Girn's certificate of registration to practise for a period of four weeks to commence on October 25, 2005.
2. that the Registrar suspend two weeks of the suspension order in paragraph 1 and that Ms. Girn shall only be required to serve the remaining two weeks of the one-month suspension if she failed to comply with the remainder of this order. If any dispute shall arise between Ms. Girn and the College, as to whether she is in breach of a provision of this order, the dispute shall be remanded to a Panel of the Discipline Committee for further adjudication. The parties shall have the opportunity to make full submissions to the Panel before it renders a decision. If, thereafter, the Panel determines that Ms. Girn has breached a provision of this order, then and only then shall she be required to serve the remaining two weeks of her four week suspension, to commence on a date to be fixed by the Registrar of the College.
3. that Ms. Girn shall appear before a panel of the Discipline Committee this day to be reprimanded and the facts of the reprimand shall be recorded in the register.
4. that the Registrar impose the following specified terms, conditions and limitations on the certificate of registration of Ms. Girn:
 - (i) For a period of two years, commencing on the date of the Discipline Panel's Order, Ms. Girn shall reply appropriately and within 30 days to a written inquiry made by the College that requests a response.
5. that Ms. Girn shall pay the amount of \$3,600.00 in costs to the College at the rate of \$200.00 per month, starting on the 15th day of the first month after completing the first two weeks of her suspension. At any time, Ms. Girn shall be at liberty to increase the amount of her monthly payment, solely at her discretion.

Ms. Girn waived her right of appeal and the reprimand was administered by the Panel.