



Name of Registrant: - Christina Green
(referred November 13 2013)

Dates of Hearing: May 9, 2014

Decision and Reasons

In a hearing held in Toronto on May 9, 2014, a Panel of the Discipline Committee found Ms. Green guilty of professional misconduct pursuant to paragraph 51(1) (b.0.1) of the *Health Professions Procedural Code*; and the *Dental Hygiene Act, 1991*, or the regulations thereunder in that she engaged in conduct that was disgraceful, dishonourable or unprofessional in that she failed to reply appropriately to the College.

The Committee accepted the joint submission and ordered that:

1. Ms. Green appear before a panel of the Discipline Committee to be reprimanded.
2. The Registrar be directed to suspend Ms. Green's certificate of registration for two weeks, to start on the day of this Order.
3. The Registrar be directed to impose the following terms, conditions or limitations on Ms. Green's certificate of registration:
 - a. Within three (3) months after the suspension of her certificate of registration ends, Ms. Green must, at her own expense, successfully complete, in the Registrar's opinion, the College's On-Line Jurisprudence Education Module (the "Module");
 - b. Ms. Green must, within 30 days of completing the Module, provide proof acceptable to the Registrar that she has completed and passed the Module;
 - c. Within six (6) months after the suspension of her certificate of registration ends, Ms. Green must, at her own expense, successfully complete, in the Registrar's opinion, an ethics course approved by the Registrar (the "Ethics Course"); and

- d. Ms. Green must, within 30 days of completing the Ethics Course, provide proof acceptable to the Registrar in writing that she has completed and passed the Ethics Course.
4. Ms. Green pay to the College costs in the amount of \$1,000.00 payable in monthly installments of \$100.00 starting on the day of the Order and continuing every 30 days thereafter.

The Panel accepted as reasonable and appropriate the jointly proposed penalty and costs order.

Firstly, compliance with the requirements of the Quality Assurance Program of the College is necessary in the public interest. These requirements are essential to ensure that every dental hygienist maintains and improves her/his level of competence through continuous acquisition of knowledge, skills, judgment and attitudes, by:

- Reflecting upon her/his own performance in the provision of client care,
- Identifying areas of performance that require modification or improvement, and
- Developing appropriate Continuing Improvement (CQI) activities.

Secondly, responding to the communication of the College is critical if the College is to fulfill its obligation to protect the public.

The penalty imposed for non-compliance and failure to respond to communications of the College must send a clear message to registrants that the Discipline Committee of the College will not tolerate breaches of these obligations. Both are important obligations of a registrant.

An aggravating factor in this case was the repeated failure to cooperate with the Quality Assurance Committee, after numerous opportunities to comply were extended by the College to the registrant.

There were a number of mitigating circumstances taken into account by the Panel in this case. There is no prior disciplinary record. The registrant explained personal circumstances which, while not an excuse, were the reason for the default on her obligations. She demonstrated remorse by her plea and co-operation with the College. She apologized for her conduct. She

showed insight by not practicing as a dental hygienist in the period of the personal circumstance which had distracted her from her professional duties. Furthermore, she brought herself into compliance by meeting her quality assurance requirements before this hearing took place.

Meeting the requirements of the Quality Assurance Program of the College is not a mere matter of technical compliance. The public expects the College to ensure that quality assurance requirements are satisfied. By its decision the Discipline Panel must send a strong message to deter registrants from failing to comply. Dental hygienists like other health professionals, must abide by their obligations even in difficult personal times, if they wish to continue to practice.

The Panel is encouraged by the positive steps taken by this registrant since her referral to discipline, but nevertheless must send a strong message to the profession.

The registrant waived her right of appeal and the reprimand was administered by the Panel.