

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

BETWEEN:

COLLEGE OF DENTAL HYGIENISTS OF ONTARIO

- and -

MICHEL ASSELIN

**NOTICE OF HEARING**

The Inquiries, Complaints and Reports Committee of the College of Dental Hygienists of Ontario (the "College") has referred specified allegations against Michel Asselin 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.

<p><b>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.</b></p>
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**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 of the Code.
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;
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, Erica Richler, in this matter at:

**Erica Richler**  
Steinecke Maciura LeBlanc  
Barristers & Solicitors  
401 Bay Street  
Suite 2308  
Toronto, ON M5H 2Y4

Telephone: (416) 583-2549  
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.

Further, you must also make disclosure in accordance with Rule 7.01 of the Rules of the Discipline Committee of the College of Dental Hygienists of Ontario, which states as follows:

7.01(1) The parties shall make such disclosure as is required by law and may make such additional disclosure as will assist to make the pre-hearing conference and the hearing effective and fair.

7.01(2) A party to a hearing shall disclose to the other parties by ten days before the hearing, the existence of every document and thing that the party will refer to or give in evidence at the hearing.

7.01(3) Each party to a hearing shall, if requested:

7.01(3).1 make available for inspection by another party by ten days before a hearing all documents that the party will produce or enter as evidence at the hearing;

7.01(3).2 deliver to each of the other parties by ten days before the hearing copies of all documents that the party will produce or enter as exhibits at the hearing.

7.01(4) If a party fails to comply with the provisions of rule 7.01, that party may not refer to the document or thing or introduce the document or thing in evidence at the hearing without the approval of the Discipline Committee, which may be on such terms and conditions as the Discipline Committee considers just.

Date:

31 July 2018

  
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Lisa Taylor  
Registrar  
College of Dental Hygienists of Ontario

TO: **Michel Asselin**

**Michel Asselin  
Allegations**

1. Mr. Michel Asselin ("Mr. Asselin") is a duly registered dental hygienist in Ontario, holding a certificate of registration in the inactive class from the College of Dental Hygienists of Ontario (the "College").
2. At all material times, Mr. Asselin was subject to the jurisdiction of the College and his registration status was as follows:
  - a. From on or about August 17, 2015 to on or about December 17, 2015, Mr. Asselin's certificate of registration was suspended as a result of a Discipline Committee order;
  - b. From on or about December 18, 2015 to on or about February 16, 2016, Mr. Asselin held a general certificate of registration;
  - c. From on or about February 16, 2016 to on or about March 15, 2016, Mr. Asselin's certificate of registration was suspended as a result of a Discipline Committee order;
  - d. From on or about February 26, 2016 to on or about December 5, 2017, Mr. Asselin's certificate of registration was suspended for non-payment of fees; and
  - e. On or about December 5, 2017, Mr. Asselin was registered in the inactive class.

**Failure to Comply with an Order of the Discipline Committee**

3. On or about August 17, 2015, following a hearing into Mr. Asselin's conduct, a panel of the College's Discipline Committee found that Mr. Asselin committed acts of professional misconduct.
4. The Discipline Committee panel accepted a joint proposal on penalty that was put forward by the College and Mr. Asselin. Among other things, the Discipline Committee panel directed the Registrar to impose the following terms, conditions and limitations on Mr. Asselin's certificate of registration:
  - a. He must, at his own expense, successfully complete (i.e., obtain an unconditional pass) the Professional Problem Based Ethics Course ("ProBE") offered by The Center for Personalized Education for Physicians no later than August 17, 2016; and
  - b. He must, within 30 days of completing the ProBE course, provide proof acceptable to the Registrar that he has successfully completed and received an unconditional pass in the course.

5. It is alleged that Mr. Asselin did not complete the ProBE course by August 17, 2016 as required by the Discipline Committee's order.
6. Mr. Asselin attended the ProBE course in Toronto, Ontario on or about March 23 to March 25, 2018; however, he was assessed by the ProBE faculty to have failed the ProBE program.
7. Accordingly, it is alleged that Mr. Asselin did not successfully complete the ProBE course (i.e., he did not receive an unconditional pass) as required by the Discipline Committee's order.

**Professional Misconduct Alleged**

8. It is alleged that the above conduct constitutes professional misconduct pursuant to the following paragraphs of section 15 of Ontario Regulation 218/94 under the *Dental Hygiene Act, 1991*: paragraph 45 (failing to comply with an order or direction of a Committee or a panel of a Committee of the College); and/or paragraph 52 (disgraceful, dishonourable or unprofessional conduct); and/or paragraph 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.

DISCIPLINE COMMITTEE OF THE  
COLLEGE OF DENTAL HYGIENISTS  
OF ONTARIO

**NOTICE OF HEARING**

**STEINECKE MACIURA LEBLANC**

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Suite 2308  
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Hygienists of Ontario