

Alberta Dental Association and College
Hearing Tribunal Decision
July 10, 2015

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

On July 10, 2015, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Shudon Mo guilty of unprofessional conduct and he was sanctioned.

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

He inappropriately replaced existing amalgam restorations with composite restorations, including failing to appropriately assess the reason for the replacement, placing restorations with gross marginal leakage and resultant caries or failing to appropriately maintain or monitor the restorations.

He failed to obtain informed consent of the patient for the treatment provided, including treatment on tooth 16, the replacement of amalgam restorations, or the treatment on teeth 25 to 27 including the material used for the patient's bridge.

He failed to keep or maintain accurate dental records.

The Hearing Tribunal concluded that Dr. Mo's conduct displayed a lack of knowledge or judgment, breached the Code of Ethics and the Standards of Practice and was conduct that harmed the integrity of the dental profession.

The Hearing Tribunal found that the charges were established by the evidence. They concluded that Dr. Mo's conduct did display a lack of knowledge or judgment and did breach the Code of Ethics. They found Dr. Mo did not meet the standards expected of dentists in Alberta.

The Hearing Tribunal outlined the supporting evidence of each charge admitted to by Dr. Mo and their findings, as summarized below.

Dr. Mo provided inappropriate treatment.

The Hearing Tribunal noted that the clinical records, the opinion of the dental advisor and clinical information submitted by a subsequently treating specialist supported their finding that Dr. Mo provided inappropriate treatment.

The Hearing Tribunal concluded that Dr. Mo did not appropriately assess the reason for replacing the amalgam restorations with composite restorations and found that Dr. Mo had failed to assess and document the underlying causes of the tooth fractures he suggested as a reason for replacing the restorations with composite. Dr. Mo's records as well as the records of the dental specialist

established the poor quality of the replacement restorations. When the patient discontinued treatment with Dr. Mo and attended with a dental specialist, the patient presented with out-of-control caries in several teeth that had been treated multiple times by Dr. Mo.

Informed Consent

The Hearing Tribunal accepted Dr. Mo's admission that he did not receive informed consent from the patient for dental treatment on tooth 16, and teeth 25 to 27.

The Hearing Tribunal stressed that informed consent is an essential and required part of any dental treatment. It is required by the Code of Ethics and the failure to obtain informed consent breached the relevant provisions of the Code of Ethics. Dr. Mo did not meet his obligations to receive informed consent on an ongoing basis, which breached the standards required of Alberta dentists.

Record Keeping

The Hearing Tribunal considered the admissions of Dr. Mo in the Agreed Statement of Facts which detailed a series of deficiencies in the records of the patient over a period of 24 years. The records clearly do not meet the standards required of dentists in Alberta.

The Hearing Tribunal accepted the Joint Submission on Penalty and issued the following orders:

- Dr. Mo will serve a four week suspension before January 31, 2016 and the dates must be approved in advance by the Complaints Director.
- Dr. Mo will complete the ADA+C Ethics Program, totaling 30 hours, on or before January 31, 2016. The Ethics Program will be paid for by the ADA+C but will not count toward Dr. Mo's continuing education credits.
- Dr. Mo will complete a 10 hour record keeping course on or before January 31, 2016. The Record Keeping Course will be selected and/or approved by the Complaints Director and will not count toward Dr. Mo's continuing education credits.
- Dr. Mo will receive a reprimand.

Dr. Mo will pay the costs of the investigation and hearing of \$24,331.22.