



COLLEGE OF DENTAL HYGIENISTS OF BRITISH COLUMBIA

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In accordance with s. 39.3 of the *Health Professions Act*, the following public notice is given:

Name of Registrant: Darren Kluthe ("Registrant")

Action taken:

The Inquiry Committee of the College of Dental Hygienists of British Columbia (the "College") directed the issuance of a Citation under s. 33(6)(d) of the *Health Professions Act*, R.S.B.C. 1996, c. 183 (the "Act"). On April 11, 2017, a hearing panel of the College's Discipline Committee conducted a discipline hearing to inquire into the Registrant's conduct to determine whether he had engaged in professional misconduct as defined in s. 26 of the Act by providing false statements and untruthful and misleading information to the College regarding completion of Continuing Competency Credits on an application for reinstatement, and contravening undertakings in previous s. 36 consent orders to be forthright and provide accurate information to the College, and to refrain from repeating the conduct of failing to have professional negligence insurance in place at all times while holding full registration with the College. The Registrant did not attend the Discipline Hearing although he was duly served with the Citation.

On May 2, 2017, the Discipline Panel issued its Reasons for Decision and Order on Verdict. The Panel determined that the Registrant had engaged in professional misconduct by making knowingly false statements to the College relating to his continuing competency credits, by contravening an undertaking to ensure he was open and forthright and provided accurate information in all communications with the College, and by contravening an undertaking not to repeat the conduct of failing to have professional negligence insurance in place at all times while holding full registration with the College.

On July 6, 2017, the Registrant contacted the College to request cancellation his registration.

The Discipline Panel re-convened on September 13, 2017 to consider evidence and submission on penalty, costs and public notice. The Discipline Panel ordered a reprimand and declared that the Registrant's conduct warranted the following measures, limits and conditions under sections 39(2) and 39(8):

- (a) cancellation of registration;
- (b) no eligibility to reapply for registration, including reinstatement, for ten (10) years;
- (c) the following additional pre-conditions to registration, including reinstatement:
 - i. successfully complete the CDHBC Clinical Examination within the preceding six (6) months prior to submitting his application for reinstatement to the College to ensure that his skills are current on re-entry; and

The Mission of the College of Dental Hygienists of British Columbia is to protect the public by developing, advocating and regulating safe and ethical dental hygiene practice in British Columbia.

- ii. a reflective essay to the Registration Committee of not less than 1,500 words outlining the professional obligations of registrants of the College, with a specific focus on the obligation to respond promptly and accurately to all College communications and to be forthright with the College on any information that a registrant provides;
- (d) the following conditions on the Registrant's practice after registration, including reinstatement:
- i. successfully completing any outstanding requirements imposed by the Quality Assurance Committee prior to the cancellation of his registration in 2017 within thirty (30) days of reinstatement;
 - ii. establishing a formal mentorship program with a mentor, to be approved in advance by the College, for a period of not less than three (3) years and meet with the mentor at least monthly to discuss issues with respect to his practice and professional conduct; and
 - iii. contacting the College on the first day of each month as long as he holds full registration to ensure that he is receiving, reading and responding to communications from the College;
- (e) a reprimand, or Appropriate Measures, be entered onto the register pursuant to section 21(2)(g) and (5) of the Act;
- (f) the Registrant pay costs within fourteen (14) days of the decision to the College in the amount of \$12,423.40, consisting of:
- i. \$7,679.98. representing one-half of the College's legal fees; and
 - ii. \$4,743.42, for counsel's disbursements.
- (g) public notification of the penalty order to all registrants, and the regulatory bodies governing the practice of dental hygiene in every other Canadian jurisdiction (pursuant to Bylaw s. 59(1)), with authorization to notify other regulatory or governing bodies of a health profession inside or outside of Canada pursuant to Bylaw s. 59(1).

Reasons for action:

On April 4, 2016, the Inquiry Committee initiated an investigation under s. 33(4)(c) of the Act to investigate whether the Registrant made false statements and provided untruthful and misleading information to the College regarding completion of his mandatory Continuing Competency Credits during a reinstatement.

On August 15, 2016, the Inquiry Committee initiated a further investigation under s. 33(4)(c) of the Act to investigate whether: (a) the Registrant's provision of false statements and untruthful and misleading information to the College regarding his Continuing Competency Credits constituted a violation of a consent order executed in 2012; and (b) the Registrant's practice without professional

negligence insurance from January 1, 2016 to January 21, 2016 while registered as full registrant with the College constituted a violation of a consent order executed in 2014.

Upon completing its investigations, the Inquiry Committee passed a motion directing the Registrar to issue a Citation to Appear at a Discipline Hearing under section 37 of the Act to the Registrant.

Please click [here](#) to read the Reasons for Decision and Order of the Discipline Committee

Please click [here](#) to read the Reasons for Decision and Order of the Discipline Committee on Penalty, Costs and Public Notice