

# Alberta Dental Association and College Hearing Tribunal Decision February 1, 2017

## IN ACCORDANCE WITH BYLAW 19(7) OF THE ALBERTA DENTAL ASSOCIATION AND COLLEGE

On February 1, 2017, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Allan Grove guilty of unprofessional conduct and he was sanctioned. A Hearing Tribunal are the decision makers at a hearing and are comprised of a member of the public appointed by the Government of Alberta and three dentists registered in Alberta.

This hearing addressed Dr. Grove's treatment of a twelve year old patient that proceeded without informed consent. Dr. Grove extracted a tooth of the twelve year old without consent of the parent of the child.

The removal of this tooth was not in the orthodontic treatment plan that was prepared by an orthodontist and consented to by the parent.

The hearing addressed Dr. Grove's lack of compliance with the *Standards of Practice: Informed Consent and Patient Records* as well as the *Code of Ethics*.

Dr. Grove admitted he was guilty of unprofessional conduct because he did not:

- Obtain informed consent from the patient's parents for the treatment performed including the extraction of two teeth and the radiograph;
- Follow the treatment referral presented by the orthodontist which was agreed to by the parents without consulting with the parents or the patient;
- Discuss the extraction of the tooth with the patient's parents after the extraction was completed; and/or
- Create or maintain appropriate patient records.

The Hearing Tribunal explained Dr. Grove did not obtain consent prior to removing the tooth and taking a radiograph. The patient's parent was in the waiting area of the dental practice. The Hearing Tribunal found that Dr. Grove did not speak with the parent at all during the appointment or contact the orthodontist to discuss a change in the treatment plan involving the removal of a second tooth. The Hearing Tribunal noted that the patient records were deficient in informed consent, discussion of post-operative treatment instructions, and recording administration of local anesthetic and details of the local anesthetic.

The Hearing Tribunal noted Dr. Grove's statements that he had good intentions and that he believed he was serving the patient.

The Hearing Tribunal accepted the Joint Submission on Penalty and issued the following order that Dr. Grove to be suspended from practice for three weeks, to complete the 30 hour Ethics Program which shall not count toward Dr. Grove's continuing education credits; and to pay costs of the investigation and hearing of \$23,366.83.