



COLLEGE OF
DENTURISTS
OF ONTARIO



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-AND-

MARIO HERVAS #626-95

UNDERTAKING

WHEREAS the Inquiries, Complaints and Reports Committee (ICRC) are currently investigating a complaint that alleges I engaged in acts of dentistry including but not limited to using the doctor title, cementing crowns or caps, and recommending dental treatment;

AND WHEREAS I am not a member of the Royal College of Dental Surgeons of Ontario (RCDSO);

AND WHEREAS I am aware that the scope of practice for denturism is the assessment of arches missing some or all teeth and design, construction, repair, alteration, ordering and fitting or removable dentures;

AND WHEREAS I am aware that denturists are authorized to fit and dispense removable dentures but not authorized to perform any other controlled acts as set out in s. 27 of the *Regulated Health Professions Act*;

AND WHEREAS I am aware the denturists are not authorized to use the doctor title;

AND WHEREAS I am aware that subject to certain conditions, denturists are not permitted to have dental instruments or equipment in their office;

AND WHEREAS the ICRC is considering imposing an interim order that would either attach terms, conditions or limitations to my certificate of registration or suspend my certificate of registration as they are of the opinion that my conduct exposes or is likely to expose my patients to harm or injury;

AND WHEREAS I wish to avoid the ICRC considering an interim order;

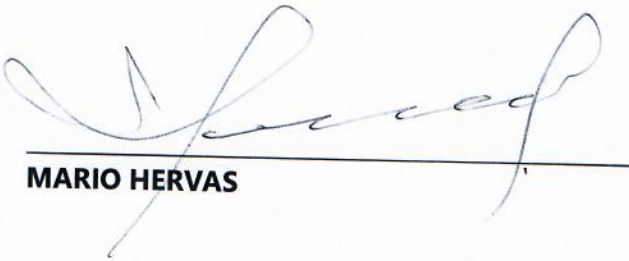
THEREFORE, I, MARIO HERVAS undertake as follows:

1. To refrain from any acts, or omissions, that would cause a person to believe that I am a member of the RCDSO including but not limited to:
 - 1.1. Using the doctor title
 - 1.2. Failing to correct someone if they refer to me with the doctor title;
 - 1.3. Having any dental instruments or equipment in my office, other than instruments or equipment appropriate to the practice of denturism; and
 - 1.4. Engaging in any dental procedures including but not limited to:
 - 1.4.1. Assessing the physical condition of the oral-facial complex and the diagnosis, treatment and prevention of any disease, disorder or dysfunction of the oral-facial complex;
 - 1.4.2. Performing a procedure on tissue of the oral-facial complex below the dermis, below the surface of a mucous membrane or in or below the surfaces of the teeth;
 - 1.4.3. Restore, repair and/or attach a crown or cap; and
 - 1.4.4. Restore, repair or fabricate any device other than dentures.
2. The Register maintained by the College will, until the conclusion of the ICRC investigation (or the discipline proceeding if the ICRC decides to refer specified allegations of professional misconduct and/or incompetence to the Discipline Committee), indicate that this Undertaking is in effect and shall post the complete Undertaking.
3. I understand and agree that:
 - a) If other or additional information comes to the College's attention it may be necessary for the ICRC to impose an interim order;
 - b) Signing and abiding this undertaking is not an admission of the allegations made in the complaint as referred to above;
 - c) Should I fail to abide by the terms of this Undertaking, the ICRC may review this matter and, if it considers appropriate, refer specified allegations of professional misconduct respecting such conduct, and any other conduct as set out above, to the Discipline Committee.

4. I further acknowledge and agree that:

- a) I fully understand the terms of this Undertaking;
- b) I am signing this Undertaking voluntarily and without compulsion or duress; and
- c) I have been strongly advised by the College to obtain independent legal advice prior to signing this Undertaking and that I have either done so or I have had an adequate opportunity to do so.

DATED this 13 day of May, 2020



MARIO HERVAS