

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. MARK I. REICHMAN

CONSENT ORDER AND REASONS

Under s. 37.1 of the *Health Professions Act*

A Panel of the Inquiry Committee (the "Inquiry Committee") of the College of Dental Surgeons of BC (the "College") received a Consent Order Proposal (the "Proposal") from its registrant, Dr. Mark I. Reichman (the "Respondent"), on March 5, 2015. It is attached.

The Inquiry Committee has considered the seriousness of the conduct complained of, the admission made by the Respondent and the proposed penalty and has resolved to accept the Proposal.

The Inquiry Committee notes that, while this matter was under investigation, the Respondent gave a voluntary undertaking to the College to have a staff member present when seeing patients at his office. The undertaking was put in place to protect the public during the investigation of this matter.

The Proposal includes a suspension commencing July 1, 2015. While the Inquiry Committee would ordinarily order a suspension to take effect immediately, in this case it has agreed to the Respondent's request to delay the start date of the suspension to July 1, 2015 in order to accommodate patients

whose surgeries are already scheduled. The Inquiry Committee did not wish patients with scheduled surgery times to be unduly impacted.

The Inquiry Committee accordingly orders that:

- 1.1 The Respondent shall be suspended for 4 months, commencing on July 1, 2015, 2 months of which shall be stayed on provision of satisfactory evidence to the College that he has completed both courses noted in para. 1.3(a) and (b) below;
- 1.2 The following limits and conditions are imposed upon the Respondent's practice regarding the attendance of a chaperone as follows:
 - (a) he will not see any patient in his office unless a chaperone is continuously present;
 - (b) chaperones at his office/clinic must be approved in advance by the College, and upon terms satisfactory to the College;
 - (c) conspicuous signage will be placed in the reception and operatories at his clinic/office indicating that a chaperone is required at treatment of all patients;
- 1.3 The Respondent is required to complete the following education:
 - (a) prior to resumption of practice, successful completion of the 3 day Ethics and Boundaries Course (PRoBE) offered by The Centre for Personalized Education of Physicians ("CPEP");
 - (b) prior to resumption of practice, successful completion of the 3 day course in professional boundaries for the health care professional at the Centre for Professional Health, Vanderbilt University;
 - (c) within one year of resumption of practice, he shall successfully complete CPEP's Ethics Course-Probe Plus;
- 1.4 The Respondent shall pay a fine of \$20,000.00 forthwith;
- 1.5 The Respondent shall pay partial indemnification of the College's costs of the investigation in the fixed amount of \$10,000.00 forthwith.

- 2 The Inquiry Committee accepts the Respondent's undertakings as follows:
 - 2.1 The Respondent undertakes that he will not treat patients alone in any setting, including any hospital at which he has privileges;
 - 2.2 The Respondent undertakes to continue to engage in a course of counselling/psychotherapy to address boundary issues arising in the professional relationship from a practitioner acceptable to the College and to provide that practitioner with the authority to report to the College upon its request as to his attendance for such treatment;
- 3 The Respondent may apply to the College for removal of the conditions and undertakings set out herein no earlier than 3 years from the date of this Order.

This Consent Order is approved by the following Panel of the Inquiry Committee:

Dr. Mike Racich

Date

Dr. Ellen Park

Date



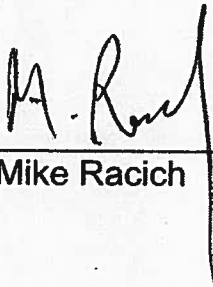
Mr. Brad Daisley

2015. 03. 4

Date

- 2 The Inquiry Committee accepts the Respondent's undertakings as follows:
- 2.1 The Respondent undertakes that he will not treat patients alone in any setting, including any hospital at which he has privileges;
 - 2.2 The Respondent undertakes to continue to engage in a course of counselling/psychotherapy to address boundary issues arising in the professional relationship from a practitioner acceptable to the College and to provide that practitioner with the authority to report to the College upon its request as to his attendance for such treatment;
- 3 The Respondent may apply to the College for removal of the conditions and undertakings set out herein no earlier than 3 years from the date of this Order.

This Consent Order is approved by the following Panel of the Inquiry Committee:



Dr. Mike Racich

March 11/15

Date

Dr. Ellen Park

Date

Mr. Brad Daisley

Date

- 2 The Inquiry Committee accepts the Respondent's undertakings as follows:
- 2.1 The Respondent undertakes that he will not treat patients alone in any setting, including any hospital at which he has privileges;
- 2.2 The Respondent undertakes to continue to engage in a course of counselling/psychotherapy to address boundary issues arising in the professional relationship from a practitioner acceptable to the College and to provide that practitioner with the authority to report to the College upon its request as to his attendance for such treatment;
- 3 The Respondent may apply to the College for removal of the conditions and undertakings set out herein no earlier than 3 years from the date of this Order.

This Consent Order is approved by the following Panel of the Inquiry Committee:

Dr. Mike Racich

Date



Dr. Ellen Park

11-3-2015

Date

Mr. Brad Daisley

Date