Dental Practice Board of Victoria

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DECISION:

DR TIMOTHY GAZELAKIS (DENTIST)
23 August 2001
Panel: **Dr. A. J. Dickinson**
Mr. J. Harty
Prof L. Rodopoulos

Evidence was presented that Dr. Gazelakis had been the subject of an inspection and interview by officers of the former Dental Board of Victoria in August 1998. The interview related to a complaint about non-registered persons, employed by Dr. Gazelakis, performing dentistry. As well there were several issues related to an inadequate level of infection control. Following the interview, Dr. Gazelakis met with members of the then Complaints Committee of the Dental Board and an agreement was made that:

(a) Dr Gazelakis and a senior nurse would undertake a one-day infection control course within the next month.

(b) All procedures at Dr Gazelakis' premises in the matter of infection control would conform with National Health & Medical Research Council guidelines entitled '*Infection control in the health care setting: Guidelines for the prevention of the transmission of infectious diseases*.'

(c) All Schedule 4 poisons would be in a locked facility to which only Dr Gazelakis would have a key.

(d) Administration of Schedule 4 poisons would be recorded in accordance with the Drugs and Poisons Regulations 1981.

(e) An anti-retraction valve would be placed on the water line of air driven handpieces.

(f) Unlicensed or unregistered individuals would not be allowed to take impressions or carry out intra-oral procedures for prosthetic purposes.

In the present proceedings, it was alleged that that infection control standards were inadequate and that Dr Gazelakis had employed an unregistered person to practise dentistry. Counsel for Dr Gazelakis conceded that the 1998 agreement had been breached and that Dr Gazelakis was guilty of unprofessional conduct. The Panel found the unprofessional conduct to have been of a serious nature

In considering the penalty, the Panel reflected carefully on whether the admitted breaches should result in the removal or suspension of Dr. Gazelakis's licence to practice. The Panel also gave due weight to the need for specific and general deterrence.

Evidence was presented by a clinical Psychiatrist, about Dr Gazelakis' family background and her clinical of him. Her diagnosis was that Dr. Gazelakis was suffering from an anxiety-depressive neurosis, as a result of underlying personality difficulties. She admitted that such underlying personality traits are not unusual and are frequently seen in successful people, particularly those described as "workaholics". She was of the view that Dr. Gazelakis does not pose a threat to the community. The Panel considered this evidence in light of the recurrent nature of Dr Gazelakis' offences. It concluded that the psychiatric evidence, while going some way towards explaining Dr. Gazelakis 's behaviour, did not obviate his responsibility.

The Panel was not convinced that Dr. Gazelakis fully understood the scientific basis of the infection control issues that required correction. Evidence was accepted by the Panel as to the inadequacy of his records and the necessity for him to develop protocols for infection control procedures and dental records.

The Panel:

1. cautioned Dr Gazelakis that the recalcitrant nature of his behaviour, should it occur again, would leave the Board little option but to exercise sanctions that could curtail his ability to practice;
2. reprimanded Dr Gazelakis;
3. required him to undertake a further educational program in infection control, to be conducted by Dr W. Palmer, to be of at least one day in duration, and to include at least one senior chair-side assistant employee;
4. required Dr Gazelakis to work with a dental mentor, to be appointed by the Board, who would assist him in preparing a practice manual and developing protocols for administrative aspects of his dental practice;
5. imposed a fine of $2,000;
6. suspended Dr Gazelakis' registration for two months (the suspension being stayed for 12 months provided that there was no further adverse finding against him by a Panel of the Dental Practice Board in that period