

IN THE MATTER OF**The *Health Professions Act*, RSBC 1996 c. 183****Between:****BRITISH COLUMBIA COLLEGE OF ORAL HEALTH PROFESSIONALS****And:****MR. PAUL BIDDLE****AMENDED CITATION AND NOTICE OF HEARING**

To: Mr. Paul Biddle


(the "Respondent")

TAKE NOTICE that a Panel of the Discipline Committee (the "Panel") of the British Columbia College of Oral Health Professional (the "College") will conduct a hearing under sections 38 and 39 of the *Health Professions Act*, RSBC 1996 c. 183 (the "*Act*") and the Bylaws of the College.

The purpose of the hearing is to inquire into your conduct and competence as a dentist. The College is conducting this inquiry to determine whether you:

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

The hearing will be held ~~in person at Charest Legal Solutions Inc., 5th Floor, 885 West Georgia Street, Vancouver, BC V6C 3E8~~ **by video conference**. The hearing will commence at 9:30 a.m. on ~~March 27, 2024~~ **July 10, 2024**.

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*.

Further particulars of the allegations against you include:

1. At all material times, the Respondent was a registrant of the College as defined in paragraph 26 of the *Act*.
2. On or about September 2, 2022 the College commenced an investigation involving the Respondent (the "First Investigation"). On or about January 28, 2023, the College commenced a second investigation involving the Respondent (the "Second Investigation"). The First Investigation and Second Investigation are unrelated complaints from two different complainants (collectively, the "Two Investigations").

The Two Investigations

3. Commencing on October 25, 2022, the Respondent was first contacted regarding the First Investigation and asked to respond. Between October 25, 2022 and March 1, 2023, the College made multiple attempts to contact the Respondent regarding the First Investigation.
4. On March 8, 2023, the College sent a letter to the Respondent regarding the Second Investigation and the Respondent was asked to respond.
5. On March 13, 2023, the Respondent contacted the College, provided the College with a new updated office address, and advised the College he had not been at his old office address for about 2 years.
6. On March 22, 2023, the College contacted the Respondent at his new updated office address and provided the original complaint and requested a response involving the First Investigation. On that same date, the College also provided the Respondent with a reminder letter regarding the Second Investigation.
7. On April 11, 2023, the Respondent provided an incomplete questionnaire in response to the College relating to the First Investigation.

8. On April 20, 2023, the College contacted the Respondent and asked for complete treatment records, notes of the consultation and financial records regarding the First Investigation. On the same date, the College also provided a reminder letter to the Respondent regarding the Second Investigation.
9. On May 4 and 9, 2023, the College placed follow-up telephone calls to the Respondent with messages left in both instances regarding the Second Investigation.
10. On May 12, 2023, the Respondent provided an incomplete questionnaire in response to the College relating the Second Investigation.
11. On June 28, 2023, the College sent a letter to the Respondent asking that he provide a substantive response along with the patient's complete treatment record, including financial records, in relation to the Second Investigation.
12. Between June 28, 2023 and July 26, 2023, the College contacted the Respondent again multiple times requesting a response involving the Two Investigations. No response was received from the Respondent.
13. On August 15, 2023, an inspector for the College (the "College Inspector") attended the office of the Respondent at 2:00pm. The Respondent was not present. The College Inspector returned at 3:30pm to see if the Respondent had returned to the office. The Respondent was still not present. The College Inspector left copies of the previous correspondence relating to the Two Investigations along with return contact information.
14. On August 15, 2023 at 4:15pm, the Respondent called the College Inspector indicating that the complaint file was dealt with months ago and that the College did not know how to do its job. The Respondent used profanity towards the College Inspector. The Respondent then hung up on the call.
15. On August 21, 2023, the College sent a letter to the Respondent to remind him of his duty to respond to the College regarding the Two Investigations. The letter advised the Respondent that if his response was not received by August 28, 2023, his failure to respond would be referred to a Panel of the Inquiry Committee for direction. The Respondent did not respond.
16. Despite repeated attempts by the College to seek a response from the Respondent, the Respondent failed to respond to the College regarding the Two Investigations and failed to cooperate with the Two Investigations.
17. On September 14, 2023, the Two Investigations were referred to the Inquiry Committee. A Panel of the Inquiry Committee directed the Two Investigations to proceed to citation for failing to respond in a timely manner to the College and for being unprofessional towards the College Inspector.

Bylaws of the College

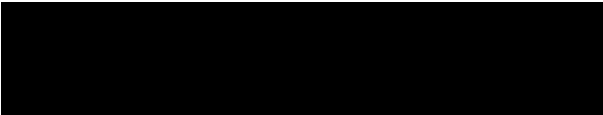
18. Bylaw 6.09 of the College's bylaws states that a registrant must immediately notify the registrar of any change in the name or contact information the registrant most recently provided to the registrar.
19. Bylaw 13.04 of the College's bylaws sets out that registrants have a duty to respond to the College in a reasonably timely and substantive manner and to cooperate with complaint investigations. The failure to do so may constitute professional misconduct or unprofessional conduct as defined under section 26 of the *Act*.
20. The conduct described in the preceding paragraphs of the citation constitutes a breach of the *Act* and/or Bylaws of the College and/or constitutes unprofessional conduct or professional misconduct.

FURTHER TAKE NOTICE that after completion of the hearing under section 38 of the *Act*, the Panel, under section 39 of the *Act*, may dismiss the matter or determine that you:

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

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

The Discipline Committee is constituted under the *Act* and the College's Bylaws thereunder. Copies of the *Act*, and the College's Bylaws are enclosed with this Citation, and you are particularly referred to section 37 to 39 of the *Act* and parts 6 and 13 and schedule I of the Bylaws.

BRITISH COLUMBIA COLLEGE OF ORAL HEALTH PROFESSIONALS

May 31, 2024

~~Joyce Jehner~~ **Chris Hacker**
~~General Counsel and Deputy Registrar~~ **Registrar**

~~February 16, 2024~~ **May 31, 2024**