

Alberta Dental Association and College Hearing Tribunal Decision

February 9, 2018

IN ACCORDANCE WITH BYLAW 20(7) OF THE ALBERTA DENTAL ASSOCIATION AND COLLEGE

On February 9, 2018, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Jeffrey Falk 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. Falk purchased a clinic from a dentist's estate and continued the former owner's engagement of certain business practices. Specifically, Dr. Falk continued the billing practice of writing off the patient portion of the bill for clergy members and other categories such as "Family", "Foster Children", "Staff", and "Insurance Fee Guide." Dr. Falk also retained overpayments or duplicate payments received from third party insurance carriers as a credit to cover future treatment costs.

Dr. Falk admitted he was guilty of unprofessional conduct because he did not collect the co-payments from patients, he failed to provide appropriate supervision of his staff and employees engaged in billing, receiving, allocating, collecting or accounting activities on behalf of his practice, and he failed to ensure staff and employees were knowledgeable and competent to perform billing activities for his practice.

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

1. Dr. Falk will be suspended for one (1) week, to be served in one continuous period;
2. Dr. Falk will complete the Ethics course; and
3. Dr. Falk will pay the full costs of the investigation and hearing of \$24,099.94.