

Alberta Dental Association and College
Hearing Tribunal Decision
April 20, 2016

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

On April 20, 2016, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Douglas Dederich guilty of unprofessional conduct and he was sanctioned. A Hearing Tribunal is an independent group comprised of a member of the public appointed by the Government of Alberta and three dentists registered in Alberta.

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

- He did not coordinate the patient's dental implant treatment with a dentist providing the restorative treatment in the treatment planning phase prior to placement of six dental implants, given that the case was complex and treatment planning in dental implant cases is restoratively driven and must be coordinated with the dentist providing the restorative treatment.
- He proceeded with the surgical placement of six dental implants that were not reasonably restorable based on the patient's restorative expectations that were proposed by Dr. Dederich.
- He did not obtain informed consent from the patient in accordance with the Code of Ethics and standards of practice by failing to ensure the patient had a dentist to provide the restorative treatment and had approved the restorative treatment plan before commencing surgical placement of the six dental implants.
- He did not appropriately advise the patient following the dental implant surgery of the impact of the dental implant placement on the patient's restorative options presented by Dr. Dederich.
- He did not comply with the Standard of Practice: Use of Sedation in Non Hospital Dental Practice (the "Sedation Standards") including one or more of: not obtaining written informed consent for the administration of Ativan; he did not ensure the patient was discharged to the care of a responsible adult following the dental implant placement surgery; and he did not prepare and maintain appropriate sedation records.
- He did not create or maintain appropriate patient records.

The patient was a self-referral to Dr. Dederich and was interested in having dental implants placed in the upper right (teeth 12 to 15) and upper left (teeth 22 to 25) areas with a fixed maxillary implant supported prosthesis. The patient had a congenital deformity consisting of partial oligodontia and presented with multiple missing permanent maxillary teeth. Dr. Dederich recognized that the patient had a significantly atrophic posterior maxilla that required significant bone augmentation to the posterior maxilla. Dr. Dederich recognized this was a complex case that was restoratively driven. Dr. Dederich admitted that he did not coordinate the treatment with a dentist doing the restorative treatment and that he did not confirm there was a restorative treatment plan in place prior to proceeding with the placement of the dental implants.

Significant bone grafting was required and completed by Dr. Dederich prior to his placement of the six dental implants, three on each side of the maxilla. The angulation of the dental implants effected the possibility of reasonable restorations. The angulation was measured to be outside of the occlusal plane. The dental implants were placed at a 20 to 45 degree buccal-palatal angle to the maxilla and the opposing mandibular occlusal plane. The implants were buccal to the central core of the maxilla alveolus and did not project off the superior aspect of the alveolus. The six dental implants were ultimately surgically removed.

Dr. Dederich admitted that the minimum standard expected of a dentist placing dental implants in 2010 and 2011 for a complex, restoratively driven implant case, was for the dentist to coordinate treatment with the dentist providing the restorative treatment. Dr. Dederich admitted that he did not coordinate treatment with a dentist providing the restorative treatment and did not confirm that there was a restorative treatment plan in place and approved by the patient prior to proceeding with the placement of dental implants.

The Hearing Tribunal stressed that the dental implant surgery should not have proceeded without a wax up, approved by the patient, a surgical stent and a final restorative treatment plan. Dr. Dederich admitted that the dental implants were not reasonably restorable in accordance with the Implant Treatment Plan options he presented to the patient. Dr. Dederich acknowledged that he proceeded with the implant surgery without having confirmed that a dentist providing the restorative treatment would be able to reasonably restore the dental implants.

There was no evidence of a restorative treatment plan approved by the patient and therefore the patient did not know the cost of the restorative treatment. The restorative treatment plan would have to be approved before the placement of the dental implants so the patient is aware of the cost and the type of restorative treatment that will be received.

Dr. Dederich did not obtain consent from the patient to place the dental implants at a less than ideal position. Four months before implant surgery, Dr. Dederich presented the patient with a letter that the course of treatment could change and he would advise the patient accordingly. The course of treatment did change and the patient was not advised.

Dr. Dederich admitted he knew at the time of the dental implant surgery that the placement of the dental implants was not in accordance with the dental implant treatment plan approved by the patient. He admitted that during the implant surgery he decided to proceed with the placement of the six dental implants at angles that were not restorable in accordance with the wax up and stent that he had prepared. After the surgery and the subsequent post-surgical appointments with Dr. Dederich, he admitted he did not advise the patient that the angulation of the dental implants would impact the patient's restorative options.

The Hearing Tribunal was very concerned about the breaches of the Sedation Standards and the risk this posed to the patient. Dr. Dederich admitted he administered 1 mg of Ativan to the patient which is Modality 2 sedation as outlined in the Sedation Standards. Dr. Dederich admitted he did not obtain written informed consent from the patient to administer Ativan. The patient drove home after the dental implant surgery. Dr. Dederich admitted he failed to ensure the patient was discharged into the care of a responsible adult following the dental implant surgery. Dr. Dederich admitted he breached sections 2B2, 2E1.1, 2E1.3, 2E2, and 2E3 of the Sedation Standards. Dr. Dederich admitted his conduct did not meet the Sedation Standards and breached the standards expected of a dentist at the relevant time and showed a lack of knowledge, skill or judgment in the provision of professional services.

Dr. Dederich admitted his patient records breached the standards expected of a dentist at the relevant time and that his conduct showed a lack of knowledge, skill or judgment in the provision of professional services. He admitted the patient records lack information about his dental examination, the conditions that were present on initial examination, a record of significant findings, diagnoses or any information to support how the patient's treatment plan was developed. He admitted the records did not contain appropriate communication about referral to an appropriately trained dentist who would be completing the restorative treatment or any documentation of a treatment plan being coordinated with such dentist doing the restorative treatment. Dr. Dederich did not document informed consent of Membrane and tack-screw removal on January 27; Stage I implant surgery on March 17; and Stage II implant surgery on June 27. Dr. Dederich admitted the patient records did not indicate what he reviewed or considered in creating the treatment plan such as an earlier Cone Beam CT Scan, whether he evaluated the patient's bone and tissue or consulted with a dentist providing the restorative treatment. He admitted the patient records do not include a detailed or complete treatment plan and a detailed and final restorative treatment plan.

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

- Dr. Dederich will complete the ADA+C Ethics Program, totaling 30 hours. The Ethics Program will not count towards Dr. Dederich's continuing education credits.
- Dr. Dederich will serve a three month suspension and the dates must be approved in advance by the Complaints Director.
- Dr. Dederich will pay costs of \$70,000.