

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. SERGEI AGAFONTSEV**

ORDER

Under Section 37.1 of the *Health Professions Act*

After considering the Consent Order Proposal (the Proposal) to the Inquiry Committee (the Committee) of the College of Dental Surgeons of British Columbia (the “College”) submitted by the Registrant, Dr. Sergei Agafontsev (the “Respondent”) on November 5, 2013, attached; and after considering the Respondent’s admission to all of the allegations in the Citation issued June 7, 2013 (the Citation), attached, except as set out in paragraph 3.1 of the Proposal; and after noting the seriousness of the allegations in the Citation which raise concerns regarding the Respondent’s understanding of and the obtaining of informed consent, his quality of dental care and treatment and his supervision of employees in relation to patient recordkeeping, the Committee orders that:

1. The Respondent is reprimanded;
2. The Respondent will indemnify the College for its costs of the investigation of the various matters leading to the Citation in an amount fixed at \$1,500.00, payable within 30 days of the making of this order by the Committee;

3. The Respondent will:

- a) complete (by way of pass or pass with conditions) of the Professional/Problem Based Ethics course provided The Centre for Personalized Education of Physicians at a location of the Respondent's choosing within eight months of this order by the Committee (the next Canadian offering is scheduled for April 4-6, 2014, in Toronto);
- b) satisfactory complete of a recordkeeping course designated by the College with 90 days of notice by letter from the College to the Respondent of the designation of such course;
- c) review and complete, including post-test, the College's informed consent DVD within 30 days of this order;
- d) enter into a mentorship agreement with the College within 90 days of this order by the Committee for review of all dental procedures and operative care provided by him and being the subject of the concerns raised in the Citation. This mentorship agreement will be at the Respondent's entire cost for a minimum of eight sessions to specifically address the standards of practice (substandard care/competency) concerns raised in the Citation. The agreement will include standard terms by which the mentoring dentist will report to the Committee as to the Respondent's practice standards for further action as may be reasonably necessary. The College will provide the names of three mentoring dentist candidates to the Respondent from which the Respondent must select the mentor;
- e) entering into a monitoring and inspection agreement with the College for a period of 24 months commencing from the date of the making of an order by the Committee arising out of this order by which:
 - i. patient chart reviews are conducted every six months; and
 - ii. the monitoring/inspecting representative of the College will report to the Committee on findings for further action as may be reasonably necessary;

4. The Respondent will pay a fine to the College in the amount of \$12,000.00 on the following payment terms:

- a) a first payment of \$3,000.00 within one month of the making of this order by the Committee;

- b) a second payment of \$3,000.00 within four months of making of this order by the Committee;
- c) a third payment of \$3,000.00 within seven months of making of this order by the Committee;
- d) a fourth payment of \$3,000.00 within ten months of making of this order by the Committee.

This Consent Order is approved by the Inquiry Committee:

Dr. Scott Stewart, Chair

Dr. Greg Card, Vice Chair

Ms. Lynn Carter

Mr. Brad Daisley

Mr. Rick Lemon

Mr. Robbie Moore

Dr. Mike Racich

Dr. Patricia Hunter

Dr. Jonathan Adams

Dr. Robert Elliott