
Notice to **DENTISTS**

In Accordance with
Alberta Dental
Association And
College Bylaw 20(7)

BRIEF SUMMARY OF FACTS

A complaint was received by the Alberta Dental Association and College (“ADA&C”) from a patient, alleging that Dr. Faissal Mouhamad made mistakes in the course of providing the patient with treatment including dentures, dental implants and implant-supported dentures.

Dr. Mouhamad confirmed that, against his consistent recommendations that the patient save his natural teeth, the patient had decided to have his remaining teeth removed and replaced with complete upper and lower dentures. Dr. Mouhamad extracted the patient’s remaining 17 teeth on February 28, 2014. The patient was fitted with immediate upper and lower complete dentures but he experienced significant pain when wearing his dentures and had difficulties adapting. Dr. Mouhamad provided the patient with analgesic prescriptions to alleviate pain from his treatment and immediate dentures amounting to over 265 tablets of Tylenol #3 from February 28 to May 12, 2014.

Due to the patient’s difficulties adapting, on June 13, 2014, Dr. Mouhamad inserted six dental implants and performed a sinus lift graft. The patient’s denturist was then able to replace the denture with implant-supported dentures after healing. Dr. Mouhamad prescribed analgesic medication for the patient for the initial healing period totalling over 120 tablets of Tylenol #3 between June 10 and 16, 2014, but not thereafter. At no point between February and June 2014 did Dr. Mouhamad make any consultations or referrals for the management and treatment of the patient’s chronic pain.

ADMISSIONS OF UNPROFESSIONAL CONDUCT BY DR. MOUHAMAD

On August 28, 2018, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Mouhamad guilty of unprofessional conduct and he was sanctioned. A Hearing Tribunal are the decision makers at a hearing and are comprised of a member of the public appointed by the Government of Alberta and three dentists registered in Alberta.

Dr. Mouhamad admitted he was guilty of unprofessional conduct because he:

1. Prescribed an inappropriate quantity or duration of opioid medication to the patient;
2. Failed to create or maintain appropriate prescription records, or Triplicate Prescription Program Pads, or both for the patient, contrary to the ADA&C's *Standard of Practice: Patient Records*, the ADA&C's *Guide for Patient Records*, or both;
3. Failed to create or maintain an appropriate accounting of Triplicate Prescription Program Pads, all narcotics, controlled drugs, benzodiazepines and targeted substances kept onsite, contrary to the ADA&C's *Guide for Patient Records* or the ADA&C's *Guide for Management/Opioids*, or either of them; and
4. Failed to consult with, or refer the patient to another dentist, dental specialist or other appropriate care provider, for the management and treatment of the patient's chronic pain, contrary to the ADA&C's *Code of Ethics* Articles A1 or A4, or both.

The Hearing Tribunal emphasized that the quantity and duration over which Dr. Mouhamad prescribed opioid medication to the patient was inappropriate and fell below the standards of practice required of a dentist. Adding to these concerns was a question about Dr. Mouhamad's professional judgment in terms of going ahead with the treatment given the patient's previous history of using painkillers and being

uncooperative, irritable, impatient, and verbally abusive to staff at the dental office. Further, there were issues with the inadequacy of Dr. Mouhamad's documentation and some prescriptions for the patient which did not contain the minimum requirements set out in Article 5 of the ADA&C's *Standard of Practice: Patient Records* or the best practices set out in the ADA&C's *Guide for Patient Records*, specifically section N. Drug Records.

Dr. Mouhamad's record keeping of drug usage was found to be incomplete and inadequate. Specifically, his Controlled Substances Log was inaccurate and incomplete with respect to the names and quantities of the drugs present and did not include the identity of the patients to whom drugs were dispensed, contrary to the ADA&C's *Guide for Pain Management/Opioids*. The Log was also missing records for certain periods. Instead of retaining the Practitioner Copy of the Triplicate Prescription Program pad on the pad itself, Dr. Mouhamad's practice was to remove the Practitioner Copy and staple it to the patient's chart, making it more difficult to confirm the patients who had received these prescriptions and evaluate what necessitated the use of this class of drug. The Hearing Tribunal agreed Dr. Mouhamad failed to create or maintain an appropriate accounting of Triplicate Prescription Program Pads, all narcotics, controlled drugs, benzodiazepines and targeted substances kept onsite from January 29, 2014 to November 13, 2015 and from February 10, 2016 to June 6, 2016, contrary to the ADA&C's *Guide for Patient Records* and the *Guide for Pain Management/Opioids*.

Dr. Mouhamad also failed to fulfil his responsibilities to his patient, as required under the *Code of Ethics* at Articles A1: Service and A4: Competence, Consultation and Referral as he continued to prescribe opioid medication to the patient over an extended period for chronic pain without successfully addressing the underlying cause of the chronic pain.

It was noted at the time of the hearing that Dr. Mouhamad was an experienced dentist with no prior findings of unprofessional conduct, however he had been previously cautioned back in November 2001 regarding the importance of keeping track of his patients' prescriptions. Dr. Mouhamad acknowledged that his conduct was unprofessional and confirmed he had made changes to his record keeping to prevent similar issues in the future.

The Hearing Tribunal accepted the Joint Submission on Penalty and issued the following orders against Dr. Mouhamad:

1. A suspension of four consecutive weeks;
2. Completion of a course on pain management and opioid medication use, at Dr. Mouhamad's expense, and which shall not count towards his continuing education credits;
3. Dr. Mouhamad will submit to a two year monitoring period with respect to his prescribing practices.
4. He will pay \$36,327 for the costs of the investigation and hearing.