

**IN THE MATTER OF**  
**The *Health Professions Act*, RSBC 1996 c. 183**

**AND**

**IN THE MATTER OF**  
**THE COLLEGE OF DENTAL SURGEONS OF**  
**BRITISH COLUMBIA AND**  
**DR. ZAHRA DAVAMI**

**CONSENT ORDER**

Under Section 37.1 of the *Health Professions Act*

After receiving the Consent Order Proposal (the "Proposal") to the Panel of the Inquiry Committee (the "Panel") of the College of Dental Surgeons of British Columbia (the "College") submitted by the registrant, Dr. Zahra Davami, attached; and after considering Dr. Davami's admissions as set out in the Proposal; on 18 July 2018, the Panel of the Inquiry Committee orders that:

1. Dr. Davami pay forthwith \$2,000 to partially indemnify the College for the costs of the investigation.
2. Dr. Davami remains resigned from the practice of dentistry effective 16 June 2017.

3. If Dr. Davami applies for reinstatement to practise dentistry:
- i. her application will be addressed by the Registration Committee of the College in accordance with the HPA (in particular Section 20(2.1)(b.1)) and the College Bylaws;
  - ii. in addition to any requirements, limits or conditions imposed or requested by the Registration Committee, her practice may be subject to an education and/or monitoring program;

**This Consent Order is approved by the following Panel:**

  
\_\_\_\_\_  
Dr. Jonathan Adams, Chair

*18 July '18*  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Ms. Lynn Carter

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dr. Harpradeep Ratia

\_\_\_\_\_  
Date

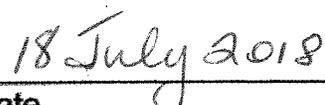
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\_\_\_\_\_  
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Date

\_\_\_\_\_  
Ms. Lynn Carter

\_\_\_\_\_  
Date

*Harpredeep Ratia*  
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Dr. Harpredeep Ratia

*18 July 2018*  
\_\_\_\_\_  
Date

**IN THE MATTER OF**

***The Health Professions Act* RSBC 1996 c. 183**

**Between:**

**THE COLLEGE OF DENTAL SURGEONS OF  
BRITISH COLUMBIA**

**And:**

**DR. ZAHRA DAVAMI**

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**CONSENT ORDER PROPOSAL TO  
INQUIRY COMMITTEE:**

**REGISTRANT ADMISSIONS AND CONSENTS**

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**Citation Issued: 18 May 2018**

**Hearing Dates: 23 – 26 July 2018**

**Proposal Submitted:**

## **1.0 AUTHORITY and ACKNOWLEDGMENTS**

1.1 As permitted under section 37.1(1) of the *Health Professions Act* (the "HPA"), Dr. Davami hereby provides this consent order proposal ("Proposal") to the Inquiry Committee of the College of Dental Surgeons of British Columbia (the "College"). The proposal has been arrived at jointly with Dr. Davami and counsel for the College.

1.2 Dr. Davami and the College acknowledge that acceptance of this Proposal would result in the Inquiry Committee making an order consistent with the Proposal, which order would be considered to be that of a discipline committee for all purposes. Dr. Davami and the College acknowledge that rejection of this Proposal would result in the hearing of the citation in this matter proceeding and that the discipline committee in that hearing must not consider any admission or consent provided herein.

## **2.0 BACKGROUND and SUMMARY of AGREED FACTS**

2.1 Dr. Davami registered with the College as a general dentist to practice dentistry on 7 April 1999.

2.2 Prior to a section 35 proceeding under the *Health Professions Act* and on 16 June 2017, Dr. Davami resigned from the practice of dentistry.

2.3 In considering the disposition of the complaints against Dr. Davami, the Inquiry Committee Panel accepted her resignation but directed that Dr. Davami be asked to sign an Memorandum of Agreement and Understanding (MAU).

2.4 The College did not receive a response to the repeated requests to Dr. Davami regarding the MAU.

2.5 The Inquiry Committee Panel reviewed the MAU and Dr. Davami's lack of response to the College's request that she sign the MAU or provide submissions and on 25 July 2017 directed the Registrar to issue a citation for a hearing of the discipline committee.

2.3 The citation was issued on 18 May 2018. The citation established the hearing dates of 23<sup>rd</sup> to 26<sup>th</sup> July 2018.

### **3.0 ADMISSIONS**

3.1 Dr. Davami admits to professional misconduct in that, with respect to a number of patients, she failed to exercise reasonable care, skill and judgement in the provision of dental treatment, and specifically with respect to diagnosis, treatment and record-keeping.

3.2 Dr. Davami admits to professional misconduct for having refused to allow College inspectors access to her dental records on February 7, 2017.

3.3 Dr. Davami admits to professional misconduct in that, under her supervision, her office submitted insurance claims for treatments when such treatments were not indicated or provided.

### **4.0 CONSENT to ORDER and INDEMNITY**

4.1 Given the admissions above, Dr. Davami proposes resolution of the citation on the following terms.

4.2 Dr. Davami will pay partial indemnification of the College's costs of the investigation and in respect of discipline hearing preparation in the fixed amount of \$2,000, forthwith.

4.3 Dr. Davami remains resigned from the practice of dentistry effective 16 June 2017.

4.4 If Dr. Davami applies for reinstatement to practice dentistry:

- i. her application will be addressed by the Registration Committee of the College in accordance with the HPA (in particular Section 20(2.1)(b.1)) and the College Bylaws; and

- ii. in addition to any requirements, limits or conditions imposed or requested by the Registration Committee, her practice may be subject to an education and/or monitoring program.

**5.0 ACKNOWLEDGEMENT and AGREEMENT**

5.1 Dr. Davami acknowledges that any order made by the Inquiry Committee based upon this Proposal constitutes "previous action" for the purposes of s. 39.2 of the HPA.

5.3 Dr. Davami confirms that she has received legal advice and representation throughout the College's investigation, disciplinary and consent order proposal processes and before agreeing to all of the facts, admissions, consents, indemnities and other terms and conditions herein.

5.4 Dr. Davami confirms her understanding and agreement with respect to the mandatory public notice requirements set out in section 39.3 of the HPA, including her understanding that her name, the nature of the action taken and the reason for the action taken will be included in this public notice.

5.5 The College and Dr. Davami agree that this Proposal may be executed in counterpart and delivered by facsimile or as an electronic document.

Respectfully submitted to the Inquiry Committee by:

  
\_\_\_\_\_  
Dr. Zahra Davami

Date July 17, 2018

Signature of Dr. Davami witnessed on above date by:

Brett Weninger   
Witness Name (Please Print) and Signature