

Alberta Dental Association and College
Hearing Tribunal Decision
November 23, 2016

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

On November 23, 2016, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Adebayo Olowe 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.

Dr. Olowe admitted he was guilty of unprofessional conduct because:

1. He failed to provide appropriate dental services in the removal of wisdom teeth, including failing to:
 - a. obtain a computed tomography scan to determine the proximity of the wisdom teeth to the inferior alveolar nerve,
 - b. refer the patient to a specialist,
 - c. take post-operative radiographs to verify that teeth 38 and 48 were completely extracted (as they were not completely extracted),
 - d. reconstruct the extracted teeth to ensure teeth 38 and 48 were completely removed, and
 - e. address the patient's complaints of pain and numbness following the extractions.
2. He failed to obtain informed consent from the patient by not discussing the risks and benefits of the proposed treatment and alternative treatment options such as no treatment, and
3. He failed to keep or maintain appropriate patient records.

The female patient was forty five years old at the time of treatment.

The Hearing Tribunal found that the Dr. Olowe should have requisitioned a CT scan as it would have allowed him to assess accurately the root morphology, the difficulty of the extractions and the potential damage to the inferior alveolar nerve. The CT scan would have assisted Dr. Olowe in assessing the risk of paresthesia and the need to refer the patient to a specialist. Dr. Olowe did not refer the patient to a specialist at any time during his treatment including post-operatively when the patient returned complaining about numbness in her jaw.

The Hearing Tribunal stressed that Dr. Olowe did not discuss the risk of paresthesia with the patient. The general consent signed by the patient several years in advance of treatment is not sufficient to obtain informed consent from a patient. Regarding the patient records, the Hearing Tribunal noted that there were several deficiencies in Dr.

Olowe's patient records. The patient records were missing a letter of referral to Dr. Olowe from the originating dentist; the name of the treatment provider; the prescription of Tylenol

#4 including the dispensing instructions and direction to the patient; and proof of patient informed consent.

The Hearing Tribunal accepted the Joint Submission on Penalty and issued the following orders against Dr. Olowe:

1. A reprimand;
2. A suspension of four weeks to be served within one year of the Hearing Tribunal's decision;
3. Completion of the 30 hour Ethics Program which shall not count toward Dr. Olowe's continuing education credits; and
4. Costs of the investigation and hearing of \$22,142.72.