

**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. SUZANNE E. CZIRAKI**

**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. Suzanne Cziraki, attached; and after considering Dr. Cziraki’s admissions as set out in the Proposal; on 22 January 2018, the Panel of the Inquiry Committee orders that:

1. Dr. Cziraki is reprimanded.
2. Dr. Cziraki pay forthwith a fine of \$40,000.
3. Dr. Cziraki pay forthwith \$5,000 to partially indemnify the College for the costs of the investigation.

4. Dr. Cziraki complete at her own cost and to the satisfaction of the College, the educational program set out in the attached s. 37.1 Consent Order Proposal Educational Agreement, the terms of which include successful completion of:

- i. the 3 day Ethics and Boundaries course called Professional / Problem Based Ethics Program (ProBE);
- ii. the College's online "More Tough Topics" course;
- iii. a 15 day orthodontic mentorship;

followed by monitoring for up to 3 years.

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

  
\_\_\_\_\_  
Dr. Robert Elliott, Chair

JANUARY 24 2017  
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dr. Andrew Shannon

\_\_\_\_\_  
Date

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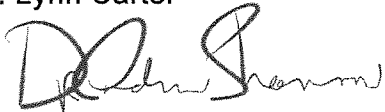
**This Consent Order is approved by the following Panel:**

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Dr. Robert Elliott, Chair

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

\_\_\_\_\_  
Date



\_\_\_\_\_  
Dr. Andrew Shannon

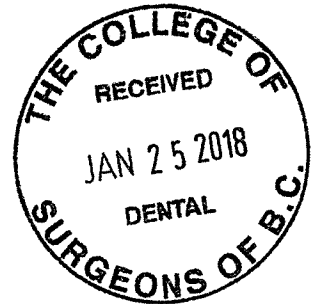
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Date

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Dr. Robert Elliott, Chair



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

\_\_\_\_\_  
Date

  
Date

\_\_\_\_\_  
Dr. Andrew Shannon

\_\_\_\_\_  
Date

IN THE MATTER OF

*The Health Professions Act* RSBC 1996 c.183

Between:

THE COLLEGE OF DENTAL SURGEONS OF  
BRITISH COLUMBIA

And:

DR. SUZANNE E. CZIRAKI

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CONSENT ORDER PROPOSAL TO  
INQUIRY COMMITTEE:

REGISTRANT ADMISSIONS AND CONSENTS

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Citation Issued: September 20, 2017

Hearing Dates: January 29 – March 9, 2018

Proposal Submitted: January 20, 2018

## **1.0 AUTHORITY and ACKNOWLEDGMENTS**

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

1.2 Dr. Cziraki and the College acknowledge that acceptance of this Proposal would result in the Committee making an order consistent with the Proposal, which order would be considered to be that of a discipline committee for all purposes. Dr. Cziraki 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. Cziraki registered with the College as an orthodontist to practice dentistry on September 10, 2001.

2.2 On February 14, 2017, the Inquiry Committee directed the Registrar to issue a citation under section 37 of the *HPA*.

2.3 The citation was issued on September 20, 2017. The citation established the hearing dates of January 29 -February 2, February 5, February 7- 9, and March 5 – 9, 2018.

## **3.0 ADMISSIONS**

3.1 Dr. Cziraki admits to professional misconduct in that with respect to a number of patients, she:

(a) failed to :

(i) accurately diagnose the presenting conditions;

- (ii) provide patients, their parents and/or guardians with all reasonable treatment options;
  - (iii) develop appropriate treatment plans; and
  - (iv) manage patients;
- (b) provided treatment that was unnecessary or inappropriate; and
- (c) unduly extended the length of treatment and/or increased the complexity of treatment.

3.2 Dr. Cziraki admits to professional misconduct in that, under her supervision, her office submitted insurance claims for treatments when such treatments were not indicated or provided; and when the treatment that was provided, was included in the orthodontic fee.

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

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

4.2 In relation to the admission of professional misconduct, Dr. Cziraki is reprimanded and is ordered to pay a fine of \$40,000 forthwith.

4.3 Dr. Cziraki will pay partial indemnification of the College's costs of the investigation in the fixed amount of \$5,000 forthwith.

4.4 Dr. Cziraki must complete at her own cost and to the satisfaction of the College, the educational program, the terms of which are set out in the attached s. 37.1 Consent Proposal Educational Agreement between the College and Dr. Cziraki.

#### **5.0 ACKNOWLEDGEMENT and AGREEMENT**

5.1 Dr. Cziraki acknowledges that the failure to satisfy any one or more of the terms herein or in the educational agreement above may constitute professional

misconduct or unprofessional conduct and may trigger an investigation and disciplinary proceedings in accordance with the provisions in the *HPA*.

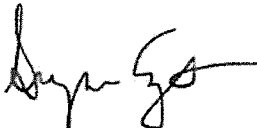
5.2 Dr. Cziraki acknowledges that any order made by the Inquiry Committee based upon this Proposal constitutes "previous action" for the purposes of s. 39.2 of the *HPA*.

5.3 Dr. Cziraki 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. Cziraki 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. Cziraki agree that this Proposal may be executed in counterpart and delivered by facsimile or as an electronic document.

Respectfully submitted to the Committee by:

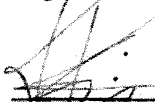


\_\_\_\_\_  
Dr. Suzanne E. Cziraki

20/01/18

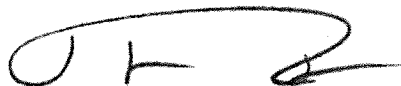
\_\_\_\_\_  
Date

Signature of Dr. Cziraki witnessed on above date by:



Tadas Tolusas

Witness Name (Please Print) and Signature



\_\_\_\_\_  
Barrister and Solicitor  
Counsel for the College

\_\_\_\_\_  
Date

January 21, 2018

**THOMAS M. LUTES**  
*Barrister & Solicitor*  
702-402 West Pender Street  
Vancouver, BC V6B 1T6  
Ph: 604-684-3888 Fax 604-628-3867





**SECTION 37.1 CONSENT ORDER PROPOSAL EDUCATIONAL AGREEMENT**

**(THE EDUCATIONAL AGREEMENT)**

**BETWEEN THE**

**COLLEGE OF DENTAL SURGEONS OF BC (THE COLLEGE)**

**AND**

**DR. SUZANNE E. CZIRAKI**

**1. I, DR. SUZANNE E. CZIRAKI**

- (a) understand that with respect to the Citation issued by the College on 20 September 2017, the College considered that I would benefit from an educational program to enhance my orthodontic diagnosis, treatment planning and treatment and informed consent protocols as well as my ethical conduct;
- (b) undertake, at my cost, to successfully complete the Professional/Problem Based Ethics Program (ProBE) to be given in \_\_\_\_\_ on \_\_\_\_\_; 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. I further understand that if I do not successfully complete the course the monitoring file may be referred to the Inquiry Committee for direction;
- (c) undertake to complete the College's online "More Tough Topics " course within 3 months of signing this Educational Agreement;
- (d) undertake to enter into, at my own expense, a mentorship agreement with Dr. XXX, a mentor acceptable to the College. The agreement will provide for:

  - (i) a period of mentorship with Dr. XXX of 15 one day sessions or the equivalent half day sessions or such other period of time as the College, Dr. XXX and I agree;
  - (ii) Dr. XXX will meet with me for the mentoring sessions which will include but not be limited to:



- a case review of all patient charts reviewed by the College in which the College identified concerns;
  - current concepts in diagnosis and treatment planning in orthodontics; and
  - billing protocols in orthodontics;
- (iii) after 7 mentorship sessions, Dr. XXX will provide a report in writing to the College (the interim report) with a copy to me. The report will set out Dr. XXX's observations of the mentorship sessions to date and will outline a course of action for any subsequent sessions;
- (iv) Dr. XXX will provide a report in writing to the College (the final report) with a copy to me after the fifteenth mentorship session, or earlier if the mentor is satisfied that Dr. Cziraki understands the concerns raised by the chart reviews and has modified her practice to incorporate current best practices in orthodontics. Dr. XXX will also identify any areas, if such exist, that do not meet the standards expected in the province of B.C.;
- (v) a copy of my mentorship agreement with Dr. XXX is attached to and forms part of this Educational Agreement.
- (e) undertake to complete the mentorship sessions within up to 12 months of signing this Educational Agreement;
- (f) understand that if the mentor's report indicates that I have not satisfactorily addressed any or all of the concerns, then I will meet with the College to discuss how to resolve these issues. If I am not able to come to an agreement with the College, I understand the monitoring file may be referred to the Inquiry Committee for direction;
- (g) undertake following the report from Dr. XXX, to undergo chart reviews with the College. 12 months after the College receives the final report or when the College otherwise determines that I have addressed the issues of concern, I will provide the College with copies of all my daily appointment sheets for the preceding 2 months provided however, if in the College's opinion, the daily appointment sheets do not include a sufficient number of orthodontic treatments to allow for an appropriate chart review, the College will request and I will provide the daily appointment sheets for the two months preceding the daily appointment sheets already provided. The College will choose the names of 7 patients from those appointment sheets and I will choose the names of 3 patients from those appointment sheets and provide the College with those 10 complete patient charts (including radiographs) for the chart review. That process will be repeated



at 24 and 36 months, except that if the College is satisfied with the chart reviews at the 12 and 24-month stage, the 36-month review will not be required;

- (h) understand that if the Complaint Investigator conducting the chart reviews considers any of my orthodontic diagnosis and treatment planning, treatment, informed consent protocols or billing does not meet the standard expected, I will be informed and allowed to respond. The concerns, my response and proposals to address the concerns, if any, may then be referred to the Inquiry Committee for direction;
- (i) understand that where this Educational Agreement indicates that this matter may be referred to the Inquiry Committee for consideration and direction, the direction may include any disposition pursuant to s.33(6) of the *Health Professions Act* including disciplinary action;
- (j) agree to respond to any requests from the College or Dr. XXX in a timely manner;
- (k) agree that I am responsible for promptly informing the College in writing when I comply with any requirement of this Educational Agreement or if a deadline or requirement has not been met, informing the College that it has not been met and advising the College when and how I will meet the requirement;
- (l) understand that this Educational Agreement may be taken into account in the event of a future complaint;
- (m) confirm that I have read and understand this Educational Agreement, and have had the opportunity to obtain legal advice on its contents;

2. THE COLLEGE OF DENTAL SURGEONS OF B.C., through its Registrar, Jerome M. Marburg, has advised Dr. Suzanne Cziraki:

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

**20/01/18**

Date

Dr. Suzanne E. Cziraki

Date

Jerome M. Marburg, Registrar



College of Dental Surgeons of  
British Columbia

**MENTORING AGREEMENT BETWEEN DR. SUZANNE E. CZIRAKI,  
DR. (MENTOR)  
AND  
THE COLLEGE OF DENTAL SURGEONS OF BC (THE COLLEGE)**

Whereas:

- A. The College received complaints regarding the orthodontic services provided by Dr. Suzanne E. Cziraki;
- B. The College conducted an investigation into the complaint and was of the view that Dr. Cziraki's orthodontic diagnosis, treatment planning, treatment and ethical conduct would be improved by an educational program;
- C. Dr. Cziraki has agreed to undertake training to enhance the quality of services she provides to patients;
- D. Dr. Cziraki has agreed to undertake a mentorship with an orthodontist approved by the College, who will work with her to improve her standards of practice;
- E. Dr. XXX has agreed to act as a mentor for Dr. Cziraki for the term of this agreement or for so long as the parties agree;
- F. Dr. Cziraki, Dr. XXX and the College enter into this agreement with a view to developing a flexible process that will assist Dr. Cziraki in improving her standards of practice in a professional and supportive environment.

The parties therefore agree as follows:

1. Dr. Cziraki requests and Dr. XXX agrees that he/she will act as mentor to Dr. Cziraki for 15 one day sessions or such other period of time agreed upon by the College, Dr. XXX and Dr. Cziraki;
2. The mentoring sessions will cover:
  - a case review of all patient charts reviewed by the College in which the College identified concerns;



- current concepts in diagnosis and treatment planning in orthodontics; and
  - billing protocols in orthodontics;
3. Dr. XXX agrees that he/she will meet with Dr. Cziraki for 15 sessions each lasting one day (7 hours) or the equivalent in half day sessions (3.5 hours) to be concluded within up to 12 months of the date of this Educational Agreement or for such other period as the parties may hereto agree, with allowances being made for absences due to holiday and schedule changes;
  4. Dr. XXX 's fee for acting under this Educational Agreement is \$ XXX for each full day or part thereof or \$XXX for each half day spent with Dr. Cziraki plus reasonable travel and preparation time expenses and \$250.00 for each report prepared by Dr. XXX for the College pursuant to this agreement, together with all applicable taxes. Dr. XXX's fees and applicable taxes will be paid by the College from monies deposited with the College by Dr. Cziraki. Dr. XXX will invoice the College for such amounts on the date of each attendance/report or as soon as possible thereafter, with a copy to Dr. Cziraki;
  5. Dr. Cziraki will, upon signing this Educational Agreement provide the College with \$ XXX, such funds to be used to pay Dr. XXX. Dr. Cziraki will provide the College with sufficient additional funds as requested by the College in writing from time to time to pay Dr. XXX for his/her services pursuant to this Educational Agreement;
  6. Dr. Cziraki will provide the College with a copy of the initial schedule of mentoring sessions as established between Dr. XXX and herself. After 7 mentorship sessions, Dr. XXX will report in writing to the College, with a copy to Dr. Cziraki. The report will include:
    - an assessment of Dr. Cziraki's practice including identifying areas that require improvements;
    - any improvements in Dr. Cziraki's practice observed to the date of the report; and
    - recommendations for areas to be addressed in the remaining sessions;
  7. At the conclusion of the mentorship, Dr. XXX will report in writing to the College with a copy to Dr. Cziraki. The report will include:
    - areas addressed throughout the mentorship;
    - Assessment of Dr. Cziraki's improvements and current competency;
  8. Dr. XXX agrees to keep confidential any information he/she obtains as a result of this agreement and further agrees he/she may only disclose information obtained in the



course of his/her mentorship of Dr. Cziraki under this agreement to the College and to Dr. Cziraki;

9. Dr. XXX and the College agree that Dr. Cziraki may terminate this agreement if she feels that the mentorship arrangement is not benefitting her. In that event, however, it will be necessary for Dr. Cziraki and the College to agree to an alternate remedial program, failing which the matter will be referred to the Inquiry Committee for direction;
10. Dr. XXX may also terminate this agreement if he/she feels he/she is unable to accomplish the goals of the mentorship. In that event, however, it will be necessary for Dr. Cziraki and the College to agree to an alternate remedial program, failing which the matter will be referred to the Inquiry Committee for direction;
11. Dr. Cziraki understands and agrees that participation in a mentorship is not a guarantee of performance or competence and that she alone is entirely responsible for her competent practice both during and after the period of mentorship. Dr. Cziraki agrees that she will not under any circumstances make any claim against Dr. XXX with respect to any matter arising out of Dr. XXX's mentorship of Dr. Cziraki;
12. Dr. Cziraki further agrees that she will indemnify and hold harmless Dr. XXX with respect to any claim made by a third party related to any matter arising out of Dr. XXX's mentorship of Dr. Cziraki;

20/01/18

Date

Dr. Suzanhe E. Cziraki

Date

Dr. (Mentor)

Date

Jerome M. Marburg, Registrar  
College of Dental Surgeons of British  
Columbia