

Alberta Dental Association and College Hearing Tribunal Decision April 3, 2017

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

On April 3, 2017, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Usama Nassar 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.

BRIEF SUMMARY OF FACTS - DENTAL IMPLANT CASE

The patient was referred to Dr. Usama Nassar by the dentist responsible for the surgical phase of the dental implant treatment. Dr. Nassar was the restorative dentist for the patient for a limited period time. Six dental implants were placed by the dentist responsible for the surgical phase. The case was complex.

Dr. Nassar did not develop a treatment plan for the restorative phase. There were many deficiencies in Dr. Nassar's patient records.

Dental implant treatment is restoratively driven and the treatment planning phase requires coordination between the dentists responsible for the restorative and surgical phases of treatment.

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

1. He failed to provide appropriate treatment to the patient, including failing to:
 - a. Properly advise the patient about the role and nature of the prosthodontic treatment in relation to the overall implant treatment,
 - b. Conduct a preliminary evaluation of the patient including a comprehensive examination and assessment of patient selection,
 - c. Prepare an appropriate prosthodontic treatment plan.
2. He failed to keep or maintain appropriate patient records.

The Hearing Tribunal noted Dr. Nassar did not meet with the patient for the purpose of reviewing or approving a restorative treatment plan. There were no notations in the patient record and Dr. Nassar did not have discussions with the patient about the restorative portion of her dental implant treatment. The six dental implants were treatment planned and placed by a different dentist.

The Hearing Tribunal stressed the specific admissions of Dr. Nassar, as follows:

- a. Where dental implant treatment is restoratively driven, the treatment planning requires coordination between the dentist responsible for the restorative phase of the dental implant treatment and the dentist responsible for the surgical phase of the dental implant treatment.
- b. The dentist responsible for the restorative phase must review the case, examine the patient and prepare treatment plans for the restorative phase of the treatment which must be consented to by the patient prior to the commencement of the surgical phase of the dental implant treatment.

- c. The dentist responsible for the surgical phase must confirm that the patient has approved the restorative treatment plan and must coordinate with the dentist responsible for the restorative phase prior to the surgical phase of the dental implant treatment.
- d. Between November 12, 2010 and February 10, 2011, Dr. Nassar expected to be the dentist responsible for the restorative phase. He was involved in the patient's treatment planning with the dentist performing the surgical phase but took no steps to prepare a treatment plan for the restorative phase, to discuss the restorative phase or his involvement with the patient or present the patient with a treatment plan for the restorative phase.
- e. Dr. Nassar admits that he and the dentist responsible for the surgical phase did not coordinate treatment with respect to the patient (although they were very aware of each other's role in the patient's treatment).

The Hearing Tribunal examined and accepted the admissions of Dr. Nassar for patient records and noted the following deficiencies:

- a. The referral letter of the patient to Dr. Nassar;
- b. The observations, findings, diagnosis and treatment planning from Dr. Nassar's January 11, 2011 examination of the patient including the patient's condition, update to medical history, discussion with the patient about her missing teeth, charting of the clinical findings, her current dentures and probings;
- c. Notations of conversations between Dr. Nassar and the dentist responsible for surgical phase of treatment;
- d. Confirmation of informed consent and a discussion of the risks and benefits of treatment options;
- e. Diagnosis and treatment planning including what factors and records Dr. Nassar considered in creating the treatment planning of the patient;
- f. A description of the prosthetic options for the patient and a detailed treatment plan and estimate; and
- g. All recommendations, instructions and advice given to the patient by Dr. Nassar.

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

1. A suspension of one week;
2. Completion of the 30 hour Ethics Program which shall not count toward Dr. Nassar's continuing education credits;
3. Payment of \$1,000 for the Ethics Program; and
4. Costs of the investigation and hearing of \$32,002.59.