

## **TRIBUNAL DECISION SUMMARY**

### ***Dentist convicted of dishonesty offences receives suspended sentence, conditions & censure***

Dr Alan GT Payne, a registered dentist and specialist prosthodontist, latterly of Dunedin and now of Whangarei, has been disciplined by the New Zealand Health Practitioners Disciplinary Tribunal.

The Tribunal found that Dr Payne had been convicted in the District Court of offences that reflect adversely on his fitness to practise. The convictions related to three dishonesty offences over the period 2007 to 2009, including the creation of false invoices to obtain personal monetary gain. The Tribunal viewed Dr Payne's actions as premeditated, unethical and "*very serious breaches of professional standards*".

The Tribunal ordered his suspension for nine-months; however, the operation of the suspension order would be delayed for up to 24 months, and lapse at that time provided Dr Payne complied with all conditions imposed upon his scope of practice and that no other disciplinary matter surfaced.

Conditions were imposed restricting Dr Payne's practice for three years:

- he is subject to professional supervision by a Dental Council approved supervisor;
- he must not practice on his own account and may not own or manage a practice except as authorised by the Dental Council;
- he must not undertake any financial transactions directly with patients (this does not preclude quoting or estimating costs of treatment with patients) or any external dental service provider; nor is he to undertake any financial commitments on behalf of an employer; and
- he is to maintain a therapeutic relationship with his medical practitioner.

Any employer is to be made aware of the Tribunal decision and the penalties imposed.

The Tribunal made an order of censure and expressed its "*strong disapproval for the conduct which has given rise to the serious convictions it was required to consider.*" Dr Payne was directed to pay \$12,000, being 30% of the costs incurred by the Professional Conduct Committee and the Tribunal.

Payne 405/Den11/184P, 11 October 2011