

British Columbia College of Oral Health Professionals

Amended Citation

TO: Dr. Kyle Nawrot
c/o Stream Law Group
#1505 1151 Sunset Drive
Kelowna, BC V1Y 0G2
Attention: Brent Parker

TAKE NOTICE that a Panel of the Discipline Committee (the “Panel”) of the British Columbia College of Oral Health Professionals (the “College”) will conduct a hearing under s.38 of the *Health Professions Act* RSBC 1996 c.183 (the “Act”).

The purpose of the hearing is to inquire into your conduct and competence as a dentist. The College alleges that you:

- a. have not complied with a standard, limit or condition imposed under the Act;
- b. have committed professional misconduct or unprofessional conduct; and/or
- c. have incompetently practised dentistry.

The hearing will be held at the British Columbia College of Oral Health Professionals, Suite #110, 1765 West 8th Avenue, Vancouver British Columbia, V6J 5C6, or by videoconference. It will commence at 9:30 am on September 25, 2023 through to September 29, 2023 and will continue from October 3, 2023 through to October 6, 2023.

You are entitled to attend the hearing and may be represented by legal counsel. If you do not attend the hearing, the Panel is entitled to proceed with the hearing in your absence and, without further notice to you, the Panel may take any actions that it is authorized to take under the Act.

Mailing Address

110 - 1765 8th Ave W
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Office Locations

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Further particulars of the allegations against you are:

██████████

1. On or about March 12, 2021, and/or March 18, 2021, with respect to your patient ██████████ you failed to obtain and/or record valid informed consent, including failing to provide the patient with a reasonable review, with risks, benefits, and costs, of all valid treatment protocols for dental issues.
2. On or about March 12, 2021, with respect to your patient ██████████ you provided prosthodontic treatment in the form of an anterior bridge and/or endodontic treatment for teeth 1.1, 1.2, and/or 2.3, without undertaking or recording the diagnostic testing necessary to support a proper diagnosis and treatment plan, including an occlusal assessment, periodontal assessment, and/or caries risk assessment.
3. On or about March 18, 2021, with respect to your patient ██████████ you provided restorative treatment for teeth 4.1, 4.2, 4.3, 4.4, 4.5, 4.7, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 1.4, 1.5, 1.6, and/or 1.7, without undertaking or recording the diagnostic testing necessary to support a proper diagnosis and treatment plan, including an occlusal assessment, periodontal assessment, and/or caries risk assessment.
4. On or about March 18, 2021, with respect to your patient ██████████ you provided restorative treatment for teeth 1.4, 1.5, 1.6, 1.7, 3.4, 3.5, 3.6, 3.7, 4.4, and/or 4.5, when the need for this treatment is not supported by the records, and/or the removal of tooth structure is excessive.
5. Between approximately March 10, 2021, and May 31, 2021, with respect to your patient ██████████ you failed to adequately maintain the patient records, including one or more of the following:
 - a. you added information into the patient records after the initial documentation date and did not record the date of the additions;
 - b. you treatment planned restorations for 21 teeth but did not record sufficient or any details of the diagnosis;
 - c. on or about March 12, 2022, you billed for build-ups for teeth 1.1, 1.2, and 2.3 and did not record sufficient or any details of the treatment rendered or the reason for this treatment; and

- d. on or about March 12, 2022, you prescribed Clindamycin and did not record sufficient or any details of the reason for this prescription.
6. On or about March 12, 2021, with respect to your patient [REDACTED] you billed for a pre-examination consultation and a complete examination when the need for this treatment is not supported by the records and/or you did not record sufficient, or any, details of the treatment rendered.
 7. On or about March 18, 2021, with respect to your patient [REDACTED] you billed for a pre-examination consultation and a specific examination when the need for this treatment is not supported by the records and/or you did not record sufficient, or any, details of the treatment rendered.
 8. On or about March 18, 2021, with respect to your patient [REDACTED] you billed for direct pulp caps for teeth 1.6, 1.7, 3.6, and/or 3.7, when the records do not support that direct pulp caps should have been billed.
 9. Between approximately October 27, 2021, and December 15, 2021, you failed to respond to communications from the College in a timely or responsive manner, or at all, with respect to a complaint made by your patient [REDACTED] including one or more of the following communications from the College:
 - a. An email sent October 27, 2021;
 - b. A letter sent by email on November 2, 2021;
 - c. An email sent November 9, 2021;
 - d. A letter sent by email on November 26, 2021;
 - e. A telephone call on December 7, 2021 in which a voicemail was left;
 - f. A telephone call on December 10, 2021 in which a voicemail was left; and
 - g. A letter sent by regular mail and email on December 15, 2021.
- [REDACTED]
10. On or about November 18, 2021, with respect to your patient [REDACTED] you provided restorative treatment to teeth 1.1, 1.2, 1.3, 2.1, 2.2, and/or 2.3 without the knowledge of the patient, and/or without obtaining and/or recording informed consent, including failing to provide the patient with a reasonable review, with risks, benefits, and costs, of all valid treatment protocols for dental issues.

11. On or about November 18, 2021, with respect to your patient [REDACTED] you provided restorative treatment to teeth 1.1, 1.2, 1.3, 2.1, 2.2, and/or 2.3, when the need for this treatment is not supported by the records, and/or you were aware, or should have been aware, that the patient was about to receive orthodontic treatment.
12. Between approximately December 9, 2021, and March 15, 2022, you failed to respond to communications from the College in a timely or responsive manner, or at all, with respect to a complaint made by your patient [REDACTED] including one or more of the following communications from the College:
 - a. A letter sent by email on December 9, 2021;
 - b. A letter sent by email and regular mail on January 17, 2022;
 - c. A letter sent by email and regular mail on February 8, 2022;
 - d. A letter sent by email and regular mail and dated February 23, 2022;
 - e. A telephone call on March 3, 2022 during which a message was left with a staff member requesting a call back;
 - f. A telephone call on March 4, 2022 during which a message was left with a staff member requesting a call back; and
 - g. A letter sent by regular mail and email on March 15, 2022.

The Discipline Committee is constituted under the Act and the College's Bylaws thereunder. Copies of the Act, the *Dentists Regulation*, BC Reg 415/2008, and the College's Bylaws are enclosed with this Citation, and you are particularly referred to s. 37-39 of the Act and part 13 and schedule I of the Bylaws.

FURTHER TAKE NOTICE that after completion of the hearing under s. 38 of the Act the Panel of the Discipline Committee may, under s. 39 of the Act, dismiss the matter or determine that you:

- a. have incompetently practised dentistry;
- b. have committed professional misconduct or unprofessional conduct;
- c. have not complied with a standard, limit, or condition imposed under the Act;
- d. have not complied with the Act, a regulation, or a bylaw; and/or
- e. suffer from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs your ability to practise dentistry.

This Citation is issued at the direction of the Inquiry Committee of the College under section 37 of the Act.

**BRITISH COLUMBIA COLLEGE OF ORAL HEALTH
PROFESSIONALS**



Joyce Johner, Deputy Registrar

5/26/2023

Date