

### *Director of Proceedings v Aladdin*

On 14 March 2005 the Dentists Disciplinary Tribunal heard a charge against Dr Qusay Aladdin, pursuant to s 54(1) of the Dental Act 1988. It was alleged either that Dr Aladdin was guilty of professional misconduct, or that he was guilty of an act or omission associated with the practice of dentistry that was or could have been detrimental to the welfare of his patient. Dr Aladdin did not appear to answer the charge.

The case concerned the care provided to his teenage patient, Miss Folaumoetui, between 1 June 2000 and 14 November 2001. It was alleged that Dr Aladdin had identified treatment required in certain teeth and then either failed to complete it or completed it in a manner that did not meet professional standards. This resulted in Miss Folaumoetui experiencing considerable pain and discomfort in tooth 24, and later needing to have teeth 37 and 47 extracted.

The Tribunal reserved its decision, which was received on 22 April 2005. Of the eight particulars, one was found not to be proven, while three proven particulars were found not to reach the threshold for disciplinary sanction. However, the Tribunal was satisfied that between 9 June 2000 and 25 October 2001, in the course of providing root canal therapy to tooth 24, Dr Aladdin failed to use a definitive long-term root canal filling and did not replace the temporary filling that he had used in a timely manner. Further, the root canals were inadequately filled, the treatment plan was inadequately formulated and communicated, and radiographs were either not taken or not retained.

In relation to tooth 47, it was found that having identified in June 2000 that tooth 47 was carious and required treatment, and again in October 2001 that the tooth had fractured, Dr Aladdin did not ever provide any treatment to this tooth.

The Tribunal also found that on 9 June 2000 Dr Aladdin identified that tooth 37 required treatment, but that he did not provide such treatment between that day and 31 October 2001, or if he did in fact fill the tooth, then the filling had not lasted sufficient time. Therefore the treatment was not of an adequate standard.

Finally, the documentation of Dr Aladdin's treatment of Miss Folaumoetui was inadequate.

Pursuant to s 54(1)(b) of the Dental Act, each of these four findings was held to amount to care that was or could have been detrimental to Miss Folaumoetui's welfare, and that there was a departure (which was in some cases "serious") from accepted professional standards. Furthermore, the Tribunal found that when the particulars of the deficient treatment were

taken cumulatively, Dr Aladdin's treatment fell below the accepted standard of professional competence to such an extent that a finding of professional misconduct under s 54(1)(c) was warranted.

In its penalty decision of 5 July 2005, the Tribunal suspended Dr Aladdin's registration for three months from 1 September 2005, censured him, fined him \$5,000.00, and ordered him to pay costs of 30%.