

IN THE MATTER OF
The Health Professions Act, RSBC 1996 c. 183

Between:

THE COLLEGE OF DENTAL SURGEONS OF BRITISH COLUMBIA

And:

DR. STEPHEN RAYMUND TORRES also known as DR. STEPHEN TORRES

ORDER OF THE INQUIRY COMMITTEE

Under s. 37.1 of the *Health Professions Act*

The Inquiry Committee of the College of Dental Surgeons of British Columbia (the “College”) accepted a proposal for resolution submitted by the registrant, Dr. Stephen Torres on November 23, 2020 (the “Proposal”) and accordingly issues this Order, pursuant to section 37.1(3)(a) of the *Health Professions Act*. The Proposal is attached to and forms part of this Order.

The Inquiry Committee accepts Dr. Torres’ admissions that he committed professional misconduct, in that, with respect to a number of patients, he:

- a. Failed to develop an adequate treatment plan and/or conduct the necessary diagnostic assessments to do so;
- b. Provided treatment without having first obtained and documented valid informed consent, including failing to provide a reasonable review of all valid treatment options with risks, benefits, and costs;
- c. Failed to maintain adequate patient records in accordance with the College’s expected standard for recordkeeping. Dr. Torres’ patient charts did not include records of adequate diagnostic assessment(s) to support the treatment provided.

The Inquiry Committee accepts Dr. Torres’ admission that he committed professional misconduct by failing to fully and properly implement the practice changes that he agreed to in the Memorandum of Understanding and Acknowledgement entered into with the College in 2013.

After a review of the concerns identified in the College’s investigation, Dr. Torres’ admissions, and the comprehensive disciplinary and remedial actions proposed, the Inquiry Committee accepted Dr. Torres’ written proposal.

The Inquiry Committee therefore orders as follows:

1. Dr. Torres must do all of the following within the time specified:
 - a. Successfully complete the “for credit” version of the College’s “More Tough Topics” online course, within 3 months of this Order;
 - b. Review the College’s Dental Recordkeeping Guidelines and successfully complete the “for credit” version of the associated online course, within 3 months of this Order; and
 - c. Successfully complete the Professional Boundaries Inc. course “Medical Ethics and Professionalism,” within 6 months of this Order.
2. Prior to returning to clinical practice, Dr. Torres must complete a comprehensive assessment of his knowledge, skills and abilities conducted by a mentor designated by the College, and undertake to complete any further remediation as directed by a mentor designated by the College following assessment.
3. Dr. Torres must participate in the following clinical mentorships with a mentor designated by the College, for a minimum total duration of 12 months following the completion of the assessment described in paragraph 2, as follows:
 - a. One half-day mentorship session, no less than once every two months for 12 months, to review and provide oversight of diagnosis, treatment planning, and clinical treatment; and
 - b. Any continuing mentorship or oversight as is recommended by the mentor designated by the College, at their sole discretion.
4. Dr. Torres must arrange with the mentor designated by the College for reports to be provided to the College as follows:
 - a. Upon completion of the assessment of Dr. Torres’ knowledge, skills and abilities as outlined in paragraph 2;
 - b. At least once every three months during the period of mentorship outlined in paragraph 3(a);
 - c. Upon completion of the period of mentorship outlined in paragraph 3(a); and
 - d. In connection with any continuing mentorship or oversight recommended by the mentor designated by the College, as outlined in paragraph 3(b).

5. Dr. Torres must pay partial costs of the investigation in the amount of \$2,000 to the College within 30 days of this Order.
6. Dr. Torres is subject to all further acknowledgments and conditions stated in the Proposal, all of which are incorporated by reference and form part of this Order.

This Order is effective January 29 2021.

The Order is approved by the Panel of the Inquiry Committee as indicated by their signatures below:

Dr. Jonathan Adams, Panel Chair

Date

Dr. Ahmed Hieawy, Panel Member

Date

Ms. Marg Vandenberg, Panel Member

Date

IN THE MATTER OF
The Health Professions Act, RSBC 1996 c. 183

Between:

THE COLLEGE OF DENTAL SURGEONS OF
BRITISH COLUMBIA

And:

DR. STEPHEN RAYMUND TORRES

**CONSENT ORDER PROPOSAL TO
INQUIRY COMMITTEE**

REGISTRANT ADMISSIONS AND CONSENTS

Proposal submitted: November 23, 2020

1.0 AUTHORITY AND ACKNOWLEDGMENTS

- 1.1 As permitted under section 37.1(1) of the *Health Professions Act* (the “*HPA*”), Dr. Torres hereby provides this consent order proposal to the Inquiry Committee (the “Committee”) of the College of Dental Surgeons of British Columbia (the “College”).
- 1.2 Dr. Torres acknowledges that acceptance of this proposal by the Committee would result in the Committee making an order consistent with the proposal, which order would be considered to be that of the Discipline Committee for all purposes in accordance with section 37.1(3)(a) of the *HPA*.
- 1.3 Dr. Torres acknowledges that rejection of this proposal by the Committee would result in a 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

- 2.1 Dr. Torres registered with the College as a dentist in 1999. Dr. Torres practises in Burnaby, BC.
- 2.2 In 2011, the College received a complaint from a patient about Dr. Torres. The College’s investigation of the complaint identified concerns with respect to his recordkeeping.
- 2.3 To address the concerns identified in the investigation, Dr. Torres entered into a Memorandum of Agreement and Understanding with the College in 2013 (the “MAU”). The MAU required Dr. Torres to review the College’s Dental Recordkeeping Guidelines and to complete the College’s dental recordkeeping course. The MAU also included Dr. Torres’s undertaking that going forward his recordkeeping would comply with the College’s Dental Recordkeeping Guidelines.
- 2.4 The MAU provided for two chart reviews in which the College would review 10 of Dr. Torres’s patient charts.
- 2.5 The College’s review of Dr. Torres’s patient charts identified concerns with respect to Dr. Torres’s diagnosis and treatment planning, informed consent protocols, and recordkeeping.
- 2.6 On July 9, 2019, the Committee directed the Registrar to issue a citation under section 37 of the *HPA*.
- 2.7 On December 19, 2019, Dr. Torres voluntarily stopped treating patients pending the resolution of this matter.
- 2.8 The citation in this matter has not yet been issued.

3.0 ADMISSIONS

- 3.1 Dr. Torres admits to professional misconduct in that, with respect to a number of patients, he:
- a. Failed to develop an adequate treatment plan and/or conduct the necessary diagnostic assessments to do so;
 - b. Provided treatment without having first obtained and documented valid informed consent, including failing to provide a reasonable review of all valid treatment options with risks, benefits, and costs;
 - c. Failed to maintain adequate patient records in accordance with the College's expected standard for recordkeeping. Dr. Torres's patient charts did not include records of adequate diagnostic assessment(s) to support the treatment provided
- 3.2 Dr. Torres admits to professional misconduct in that he did not comply with his professional obligations by failing to fully and properly implement the practice changes that he agreed to in the MAU.

4.0 CONSENT TO ORDER

- 4.1 Given Dr. Torres's admissions above, Dr. Torres proposes resolution on the following terms:

A) Completion of coursework

- 4.2 Dr. Torres must do all of the following within the time specified:

- 4.2.1 Successfully complete the "for credit" version of the College's "More Tough Topics" online course, within 3 months of the acceptance of this proposal;
- 4.2.2 Review the College's Dental Recordkeeping Guidelines and successfully complete the "for credit" version of the associated online course, within 3 months of the acceptance of this proposal; and
- 4.2.3 Successfully complete the Professional Boundaries Inc. course "Medical Ethics and Professionalism", within 6 months of the acceptance of this proposal.

B) Assessment and remediation prior to return to clinical practice

- 4.3 Prior to returning to clinical practice, Dr. Torres must complete a comprehensive assessment of his knowledge, skills and abilities conducted by a mentor designated by the College, and undertake to complete any further remediation as directed by a mentor designated by the College following assessment.

C) Mentorship following return to clinical practice

- 4.4 Dr. Torres must participate in the following clinical mentorships with a mentor designated by the College, for a minimum total duration of 12 months following the completion of the assessment described in paragraph 4.3, as follows:
 - 4.4.1 One half-day mentorship session, no less than once every two months for 12 months, to review and provide oversight of diagnosis, treatment planning, and clinical treatment; and
 - 4.4.2 Any continuing mentorship or oversight as is recommended by the mentor designated by the College, in their sole discretion.
- 4.5 Dr. Torres acknowledges and agrees that the mentor designated by the College will provide reports to the College as follows:
 - 4.5.1 Upon completion of the assessment of Dr. Torres's knowledge, skills and abilities as outlined in paragraph 4.3;
 - 4.5.2 At least once every three months during the period of mentorship outlined in paragraph 4.4.1;
 - 4.5.3 Upon completion of the period of mentorship outlined in paragraph 4.4.1; and
 - 4.5.4 In connection with any continuing mentorship or oversight recommended by the mentor designated by the College, as outlined in paragraph 4.4.2.
- 4.6 Dr. Torres acknowledges and agrees that any mentor acting in accordance with this proposal may communicate directly with the College at any time regarding Dr. Torres's progress, including any concerns they may have with any aspect of his clinical performance.

D) Payment of partial investigation costs

- 4.7 Dr. Torres must pay partial costs of the investigation in the amount of \$2,000, which amount must be paid with 30 days of the acceptance of this proposal.

5.0 FURTHER ACKNOWLEDGEMENT AND AGREEMENT

A) Costs

- 5.1 Dr. Torres acknowledges and agrees that all courses, assessments, mentorships, reports to the College, or other steps required to comply with this proposal will be entirely at Dr. Torres's own expense, including any reports required to be provided to the College.

B) Non-compliance

- 5.2 Dr. Torres acknowledges that the failure to satisfy any one or more of the terms herein may constitute professional misconduct or unprofessional conduct and may trigger an investigation and disciplinary proceedings in accordance with the provisions in the *HPA*.

C) Publication

- 5.3 Dr. Torres acknowledges and agrees that an order made based upon this proposal results in mandatory public notification as set out in section 39.3 of the *HPA*, and CDSBC Bylaws including his understanding that his name, the nature of the action taken and the reason for the action taken will be included in this public notice. The College will issue the public notification in the form and by the means that it sees fit.
- 5.4 Dr. Torres acknowledges and agrees that the College will issue the notifications provided for in College Bylaw 10.05.

D) Effect of resignation

- 5.5 Dr. Torres acknowledges and agrees that should he resign his registration with the College prior to completion of each and every requirement in paragraphs 4.2, 4.3, 4.4, 4.5, and 4.7 above, he will be required to complete all outstanding requirements prior to being reinstated as a registrant of the College. Dr. Torres further acknowledges and agrees that his obligation to complete the requirements in this proposal prior to reinstatement is in addition to any limits or requirements that may be imposed by the College's Registration Committee in accordance with the *HPA* and/or the College Bylaws.

E) Effect of order made based upon this proposal

- 5.6 Dr. Torres acknowledges that any order made by the Committee based upon this proposal constitutes "past action" for the purposes of section 39.2 of the *HPA*.

