

APPEAL PROCESS

If you are not satisfied with the review of your complaint by the Complaints Committee and feel that the information was not reviewed appropriately, or that there is additional information that was not considered in the review, you may appeal the Complaints Committee findings.

The appeal must be filed, in writing, to the Chairperson of the Peer Review Committee giving reasons for the appeal. It must be received by the MDA within 30 days of receiving the written response of the Complaints Committee.

MANITOBA DENTAL ASSOCIATION

The MDA has the responsibility to regulate the dental profession to ensure public safety. Under *The Dental Association Act*, the MDA cannot compel compensation on behalf of patients. But, in its review of complaints, the Complaint Committee may attempt to resolve the matter by recommending to the dentist the return of money to a dissatisfied patient or the payment to another dentist for re-treatment. But you must understand that the dentist is under no obligation to accept such a recommendation from the Complaints Committee.

The MDA does not have the authority to order compensation or damages for pain, suffering or out-of-pocket expenses.

If a settlement cannot be reached by mediation by the Complaints Committee, the patient/complainant may seek legal advice from his/her own lawyer. Civil litigation may then be necessary.

COMPLAINT PROTOCOL

Complaints should be made in writing to:

**The Complaints Committee
Manitoba Dental Association
202 -1735 Corydon Avenue
Winnipeg, Manitoba R3N 0K4**

Include:

- Your name, address and telephone number
- The name and address of dentist involved
- The nature of the complaint, description of complaint and the resolution you would consider to be appropriate; and
- The name and address of any and all other dentists you have consulted

Manitoba Dental Association

Phone: 204.988.5300

Fax: 204.988.5310

MANITOBA DENTAL ASSOCIATION

THE PUBLIC COMPLAINT PROCESS



THE COMPLAINT PROCESS

THE MANITOBA DENTAL ASSOCIATION (MDA) IS THE LICENSING BODY FOR DENTISTRY IN MANITOBA. As the body which regulates the dental profession and protects the public in matters relating to dentistry, the MDA is obligated to provide members of the public with a process to evaluate and resolve problems that may arise during dental treatment.



Patient and Dentist Discuss concerns

If you have a concern, we encourage you to discuss it with the dentist first in an attempt to resolve the concerns.

If, after speaking with the dentist, you are not satisfied, you may then contact the MDA office. In many cases, a telephone call may resolve minor disputes. If the complaint is more complex you will be advised to forward a complaint, in writing, to the MDA office asking that the Complaints Committee review the matter.

COMPLAINTS COMMITTEE

The Complaints Committee is selected from a roster of dentists and public representatives, appointed by the Provincial Minister of Health, who rotate service dates to review these complaints. **The Committee is comprised of :**

- **Two licensed dentists**
- **One public representative**

REVIEWING THE COMPLAINT

Once your written complaint is received, it is sent to the dentist for a response in order that the Complaints Committee can investigate and consider what can be done to resolve the problem. You may be contacted to discuss the case by members of the Complaints Committee. You may be asked to meet with the members of the Complaints Committee to further discuss your concerns. The Complaints Committee may also wish to examine the dental work under review.

The Complaints Committee will attempt to **resolve the concern** to the mutual satisfaction of both parties. If the concern is resolved by the



Complaints Committee reviews Complaint

return of money from the dentist, a **Release Form** is developed. This is signed by the patient and dentist to formally indicate that both parties accept the Complaints Committee's resolution of the complaint.

FORMAL REVIEW

If the Complaints Committee finds that the dentist has exhibited conduct that is unprofessional or that acceptable standards of care have not been met, the Complaints Committee may recommend that a **formal review** be held to deal with these problems.



Inquiry Panel This review is called an **Inquiry Panel** and the

dentist will have formal charges laid against him/her. This is a formal hearing that involves lawyers, a court reporter, witnesses and a panel consisting of two dentists from the **Peer Review Committee**, as well as a public representative. If the Panel finds the dentist guilty of the charges, it has the authority to impose penalties ranging from mandatory courses to upgrade clinical skills, to suspension, to loss of license.

