



## Summary of CDSBC’s Allegations and the Discipline Panel’s Findings in the Hearing re: Derek Duvall

Citation Number and CDSBC Allegation	Discipline Panel Finding
1. In or about 2007, as regards your patient, RC, you provided substandard care in the placement of a crown for tooth 3.7.	Incompetent practice
2. In or about 2007, as regards your patient, GL, a. (i) you permanently cemented a bridge to teeth 3.4 to 3.6 which you knew was damaged; and/or a. (ii) you misled the patient by advising him that the bridge could be repaired after insertion; and/or b. you recommended replacement of the crowns for teeth 1.6 and 2.6, when that was unnecessary.	Incompetent practice  Allegation of professional misconduct dismissed  Incompetent practice
3. In or about 2006, as regards your patient, JF, your provision of a denture was substandard.	Incompetent practice
4. In or about 2006, as regards your patient, JH, a. your provision of a crown for tooth 2.5 was substandard; b. you provided substandard root canal therapy to tooth 2.5; and/or c. you improperly placed an implant in the 2.5 position	Incompetent practice (treatment was substandard in all three respects)
5. In or about 2006, as regards your patient, ES, your provision of crowns for teeth 3.5 and/or 3.7 was substandard.	Incompetent practice
6. In or about February 2007, as regards your patient, ML, your provision of restorations to teeth 3.6 and/or 3.7 was substandard.	Incompetent practice
7. In or about 2006, as regards your patient, LT, your provision of restorations to teeth 2.7 and/or 4.7 was substandard.	Incompetent practice (tooth 2.7) Allegation of incompetent practice for tooth 4.7 was dismissed
8. In or about 2006, as regards your patient, SS, your provision of veneers to teeth 1.3 through 2.3 was substandard.	Incompetent practice
9. In or about 2007, as regards your patient, JW, you extracted four permanent first pre-molars without obtaining informed consent.	Incompetent practice
10. In or about 2006, as regards your patient, RW, a. your provision of endodontic treatment to teeth 2.4 and/or 2.6 was substandard; and/or b. you failed to advise RW of all reasonable treatment options when the instruments broke within tooth 2.6 during treatment.	Incompetent practice  Allegation not adequately proven



11. In or about 2009, as regards your patient, JS, you provided substandard care in the placement of an implant in the 1.6 position.	Incompetent practice
12. In or about 2009, you failed to provide Dr. D with a copy of a Revised Agreement and Undertaking made between you and the College dated November 5, 2003 ("AUSPA"), contrary to the terms of the AUSPA.	Allegation proven
13. In or about 2009, as regards your patient, JO, a. you provided unnecessary endodontic treatment to tooth 1.1; and/or b. you provided the unnecessary treatment to obtain maximum insurance coverage for a crown for tooth 1.1.	Allegation dismissed  Allegation dismissed
14. In or about 2007, as regards your patient, MH, you failed to properly prepare tooth 4.6 for a crown.	Incompetent practice
15. As regards your patient, GB, a. in or about 2006, you provided inappropriate treatment to tooth 3.6 by providing endodontic treatment to a periodontically compromised tooth; and/or b. in or about 2007, following the extraction of tooth 3.6, you provided substandard treatment in the placement of an implant in the 3.6 position.	Incompetent practice  Incompetent practice
16. In or about 2007, as regards your patient, RK, you refused to provide emergency service when a temporary crown that you had placed earlier that day on tooth 4.7 was lost.	Professional misconduct (breach of the College's Code of Ethics)
17. You behaved inappropriately toward patients as illustrated by the following: a. in or about 2007, you hugged RK; and/or b. in or about 2006, you asked patient BC, her mother and/or her grandmother to sit on your lap.	Professional misconduct  Professional misconduct
18. In or about 2006, as regards your patient, BC, you a. provided substandard care by replacing fillings on teeth 8.4 and 8.5, instead of performing the required restorations on teeth 5.4 and 5.5; and/or b. provided inadequate restorations to teeth 5.5, 5.4, 6.5, 6.4, 7.5, 7.4, 8.4 and/or 8.5.	Allegation not pursued by CDSBC  Incompetent practice
19. In or about 2006, as regards your patient, CO, you provided substandard care in the placement of a crown on tooth 3.6.	Incompetent practice
20. In or about 2006 and 2007, as regards your patient, DB, your provision of a complete upper denture was substandard.	Incompetent practice



<p>21. In or about 2007, as regards your patient, EP, you provided substandard care in the provision of a crown to tooth 4.7.</p>	<p>Incompetent practice</p>
<p>22. In or about 2007, as regards to your patient, MP,</p> <ul style="list-style-type: none"> <li>a. you recommended crowns for teeth 3.6 and 4.6 even though the treatment plan was inappropriate due to the periodontal condition of the teeth;</li> <li>b. you failed to inform the patient of her serious periodontal condition;</li> <li>c. you improperly prepared teeth 3.6 and 4.6 for the crowns; and/or</li> <li>d. in the preparation of tooth 4.6, you damaged tooth 4.7.</li> </ul>	<p>Incompetent practice</p> <p>Incompetent practice</p> <p>Incompetent practice</p> <p>Allegation dismissed</p>
<p>23. In or about 2007, as regards your patient, GO, you extracted 11 teeth without sufficient radiographic information.</p>	<p>Incompetent practice</p>
<p>24. In or about 2007, as regards your patient JC, you failed to properly place a post in tooth 1.2.</p>	<p>Incompetent practice</p>
<p>25. In or about 2007, as regards your patient GS,</p> <ul style="list-style-type: none"> <li>a. you performed unnecessary and inappropriate treatment by placing a crown on tooth 3.3, when the tooth was only minimally damaged;</li> <li>b. your preparation on tooth 3.3 was substandard</li> </ul>	<p>Incompetent practice in both respects</p>
<p>26. In or about 2007, as regards your patient RH,</p> <ul style="list-style-type: none"> <li>a. you provided endodontic treatment and a crown for tooth 3.6 even though the treatment plan was inappropriate due to the patient's periodontal condition; and/or</li> <li>b. you improperly prepared tooth 3.6 for the crown.</li> </ul>	<p>Incompetent practice</p> <p>Incompetent practice</p> <p>Incompetent practice</p>
<p>27. You breached your undertakings to the College as set out in the AUSPA [Acknowledgement and Undertaking of Dr. Derek Duvall with Supporting Physicians Agreement], including one or more of the following:</p> <ul style="list-style-type: none"> <li>(j) to provide a copy of this AUSPA to any CDSBC member...in whose practice I may be working</li> <li>(k) not to provide dental services to patients unless and until the CDSBC member referred to ... has provided their written agreement to the CDSBC to report the following to the CDSBC: <ul style="list-style-type: none"> <li>(i) any breach by me of these undertakings known to them; and</li> <li>(ii) any significant quality of care, judgment, or interpersonal issues involving me;</li> </ul> </li> </ul> <p><i>(continued on next page)</i></p>	<p>Professional misconduct for failure to comply with the terms of the AUSPA</p>



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(n) to voluntarily submit to a CDSBC chart review at my expense, once per year for five years following the date of my registration and licensure, which chart review will be conducted by an inspector of the CDSBC's choosing...

9. agree that Dr. L and Dr. C may provide reports and information and otherwise communicate with the CDSBC as set out in the agreements of Dr. L and Dr. C below ... and I will take all reasonable steps to ensure that Dr. L's regular reports to the CDSBC are received by the CDSBC in a timely manner