
Notice to DENTISTS

DECISION OF THE HEARING TRIBUNAL

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

BRIEF SUMMARY OF FACTS

Dr. Martin Rahn (“Dr. Rahn”) was formerly registered as a general dentist of the Alberta Dental Association and College (the “ADA&C”), from March 26, 2010 to December 31, 2014.

Dr. Rahn has also held registration as a general dentist with the College of Dental Surgeons of British Columbia since 1992 and remained registered there at the time of the hearing.

The complainant in this case was a patient who received dental treatment from Dr. Rahn from November 24, 2012 until February 13, 2014.

On November 24, 2012, Dr. Rahn took a panoramic radiograph of the patient which displayed evidence of extensive caries on the distal area of tooth 16. Another periapical radiograph was taken on January 31, 2014 which showed that the caries had progressed so far apically on the distal root that it was below the bone level. There was no record that the distal surface of tooth 16 was identified in November 2012 as having caries, nor any record that the patient was informed of the status of the tooth until January 31, 2014. On February 13, 2014 tooth 16 was extracted as a result of the decay.

The radiograph taken on November 24, 2012 also showed periapical radiolucencies on both the mesial and distal roots of tooth 46 that required root canal therapy, prior to the placement of a crown on the tooth. There was no record of pulp vitality testing of tooth 46 to determine its vitality.

On January 14, 2013, Dr. Rahn placed the crown on tooth 46. He did not perform root canal therapy on tooth 46. Two weeks later, Dr. Rahn saw the patient to address the pain he was experiencing in tooth 46. Dr. Rahn took a periapical radiograph and prescribed amoxicillin for a few days.

The patient continued to experience ongoing pain associated with tooth 46. Dr. Rahn’s record documented that a periapical radiograph was taken on February 13, 2014, however the radiograph submitted (a bitewing) did not show the apices of tooth 46 but did show a discontinuity of the lamina dura on the mesial surface of the distal root. This should have alerted Dr. Rahn that he needed to expose a periapical radiograph of tooth 46 to determine that root canal therapy was required.

A later radiograph exposed by another dentist on February 20, 2014 indicated extensive eroding of the bone surrounding the mesial and distal roots of the tooth.

Aside from a Treatment Consent Order signed by the patient on February 13, 2014, there was no prior documentation of any discussions with the patient regarding the proposed dental treatment, its risks and benefits, or the patient’s acceptance of it. The patient records were also deficient throughout the period of Dr. Rahn’s treatment of the patient.

ADMISSIONS OF UNPROFESSIONAL CONDUCT BY DR. RAHN

On July 4, 2018, a Hearing Tribunal of the Alberta Dental Association and College found Dr. Rahn 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. Rahn admitted he was guilty of unprofessional conduct because he did not:

1. With respect to tooth 16, properly examine and/or diagnosis the treatment required; appropriately advise the patient regarding the status of the tooth and/or treatment required; prepare an appropriate treatment plan; provide appropriate treatment including root canal treatment prior to placing a crown; appropriately follow up on the treatment needed or advise the patient to follow up with another dentist on the treatment required for the tooth.
2. With respect to tooth 46, take appropriate diagnostic records; properly examine and/or diagnosis the treatment required; appropriately advise the patient regarding the status of the tooth and/or treatment required; prepare an appropriate treatment plan; provide appropriate treatment including providing root canal treatment prior to placing a crown; appropriately follow up on the treatment needed or advise the patient to follow up with another dentist on the treatment required for the tooth.
3. Obtain informed consent from the patient.
4. Create or maintain appropriate patient records.

The Hearing Tribunal stressed that Dr. Rahn's approach was unreasonable, he did not show good judgment and did not provide the care appropriate to the presenting circumstances.

Dr. Rahn admitted that no informed consent was obtained from the patient until February, 2014, in contravention of Article A5: Informed Consent and Article A8: Outcome and Patient Expectations of the Code of Ethics, as well as the Standard of Care: Informed Consent.

Further, Dr. Rahn admitted that he failed to keep or maintain appropriate patient records. The Hearing Tribunal acknowledged that the deficiencies in the patient records did not meet the standards expected of a dentist practicing in Alberta and did not adhere to the standards required by the Standard of Practice: Patient Records.

The Hearing Tribunal noted that Dr. Rahn was an experienced dentist with no prior disciplinary record. At the time of the hearing, Dr. Rahn was not registered to practice dentistry in Alberta. If he was registered, the Hearing Tribunal indicated it would have considered further sanctions to be appropriate.

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

1. Dr. Rahn gave an undertaking that he will not seek to re-register as a dentist in Alberta.
2. He will pay \$10,000 for the costs of the investigation and hearing.