

MEMORANDUM OF ACKNOWLEDGEMENT AND UNDERTAKING (MAU)

BETWEEN THE

COLLEGE OF DENTAL SURGEONS OF BC (THE COLLEGE)

AND

DR. TIMOTHY TAM

1. I, DR. TIMOTHY TAM,
 - (a) understand that with respect to College Complaint File # _____, the College had concerns that sedation services were provided in the facility for which I was the Director (Broadway Anesthesia Clinic) when the facility was not maintained in compliance with College Standards and Guidelines for sedation services;
 - (b) confirm that I am no longer the Director of any sedation facility where sedation services are provided;
 - (c) undertake that I will not act as the Director of a facility where sedation services are provided or in any other position in which I am responsible for the facility's compliance with College Standards and Guidelines for sedation services unless I am relieved of this undertaking;
 - (d) understand and agree that this MAU is made with respect to a "serious matter" as that term is defined in s. 26 of the Act and that public notification will be made pursuant to s. 39.3 of the Act by publication of this MAU in its entirety except that the name of the complainant will be redacted;
 - (e) understand that this MAU may be taken into account in the event of a future complaint;
 - (f) confirm that I have read and understand this MAU, and have had the opportunity to obtain legal advice on its contents;

2. THE COLLEGE OF DENTAL SURGEONS OF B.C., through its Registrar has advised Dr. Timothy Tam:



- (a) it may view any breach of this MAU once signed as unprofessional conduct;
and
- (b) that following the successful completion of all the terms of the MAU, the monitoring file will be closed.

January 20 2021
Date

January 21, 2021
Date

Dr. Timothy Tam

Dr. Chris Hacker, Registrar/CEO
College of Dental Surgeons of
British Columbia



MEMORANDUM OF ACKNOWLEDGEMENT AND UNDERTAKING (MAU)

BETWEEN THE

COLLEGE OF DENTAL SURGEONS OF BC (THE COLLEGE)

AND

DR. TIMOTHY TAM

1. I, DR. TIMOTHY TAM,
 - (a) understand that with respect to the complaint made by XXXX, College Complaint File #XXXX, the College considered I would benefit from an educational program to enhance my recordkeeping, informed consent protocols, patient relations and ethics;
 - (b) understand that, pursuant to the *Health Professions Act*, this is a serious matter requiring publication which includes my name (unless the Inquiry Committee agrees to a request to withhold information pursuant to s.39.3);
 - (c) undertake to review the Dental Recordkeeping Guidelines published by the College and complete the "for credit" version of the College's online dental recordkeeping course (available on the College's website www.cdsbc.org under the "Practice Resources" heading), within 3 months of signing the MAU;
 - (d) agree that in future, my recordkeeping will comply with the Dental Recordkeeping Guidelines and any future modifications of that document;
 - (e) undertake to complete the "for credit" version of the College's online "More Tough Topics" course (available on the College's website www.cdsbc.org under the "Practice Resources" heading), within 3 months of signing this MAU;
 - (f) undertake, at my cost, to successfully complete the Professional/Problem Based Ethics Program (ProBE) within 9 months of signing this MAU; I understand that successful completion of the course means that I must achieve an unconditional pass. I also understand the College will provide information to ProBE about the basis for my referral;
 - (g) undertake, to take diagnostic quality bitewing and/or periapical radiographs for use in the chart review referred to hereafter;



- (h) agree to undergo a chart review with the College. Six months after completion of the educational courses set out in this MAU or when the College otherwise determines that I have addressed the issues of concern, I will provide the College with copies of all insurance remittance summary statements and day-end summary sheets for the preceding 3 months. However, if in the College's opinion, the insurance remittance summary statements and day-end summary sheets do not include a sufficient number of treatments to allow for an appropriate chart review, the College will request and I will provide the insurance remittance summary statements and day-end summary sheets for the 2 months preceding the documents already provided. The College will choose the names of 7 patients from those documents and I will choose the names of 3 patients from those documents and provide the College with complete patient charts (including radiographs) for those selected for the chart review;
- (i) understand that if concerns arise from the review of the patient charts required under paragraph 1.(h), I may be required to undergo a second chart review with the College. The timing of this second chart review will be determined by the College;
- (j) understand that if the Complaint Investigator conducting the chart review/s has concerns arising from the review of the patient charts, I will be informed and allowed to respond. The concerns, my response and proposals to address the concerns may then be referred to the Inquiry Committee for its consideration and direction;
- (k) understand that where this MAU indicates this matter may be referred to the Inquiry Committee for consideration or direction, this may include any disposition pursuant to s.33(6) of the *Health Professions Act* including a direction for issuance of a citation;
- (l) agree to respond to any requests from the College in a timely manner;
- (m) agree that I will promptly inform the College in writing when I comply with any requirement of this MAU;
- (n) agree that if a deadline or requirement has not been met, I will immediately inform the College that it has not been met;
- (o) understand that a monitoring file will be opened to track my compliance with this MAU;
- (p) understand that this MAU may be taken into account in the event of a future complaint;
- (q) confirm that I have read and understand this MAU, and have had the opportunity to obtain legal advice on its contents;



THE COLLEGE OF DENTAL SURGEONS OF B.C., through its Registrar has advised Dr. Timothy Tam:

- (a) it may view any breach of this MAU once signed as unprofessional conduct; and
- (b) that following the successful completion of all the terms of the MAU, the monitoring file will be closed.

November 18 2020
Date Dr. Timothy Tam

January 8, 2021
Date Dr. Chris Hacker, Registrar/CEO
College of Dental Surgeons of B.C.