



**DISCIPLINE COMMITTEE OF
THE COLLEGE OF DENTAL HYGIENISTS OF ONTARIO**

BETWEEN:

COLLEGE OF DENTAL HYGIENISTS OF ONTARIO

- and -

MELISSA KAPRALOS

NOTICE OF HEARING

The Inquiries, Complaints and Reports Committee of the College of Dental Hygienists of Ontario (the "College") has referred specified allegations against Melissa Kapralos to the Discipline Committee of the College. The allegations were referred in accordance with paragraph 26(1)1 of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991* (the "Code"). The statement of specified allegations is attached to this Notice of Hearing. A panel of the Discipline Committee (the "Panel") will hold a hearing under the authority of sections 38 to 56 of the Code for the purposes of deciding whether the allegations are true.

The hearing will be held before the Panel at **69 Bloor Street East, Toronto, Ontario, Suite 300** on a date and time to be set by the Registrar of the College.

IF YOU DO NOT ATTEND AT THE HEARING IN ACCORDANCE WITH THE PRECEDING PARAGRAPH, THE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDINGS.



SUBSECTION 51(2) OF THE CODE PROVIDES THAT if the Panel finds that you have engaged in professional misconduct, it may make one or more of the following orders:

1. Direct the Registrar to revoke your certificate of registration.
2. Direct the Registrar to suspend your certificate of registration for a specified period of time.
3. Direct the Registrar to impose specified terms, conditions and limitations on your certificate of registration for a specified or indefinite period of time.
4. Require you to appear before the panel to be reprimanded.
5. Require you to pay a fine of not more than \$35,000 to the Minister of Finance.
6. If the act of professional misconduct was the sexual abuse of a patient, require you to reimburse the College for funding provided for that patient under the program required under section 85.7.
7. If the panel makes an order under paragraph 6, require you to post security acceptable to the College to guarantee the payment of any amounts the member may be required to reimburse under the order under paragraph 6.

PURSUANT TO SECTION 53.1 OF THE CODE, in an appropriate case, if the Panel finds that you committed an act of professional misconduct or finds you to be incompetent, the Panel may make an order requiring you to pay all or part of the following costs and expenses:

1. the College's legal costs and expenses;

Protecting your health and your smile / Nous protégeons votre santé et votre sourire



2. the College's costs and expenses incurred in investigating the matter; and
3. the College's costs and expenses incurred in conducting the hearing.

You are entitled to disclosure of the evidence against you in accordance with subsection 42(1) of the Code. You, or your representative, may contact the lawyer for the College, Robin McKechney, in this matter at:

Robin McKechney
Steinecke Maciura LeBlanc
Barristers & Solicitors
401 Bay Street
Suite 2308
Toronto, ON M5H 2Y4

Telephone: (416) 583-2552
Facsimile: (416) 593-7867

You must also make disclosure in accordance with section 42.1 of the Code, which states as follows:

Evidence of an expert led by a person other than the College is not admissible unless the person gives the College, at least ten days before the hearing, the identity of the expert and a copy of the expert's written report or, if there is no written report, a written summary of the evidence.

Date: 15 March 2017



Lisa Taylor
Registrar
College of Dental Hygienists of Ontario

TO: MELISSA KAPRALOS



MELISSA KAPRALOS

ALLEGATIONS

The Registrant

1. At the material times Melissa Kapralos (the "Registrant") was a duly registered member of the College of Dental Hygienists of Ontario, practising at Dawson Dental Centre in Guelph, Ontario.

The Client

2. Client #1 was a client of the Registrant's and attended for dental hygiene treatment with the Registrant at Dawson Dental Centre on or about November 20, 2015, March 19, 2016 and August 12, 2016.

The Relationship between the Registrant and Client #1

3. The Registrant and Client #1 were married in or about February 2016. The Registrant and Client#1 lived together in a common law relationship for approximately one year prior to getting married.
4. The Registrant commenced her employment at Dawson Dental Centre in or about July 2015.
5. The Registrant says that after she commenced her employment at Dawson Dental she was informed by colleagues at Dawson Dental that dental hygienists were permitted to treat their spouses.
6. The Registrant did not attempt to confirm that she was permitted to treat her spouse.
7. While they were engaged in a sexual relationship, the Registrant provided dental hygiene treatment to Client #1 at Dawson Dental Centre on or about November 20, 2015, March 19, 2016 and August 12, 2016.

Professional Misconduct Alleged

8. It is alleged that the above conduct constitutes professional misconduct pursuant to:
 - (a) Clause 51(1)(b.1) of the *Health Professions Procedural Code*: sexual abuse of a patient; and/or



- (b) Ontario Regulation 218/94 under the *Dental Hygiene Act, 1991*, s.15, para 2: contravening a standard of the profession; and/or
- (c) Ontario Regulation 218/94 under the *Dental Hygiene Act, 1991*, s. 15, para. 47: contravening, by act or omission, the Act, the RHPA or the regulations under either of those Acts; and/or
- (d) Ontario Regulation 218/94 under the *Dental Hygiene Act, 1991*, s.15, para 52: engaging in conduct or performing an act, relevant to the practise of the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional; and/or
- (e) Ontario Regulation 218/94 under the *Dental Hygiene Act, 1991*, s.15, para 53: conduct unbecoming a dental hygienist.



APPENDIX

1. The documents to be tendered in evidence at the hearing have been sent separately.
2. Take notice that the documents that have been and will later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.
3. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.

**COLLEGE OF DENTAL HYGIENISTS
OF ONTARIO**

-and-

MELISSA KAPRALOS

**DISCIPLINE COMMITTEE OF
THE COLLEGE OF DENTAL HYGIENISTS
OF ONTARIO**

NOTICE OF HEARING

STEINECKE MACIURA LEBLANC
Barristers & Solicitors

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Lawyers for the College of Dental Hygienists
of Ontario