



**Name of Registrant:** - Rosanne Marie Cacioppo  
(referred November 5, 2013)

**Date of Hearing:** May 5, 2014

**Decision and Reasons**

In a hearing held in Toronto on May 5, 2014, a Panel of the Discipline Committee found Ms. Cacioppo guilty of professional misconduct pursuant to paragraph 51(1) (b.0.1) of the *Health Professions Procedural Code* in that she failed to cooperate with the Quality Assurance Committee, and guilty of professional misconduct pursuant to section 15 of the *Dental Hygiene Act* in that she contravened the *Regulated Health Professions Act, 1991*, the *Dental Hygiene Act, 1991*, or the regulations thereunder, engaged in conduct that was disgraceful, dishonourable or unprofessional and failed to reply appropriately to the College,

The Discipline Panel carefully considered the Statement of Agreed Facts, the Joint Submission on Penalty and Costs, the case law cited, and the oral submissions made. The Panel considered the terms of the proposed order and concluded that the proposed order met the needs of this case and the principles appropriate to setting the penalty. Accordingly, the Panel accepted the joint submission and made the following order:

1. Ms. Cacioppo is required to appear before a panel of the Discipline Committee to be reprimanded, the fact of which shall appear on the public register;
2. The Registrar is directed to suspend Ms. Cacioppo's certificate of registration for four (4) weeks to commence on the date of this Order, which suspension will continue indefinitely until Ms. Cacioppo complies with the terms, conditions and limitations in paragraph 3 of this Order;
  - a. Within six (6) months after the suspension of her certificate of registration ends, Ms. Cacioppo must, at her own expense, successfully complete the Professional Problem Based Ethics Course ("ProBE") offered by The Center for Personalized Education for Physicians; and

- b. Ms. Cacioppo must, within 30 days of completing the ProBE course, provide proof acceptable to the Registrar in writing that she has completed and passed the course.
3. The Registrar is directed to impose the following terms, conditions or limitations on Ms. Cacioppo's certificate of registration:
  - Ms. Cacioppo must submit to the College her completed professional portfolio (Forms 1–9 for 2012, Forms 6–7 for 2010 and 2011 and, if applicable, Form 8) for the Peer Assessment, Professional Portfolio/Practice Review.
4. Ms. Cacioppo is required to pay to the College costs in the amount of \$2,500.00 within 30 days of the date of the hearing.

The Panel is of the opinion that the penalty imposed appropriately addresses the principles of penalty which include public protection, general deterrence and specific deterrence.

The Panel wants to make clear that compliance with the Quality Assurance program is very important and directly linked to safe and effective client care. The Panel also wants to make clear to Ms. Cacioppo and all registrants that compliance with the Quality Assurance Program is a fundamental obligation of the profession.

The College of Dental Hygienists of Ontario's Quality Assurance Program, of which the Professional Portfolio is a component, requires the dental hygienist to:

- Reflect upon her or his own performance in the provision of client care
- Identify areas of performance that require improvement
- Develop Continuing Quality Improvement (CQI) activities

These requirements are essential to ensure that every dental hygienist maintains and improves her/his level of competence through continuous acquisition of knowledge, skills and judgment. The Panel considered and accepted that the penalty proposed would serve as a specific deterrent to Ms. Cacioppo and as a general deterrent to other registrants in addressing the misconduct arising by reason of failure to co-operate and comply with the Quality Assurance Committee of the College.

Aggravating factors in this case include the repeated failure to co-operate with the Quality Assurance Committee, after numerous opportunities to comply that extended over two and a half year period. Ms. Cacioppo breached obligations to submit her professional portfolio in a timely way. This indicates a failure to comprehend the connection between continuing quality improvement activities and competent, safe, and effective client care. Furthermore, Ms. Cacioppo did not properly appreciate her duty to co-operate with the College which has the obligation to ensure that there is compliance with the requirements of the Quality Assurance Program.

The Panel considered the following mitigating factors:

- Ms. Cacioppo has no prior record of professional misconduct
- Ms. Cacioppo acknowledged her misconduct by pleading guilty
- Ms. Cacioppo was experiencing some medical difficulties which was offered as an explanation but not a justification for her conduct.

While the Panel sympathized with her medical problems, it noted that the College had been very reasonable and patient in dealing with her over the lengthy period of non-compliance with the Quality Assurance Committee. However, dental hygienists like other health professionals, must abide by their obligations, even in trying times, if they wish to continue to practise. It is important that this message be loud and clear to the profession and to the public it serves.