



COMMUNICATION POINTS - HPA

Council Meeting October 27, 2006

DESIGNATION UNDER THE *HEALTH PROFESSIONS ACT* – PROGRESS

In preparation for the repeal of the *Dentists Act* and Rules and designation by the government of CDSBC as a College under the *Health Professions Act*, Council unanimously approved proposed Bylaws under the HPA on October 27, 2006.

These proposed Bylaws have been sent to the Ministry of Health for discussion and consultation. When approved by the Ministry, the bylaws will be posted for 90-day on the College's website for comment by all individuals and organizations. The College anticipates that draft Regulations empowering the College to regulate, protect title, and identifying scope of practice and reserved actions will be posted at the same time.

Based on the results of this 90-day consultation period and further discussions between the Ministry and the College, the resulting approved Bylaws will be forwarded to the Cabinet for legislative approval, along with the Regulations.

Once approved and proclaimed by Lieutenant Governor, the College will be designated under the HPA and the *Dentists Act* will be repealed. Our present expectation is that this process will take between six to twelve months.

The following are some highlights from the proposed bylaws.

TERMINOLOGY

Because terms under the HPA differ from terms under the *Dentists Act*, there will be some changes in terminology.

While dentists are referred under the HPA as registrants, CDAs are not. Therefore the new term to refer to all individuals governed by CDSBC will be "dentists and CDAs".

BOARD

Under the HPA, the College will be governed by a Board of 18. The majority of the board will be dentists (10). One third of the board members will be public members (6). Two members will be certified dental assistants.

- President, elected at large
- Vice President, elected at large
- Treasurer, elected at large

- 1 Specialist Council Member, elected by specialists
- 1 UBC Council Member, elected by UBC faculty
- 2 CDA Council Members (appointed by Board according to a selection process and on the recommendation of a CDA Selection Working Group)
- 5 Council Members, 1 elected from each of
 1. Fraser Valley
 2. North
 3. Southern Interior
 4. Vancouver
 5. Vancouver Island

ADMINISTRATION

The Registrar will continue to be the chief executive officer, responsible for all administrative and operational matters. The College will be staffed by one Deputy Registrar who will act in place of the Registrar when the Registrar is absent and Senior Regulatory Consultants (formerly called deputy registrars).

GRANTS

The College will continue to have the ability to make grants to other organizations that support the mandate, duties and objectives of the College.

ANNUAL GENERAL MEETING

Both Dentists and Certified Dental Assistants will be invited to attend the College's AGM and participate in any discussion. Only dentists can make motions and vote.

COMMITTEES

Subject to cabinet approval of the composition and terms of reference, the proposed bylaws provide for the following committees:

- (a) executive committee;
- (b) registration committee;
- (c) inquiry committee;
- (d) discipline committee;
- (e) complaints reconsideration committee;
- (f) quality assurance committee;
- (g) ethics committee;
- (h) sedation and general anaesthetic services committee;
- (i) certified dental assistant advisory committee;
- (j) certified dental assistant licensure committee;
- (k) certified dental assistant examination committee;
- (l) audit committee;
- (m) nominations committee

For committees that have the power to make decisions independent of Council, the majority of members will be dentists.

The proposed bylaws provide for a Registration Committee (the majority of whom are dentists) to deal with the registration of dentists. A CDA Licensure Committee (the majority of whom are CDAs) will make decisions about the registration of CDAs.

REGISTRATION

A new registration of Certified Specialists Limited to "X" Specialty is proposed for persons who have passed the NDSE but do not have an NDEB certificate.

An Academic registrant may only practice intramurally, at the University and its affiliated facilities. A registrant who has an Academic registration ceases to be registered when they no longer have an academic appointment at the UBC Dental Faculty.

DENTISTS

The following classes of registration will be established:

- (a) full registration, which includes
 - (i) general dentists, and
 - (ii) certified specialists who are full registrants;
- (b) restricted to specialty registration, all members of which are certified specialists, restricted to specialty;
- (c) academic registration, which includes
 - (i) academic general dentists, and
 - (ii) academic specialists;
- (d) academic (grandparented) registration;
- (e) limited (education and research) registration;
- (f) limited (armed services or government) registration;
- (g) limited (post-graduate) registration;
- (h) limited (student practitioner) registration;
- (i) temporary registration;
- (j) non-practising registration

CERTIFIED DENTAL ASSISTANTS

The following classes of certified dental assistants are established:

- (a) practising certified dental assistants;
- (b) temporary certified dental assistants;
- (c) limited certified dental assistants;
- (d) non-practising certified dental assistants.

DELEGATION OF SERVICES

The Bylaws, drafted to be more contemporary, will regulate duties involving direct patient contact (not extra-oral unless patient is at risk). They provide for updates to the orthodontic and prosthodontic modules.

Duties are divided into “supervised” and “directed”.

- SUPERVISED Duties – dentist present in the facility
- DIRECTED Duties – dentist delegates within 60-days but not necessarily in the facility when duties are performed
 - passing dental instruments, moisture control and oral hygiene instruction
 - taking radiographs
 - polishing teeth
 - applying anti-cariogenic agents

QUALITY ASSURANCE

Continuing competency based on the current program of continuing education, was used to draft the bylaws.

We have no indication to this point whether or when government will require any particular form of QA program, including competency examinations and practice inspections. It is expected that there will be discussion before any particular form of quality assurance program is mandated by the government.

INVESTIGATION AND DISCIPLINE COMMITTEES

This is one of the areas in which there is new terminology.

INQUIRY COMMITTEE (now called the Practice Standards and Professional Conduct committees under the *Dentists Act*) based on investigation of written complaint, resolves complaints if possible by Alternative Dispute Resolution and if not, refers matters to the Discipline Committee.

COMPLAINT RECONSIDERATION, conducts a review, at the instigated by a complainant, to ensure that the decision to “take no action” resulted from an appropriate process and investigation.

DISCIPLINE COMMITTEE (new term for what was called Inquiry Committee under the *Dentists Act*). This Committee will form panels to conduct hearings if the complaint is not resolved at the Inquiry Committee level.

CODE OF ETHICS

The Code will be an attachment to the Bylaws which will allow it to be easily updated and amended as appropriate by depositing changes with the government

Dental Emergencies – Dentists who are entitled to practice dentistry under the bylaws have an obligation to consult with and provide emergency dental care to members of the public, or to make a reasonable attempt to provide alternative arrangements in their absence. A dental emergency exists if, in a dentist’s professional judgment, a person needs immediate attention to deal with uncontrolled bleeding, uncontrolled swelling, traumatic injury, or uncontrolled severe pain.