

**Alberta Dental Association and College
Hearing Tribunal Decision**

July 30, 2020

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

On July 30, 2020, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Amer Hussain guilty of unprofessional conduct and he was sanctioned. A Hearing Tribunal is an independent group of decision makers comprised of a member of the public appointed by the Government of Alberta and three dentists registered in Alberta.

Dr. Hussain had advertised orthodontic services for a flat fee of \$4,500 with a no-interest payment plan and no hidden fees. A prospective patient attended his clinic and was quoted a fee of \$5,695.25 that exceeded the advertised flat fee. They enquired about the no-interest payment plan and was told that a down payment was required and that there was a discount for early payment.

Dr. Hussain admitted he was guilty of unprofessional conduct because he promoted a flat fee and quote an actual fee in excess of the flat fee. He admitted that these advertising and promotional activities were untruthful and inaccurate. It was noted that Dr. Hussain had sought approval for this advertising from the ADA&C and confirmed that he would offer this fee to all patients, regardless of the complexity of the case. It was noted that Dr. Hussain admitted that the flat fee was a time limited offer that had only been valid for 30 days after being issued.

ORDERS OF THE HEARING TRIBUNAL

The Hearing Tribunal accepted Dr. Hussain's admission of unprofessional conduct. The Hearing Tribunal acknowledged that this was not the first time that Dr. Hussain had engaged in advertising that was capable of misleading the public. The Hearing Tribunal further set out that although only one patient had complained about the advertisement, as it had been sent out to the general public there was a potential for more than just one patient to be impacted and mislead.

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

1. He will be suspended for a period of four (4) consecutive weeks;
2. He will successfully complete the ADA&C Ethics Course; and
3. He will pay \$17,276.96 in costs.