



COLLEGE OF DENTAL HYGIENISTS OF BRITISH COLUMBIA

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Name of Registrant: Liz-Ann Munro Lamarre (“Registrant”)

Action taken: On June 21, 2012 following an investigation of the Inquiry Committee concerning advertising on the Registrant’s business website, the Registrant executed a consent order under s.26 of the Act (Consent Order #1). Under the terms of Consent Order #1, the Registrant undertook, amongst other things, not to repeat the conduct of publishing confusing and/or misleading statements on her business website and to take steps to ensure that the content of her business website complies at all times with College bylaws. At the time of Consent Order #1, the Inquiry Committee verified that the Registrant had changed all of the statements of concern on the Registrant’s business website and stated that the Inquiry Committee no longer had concerns about the Registrant’s business website.

On January 13, 2014, the College of Dental Surgeons of British Columbia (“CDSBC”) filed a complaint with the College alleging that the Registrant was offering to provide services outside the scope of practice of a dental hygienist on her business website and in an advertisement placed in the Lake Shore News on October 18, 2013. In particular, the CDSBC’s complaint was concerned that the Registrant’s business website indicated that people will receive a “thorough oral health exam including an oral cancer screening” and that the Registrant’s advertisement in the Lake Shore News on October 18, 2013 implied that the Registrant can conduct oral health exams and all restorative services. The Inquiry Committee initiated an investigation under s. 33(1) of the Act. Following the investigation the Inquiry Committee found that the Registrant was in non-compliance with Consent Order #1 and engaged in misleading advertising, although it is recognized that oral cancer screening is within the scope of practice. The Registrant’s contravention of Consent Order #1 constitutes professional misconduct.

The Inquiry Committee also found that the Registrant’s advertisement in the Lake Shore News was misleading and contrary to s. 69 of Part VII of the College and that constitutes professional misconduct. The Registrant has since acknowledged that the wording in this advertisement was poor and in breach of the bylaw in question and promised to be more careful and to not repeat.

On October 16, 2012, the Registrant executed a consent order under s. 36 of the Act (“Consent Order #2) arising out of complaint filed on January 22, 2012 concerning her provision of dental hygiene services to an elderly patient without consent. Under the terms of Consent Order #2, the Registrant consented to, amongst other things to successfully complete remediation training or courses directed by the Inquiry Committee, at her cost, in the event that any areas of deficiency were identified during the random chart audits and to provide written evidence to the Inquiry Committee that she has successfully completed the remediation within three months of receiving written notification of the requirement to undertake such remediation.

The Inquiry Committee determined that there were still areas of deficiency in the Registrant’s record-keeping at the end of the third random chart audit and resolved to direct the Registrant to complete further remedial work. By letter dated December 17, 2013, the Registrar advised the Registrant that the Inquiry Committee required her to complete three British Columbia Dental Hygienist Association

("BCDHA") refresher modules ("refresher modules") at her cost no later than June 30, 2014 in accordance with para. 6 of Consent Order #2.

Multiple emails were exchanged between the College and the Registrant regarding her compliance with the requirement to take the BCDHA modules. On September 15, 2014, the Registrar sent a final notice of the requirement to complete the refresher modules.

Failure to take the BCDHA modules by the deadline required by the Registrar contravened Consent Order #2 and constitutes professional misconduct.

The Registrant created charting that, eventually, included all the recommendations from the Inquiry Committee, and submitted proof to the Inquiry Committee, on or about June 30, 2014, of having incorporated those recommendations. The Registrant provided proof of completion of the refresher modules to the Inquiry Committee, on or about November 17, 2014.

The Registrant has engaged in unprofessional communications with the College and CDSBC.

For these reasons, the Inquiry Committee directed the Registrar to issue citation under s. 38 of the *Health Professions Act* (the "Act"). The Registrant subsequently submitted a proposal through legal counsel under s. 37.1 of the Act to resolve the matter. The Inquiry Committee agreed to accept a modified version of the s. 37.1 proposal and directed the cancellation of the citation under s. 37(4) of the Act.

Reasons for action: The Inquiry Committee directed the issuance of a citation based on concerns that the Registrant had not complied with undertakings in the earlier consent orders to complete BCDHA refresher courses and to ensure that her business advertising was not confusing or misleading and complied with the College bylaws. The College sent the citation to Ms. Lamarre on October 27, 2014. The Inquiry Committee subsequently agreed to accept a modified version of a s. 37.1 proposal and cancel the citation because the Registrant: (a) subsequently provided evidence of completion of the BCDHA refresher courses; (b) agreed to appropriately qualify references to "dental maintenance" and "thorough oral health exams" in her business advertising to reflect that she provides dental hygiene rather than dental services; (c) agreed to void invoices that she had sent to the CDSBC; (d) undertakes to communicate with both the CDHBC and CDSBC at all times in a professional manner; and (e) agreed to comply with all College bylaws in the future.