

**College of Dental Technologists of Alberta**  
**Hearing Tribunal Decision Summary**

December 6, 2023

On November 22, 2023, a Hearing Tribunal of the College of Dental Technologists of Alberta (“CDTA”) accepted Mr. Daniel Zeng’s (“Mr. Zeng”) admission of guilt and determined it constituted unprofessional conduct and imposed sanctions. The Hearing Tribunal is composed of two members of the CDTA who are each a Registered Dental Technologist (“RDT”) and two members of the public, appointed by the Government of Alberta.

The Hearing Tribunal found that Mr. Zeng:

1. Provided intra oral patient care to a particular patient, particulars of which include completing a wax try in and fitting/adjusting dentures and engaged in the restricted activity of prescribing or fitting a fixed or removal partial or complete denture, without authorization, contrary to the *Government Organization Act*, RSA 2000, c. G-10, Schedule 7.1;
2. Provided intra oral patient care to another patient, particulars of which include completing a wax try in, fitting full upper and lower dentures, adjusting the dentures due to pain, and relining the dentures, and engaged in the restricted activity of prescribing or fitting a fixed or removal partial or complete denture, without authorization, contrary to the *Government Organization Act*, RSA 2000, c. G-10, Schedule 7.1; and
3. Attempted to interfere with the CDTA’s investigation into the complaint initiated against you, particulars of which include:
  - a. following a dentist to a Community Centre and confronting the dentist about the investigation and complaint; and
  - b. attending at the dentist’s residence, the morning after the confrontation at the Community Center.

In the decision, the Hearing Tribunal found that the above actions demonstrated a lack of knowledge and judgment on the part of Mr. Zeng, as he was practicing outside of the scope of practice of a dental lab technician, as he did not have the authorization to perform restricted activities such as a preliminary fit of a denture, and it is never appropriate for a RDT to perform a final fit of dentures.

In addition, the Hearing Tribunal found that this conduct breached various provisions of the *Code of Ethics* and the *Standards of Practice* applicable to Mr. Zeng, and was

also a breach of another enactment, the *Government Organization Act*, RSA 2000, c. G-10.

Finally, the Hearing Tribunal found that this was conduct that harmed the integrity of the profession, as the public expects that there would be standardized rules as to the scope of conduct for an RDT which ensure high standards of practice and safety, and that all regulated members abide by those boundaries.

#### Orders of the Hearing Tribunal:

The Hearing Tribunal accepted a Joint Submission on Penalty from the parties and issued the following orders on sanction:

1. Mr. Zeng shall receive a reprimand and the Hearing Tribunal's written decision (the "Decision") shall serve as the reprimand.
2. Mr. Zeng's practice permit will be suspended for a period of two (2) months, of which one (1) month will be an active suspension and one (1) month will be held in abeyance pending compliance with the terms set out in this paragraph:
  - (a) In the event that the Hearing Tribunal is able to issue an oral decision on the date of the hearing, a suspension of two (2) weeks will commence on the day of the hearing. In the event that the Hearing Tribunal is not able to issue an oral decision on the date of the hearing, a two (2) week suspension will commence on the date of service of the Decision.
  - (b) A further suspension of two (2) weeks will commence on a date acceptable to the Complaints Director and being no later than 6 months after the date of service of the Decision.
  - (c) The remaining one (1) month suspension will be held in abeyance for a period of one (1) year from the date of service of the Decision and, if there are no further complaints of unprofessional conduct similar to that at issue in this hearing during that period, Mr. Zeng will not be required to serve the remaining one (1) month of his suspension.
3. Within 90 days of service of the Decision, Mr. Zeng shall write and provide to the Complaints Director, a typed reflection, in English and of at least 1000 words, demonstrating his understanding of the scope of practice that he is authorized to perform. The reflection paper will not count towards Mr. Zeng's continuing competence credits and must be acceptable to the Complaints Director.

4. A condition will be placed on Mr. Zeng's practice permit requiring him to undergo random inspections by an inspector who has been appointed by the Council under Part 3.1 of the Act (the "Inspector"). The Inspector will conduct periodic inspections of Mr. Zeng's place of business subject to the following conditions:
  - (a) The Inspector will attend at Mr. Zeng's place of business on four (4) occasions in the 24-month period from the date of service of the Decision.
  - (b) The Inspector will determine if Mr. Zeng is performing restricted activities without authorization or acting outside the scope of a RDT's practice.
  - (c) Upon the conclusion of each inspection, the Inspector will provide a written report to the Complaints Director summarizing the Inspector's findings; and
  - (d) If the written report indicates that there are concerns regarding Mr. Zeng's practice as it relates to the matters in issue in this hearing, the Complaints Director may refer the matter back to a Hearing Tribunal for further consideration.
5. As required by section 119(1) of the Act, the Hearing Tribunal's decision shall be published on the CDTA's website, in the CDTA's newsletter, with Mr. Zeng being identified by name.
6. Mr. Zeng shall pay 15% of the costs of the investigation and the hearing in this matter within twenty-four (24) months of the date of service of the Decision.
7. Should Mr. Zeng be unable to comply with any of the deadlines for completion of the penalty orders identified above, Mr. Zeng may request an extension by submitting to the Complaints Director, prior to the deadline, a request in writing stating a reason for requesting the extension and a reasonable time frame for completion. The Complaints Director shall, in her sole discretion, determine whether a time extension will be granted and will notify Mr. Zeng in writing if the extension has been granted.
8. Should Mr. Zeng fail or be unable to comply with any of the above orders for penalty, or if any dispute arises regarding the implementation of these orders, the Complaints Director may do any or all of the following:
  - (a) Refer the matter back to the Hearing Tribunal, which shall retain jurisdiction with respect to penalty;

- (b) Treat Mr. Zeng's non-compliance as information under s. 56 of the Act and seek an immediate interim suspension in accordance with s. 65 of the Act; or
- (c) In the case of non-payment of the costs described in paragraph 5 above, suspend Mr. Zeng's practice permit until such costs are paid in full or the Complaints Director is satisfied that such costs are being paid in accordance with a schedule of payments agreed to by the Complaints Director.