
Bylaws of the British Columbia College of Oral Health Professionals

Health Professions Act, RSBC 1996, c. 183

Notice of Proposed Bylaws: April 26, 2022

[College Address and Contact Information]

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PART 1 – DEFINITIONS

Definitions

1.01 In these bylaws:

“Act” means the *Health Professions Act*;

“amalgamation date” means September 1, 2022, as specified in section 10 of the *Health Professions Designation and Amalgamation Regulation*, B.C. Reg. 270/2008;

“appointed board member” means

- (a) a person, other than a registrant or certified dental assistant, appointed to the first board under section 17(2)(a) of the Act, or
- (b) a person appointed to the board under section 17(3)(b) of the Act;

“board” means the board of the college under section 17(1) of the Act;

“board chair” means the board member elected as the chair of the board under section 2.12;

“board election” means an election for the purposes of section 17(3)(a) and (a.1) of the Act;

“board member” means a registrant board member, a certified dental assistant board member or an appointed board member;

“certified dental assistant” means a person who is

- (a) granted certification in one of the classes of certified dental assistants established in section 9.02, or
- (b) deemed to be a certified dental assistant under section 9.16;

“certified dental assistant board member” means a certified dental assistant

- (a) elected to the board under section 17(3)(a.1) of the Act, or
- (b) appointed under section 2.11 to fill a vacant board member position;

“certified specialist” means

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- (a) a full dentist registrant who is granted certification as a certified specialist in a recognized specialty under section 7.04, or
 - (b) a limited (restricted-to-specialty) dentist registrant;

“college” means the amalgamated college under section 10 of the *Health Professions Designation and Amalgamation Regulation*, B.C. Reg. 270/2008, named “British Columbia College of Oral Health Professionals”;

“College of Dental Hygienists of British Columbia” or **“CDHBC”** means the former college established under section 15(1) of the Act for the designated health profession of dental hygiene and specified in section 10(a) of the *Health Professions Designation and Amalgamation Regulation*, B.C. Reg. 270/2008;

“College of Dental Surgeons of British Columbia” or **“CDSBC”** means the former college continued under section 15.1(2) of the Act for the designated health profession of dentistry and specified in section 10(b) of the *Health Professions Designation and Amalgamation Regulation*, B.C. Reg. 270/2008;

“College of Dental Technicians of British Columbia” or **“CDTBC”** means the former college established under section 15(1) of the Act for the designated health profession of dental technology and specified in section 10(c) of the *Health Professions Designation and Amalgamation Regulation*, B.C. Reg. 270/2008;

“College of Denturists of British Columbia” or **“CDBC”** means the former college established under section 15(1) of the Act for the designated health profession of denturism and specified in section 10(d) of the *Health Professions Designation and Amalgamation Regulation*, B.C. Reg. 270/2008;

“deliver”, with reference to a notice or other document, includes

- (a) mail to or leave with a person,
- (b) deposit in a mailbox or other receptacle for receipt of mail at a person’s residence or place of business,
- (c) transmit to a person’s electronic mail address, including for a registrant or certified dental assistant, the most recent email address provided to the college under sections 6.05(1)(h), 6.09, 9.05(3)(g) and 9.14, or
- (d) otherwise send or make available to a person in electronic form;

“dental hygiene” has the same meaning as in section 1 of the *Dental Hygienists Regulation*, B.C. Reg. 276/2008;

“dental hygienist” means a registrant in one of the classes of registrants established in section 6.02(a) and (b), or a temporary or non-practising registrant in the designated health profession of dental hygiene;

“dental technician” means a registrant in the class of registrants established in section 6.02(i), or a student, temporary or non-practising registrant in the designated health profession of dental hygiene;

“dental technology” means the designated profession in which a person provides the services authorized in section 4 of the *Dental Technicians Regulation*, B.C. Reg. 278/2008;

“dental therapist services” means any of the services of dentistry specified in Schedule X;

“dentist” means a registrant in one of the classes of registrants established in section 6.02(c) to (g) or a student, temporary or non-practising registrant in the designated health profession of dentistry;

“dentistry” has the same meaning as in section 1 of the *Dentists Regulation*, B.C. Reg. 415/2008;

“denturist” means a registrant in one of the classes of registrants established in section 6.02(j) and (k) or a student, temporary or non-practising registrant in the designated health profession of dentistry;

“denturism” has the same meaning as in section 1 of the *Denturists Regulation*, B.C. Reg. 277/2008;

“designated health profession” means any of the following professions designated under section 12(1) of the Act:

- (a) dental hygiene;
- (b) dentistry;
- (c) dental technology;
- (d) denturism;

“direct supervision” means, as applicable,

- (a) a supervising full denturist registrant is in attendance with a student registrant in the designated health profession of denturism at all times while the student registrant is providing or performing an aspect of practice of denturism under section 6.24(3),

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- (b) a supervising dental hygienist faculty member or instructor with the required certification is in attendance with a dental hygienist registrant or dental hygiene practitioner registrant enrolled in a recognized local anesthesia certification program or local anesthesia refresher course while the dental hygienist registrant or dental hygiene practitioner administers local anesthesia under section 7.03(2), or
 - (c) a supervising registrant is in attendance with a non-registrant and the patient at all times while the non-registrant is providing or performing an authorized aspect of practice of the supervising registrant's designated profession under Part 11;

“elected board member” means a registrant board member or a certified dental assistant board member;

“former college” means any of the CDHBC, CDSBC, CDTBC or CDBC;

“hospital” has the same meaning as in section 1 of the *Hospital Act*;

“in good standing” means,

- (a) in respect of a registrant,
 - (i) the registration of the registrant is not suspended under the Act, and
 - (ii) no limits or conditions are imposed on the registrant's practice of a designated health profession under section 20(2.1)(a), (b.1) or (c), 20(3), 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, and
- (b) in respect of a certified dental assistant,
 - (i) the certification of the certified dental assistant is not suspended under the Act, and
 - (ii) no limits or conditions are imposed on the provision of services of a certified dental assistant by the certified dental assistant under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, or section 9.05(5) or (7);

“indirect supervision” means, as applicable,

- (a) a supervising full denturist registrant is
 - (i) present at the same location while a student registrant in the designated health profession of denturism is providing or performing an aspect of practice of denturism under section 6.24(3), and

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- (ii) immediately available for consultation, assistance and intervention, or
 - (b) a supervising registrant is
 - (i) present at the same location while a non-registrant is providing or performing an authorized aspect of practice of the supervising registrant's designated profession under Part 11, and
 - (ii) immediately available for consultation, assistance and intervention;

“Level II dental assistant” means an individual practising as a dental assistant in another Canadian jurisdiction, who is entitled in that other jurisdiction to provide those services of a certified dental assistant which are included in the core skills specified in Schedule X;

“listed general dentistry program” means a program in general dentistry at a post-secondary educational institution, including a qualifying program, that has been accredited by the Commission on Dental Accreditation of Canada or the Commission on Dental Accreditation of the American Dental Association and is specified in Schedule X;

“listed specialty program” means a program in a recognized specialty at a post-secondary educational institution that has been accredited by the Commission on Dental Accreditation of Canada or the Commission on Dental Accreditation of the American Dental Association and is specified in Schedule X;

“NDEB certificate” means a certificate of qualification issued by the National Dental Examining Board, or another examining body approved by the board;

“NDHCE” means the National Dental Hygiene Certification Examination offered by the National Dental Hygiene Certification Board, or any successor examination approved by the board;

“ordinary resolution” means a resolution that requires a majority vote of those persons present and eligible to vote at a meeting;

“public representative” means an individual who is not a current or former registrant or certified dental assistant, and includes an appointed board member;

“recognized dental hygiene degree” means

- (a) a baccalaureate degree in dental hygiene from a dental hygiene education program in British Columbia that is recognized by the board for the purpose of the registration of dental hygienist registrants or dental hygiene practitioner registrants and specified in Schedule X, or
- (b) a baccalaureate degree in dental hygiene, or the equivalent, from another dental hygiene education program accredited by the Commission on Dental Accreditation of Canada or by the Commission on Dental Accreditation of the

American Dental Association, that is considered by the registration committee to be equivalent to a degree referred to in paragraph (a);

“recognized dental hygiene diploma” means

- (a) a diploma in dental hygiene from a dental hygiene education program in British Columbia that is recognized by the board for the purpose of the registration of dental hygienist registrants and is specified in Schedule X, or
- (b) a two-year diploma in dental hygiene, or the equivalent, from another dental hygiene education program accredited by the Commission on Dental Accreditation of Canada or by the Commission on Dental Accreditation of the American Dental Association, that is considered by the registration committee to be equivalent to a diploma referred to in paragraph (a);

“recognized dental technician education program” means a course or program that is recognized by the board for the purpose of the registration of dental technician registrants and is specified in Schedule X;

“recognized denturist education program” means a course or program that is recognized by the board for the purpose of the registration of full denturist registrants and is specified in Schedule X

“recognized jurisdiction” means another Canadian jurisdiction that is recognized by the board for the purpose of applications for certification of practising certified dental assistants under section 9.06(3) and is specified in Schedule X;

“recognized local anesthesia certification program” means a local anesthesia course or program that is recognized by the board for the purpose of certification of dental hygienist registrants or dental hygiene practitioner registrants under section 5(3)(b)(ii) of the *Dental Hygienists Regulation*, B.C. Reg. 276/2008, and is specified in Schedule X;

“recognized specialty” means a dental specialty recognized by the Board under section 7.04;

“record” has the same meaning as in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*.

“registrant” means a person who is

- (a) granted registration in one of the classes of registrants established in section 6.02, or
- (b) deemed to be a registrant under section 6.29;

“registrar” means the registrar for the college appointed under section 21(1) of the Act;

“regulations” means the regulations under the Act;

“respondent” means

- (a) a current or former registrant or a current or former certified dental assistant who is named in a citation under section 37 of the Act, or
- (b) a health profession corporation named in a notice of permit revocation under section 14.09;

“restricted activity” means

- (a) in respect of the designated health profession of dental hygiene, the restricted activities listed in section 5 of the *Dental Hygienists Regulation*, B.C. Reg. 276/2008,
- (b) in respect of the designated health profession of dentistry, the restricted activities listed in section 4 of the *Dentists Regulation*, B.C. Reg. 415/2008,
- (c) in respect of the designated health profession of denturism, the restricted activities listed in section 5 of the *Denturists Regulation*, B.C. Reg. 277/2008;

“special resolution” means a resolution that requires a 2/3 vote of those persons present and eligible to vote at a meeting;

“standards of practice” means the standards, limits and conditions established by the board under section 19(1)(k) or (1.1) of the Act;

“standards of professional ethics” means the standards of professional ethics established by the board under section 19(1)(l) or (1.1) of the Act;

“supervision” includes both direct supervision and indirect supervision.

PART 2 – COLLEGE BOARD

Definitions

2.01 (1) In this Part,

“interim board member” means a registrant or certified dental assistant who is appointed to the first board under section 17(2)(a) of the Act;

“professional association” means

- (a) a health profession association as defined in section 1 of the Act, or
- (b) a similar organization in BC or another jurisdiction,
 - (i) whose members include
 - (A) registrants,
 - (B) persons registered or licensed in another jurisdiction for the practice of a health profession corresponding to a designated health profession,
 - (C) certified dental assistants, or
 - (D) persons certified, registered or licensed in another jurisdiction to provide services corresponding to the services of a certified dental assistant, and
 - (ii) whose purposes or objects include the promotion of the interests of its members, and

includes a national or international federation or association of professional associations;

“registrant board member” means a registrant

- (a) elected to the board under section 17(3)(a) of the Act, or
- (b) appointed under section 2.11 to fill a vacant board member position.

Composition of the board

2.02 (1) The board consists of

- (a) 4 registrant board members,

- (b) one certified dental assistant board member,
 - (c) one board member who may be a registrant or a certified dental assistant, and
 - (d) the appointed board members.
- (2) Of the 4 registrant board members referred to in subsection (1)(a),
- (a) one must be a registrant described in section 2.03(1)(a) or (b),
 - (b) one must be a registrant described in section 2.03(1)(c), (d), (e) or (f),
 - (c) one must be a registrant described in section 2.03(1)(h), and
 - (d) one must be a registrant described in section 2.03(1)(i).
- (3) Despite subsections (1) and (2),
- (a) on and from the amalgamation date until [*date 1? year later when 1st elected board members join the board*], the board consists of the interim board members and the appointed board members, and
 - (b) on and from [*date when 1st elected board members join the board*] until the date by which the terms of office for all of the interim board members have expired, the board consists of the interim board members, the appointed board members and the board members elected under subsection (4).
- (4) A board election must be held
- (a) in [*year of amalgamation date + 1? year*] to elect
 - (i) a certified dental assistant board member under subsection (1)(b), and
 - (ii) the registrant board member specified in subsection (2)(a),
 - (b) in [*year of amalgamation date + 2? years*] to elect
 - (i) the board member who may be a registrant or a certified dental assistant under subsection (1)(c), and
 - (ii) the registrant board member specified in subsection (2)(d), and
 - (c) in [*year of amalgamation date + 3? years*] to elect the registrant board members specified in subsection (2)(b) and (c).

Eligibility for election

- 2.03** (1) Subject to subsection (2), only the following persons are eligible to be elected in a board election:
- (a) a dental hygienist registrant;
 - (b) a dental hygiene practitioner registrant;
 - (c) a full dentist registrant;
 - (d) a limited (restricted-to-specialty) dentist registrant,
 - (e) a limited (academic) dentist registrant,
 - (f) a dental therapist registrant;
 - (g) a full certified dental assistant;
 - (h) a dental technician registrant;
 - (i) a full denturist registrant.
- (2) A person specified in subsection (1) is not eligible to be elected in a board election if, on the date that nominations must be received under section 2.06, the person
- (a) is not a registrant or certified dental assistant eligible under section 2.02(1) or (2) to be elected to the board member position or positions to be filled in the board election,
 - (b) does not ordinarily reside in British Columbia,
 - (c) is in default of payment of any fine, fee, debt or levy owing to the college under the Act,
 - (d) is not in good standing,
 - (e) is the subject of an ongoing investigation by the inquiry committee under section 33 of the Act,
 - (f) is named in a citation issued by the registrar under section 37 of the Act, or directly or indirectly owns a legal or beneficial interest in any voting shares of a health professional corporation that is named in a notice of permit revocation hearing issued by the registrar under section 14.09, and the citation or notice of permit revocation hearing is not yet resolved,

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- (g) is the subject of a hearing, either pending or underway, in British Columbia or another jurisdiction, that could result in the person's entitlement to practise a profession or provide the services of a certified dental assistant being cancelled, revoked or suspended,
 - (h) has given an undertaking or consent under section 36 of the Act,
 - (i) has been named in a consent order under section 37.1 of the Act or an order under section 39 of the Act,
 - (j) has had an entitlement to practise a profession or provide the services of a certified dental assistant cancelled, revoked or suspended in British Columbia or, another jurisdiction, for any reason other than late payment or non-payment of fees,
 - (k) has voluntarily relinquished an entitlement to practise a profession or provide the services of a certified dental assistant in British Columbia or another jurisdiction, with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in that entitlement to practise or provide services being cancelled, revoked or suspended,
 - (l) has been convicted of an offence in British Columbia or another jurisdiction,
 - (m) has been suspended or removed from office as a board member, or the equivalent of a board member of another college under the Act or any other body, in British Columbia or another jurisdiction, that regulates a profession,
 - (n) is an undischarged bankrupt,
 - (o) is the subject of an order of or finding by any court, in Canada or another jurisdiction, that the person is incapable of managing the person's own affairs,
 - (p) is an employee of the college,
 - (q) is an employee, board officer, board member, or committee chair at, or holds any other position of responsibility with, a professional association,
 - (r) at any time in the 3 years preceding the date that a nomination for the board election must be received under section 2.06, has been an employee, board officer, board member or committee chair at, or held any other position of responsibility with, a professional association,
 - (s) on being elected, would have a conflict of interest by virtue of having competing fiduciary obligations to the college and to another person or organization, or

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- (t) was an elected board member during each of the 5 years immediately preceding the date that a nomination for the board election must be received under section 2.06.
 - (3) Despite subsection (2), a person who is not eligible to be elected under subsection (2)(c) to (j) may deliver to the nomination and appointment committee a written request to be eligible to be elected in a board election.
 - (4) A written request under subsection (3) must be delivered to and considered by the nomination and appointment committee in accordance with procedures established by the board for delivering and considering such requests.
 - (5) The nomination and appointment committee must notify a person who delivered a request under subsections (3) and (4) that the person is eligible to be elected in a board election, if, after considering the request, the committee is satisfied the reason why the person is ineligible under subsection (2)(c) to (j) will not compromise either
 - (a) the person's ability to discharge the duty of a board member, or
 - (b) the integrity of the board.

Eligibility to vote in elections

- 2.04** (1) Subject to subsection (2), the following persons are eligible to vote in a board election:
- (a) a dental hygienist registrant;
 - (b) a dental hygiene practitioner registrant;
 - (c) a full dentist registrant;
 - (d) a limited (restricted-to-specialty) dentist registrant;
 - (e) a limited (academic) dentist registrant;
 - (f) a dental therapist registrant;
 - (g) a full certified dental assistant;
 - (h) a dental technician registrant;
 - (i) a full denturist registrant.

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- (2) To vote in an election, a registrant or full certified dental assistant must have fully paid the applicable annual renewal fees under section 6.03 or 9.04, and any other fine, fee, debt or levy owed to the college.

Notice of election

- 2.05**
- (1) At least 120 days prior to the expiry of the term of office for the board member position or positions to be filled in a board election, the registrar must deliver notice of the election to every person eligible to vote under section 2.04.
 - (2) A notice under subsection (1) must contain information about the nomination procedure and the election procedure, including without limitation,
 - (a) the length of the term of office for each board member position to be filled in the election,
 - (b) whether, under section 2.02, a board member position to be filled in the election must be filled by a registrant or a certified dental assistant,
 - (c) if, under section 2.02, a board member position to be filled in the election must be filled by a registrant, whether that board member position must be filled by
 - (i) a registrant described in section 2.03(1)(a) or (b),
 - (ii) a registrant described in section 2.03(1)(c), (d), (e) or (f),
 - (iii) a registrant described in section 2.03(1)(h), or
 - (iv) a registrant described in section 2.03(1)(i), and
 - (d) the desired competencies for elected board members generally, and if persons with specific competencies are sought for the board member position or positions to be filled in the board election, what those competencies are.
 - (3) The accidental omission to deliver notice of an election to, or the non-receipt of such notice by, any person entitled to receive notice does not invalidate the election, any proceedings in relation thereto, or the results thereof.

Nomination procedure

- 2.06**
- (1) Following delivery of the notice for a board election under section 2.05, a person who is eligible to vote under section 2.04 may nominate as a candidate in the election one person who, under sections 2.02 and 2.03, is eligible to be elected to a board member position to be filled in the election.

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- (2) A person may only be nominated under subsection (1) to fill one board member position to be filled in an election.
 - (3) A nomination under subsection (1) must be
 - (a) delivered to the registrar at least 90 days before the expiry of the term of office for the board member position or positions to be filled in the election,
 - (b) in a form satisfactory to the registrar, and
 - (c) accompanied by a signed statement from the person nominated
 - (i) consenting to the nomination, and
 - (ii) promising to observe the provisions of the Act, the regulations, and these bylaws, and the procedures related to the election and the conduct of the election.
 - (4) If a person nominated under subsection (1) is eligible to be elected to more than one board member position to be filled in an election, the person's nomination must specify the board member position for which the person is being nominated.
 - (5) At the close of nominations, if only one candidate is nominated in accordance with this section for a board member position to be filled in an election, the nominated candidate is elected by acclamation.

Election procedure

- 2.07**
- (1) The registrar must supervise and administer all board elections and may establish additional procedures, consistent with these bylaws, for that purpose.
 - (2) Unless all board member positions to be filled in an election have been filled by acclamation under section 2.06(5), the registrar must prepare an election ballot listing all eligible candidates and, not less than 60 days before the expiry of the term of office for the board member position or positions to be filled in the election, deliver a copy of the ballot to each person eligible to vote under section 2.04.
 - (3) Each person eligible to vote under section 2.04 may vote in favour of one candidate for each board member position to be filled in the board election.
 - (4) The registrar must not count a ballot unless it is received by the registrar
 - (a) in accordance with the procedures established under subsection (1), and
 - (b) no later than the time and date determined by the registrar and indicated on the ballot.

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- (5) The candidate who, on the return of ballots, receives the most votes for a board member position to be filled in the election is elected to the board.
 - (6) In the case of a tie vote for a board member position to be filled in an election, the registrar must select the successful candidate by random draw.
 - (7) In the event of a service or technical interruption of an election procedure, including the delivery of the election notice or receipt of nominations, the registrar may extend a deadline specified in these bylaws as is reasonable to accommodate the interruption.
 - (8) The registrar must determine any dispute or irregularity with respect to any nomination, ballot or election.
 - (9) The registrar must certify newly elected board members under section 17.1(1) of the Act.

Terms of office of elected board members

- 2.08**
- (1) The term of office of an elected board member is 3 years commencing on April 1 of the year in which the board member is elected.
 - (2) Despite subsection (1), for the purpose of establishing a stagger in the terms of office for the elected board members, the board may designate that, for one or more elected board member positions to be filled in a board election, the term of office is one year or 2 years commencing on April 1 of the year in which the board member is elected.
 - (3) The designation by the board of a term of office for an elected board member position under subsection (2) is only effective if made
 - (a) by special resolution, and
 - (b) before the registrar delivers notice under section 2.05 for the election in which that board member position is to be filled.
 - (4) An elected board member may resign at any time by delivering notice in writing to the registrar, and the resignation is effective upon receipt of the notice by the registrar, or on such later date as may be specified in the notice.

Elected board member ceasing to hold office

- 2.09**
- (1) An elected board member ceases to hold office as an elected board member if the elected board member
 - (a) ceases to be a person specified in section 2.03(1),

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- (b) ceases to be in good standing,
 - (c) ceases to ordinarily reside in British Columbia,
 - (d) is named in a citation issued by the registrar under section 37 of the Act,
 - (e) is the subject of a hearing, either pending or underway, in British Columbia or in another jurisdiction, that could result in the elected board member's entitlement to practise a profession or provide the services of a certified dental assistant being cancelled, revoked or suspended,
 - (f) becomes an undischarged bankrupt,
 - (g) becomes the subject of an order or finding as described in section 2.03(2)(n),
 - (h) becomes an employee of the college,
 - (g) becomes an employee, board officer, board member or committee chair at, or holds any position of responsibility with, a professional association,
 - (h) develops a conflict of interest by virtue of having competing fiduciary obligations to the college and to another person or organization,
 - (i) resigns from the board under section 2.08(4),
 - (j) is removed from office under section 17.11(5) of the Act or subsection (2), or
 - (k) dies.
- (2) In addition to the board's powers and duties under section 17.11(5) of the Act, the board may, by special resolution, remove an elected board member from office, if, after giving the elected board member reasonable notice and an opportunity to be heard, the board is satisfied that the elected board member has contravened a term of the code of conduct approved by the board for the purpose of this subsection.
- (3) Despite subsection (1), an elected board member does not cease to hold office under subsection (1)(b), (d) or (e), as applicable, if
- (a) the elected board member delivers to the registrar a written request to not cease holding office, and
 - (b) after giving the elected board member an opportunity to be heard, the board is satisfied the reason why the elected board member would cease to hold office under subsection (1)(b), (d) or (e) does not compromise either

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- (i) the elected board member's ability to discharge the duty of a board member, or
 - (ii) the integrity of the board.
- (4) If an elected board member delivers a request to the registrar under subsection (3)(a), the request must be received by the registrar not later than 7 days after the date that the elected board member first has notice of the circumstances described in subsection (1)(b), (d) or (e), and in any event not more than 14 days after the college has notice of those circumstances.
- (5) The operation of subsection (1)(b), (d) or (e) is stayed pending a decision by board under subsection (3).

Investigation of elected board member

2.10 At any time during which an elected board member is the subject of an investigation by the inquiry committee under section 33 of the Act, the elected board member must not

- (a) receive any information or documentation that is only provided to board members because they are board members,
- (b) represent to anyone that the elected board member is a board member,
- (c) participate as a board member at a board meeting, or
- (d) otherwise engage in any business of the board.

Vacancy

2.11 (1) If no one is nominated under section 2.06(1) to fill a board member position to be filled in an election, or if an elected board member ceases to hold office before the expiry of the term of office for the elected board member's position,

- (a) the board may by special resolution appoint a registrant or certified dental assistant who is eligible to be elected to that board member position under sections 2.02 and 2.03 to fill the vacancy until the next scheduled board election, and
 - (b) if at the time of the next scheduled board election, the term of the board member position has not ended, an election must be held concurrently with the next scheduled board election to fill the vacancy for the remainder of that term.
- (2) If the vacancy referred to in subsection (1) occurs less than 120 days before the next scheduled board election,

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- (a) the board may fill the vacancy as described in subsection (1)(a) until the board election following the next scheduled board election, and
 - (b) if at the time of the board election following the next scheduled board election, the term of the board member position has not ended, an election must be held concurrently with the board election following the next scheduled board election to fill the vacancy for the remainder of that term.

Board chair

- 2.12** (1) The board must elect a board chair from among the board members by a majority vote of the board members in attendance,
- (a) at the first board meeting after the Minister has appointed the first board for the college under section 25.05(3) of the Act, unless the Minister has already appointed a board chair, and
 - (b) at the first board meeting after April 1 in years when there is a board election.
- (2) The board chair ceases to hold office as board chair
- (a) upon either,
 - (i) ceasing to hold office as a board member,
 - (ii) delivering a notice of resignation in writing to the registrar, or
 - (iii) being removed from the office of board chair by a majority vote of the board members in attendance at a board meeting, or
 - (b) upon the election of a new board chair under this section.
- (3) If a board chair ceases to hold office under subsection (2)(a), the board members must elect, as soon as is convenient, a new board chair from among the members of the board, by a majority vote of board members in attendance at a board meeting.
- (4) Despite subsections (1) to (3), a majority vote described in this section has no effect unless a quorum as required under section 2.16(12) is present at the time of the vote.

Duties of board chair

- 2.13** The board chair must

- (a) preside as chair at all board meetings and all general meetings of the college,

- (b) act generally in accordance with the requirements of the office of the board chair, for the proper carrying out of the duties of the board.

Acting chair

- 2.14** (1) If the board chair is absent from a board meeting or unable to act, the board members present at the meeting must elect one of their number by majority vote to be acting chair and to exercise the powers and perform the duties of the board chair for that meeting.
- (2) The board may impose any terms, limits or conditions on an acting chair elected under subsection (1) that the board considers necessary or appropriate in the circumstances.

Remuneration of board members

- 2.15** (1) Subject to subsection (2), board members may receive remuneration in accordance with policies established by the board.
- (2) Any remuneration paid under subsection (1) must be equivalent for all board members, based on the amount of time devoted to the business of the college.
- (3) All board members are equally entitled to be reimbursed by the college for reasonable expenses necessarily incurred in connection with the business of the college, in accordance with policies established by the board.

Board meetings

- 2.16** (1) The board must meet at least twice in each fiscal year.
- (2) Board meetings
- (a) may be called by the board chair, and
 - (b) must be called by the registrar
 - (i) at the request of the board chair, or
 - (ii) on receipt of a written request for a meeting from 3 or more board members, setting out the matter or matters on which a decision will be sought at the meeting.
- (3) When calling a board meeting under subsection (2), the board chair or registrar must provide reasonable notice of the meeting to all board members, registrants, certified dental assistants and the public.

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- (4) Notice of a board meeting under subsection (3) may be provided by posting a notice on the college website.
 - (5) Despite subsection (3), the board chair or registrar may call a board meeting without providing notice to registrants, certified dental assistants or the public if necessary to conduct urgent business.
 - (6) The accidental omission to deliver notice of a board meeting to, or the non-receipt of such notice by, any person entitled to receive notice does not invalidate proceedings at that meeting.
 - (7) Subject to subsection (8), meetings of the board must be open to registrants, certified dental assistants and the public.
 - (8) The board may exclude any person who is not a board member from any part of a meeting if it is satisfied that one or more of the following matters will be discussed:
 - (a) financial or personal or other matters that are of such a nature that the interest of any affected person or the public interest in avoiding disclosure of those matters outweighs the public interest in board meetings being open to the public;
 - (b) information concerning an application by any individual for registration under section 20 of the Act, or for certification as a certified dental assistant under Part 9, the disclosure of which would be an unreasonable invasion of the applicant's personal privacy;
 - (c) information concerning a complaint against, or investigation of, any individual under Part 3 of the Act, the disclosure of which would be an unreasonable invasion of the individual's personal privacy;
 - (d) information concerning an assessment of the professional performance of an individual under section 26.1 of the Act or the individual's compliance with competency or quality assurance requirements established under Part 12, the disclosure of which would be an unreasonable invasion of the individual's personal privacy;
 - (e) information the disclosure of which may prejudice the interests of any person involved in
 - (i) a proceeding under the Act, including a disciplinary proceeding under Part 3 of the Act or a review under Part 4.2 of the Act, or
 - (ii) any other criminal, civil or administrative proceeding;
 - (f) personnel matters;

- (g) property acquisitions;
 - (h) the contents of examinations;
 - (i) communications with the Office of the Ombudsman;
 - (j) instructions given to or opinions received from legal counsel, or any other matter which is subject to solicitor-client privilege;
 - (k) information which the college would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of the *Freedom of Information and Protection of Privacy Act*;
 - (l) information which the college is otherwise required by law to keep confidential.
- (9) If the board excludes any person from a part of a meeting, it must have its reasons for doing so noted in the minutes of the meeting.
- (10) The registrar must ensure that minutes are taken at each board meeting, retained on file, and, subject to subsection (11), posted on the college website.
- (11) Before posting board meeting minutes on the college website under subsection (10), the registrar may edit the minutes to remove information about any matter referred to in subsection (8), provided that the reasons for removing that information are noted in the edited minutes.
- (12) A majority of the board members constitutes a quorum at a board meeting.
- (13) In case of a tie vote, the chair of the meeting does not have a second vote in addition to the vote to which the chair is entitled as a board member, and the proposed resolution does not pass.
- (14) The board may meet and conduct business in person, or by video, telephone conference, web casting, or an equivalent mechanism.
- (15) Subject to the requirements of the Act and these bylaws, the board may adopt, by a majority vote, a set of rules to govern proceedings at board meetings.

Resolutions in writing

- 2.17** (1) An ordinary resolution approved by a majority of all board members in writing, including by mail, facsimile, or e-mail, is valid and binding and of the same effect as if such resolution had been duly passed at a board meeting.
- (2) A special resolution approved by 2/3 of all board members in writing, including by mail, facsimile, or e-mail, is valid and binding and of the same effect as if such special resolution had been duly passed at a board meeting.
- (3) A report of any ordinary resolution or special resolution approved under subsection (1) or (2) must be verified and made a part of the minutes of the next board meeting.

PART 3 – COLLEGE ADMINISTRATION

Registrar

- 3.01** (1) In addition to the registrar's powers and duties under the Act, the registrar
- (a) holds final responsibility for all administrative and operational matters for the college, and
 - (b) is a non-voting member of every committee of the college.
- (2) The registrar is authorized to establish, by bylaw, forms for the purposes of these bylaws, and to require the use of such forms by registrants or certified dental assistants, as the case may be.
- (3) The registrar may designate an employee or agent of the college to exercise any power or perform any duty of the registrar assigned by the registrar.
- (4) An employee or agent of the college referred to in subsection (3) has the same authority as the registrar when the employee or agent is acting on behalf of the registrar.

Deputy registrars

- 3.02** If the board appoints a deputy registrar or deputy registrars under section 21 of the Act, the exercise or performance by a deputy registrar of any power or duty of the registrar is subject to any directions given by the registrar.

Fiscal year

- 3.03** The fiscal year of the college commences on April 1 and ends on March 31 of the following year.

Banking

- 3.04** The board or, subject to any directions given by the board, the registrar may establish and maintain such accounts with a chartered bank, trust company or credit union as the board determines necessary from time to time.

Payments and commitments

- 3.05** The board
- (a) must annually
 - (i) approve an operating and capital budget for the ensuing fiscal year, and

- (ii) review the forecasted excess or deficiency of revenue over expense for the current fiscal year,
- (b) may amend the budget approved under subsection (a),
- (c) may establish contingency reserve funds, from which any disbursements must only be authorized by special resolution of the board,
- (d) may establish additional criteria for disbursements to be made from a contingency reserve fund established under paragraph (c), and
- (e) must review, on a quarterly basis, the interim operating statements, balance sheets, summary of variances, and the status of any contingency reserve funds established under paragraph (c).

Grants from college funds

- 3.06** (1) The board may, in approving or amending the operating budget under section 3.05,
- (a) award grants out of the college's funds for purposes consistent with the duties and objects of the college under section 16 of the Act,
 - (b) attach any terms or conditions to a grant awarded under paragraph (a) that the board considers necessary to ensure the recipient uses the grant for a purpose consistent with the duties and objects of the college under section 16 of the Act,
 - (c) establish terms or conditions on the payment of a grant awarded under paragraph (a).

Borrowing Powers

- 3.07** The board may raise money, or guarantee or secure the payment of money in the name of the college, in any manner determined by the board, in order to carry out the duties and objects of the college under section 16 of the Act.

Investments

- 3.08** The board or, subject to any directions given by the board, the registrar may invest funds of the college in accordance with the board policies on investment, which must be consistent with sections 15.1 and 15.2 of the *Trustee Act*.

Auditor

- 3.09** (1) Each year, the board must appoint a member of, or a firm registered by, the Chartered Professional Accountants of British Columbia to be the auditor.
- (2) The registrar must submit the college's financial statements to the auditor within 60 days of the end of the fiscal year.

Real property

- 3.10** The college may only sell, transfer, dispose of, mortgage, charge, or otherwise encumber a beneficial interest that it holds in real property by special resolution of the board.

Legal counsel

- 3.11** The registrar, the board or, with the approval of the registrar or the board, a committee or panel, may retain legal counsel for the purpose of advising the college on any matter, and assisting the board, a committee, a panel, the registrar or any employee or agent of the college in exercising any power or performing any duty under the Act.

General meetings

- 3.12** (1) A general meeting of the college may be held
- (a) in person, or
 - (b) by using one or more of video conferencing, telephone conferencing, internet conferencing, or any other electronic means that allows for live, two-way communication between attendees and the representatives of the college who are conducting the meeting, or
 - (c) using a combination of in-person attendance and attendance by means of communication described in paragraph (b).
- (2) A general meeting of the college must be held on a date and at a time determined by the board, and when held in person under subsection (1)(a) and (c), must be held in British Columbia at a place determined by the board.
- (3) A general meeting of the college must be open to the public.
- (4) A general meeting of the college must be held at least once in every calendar year and not more than 15 months after the holding of the last preceding general meeting.
- (5) At one general meeting of the college in each calendar year, the college must
- (a) present

- (i) financial statements,
 - (ii) the report of the board, and
 - (iii) the report of the auditor, and
- (b) provide an opportunity for registrants, certified dental assistants and members of the public to ask questions about, and provide feedback on, issues relevant to the duties and objects of the college under section 16 of the Act.

Notice of general meetings

3.13 (1) The registrar must

- (a) deliver notice of a general meeting to every registrant, certified dental assistant, board member and committee member at least 30 days before the meeting, and
 - (b) provide reasonable notice of the general meeting to the public.
- (2) Notice of a general meeting may be provided to the public under subsection (1)(b) by posting a notice on the college website.
- (3) Notice of a general meeting must include
- (a) the day and time of the meeting,
 - (b) if the meeting is held in person under subsection (1)(a) and (c), the place of the meeting, and
 - (c) the general nature of the business to be considered at the meeting.
- (4) The accidental omission to deliver notice of a general meeting to, or the non-receipt of, such notice by, any person entitled to receive notice under this section does not invalidate proceedings at that meeting.

Indemnification and insuring of college board and staff

- 3.14 (1)** Subject to subsection (2) and the provisions of any applicable laws, the college must indemnify and save harmless its board members, officers and employees, from and against any and all liability, fines, damages, costs, charges, and expenses whatsoever that they, or any of them, may sustain or incur in any way relating to or arising out of any claim against any of them by reason of their being or having been a board member, director, officer or employee of the college.

- (2) The college will not indemnify or save harmless any person referred to in subsection (1)
 - (a) for costs, charges or expenses that were not actually and reasonably incurred by that person,
 - (b) if, in relation to the applicable claim, that person did not act honestly and in good faith with a view to the best interests of the college,
 - (c) if, in relation to a claim other than a civil proceeding, that person did not have reasonable grounds for believing that the person's conduct was lawful,
 - (d) if that person makes an admission of liability or guilt or enters into a settlement of the claim without the college's consent, such consent not to be unreasonably withheld, to the extent that any liability, fines, damages, costs, charges, or expenses are incurred as a result of that admission or settlement,
 - (e) for any amount of a claim that is otherwise covered by liability protection or insurance, or
 - (f) for any amount for which the college is prohibited by law from providing indemnification or payment.

- (3) The College may purchase and maintain any of the following:
 - (a) insurance for the benefit of its board members, officers and employees, against the liability, fines, damages, costs, charges, and expenses referred to in subsection (1);
 - (b) fidelity insurance or bonding in respect of its employees in such amounts as the board may determine from time to time;
 - (c) such other insurance as the board determines is appropriate for the proper administration of the college.

PART 4 – COMMITTEES AND PANELS

Committees

- 4.01** (1) The following committees are established:
- (a) registration committee;
 - (b) inquiry committee;
 - (c) discipline committee;
 - (d) quality assurance committee;
 - (e) sedation and general anesthesia committee;
 - (f) standards and guidance committee;
 - (g) patient relations committee;
 - (h) finance, audit and risk committee;
 - (i) nomination and appointment committee;
 - (j) governance and human resources committee.
- (2) The board must appoint the members of a committee established under subsection (1)
- (a) in accordance with the composition of the committee specified in this Part, and
 - (b) as necessary to ensure that the panel composition requirements under section 4.03(4) may be met.
- (3) The board may only appoint the following persons as a member of a committee established under subsection (1):
- (a) a public representative;
 - (b) a dental hygienist registrant;
 - (c) a dental hygiene practitioner registrant;
 - (d) a full dentist registrant;

- (e) a limited (restricted-to-specialty) dentist registrant;
 - (f) a limited (academic) dentist registrant;
 - (g) a dental therapist registrant;
 - (h) a certified dental assistant;
 - (i) a full denturist registrant;
 - (j) a dental technician registrant.
- (4) A person appointed under subsection (2)
- (a) serves a term of office specified by the board not exceeding 2 years,
 - (b) is eligible for reappointment to a committee.
 - (c) ceases to hold office as a committee member if, before the expiry of the term of appointment under paragraph (a), the person
 - (i) resigns from office by delivering notice of that resignation in writing to the registrar, or
 - (ii) is removed from office by ordinary resolution of the board.
- (5) Despite subsection (4)(b), a person is not eligible to be reappointed as a committee member until one year after he or she
- (a) completes 6 consecutive years of service as a committee member, or
 - (b) ceases to hold office under subsection (4)(c).
- (6) The board must not appoint a board member to the registration committee, the inquiry committee, the discipline committee, the quality assurance committee, the sedation and general anesthesia committee, the standards and guidance committee or the patient relations committee.
- (7) Subject to section 3.01(1)(b), a member of the inquiry committee or the discipline committee must not be a member of any other committee.

Committee chairs

- 4.02** (1) Subject to sections 4.05(1), 4.12(3) and 4.13(3), before April 1 in each year, a committee must elect a committee chair by majority vote of the committee members present at the meeting when the election occurs.
- (2) Subject to section 4.05(1), if the committee chair is absent or unable to act for any reason, the committee members present at a meeting of a committee may appoint one of their number to exercise the powers and perform the duties of the chair.

Committee panels

- 4.03** (1) The following committees may meet in panels of at least 3 committee members:
- (a) the registration committee;
 - (b) the inquiry committee;
 - (c) the discipline committee;
 - (d) the quality assurance committee;
 - (e) the sedation and general anesthesia committee
- (2) Subject to subsections (3) and (4), the chair of a committee referred to in subsection (1) must appoint the members of a panel and must designate one of the appointed members as chair of the panel.
- (3) At least 1/3 of the members of a panel under subsection (1) must be public representatives.
- (4) For a panel of the registration committee, the inquiry committee, the discipline committee or the quality assurance committee, in addition to the public representatives required under subsection (3),
- (a) if the panel may make a decision in respect of a registrant in the designated health profession of dental hygiene, at least one member of the panel must be a registrant specified in section 4.01(3)(b) or (c),
 - (b) if the panel may make a decision in respect of a registrant in the designated health profession of dentistry, at least one member of the panel must be a registrant specified in section 4.01(3)(d) or (e),
 - (c) if the panel may make a decision in respect of a certified dental assistant, at least one member of the panel must be a certified dental assistant,

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- (d) if the panel may make a decision in respect of a registrant in the designated health profession of denturism, at least one member of the panel must be a full denturist registrant, and
 - (e) if the panel may make a decision in respect of a registrant in the designated health profession of dental technology, at least one member of the panel must be a dental technician registrant.
- (5) A panel of the registration committee makes a decision under subsection (4)
- (a) in respect of a registrant when it decides whether to grant registration, including reinstatement or renewal of registration, under section 20 of the Act, and
 - (b) in respect of a certified dental assistant when it decides whether to grant certification, including reinstatement or renewal of certification, under Part 9,
- (6) A panel of the inquiry committee makes a decision in respect of a registrant or certified dental assistant under subsection (4) when it decides
- (a) whether to approve an agreement with the registrant or certified dental assistant under section 32.2(4)(b), 32.3(3)(b) of the Act,
 - (b) whether to take action against the registrant or certified dental assistant under section 33(2) of the Act,
 - (c) whether to investigate the registrant or certified dental assistant under section 33(4) of the Act,
 - (d) the disposition of a matter that pertains to the registrant or certified dental assistant under section 33(6) of the Act, and if applicable, section 36(1) of the Act,
 - (e) whether, under section 35 of the Act,
 - (i) to take extraordinary action against the registrant or certified dental assistant, or
 - (ii) to cancel any action taken because it is no longer necessary to protect the public,
 - (f) whether to direct the registrar to issue a citation against the registrant or certified dental assistant under section 36(2) of the Act, or
 - (g) whether to accept or reject a proposal received under section 37.1(1) of the Act.

- (7) A panel of the discipline committee makes a decision in respect of a registrant or certified dental assistant under subsection (4) when it decides
 - (a) under section 38, an issue relating to the conduct of a hearing for which the registrant or certified dental assistant is named as respondent,
 - (b) a matter under section 39 of the Act, or
 - (c) whether to take action under section 39.1 of the Act.
- (8) A panel of the quality assurance committee makes a decision in respect of a registrant or certified dental assistant under subsection (4) when it decides
 - (a) to make a recommendation under section 26.1(3) of the Act, or
 - (b) to notify the inquiry committee under section 26.2(3) of the Act.
- (9) Subject to subsection (4), a panel of a committee referred to in subsection (1) may exercise any power and perform any duty of that committee.

Remuneration of committee members

- 4.04** (1) A committee member is entitled to remuneration for committee work
- (a) at an equivalent rate for all committee members,
 - (b) based on the amount of time the committee member devoted to the business of the college, and
 - (c) in accordance with policies established by the board.
- (2) A committee member is entitled to reimbursement of reasonable expenses necessarily incurred in connection with the business of the college, in accordance with policies established by the board.

Meetings of a committee or panel

- 4.05** (1) For quorum at a meeting of a committee,
- (a) a majority of the committee must be present, and
 - (b) at least 1/3 of the committee members present must be public representatives.
- (2) Despite subsection (1)(a), for quorum at a meeting of a committee panel

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- (a) all members of the panel must be present if the panel has fewer than 4 members, and
 - (b) 3/4 of the panel must be present if the panel has 4 members or more.
 - (3) Each member of a committee or a panel of a committee has one vote.
 - (4) In the case of a tie vote, the committee chair and the chair of a committee panel do not have a second or deciding vote, and the proposed resolution does not pass.
 - (5) A committee or a committee panel may meet and conduct business
 - (a) in person, or
 - (b) by using one or more of video conferencing, telephone conferencing, internet conferencing, or any other electronic means that allows for live, two-way communication, or
 - (c) using a combination of in-person attendance and attendance by means of communication described in paragraph (b).
 - (6) Subject to section 38(3) of the Act, the meetings of a committee or a committee panel are closed to registrants, certified dental assistants and the public, unless, further to an application in writing or on its own motion, a committee or a panel of a committee invites a registrant, certified dental assistant or member of the public to attend all or part of a meeting.
 - (7) While a registrant, certified dental assistant or member of the public is in attendance at a meeting of a committee or a committee panel under subsection (6), the committee or panel must not discuss any of the matters specified in section 2.16(8), except to the extent that a registrant, certified dental assistant or member of the public in attendance is already aware of those matters or information relating to those matters.
 - (8) The chair of a committee or a committee panel must ensure that minutes are taken at each meeting of the committee or panel and retained on file.

Registration committee

- 4.06** (1) Subject to subsection (2) and section 4.01(6), the registration committee consists of at least 12 persons appointed by the board, including
- (a) at least 8 persons who are registrants or certified dental assistants, and
 - (b) at least 4 public representatives.

- (2) At least 1/3 of the members of the registration committee must be public representatives.
- (3) In addition to the duties and powers of the registration committee under Part 2 of the Act and Parts 6 and 9 of these bylaws, the committee is responsible for
 - (a) reviewing and assessing the requirements for registration and certification under Parts 6 and 9 of these bylaws and making recommendations to the board for amendment of same, and
 - (b) at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Inquiry committee

- 4.07** (1) Subject to subsection (2) and section 4.01(6) and (7), the inquiry committee consists of at least 15 persons appointed by the board, including
- (a) at least 10 persons who are registrants or certified dental assistants, and
 - (b) at least 5 public representatives.
- (2) At least 1/3 of the members of the inquiry committee must be public representatives.
- (3) In addition to the duties and powers of the inquiry committee under Part 3 of the Act and Part 13 of these bylaws, the committee is responsible for, at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Discipline committee

- 4.08** (1) Subject to subsection (2) and section 4.01(6) and (7), the discipline committee consists of at least 15 persons appointed by the board, including
- (a) at least 10 persons who are registrants or certified dental assistants, and
 - (b) at least 5 public representatives.
- (2) At least 1/3 of the members of the discipline committee must be public representatives.
- (3) In addition to the duties and powers of the discipline committee under Part 3 of the Act and Part 13 of these bylaws, the committee is responsible for, at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Quality assurance committee

- 4.09** (1) Subject to subsection (2) and section 4.01(6), the quality assurance committee consists of at least 12 persons appointed by the board, including
- (a) at least 8 persons who are registrants or certified dental assistants,
 - (b) at least 4 public representatives.
- (2) At least 1/3 of the members of the quality assurance committee must be public representatives.
- (3) In addition to the duties and powers of the quality assurance committee under Part 3 of the Act, the committee is responsible for
- (a) developing, administering and maintaining the quality assurance program described in Part 12 of these bylaws, and
 - (b) at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Sedation and general anesthesia committee

- 4.10** (1) Subject to subsection (2) and section 4.01(6), the sedation and general anesthesia committee consists of at least 9 persons appointed by the board, including
- (a) at least 6 persons who are full dentist registrants, limited (restricted-to-specialty) registrants, or certified dental assistants, and
 - (b) at least 3 public representatives of whom
 - (i) at least 2 are medical practitioners certified in anesthesia by the Royal College of Physicians and Surgeons of Canada, who are confirmed by the College of Physicians and Surgeons of British Columbia as suitable for membership on the committee, and
 - (ii) at least one is an individual with expertise in biomedical engineering.
- (2) At least 1/3 of the members of the sedation and general anesthesia committee must be public representatives.
- (3) The sedation and general anesthesia committee is responsible for
- (a) authorizing qualified dentists to provide sedation or general anesthesia,

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- (b) assessing the compliance of qualified dentists with the standards for sedation and general anesthesia, including whether qualified dentists are operating, in compliance with those standards, the dental offices and other facilities (that are not a hospital) where they provide sedation and general anesthesia,
 - (c) collaborating with other health colleges on processes for assessing and authorizing sedation and general anesthesia services, and
 - (d) at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Standards and guidance committee

- 4.11** (1) Subject to subsection (2) and section 4.01(4), the standards and guidance committee consists of at least 5 persons appointed by the board, including
- (a) at least 3 persons who are registrants or certified dental assistants, and
 - (b) at least 2 public representatives.
- (2) At least 1/3 of the members of the standards and guidance committee must be public representatives.
- (3) The standards and guidance committee is responsible for
- (a) making recommendations to the board for development and amendment of practice and ethical standards and guidance,
 - (b) collaborating with other health colleges for the purpose of developing or amending practice and ethical standards and guidance under paragraph (a),
 - (c) overseeing consultation with the public or with registrants and certified dental assistants on amendment and development of practice and ethical standards and guidance and, as appropriate, incorporating the results of that consultation in the recommendations of the committee to the board for amendment or development of standards and guidance, and
 - (d) at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Patient relations committee

- 4.12** (1) Subject to subsection (2) and section 4.01(6), the patient relations committee consists of at least 8 persons appointed by the board, including
- (a) at least 4 persons who are registrants or certified dental assistants, and

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- (b) at least 4 public representatives.
- (2) At least one-half of the members of the patient relations committee must be public representatives.
 - (3) The board must designate a public representative member of the patient relations committee as the committee chair.
 - (4) The patient relations committee is responsible for
 - (a) establishing and monitoring the operation of a patient relations program to seek to prevent professional misconduct of a sexual nature,
 - (b) reviewing and assessing standards and guidance relevant to the patient relations program and making recommendations to the standards and guidance committee for amendment of same,
 - (c) developing and coordinating educational programs on professional misconduct of a sexual nature for registrants, certified dental assistants and the public as required,
 - (d) collaborating with other health colleges for the purpose of developing standards and guidance relevant to patient relations under paragraph (b), and
 - (e) at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.
 - (5) In this section, "**professional misconduct of a sexual nature**" means
 - (a) sexual intercourse or other forms of physical sexual relations between the registrant and the patient,
 - (b) touching, of a sexual nature, of the patient by the registrant, or
 - (c) behaviour or remarks of a sexual nature by the registrant towards the patient,but does not include touching, behaviour and remarks by the registrant towards the patient that are of a clinical nature appropriate to the service being provided.
 - (6) Despite subsection (5), a registrant does not commit professional misconduct of a sexual nature only by providing services to a person who is married to the registrant or living with the registrant in a marriage-like relationship.

Finance, audit and risk committee

- 4.13** (1) Subject to subsection (2), the finance, audit and risk committee consists of at least 5 persons appointed by the board, including
- (a) at least one public representative who is a member of the Chartered Professional Accountants of British Columbia, and
 - (b) at least one board member who may also be a public representative described in paragraph (a).
- (2) At least 1/3 of the members of the finance, audit and risk committee must be public representatives.
- (3) The board must designate a public representative member appointed under subsection (1)(a) as the committee chair.
- (4) The finance, audit and risk committee is responsible for
- (a) analyzing the annual operating and capital budget prepared by the registrar and preparing a report on that analysis to be sent to the board at the same time as the budget,
 - (b) reviewing all financial statements and reports prepared for the college, including the annual audited financial statements, and advising the board on
 - (i) any issues with a statement or report identified by the committee, and
 - (ii) if board approval of a statement or report is required, whether to approve the statement or report,
 - (c) consulting with the registrar and the auditor appointed under section 3.09 on
 - (i) the suitability and sufficiency of accounting policies, practices and systems utilized by the college, and
 - (ii) significant college financial reports, records or presentations,
 - (d) making recommendations to the board on the auditor to be appointed under section 3.09,
 - (e) reviewing the performance of the auditor appointed under section 3.09 and reporting to the board on that review,

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- (f) overseeing risk management for the college, including the identification of material risks to the college, ensuring there are adequate measures in place to address those risks, and reporting to the board regarding same,
 - (g) working with the registrar on
 - (i) establishing and, as appropriate, amending policies and procedures for managing allegations of misconduct regarding the finances of the college, and
 - (ii) reporting any such allegations to the board,
 - (h) monitoring the investments and indebtedness of the college and reporting to the board on same,
 - (i) monitoring college compliance with financial laws and best practices, reviewing college policies and procedures on compliance, and reporting to the board on same, and
 - (j) at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Nomination and appointment committee

- 4.14** (1) Subject to subsection (2) and section 4.01(6), the nomination and appointment committee consists of at least 3 persons appointed by the board, including
- (a) at least one person who is a registrant or certified dental assistant, and
 - (b) at least one public representative.
- (2) At least 1/3 of the members of the nomination and appointment committee must be public representatives.
- (3) The nomination and appointment committee is responsible for
- (a) in respect of board elections,
 - (i) in consultation with the board, identifying the competencies needed in candidates for election to the board and, in collaboration with the registrar, ensuring that information about those needed competencies is disseminated to registrants during the board election process as required in section 2.05, and

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- (ii) using reasonable efforts to identify and recruit at least one candidate with the needed competencies who is eligible under sections 2.02 and 2.03 to be elected to a board member position to be filled in the election,
 - (iii) reviewing requests under section 2.03(3) from persons seeking to be deemed eligible to be elected in a board election, and
 - (iv) if, before the close of nominations under section 2.06, no one is nominated as a candidate for a board member position to be filled in a board election, recruiting a registrant or certified dental assistant with the needed competencies eligible under sections 2.02 and 2.03 to be elected to that position, and recommending that registrant or certified dental assistant to the board for appointment under section 2.11,
- (b) in respect of committee appointments,
- (i) reviewing the composition of each committee listed in section 4.01(1) and making recommendations to the board for amendment of same,
 - (ii) working with the registrar and committee chairs to identify the competency needs of each committee,
 - (iii) working with the registrar to identify and recruit candidates for committee membership, and
 - (iv) working with the registrar to identify the competencies necessary for committee chairs, and
- (c) at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Governance and human resources committee

- 4.15** (1) Subject to subsection (2), the governance and human resources committee consists of at least 3 persons appointed by the board, including
- (a) at least one board member, and
 - (b) at least one public member.
- (2) At least 1/3 of the members of the governance and human resources committee must be public members.
- (3) The governance and human resources committee is responsible for

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- (a) reviewing college policies on governance and human resources and making recommendations to the board for the development and amendment of same,
 - (b) each year,
 - (i) working with the registrar on evaluating and improving
 - (A) the function and performance of the board and board members,
 - (B) the job performance of the registrar, and
 - (C) the human resources management, and
 - (ii) reporting to the board on same, and
 - (c) at least every 2 years, reviewing and assessing the committee's terms of reference and making recommendations to the board for amendment of same.

Powers and duties in progress on amalgamation

- 4.16** (1) In this section, “**committee**” and “**officer**” have the same meanings as in Part 2.01 of the Act.
- (2) For the purposes of section 25.06(4) of the Act, the following officers and committees are authorized to continue to exercise a power or to perform a duty that the officer or committee began to exercise or to perform, but did not complete, before the amalgamation date:
- (a) the registration committee for CDHBC;
 - (b) the registration committee for CDSBC;
 - (c) the registration committee for CDTBC;
 - (d) the registration committee for CDBC;
 - (e) an inspector for CDHBC;
 - (f) an inspector for CDSBC;
 - (g) an inspector for CDTBC;
 - (h) an inspector for CDBC;
 - (i) the inquiry committee for CDHBC;

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- (j) the inquiry committee for CDSBC;
 - (k) the inquiry committee for CDTBC;
 - (l) the inquiry committee for CDBC;
 - (m) the discipline committee for CDHBC;
 - (n) the discipline committee for CDSBC;
 - (o) the discipline committee for CDTBC;
 - (p) the discipline committee for CDBC;
 - (q) an assessor appointed under section 26.1 of the Act for CDHBC;
 - (r) an assessor appointed under section 26.1 of the Act for CDSBC;
 - (s) an assessor appointed under section 26.1 of the Act for CDTBC;
 - (t) an assessor appointed under section 26.1 of the Act for CDBC;
 - (u) the quality assurance committee for CDHBC;
 - (v) the quality assurance committee for CDSBC;
 - (w) the quality assurance committee for CDTBC;
 - (x) the quality assurance committee for CDBC.
- (3) The exercise of a power or performance of a duty by a committee referred to in subsection (2)(a) to (d) is subject to any limits or conditions imposed or directions given, by the registration committee established under section 4.06 or a panel of that committee, for the purpose of facilitating completion of the exercise of the power or performance of the duty on or after the amalgamation date.
- (4) The exercise of a power or performance of a duty by an officer or committee referred to in subsection (2)(e) to (l) is subject to any limits or conditions imposed or directions given, by the inquiry committee established under section 4.07 or a panel of that committee, for the purpose of facilitating completion of the exercise of the power or performance of the duty after the amalgamation date.
- (5) The exercise of a power or performance of a duty by an officer or committee referred to in subsection (2)(q) to (x) is subject to any limits or conditions imposed or directions given, by the quality assurance committee established under section

4.09 or a panel of that committee, for the purpose of facilitating completion of the exercise of the power or performance of the duty on or after the amalgamation date.

PART 5 – COLLEGE RECORDS

Definitions

5.01 In this Part,

“**personal information**” has the same meaning as in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*;

“**public register**” means the register maintained by the registrar under section 21(2) of the Act.

Responsibility for administration of *Freedom of Information and Protection of Privacy Act*

- 5.02** (1) The registrar is the “head” of the college for the purposes of the *Freedom of Information and Protection of Privacy Act*.
- (2) The registrar may authorize another employee, or agent of the college to exercise any power or perform any duty of the college under the *Freedom of Information and Protection of Privacy Act*.
- (3) The board is responsible for ensuring that the registrar fulfils the duties of the college under the *Freedom of Information and Protection of Privacy Act*.
- (4) The registrar must report annually to the board regarding the steps the college has taken to fulfil its duties under the *Freedom of Information and Protection of Privacy Act*.

Protection of personal information

- 5.03** (1) The registrar must take reasonable measures to ensure that the collection, use, and disclosure of personal information by the college complies with the *Freedom of Information and Protection of Privacy Act*.
- (2) The registrar must take reasonable measures to ensure that, if personal information is provided by the college to any person or entity for processing, storage, or destruction, a contract is made with that person or entity which includes an undertaking by the person or entity to maintain the confidentiality of that personal information.

Additional information required in public register

- 5.04** (1) For every person who was granted registration as a registrant of one or more of the former colleges but is not and has never been a registrant of the college, the registrar must enter and maintain on the public register the information required under section 21(2) and (5) of the Act.

- (2) Under section 21(2)(f) of the Act, for every person granted registration under the Act as a registrant of the college, the registrar must enter and maintain the following information on the public register:
 - (a) a statement indicating whether the person is or is not authorized to practise, and if the person is authorized to practice, what designated health profession or professions the person is authorized to practise;
 - (b) effective on and after the date specified by ordinary resolution of the board for the purpose of this paragraph, an alphanumeric identifier assigned to the person by the college;
 - (c) the date
 - (i) on which the person was first granted registration as a registrant of the college or any of the former colleges, and
 - (ii) of any change in the class of registrants in which the person was registered as a registrant of the college and any of the former colleges;
 - (d) a notation of each certification granted to a registrant by the college under Part 7 or by any of the former colleges, including the periods for which the certification is or was valid, and if it was ever canceled or suspended.
- (3) The registrar must update a notation made under subsection (2)(d) if
 - (a) the registrant requests or gives written consent to cancellation of the certification,
 - (b) the registrant fails to renew the certification in accordance with section 7.05,
 - (c) the certification is cancelled or suspended under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, or
 - (d) the registrant ceases to be a registrant.
- (4) For every person who was granted certification as a certified dental assistant by the CDSBC but is not and has never been a certified dental assistant of the college, the registrar must enter and maintain on the public register the equivalent of the information required under section 21(2) of the Act.
- (5) For every person granted certification as a certified dental assistant under Part 9, the registrar must enter and maintain the following information on the public register:

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- (a) the equivalent of the information required under section 21(2) of the Act and under subsection (2) relating to the person's certification as a certified dental assistant;
 - (b) a notation of any expanded training program successfully completed by the certified dental assistant of which the registrar has been notified under section 11.10.

Cancellation of certified dental assistant certification in the public register

5.05 The registrar must cancel the certification of a certified dental assistant in the register if

- (a) the certified dental assistant requests the cancellation, in writing,
- (b) the certified dental assistant fails to satisfy the conditions or requirements for renewal of certification under section 9.12(2) by the specified date,
- (c) notification is received of the certified dental assistant's death, or
- (d) the certification of the certified dental assistant is cancelled under Part 3 of the Act.

Retention of discipline committee and inquiry committee records

- 5.06** (1) Except as otherwise required by law, all records related to the activities of the inquiry committee and its panels, including records related to the activities of inspectors, investigators and other persons acting on behalf of the committee or its panels, must be retained for at least 16 years following the later of
- (a) the date an investigation is concluded in the matter to which the records relate, or
 - (b) the date the complainant or other materially affected third party in the matter, if any, reaches 19 years of age.
- (2) Except as otherwise required by law, all records related to the activities of the discipline committee and its panels, including records related to the activities of persons acting on behalf of the committee and its panels, must be retained for at least 16 years following the later of
- (a) the date a decision is rendered in the matter to which the records relate, or
 - (b) the date the complainant or other materially affected third party in the matter, if any, reaches 19 years of age.

- (3) Despite subsections (1) and (2), a record setting out a decision or reasons of the inquiry committee, the discipline committee or a panel of one of those committees relating to action taken under sections 32, 32.2, 32.3, 33(6), 35, 36, 37.1, 38, 39, 39.1 or 44 of the Act must be retained permanently.

Disclosure of annual report

- 5.07** The college must make each annual report under section 18(2) of the Act available electronically and free of charge on the college website and must notify registrants that the report is available.

Disclosure of registration status

- 5.08** (1) If the college receives an inquiry about the status of a person as a registrant or a certified dental assistant, the registrar must disclose
- (a) whether or not the person is a registrant or certified dental assistant,
 - (b) whether or not the person is a former registrant or former certified dental assistant of the college or any of the former colleges,
 - (c) any information respecting the person that is included in the public register as of the date the inquiry is made, unless access to that information is refused under section 22(2) of the Act.
- (2) When responding to an inquiry under subsection (1), the registrar must not disclose information that might allow for the identification of complainants, patients, or their families, except with the consent of the person affected.

Use and disclosure of quality assurance information

- 5.09** Subject to sections 26.2 and 53 of the Act,
- (a) the college may use information obtained through the continuing competence and quality assurance program for the purposes consistent with the continuing competence and quality assurance program, including
 - (i) monitoring registrant and certified dental assistant compliance with the continuing competence and quality assurance program requirements,
 - (ii) evaluating the effectiveness and efficiency of the continuing competence and quality assurance program, and
 - (iii) conducting activities described in section 4.09(3),

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- (b) the quality assurance committee and its panels, and assessors appointed by, or persons acting on behalf of, the committee or its panels, may disclose to the registration committee
 - (i) information about a registrant and the registrant's compliance with the requirements of Part 12 that are applicable to renewal or reinstatement of the registrant's registration, but only to the extent necessary to enable the registration committee to exercise its powers or perform its duties under Part 6, and
 - (ii) information about a certified dental assistant and the certified dental assistant's compliance with the requirements of Part 12 that are applicable to renewal or reinstatement of the certified dental assistant's certification, but only to the extent necessary to enable the registration committee to exercise its powers or perform its duties under Part 9, and
 - (c) the college may compile, use, and disclose to the Ministry of Health, health care employers, registrants, certified dental assistants, other interested stakeholders or the public aggregate information or data obtained through the college's continuing competence and quality assurance programs, provided that such aggregate information or data does not include personally identifiable information concerning any particular registrant, certified dental assistant, client or other identifiable individual.

Disclosure of complaints and investigations

- 5.10** (1) This section applies to information and records that form part of the assessment or investigation of
- (a) a complaint under section 32 of the Act,
 - (b) a report under section 32.2 to 32.4 of the Act, or
 - (c) a matter under section 33(2) or (4) of the Act.
- (2) The registrar may do any of the following in respect of information or a record to which this section applies:
- (a) disclose the information or record to any person or body or the public, with the consent of the registrant, former registrant, certified dental assistant, or former certified dental assistant who is the subject of the complaint, report or matter;
 - (b) disclose the information or record to
 - (i) another college under the Act, or

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- (ii) any other body, in British Columbia or another jurisdiction, that regulates a health profession;
 - (c) if the complaint, report or matter has become known to the public, disclose to any person or the public
 - (i) the existence of the assessment or investigation,
 - (ii) a brief, summary description of the nature of the complaint, report or matter,
 - (iii) the status of the complaint, report or matter, including, if it is closed, the general basis on which it was closed, and
 - (iv) any additional information necessary to correct material inaccuracies in information that has become known to the public;
 - (d) if, during an assessment or investigation or pending a hearing of the discipline committee, a registrant or certified dental assistant consents to a limit or condition on, or a suspension of, as applicable, the practice of the registrant's designated health profession or the certified dental assistant's provision of the services of a certified dental assistant, whether in the form of an undertaking or otherwise, disclose to any person or body or the public the consent given and its effect on the registrant's practice or the certified dental assistant's provision of services.
- (3) If the inquiry committee or the discipline committee has reasonable grounds to believe that information or a record to which this section applies might be evidence of an offence under the laws of any jurisdiction, it may direct the registrar to disclose the information or record to an appropriate law enforcement agency.
- (4) The registrar's disclosure of information or a record in accordance with a direction of the inquiry committee or discipline committee under subsection (3) is authorized as being in the public interest.

Disclosure of citations

- 5.11** (1) If a citation has been issued in accordance with section 37(1) of the Act, the registrar must disclose in a notice to the public, not fewer than 14 days before the date of the hearing,
- (a) the date the citation was issued,
 - (b) the name of the respondent,

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- (c) a brief, summary description of the nature of the complaint or other matter which is to be the subject of a hearing, and
 - (d) the date, time and place of the hearing.
- (2) Information about the date, time, place and subject matter of a hearing must be provided to any person on request.
 - (3) Once a citation has been delivered to the respondent in accordance with section 37(2) of the Act, the registrar may disclose to the public the citation and its status including without limitation whether it has been cancelled or dismissed.
 - (4) Disclosure under subsection (1) or (3) may be made by means of posting on the college website.
 - (5) Despite subsections (1) to (4), the registrar must not disclose under this section information which might enable the identity of complainants, clients or witnesses, or their families, to be established, except with the consent of the person affected.

Disclosure of disciplinary actions

- 5.12** (1) In addition to any notification required under section 39.3 of the Act, the registrar may notify
- (a) bodies in other jurisdictions that regulate, as the case may be,
 - (i) the designated health profession of a registrant respecting whom, or a health profession corporation respecting which, action was taken, or
 - (ii) the provision of services by certified dental assistants,
 - (b) any current or prospective employer, partner or associate of the person respecting whom the action was taken, or
 - (c) any other body, in British Columbia, or any other jurisdiction, that regulates a health profession.
- (2) Notification provided under subsection (1)
- (a) must include all information included in the public notification under section 39.3 of the Act, and
 - (b) unless otherwise directed by the inquiry committee or the discipline committee, or a panel of one of those committees, may include information that is not releasable to the public under section 5.08 or that has otherwise

been withheld from the public notification under section 39.3(3) or (4) of the Act.

Disposal of records containing personal information

5.13 The registrar must ensure that a college record containing personal information is disposed of only by

- (a) effectively destroying a physical record by utilizing a shredder or by complete burning,
- (b) erasing information recorded or stored by any electronic method in a manner that ensures that the information cannot be reconstructed,
- (c) returning the record to the person the information pertains to, or
- (d) returning the record to the registrant who compiled the information.

PART 6 – REGISTRATION

DIVISION 1 – GENERAL MATTERS

Definition

6.01 In this Part, “**registration committee**” has the same meaning as in section 20(6) of the Act.

Classes of registrants

6.02 The following classes of registrants are established:

- (a) dental hygienist registrants;
- (b) dental hygiene practitioner registrants;
- (c) full dentist registrants;
- (d) limited (restricted-to-specialty) dentist registrants;
- (e) limited (academic) dentist registrants;
- (f) limited (education and volunteer) dentist registrants;
- (g) limited (armed forces/government) dentist registrants;
- (h) dental therapist registrants;
- (i) dental technician registrants;
- (j) full denturist registrants;
- (k) limited (grandparented) denturist registrants;
- (l) student registrants;
- (m) temporary registrants;
- (n) non-practising registrants.

Applications

6.03 (1) For the purpose of section 20(2)(a) of the Act, every person seeking registration, including reinstatement or renewal of registration, must deliver an application to the

registrar in the form and manner specified by the registrar for the class of registrants in which the person is seeking registration.

- (2) The registrar may modify the manner of delivery of an application required under subsection (1) as the registrar considers necessary or advisable from time to time.

Registration fees

6.04 For the purpose of section 20(2)(c) of the Act, every applicant for registration, including reinstatement or renewal of registration, must deliver to the registrar the full amount of all applicable application and registration fees, including any fees for examinations conducted by the college, specified in Schedule X.

General registration requirements

- 6.05** (1) Subject to subsections (3) and (4), for the purpose of section 20(2)(b) of the Act, an applicant for registration in any class of registrants must deliver the following to the registrar:
- (a) evidence satisfactory to the registration committee that the applicant is of good character and fit to engage in the practice of the designated health profession in which the applicant seeks registration;
 - (b) any outstanding fine, fee, debt or levy that the applicant owes to the college, including without limitation any fine, fee, debt, levy or amount accrued or accruing before the amalgamation date;
 - (c) a criminal record check authorization or, if permitted by the registration committee, a criminal record check verification authorization, in the form required by the *Criminal Records Review Act*, accompanied by any required payment;
 - (d) the declarations prescribed in Schedule X that are applicable to the class of registration for which the applicant is applying;
 - (e) a certificate, letter, or other evidence in a form satisfactory to the registration committee, dated within 60 days of the date of application, from each applicable regulatory or licensing authority in every jurisdiction where the applicant is or was, at any time, registered or licensed for the practice of the designated health profession in which the applicant is seeking registration or any other regulated profession, certifying that
 - (i) the applicant's entitlement to practise has not been cancelled, suspended, limited, restricted or made subject to conditions in the applicable jurisdiction at any time, or specifying particulars of any such cancellation, suspension, limitation, restriction or conditions,

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- (ii) there is no investigation, review or other proceeding underway in the applicable jurisdiction that could result in the applicant's entitlement to practise being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such investigation, review or other proceeding, and
 - (iii) the applicant's entitlement to practise has not been voluntarily relinquished in the applicable jurisdiction with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in the applicant's entitlement to practise being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such relinquishment;
- (f) evidence satisfactory to the registration committee of professional liability insurance coverage as required under sections 15.02 to 15.05, as applicable;
 - (g) all information or records about an applicant, including without limitation notarized copies of government-issued records or other reliable, independent source records, that the registration committee reasonably requires for the purpose of
 - (i) verifying the applicant's identity,
 - (ii) preventing misidentification of applicants, registrants or other persons, or
 - (iii) managing access to, or protecting the integrity and security of, the college's records, information systems and online services;
 - (h) a valid email address, individual to the applicant, for the purpose of receiving communications from the college to the applicant, and without limitation all other personal contact, business contact or emergency contact information for the applicant that the registration committee reasonably requires in the circumstances;
 - (i) any supplementary or supporting information or records about the applicant, and relevant to other information or another item required under these bylaws to be included in or with a registration application, that the registration committee or the registrar requires to be submitted in or with registration applications, generally or by class, from time to time.
- (2) Subject to subsections (3) and (4), an applicant for registration in any class of registrants must successfully complete a jurisprudence module required by the registration committee in addition to delivering to the registrar the items required under subsection (1).

- (3) Subsections (1)(a) and (c) to (j) and (2) do not apply to
 - (a) a limited (grandparented) denturist registrant applying for registration as a full denturist registrant under section 6.21, or
 - (b) a registrant applying for registration as a non-practicing registrant under section 6.26.
- (4) Subsection (2) only applies to an applicant for registration under sections 6.12, 6.13 and 6.15 to 6.20, if the applicant delivers an application for registration under section 6.03 after December 31, 2023.

Examinations

- 6.06**
- (1) All examinations conducted by the college must be prepared by or under the direction of the registration committee and approved by the registration committee.
 - (2) For examinations conducted by the college, the registration committee must
 - (a) determine the time and place for the holding of an examination, designate examiners and determine the procedures for the conduct of the examinations,
 - (b) review the results of the examination or re-examination for each applicant and make a determination as to that applicant's qualification for registration, and
 - (c) notify the applicant of the results of the examination or re-examination as soon as is practicable.
 - (3) An applicant for registration as a dental hygienist registrant under section 6.10(3) or as a dental hygiene practitioner registrant under section 6.11(4) is only eligible to take the assessment required under section 6.10(3)(b)(i) or 6.11(4)(b)(i) after successfully completing the NDHCE and satisfying the requirements of section 6.10(3)(c)(i) or 6.11(4)(c)(i).
 - (4) An applicant for registration as a full denturist registrant under section 6.20 is only eligible to write the examinations required under section 6.20(1)(c) after satisfying the other requirements of section 6.20(1) or (3).
 - (5) An applicant who fails an examination conducted by the college is entitled to 2 opportunities to repeat the examination.
 - (6) Where an examiner for an examination conducted by the college has reason to believe that an applicant has engaged in improper conduct during the course of the examination, the examiner must make a report to the registration committee and may recommend that the registration committee take one or more of the following courses of action:

- (a) fail the applicant;
 - (b) pass the applicant;
 - (c) require the applicant to rewrite the examination;
 - (d) disqualify the applicant from participating in any examination for a period of time.
- (7) After considering a report made under subsection (6), the registration committee may take one or more of the courses of action specified in subsection (6).
- (8) If the registration committee disqualifies an applicant under subsection (6)(d), the committee must provide the applicant with written reasons for the disqualification.

Certificate of initial registration

- 6.07** (1) The registrar must issue a certificate of initial registration in a form approved by the registrar to any applicant who
- (a) is granted registration under this Part,
 - (b) delivers to the registrar all applicable fees under section 6.04.
- (2) A certificate of initial registration issued by the registrar under subsection (1) must specify
- (a) the class in which the registrant has been granted registration,
 - (b) any limits or conditions that, under these bylaws, apply to registrants of that class in the practice of their designated health profession,
 - (c) whether the registrant has a certification under Part 7, and if so, the nature of that certification, and
 - (d) any additional limits or conditions imposed on the registrant's practice of the applicable designated health profession under section 20(2.1) or (3) of the Act.

Request to cancel registration

6.08 A request by a registrant under section 21(3)(a) of the Act to cancel the registrant's registration must be made in writing.

Notification of changes

6.09 A registrant must immediately notify the registrar of any change in the name or contact information the registrant most recently provided to the registrar.

DIVISION 2 – DENTAL HYGIENE REGISTRANTS

Dental hygienist registration

- 6.10** (1) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for registration as a dental hygienist registrant are
- (a) a recognized dental hygiene diploma or a recognized dental hygiene degree,
 - (b) successful completion of the NDHCE, and
 - (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.
- (2) Despite subsection (1), the registration committee may grant an applicant registration as a dental hygienist registrant if the applicant
- (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a dental hygienist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to dental hygienist registrants in British Columbia,
 - (b) meets any applicable continuing competency and quality assurance requirements established by the applicable regulatory or licensing authority in the jurisdiction referred to in paragraph (a),
 - (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and

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- (ii) the items required under sections 6.03 to 6.05.
- (3) Despite subsection (1), the registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant meets the conditions and requirements for registration as a dental hygienist registrant, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (1)(a), and to grant registration as a dental hygienist registrant on that basis, if the applicant
- (a) meets the conditions and requirements under subsection (1)(b) and (c),
 - (b) successfully completes
 - (i) an assessment in the practice of dental hygiene specified by the registration committee, and
 - (ii) any additional examination or upgrading program required by the registration committee, and
 - (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee that the applicant holds a degree or diploma from a dental hygiene education program that is not a recognized dental hygiene degree or a recognized dental hygiene diploma,
 - (ii) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (iii) the items required under sections 6.03 to 6.05.

Dental hygiene practitioner registration

- 6.11** (1) In this section, “**private dental hygiene practice**” means any business or undertaking, whether or not it is incorporated,
- (a) that provides direct client care included in the practice of dental hygiene to individuals on a regular or continuous basis, according to criteria established by the board, and
 - (b) whose provision of direct client care included in the practice of dental hygiene is not limited to providing services on behalf of

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- (i) another private dental hygiene practice owned by one or more dental hygiene practitioner registrants,
 - (ii) a dentistry practice owned by one or more registrants of the college, or
 - (iii) another institution, facility or agency that meets criteria established by the board

and, for greater certainty, does not include the practice of an individual registrant who provides direct client care included in the practice of dental hygiene exclusively as an employee of one or more practices, institutions, facilities or agencies described in paragraph (b)(i), (ii) or (iii).

- (2) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for registration as a dental hygienist practitioner registrant are
 - (a) a recognized dental hygiene degree,
 - (b) successful completion of the NDHCE, and
 - (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.
- (3) Despite subsection (2), the registration committee may grant an applicant registration as a dental hygiene practitioner registrant if the applicant
 - (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a dental hygiene practitioner registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to dental hygiene practitioner registrants in British Columbia,
 - (b) meets any applicable continuing competency and quality assurance requirements established by the applicable regulatory or licensing authority in the jurisdiction referred to in paragraph (a), and
 - (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and

- (ii) the items required under sections 6.03 to 6.05.
- (4) Despite subsection (2), the registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant meets the conditions and requirements for registration as a dental hygiene practitioner registrant, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (2)(a), and to grant registration as a dental hygiene practitioner registrant on that basis, if the applicant
 - (a) meets the requirement under subsection (2)(b),
 - (b) successfully completes
 - (i) an assessment in the practice of dental hygiene specified by the registration committee, and
 - (ii) any additional examination or upgrading program required by the registration committee, and
 - (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee that the applicant holds a baccalaureate degree in dental hygiene, or the equivalent, that is not a recognized dental hygiene degree,
 - (ii) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (iii) the items required under sections 6.03 to 6.05.
- (5) Despite subsections (2) and (4), the registration committee may grant registration as a dental hygiene practitioner registrant to a dental hygienist registrant if the dental hygienist registrant
 - (a) provides evidence satisfactory to the registration committee that the knowledge, skills and abilities of the dental hygienist registrant are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (2)(a), and
 - (b) successfully completes any examination or upgrading program required by the registration committee.

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- (6) Except as permitted under section 43(1)(d) of the Act and section 14.04(1)(a)(i)(B), no dental hygienist other than a dental hygiene practitioner registrant may
- (a) hold a direct or indirect proprietary interest in a private dental hygiene practice, or
 - (b) exercise a material degree of management or control over a private dental hygiene practice, in accordance with criteria established by the board.

DIVISION 3 – DENTISTRY REGISTRANTS

Full dentist registration

- 6.12** (1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a full dentist registrant are
- (a) a degree or equivalent qualification from
 - (i) a listed general dentistry program, or
 - (ii) a program in general dentistry at a post-secondary educational institution that is, in the opinion of the registration committee, equivalent to a listed general dentistry program,
 - (b) an NDEB certificate, and
 - (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b),
 - (ii) the items required under sections 6.03 to 6.05, and
 - (iii) if an applicant's NDEB certificate was issued more than 3 years before the date of the applicant's application for registration, evidence satisfactory to the registration committee that the applicant has met the requirements of section 6.14.
- (2) Despite subsection (1), the registration committee may grant an applicant registration as a full dentist registrant if the applicant
- (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a full dentist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to full dentist registrants in British Columbia,

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- (b) meets any applicable continuing competency and quality assurance requirements established by the applicable regulatory or licensing authority in the jurisdiction referred to in paragraph (a),
 - (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.

Limited (restricted-to-specialty) dentist registration

- 6.13** (1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a limited (restricted-to-specialty) dentist registrant in a recognized specialty are
- (a) a degree or equivalent qualification in the recognized specialty from
 - (i) a listed specialty program, or
 - (ii) a program in the recognized specialty at a postsecondary educational institution that is, in the opinion of the registration committee, equivalent to a listed specialty program,
 - (b) successful completion of an assessment in the recognized specialty specified by the registration committee, and
 - (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b),
 - (ii) the items required under section 6.03 to 6.05, and
 - (iii) if the applicant completed the assessment in the recognized specialty required under subsection (1)(b) more than 3 years before the date of the applicant's application for registration, evidence satisfactory to the registration committee that the applicant has met the requirements of section 6.14.
- (2) Despite subsection (1)(a) and (c)(i), the registration committee may grant registration as a limited (restricted-to-specialty) dentist registrant in a recognized

specialty to an applicant who does not have a degree or equivalent qualification from the specified programs if

- (a) the applicant holds a degree or equivalent qualification in the recognized specialty from a post-secondary educational institution, and provides evidence satisfactory to the registration committee of that degree or qualification, and that the applicant is the person named in it,
 - (b) at the time the applicant successfully completed the assessment in the recognized specialty required under subsection (1)(b), the applicant held or had been appointed to hold a full-time position as a full professor, associate professor, or assistant professor in the applicable specialty at the Faculty of Dentistry of the University of British Columbia, or at a faculty of another post-secondary educational institution approved by the registration committee,
 - (c) the applicant provides evidence satisfactory to the registration committee of the applicant's appointment to a position referred to in paragraph (b), and, in the opinion of the registration committee, the appointment provides satisfactory evidence of the applicant's competency to practise as a limited (restricted-to-specialty) dentist registrant in the recognized specialty, and
 - (d) the applicant otherwise meets the conditions and requirements under subsection (1).
- (3) Despite subsection (1), the registration committee may grant an applicant registration as a limited (restricted-to-specialty) dentist registrant in a recognized specialty if the applicant
- (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a limited (restricted-to-specialty) dentist registrant in the recognized specialty, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to limited (restricted-to-specialty) dentist registrants in British Columbia,
 - (b) meets any applicable continuing competency and quality assurance requirements established by the applicable regulatory or licensing authority in the jurisdiction referred to in paragraph (a), and
 - (c) delivers to the registrar,
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.

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- (4) A restricted-to-specialty dentist registrant
 - (a) is a certified specialist in the recognized specialty in respect of which the restricted-to-specialty dentist registrant is granted registration, and
 - (b) may only perform a restricted activity if it is included in the practice of the recognized specialty in which the registrant is a certified specialist, as determined in accordance with any applicable standards of practice.
 - (5) Limited (restricted-to-specialty) dentist registrants must not imply, suggest, or hold themselves out as
 - (a) a full registrant, or
 - (b) qualified or entitled to practise as a full registrant.

Additional requirements if examination completed more than 3 years before application

- 6.14** (1) In this section, “**credit hour**” has the same meaning as in Part 12.
- (2) If section 6.12(1)(c)(iii) applies to an applicant for registration as a full dentist registrant or section 6.13(1)(c)(iii) applies to an applicant for registration as a limited (restricted-to-specialty) dentist registrant, the applicant must, in addition to meeting any other applicable requirement for registration, provide evidence satisfactory to the registration committee that, during the 3-year period immediately preceding the date of the applicant’s application for registration,
- (a) the applicant
 - (i) engaged in the practice of dentistry in another jurisdiction for a minimum of 900 hours, in accordance with criteria established by the quality assurance committee, and
 - (ii) completed a minimum of 90 credit hours, or the equivalent, through participation in continuing education courses, study clubs, or other equivalent activities approved by the competent authority in another jurisdiction, or
 - (b) the applicant has completed one or more of examinations, education and competency assessment that, in combination with any portion of the practice and credit hours specified in paragraph (a) completed by the applicant, the registration committee deems substantially equivalent to satisfying the requirements under paragraph (a).

Limited (academic) dentist registration

- 6.15** (1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a limited (academic) dentist registrant are
- (a) a degree or equivalent qualification in dentistry from a post-secondary educational institution,
 - (b) the applicant has been appointed to a full-time position as a full professor, associate professor, or assistant professor of dentistry at the Faculty of Dentistry of the University of British Columbia, or at a faculty of another post-secondary educational institution approved by the registration committee, and, in the opinion of the registration committee, the appointment provides satisfactory evidence of the applicant's competency to practise as a limited (academic) dentist registrant,
 - (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.
- (2) A limited (academic) dentist registrant
- (a) may only practise dentistry
 - (i) during the term of the registrant's appointment to a position referred to in subsection (1)(b), and
 - (ii) in a setting operated by or affiliated with the University of British Columbia or other post-secondary educational institution referred to in subsection (1)(b), and
 - (b) must not practise dentistry on a fee for service basis.
- (3) Despite subsection (2)(a) and (b), a limited (academic) dentist registrant may practise dentistry on a fee for service basis for up to 10 hours per calendar week in a setting that need not be operated by or affiliated with the University of British Columbia or other post-secondary educational institution referred to in subsection (1)(b) if the limited (academic) registrant
- (a) was an academic member of the CDSBC under section 26(2) of the *Dentists Act* immediately before April 3, 2009,

- (b) was an academic (grandparented) registrant of the CDSBC without interruption between April 3, 2009 and the amalgamation date, and
 - (c) has been a limited (academic) dentist registrant without interruption since the amalgamation date.
- (4) If a limited (academic) dentist registrant's appointment to a position referred to in subsection (1)(b) ends, the limited (academic) dentist registrant
- (a) ceases to be registered, and
 - (b) must immediately notify the registrar.

Limited (education and volunteer) dentist registration

- 6.16** (1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a limited (education and volunteer) dentist registrant are
- (a) a degree from a listed general dentistry program or equivalent qualification,
 - (b) an NDEB certificate,
 - (c) the applicant is applying for limited (education and volunteer) dentist registration solely for
 - (i) the purpose of presenting a dental course,
 - (ii) the purpose of conducting or engaging in a clinical presentation, study club, research program, or dental teaching program at or under the sponsorship of the Faculty of Dentistry of the University of British Columbia, another post-secondary educational institution, or a dental or other group or organization approved by the registration committee,
 - (iii) another teaching or research-related purpose approved by the registration committee, or
 - (iv) the purpose of carrying out volunteer activities approved by the registration committee, and
 - (d) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a), (b) and (c), and
 - (ii) the items required under sections 6.03 to 6.05.

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- (2) Despite subsection (1)(a) and (b) and (d)(i), an applicant may be granted registration as a limited (education and volunteer) dentist registrant if the applicant
- (a) holds
 - (i) registration or licensure in another Canadian jurisdiction as the equivalent of a full dentist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to full dentist registrants in British Columbia,
 - (ii) registration or licensure in another Canadian jurisdiction as the equivalent of a limited (restricted-to-specialty) dentist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to restricted-to-specialty dentist registrants in British Columbia,
 - (b) provides evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraph (a) and subsection (1)(c), and
 - (c) provides the registrar the items required under sections 6.03 to 6.05.
- (3) Despite subsection (1)(a) and (b) and (d)(i), an applicant may be granted registration as a limited (education and volunteer) dentist registrant if the applicant
- (a) holds a degree or equivalent qualification in dentistry from a post-secondary educational institution,
 - (b) has been engaged or appointed by the Faculty of Dentistry of the University of British Columbia, another post-secondary educational institution, or a dental or other group or organization approved by the registration committee, for a purpose described in subsection (1)(c),
 - (c) provides evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b) and subsection (1)(c), and
 - (c) provides the registrar the items required under sections 6.03 to 6.05.
- (4) The registration committee may only renew the registration of a limited (education and volunteer) dentist registrant under section 6.27 if, in addition to satisfying the conditions and requirements under section 6.27(2), the limited (education and volunteer) dentist registrant provides evidence satisfactory to the registration committee of the applicant's continued satisfaction of the condition or requirement established in subsection (1)(c).

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- (5) A limited (education and volunteer) dentist registrant
 - (a) may only practise dentistry for the purpose described in subsection (1)(c), and
 - (b) must not practise dentistry on a fee for service basis.

Limited (armed forces/government) dentist registration

- 6.17** (1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a limited (armed forces/government) dentist registrant are
- (a) registration or licensure in another Canadian jurisdiction as the equivalent of a full dentist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to full dentist registrants in British Columbia,
 - (b) the applicant is applying for registration as a limited (armed forces/government) dentist registrant solely for the purpose of practising dentistry within the terms of employment with or engagement by the Canadian Armed Forces or the government of Canada, and
 - (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and,
 - (ii) the items required under sections 6.03-6.05.
- (2) A limited (armed forces/government) dentist registrant may only practise dentistry for the purpose described in subsection (1)(b) and within the scope of the registrant's employment or engagement referred to in that subsection.
- (3) If a limited (armed forces/government) dentist registrant's employment or engagement with the Canadian Armed Forces or the government of Canada ends, the limited (armed forces/government) dentist registrant
- (a) ceases to be registered, and
 - (b) must immediately notify the registrar.

Dental therapist registration

- 6.18** (1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a dental therapist registrant are

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- (a) an employment or contractual relationship with the First Nations Health Authority, in which the applicant's job duties include provision of dental therapist services in British Columbia on behalf of the First Nations Health Authority,
 - (b) either
 - (i) graduation with a diploma in dental therapy from the National School of Dental Therapy, or
 - (ii) graduation from a dental therapy education program that is, in the opinion of the registration committee, substantially equivalent to the program described in subparagraph (i),
 - (c) the applicant has practised as the equivalent of a dental therapist registrant for an average of at least 300 hours per year
 - (i) over the 3 year period immediately prior to the date of application under this section, or
 - (ii) since graduation, if the date of application under this section is less than 3 years after the date of graduation referred to in paragraph (b),
 - (d) successful completion of any examinations required by the registration committee, and
 - (e) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) to (c) and, if applicable, (d), and,
 - (ii) the items required under sections 6.03-6.05.
- (2) A dental therapist registrant
- (a) may provide dental therapist services only
 - (i) in the course of fulfilling job duties in British Columbia as an employee or contractor of the First Nations Health Authority,
 - (ii) under the review and direction of a dentist who is in good standing, and
 - (iii) in accordance with standards of practice or standards of professional ethics, if any, respecting the review and direction referred to in subparagraph (ii), and

- (b) must not provide any services of dentistry other than dental therapist services, except as authorized under any applicable standards of practice or standards of professional ethics, including for greater certainty any standards of practice in respect of review and direction of dental therapist registrants by dentists, as referred to in paragraph (a)(iii).
- (4) The registration of a dental therapist registrant is cancelled if the registrant ceases to have an employment or contractual relationship as described in subsection (1)(a).
- (5) Despite anything else in this section, the total number of dental therapist registrants registered under this section must not at any time exceed the number reasonably required, in the opinion of the board, for the First Nations Health Authority to fill the equivalent of 13 full-time positions providing dental therapist services in British Columbia.

DIVISION 4 – DENTAL TECHNOLOGY REGISTRANTS

Dental technician registration

- 6.19** (1) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for registration as a dental technician registrant are
- (a) graduation from a recognized dental technician education program,
 - (b) successful completion of the Dental Technology Entry-to-Practice Assessment administered by the Canadian Alliance of Dental Technology Regulators, and
 - (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.
- (2) Despite subsection (1), the registration committee may grant an applicant registration as a dental technician registrant if the applicant
- (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a dental technician registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to dental technician registrants in British Columbia,
 - (b) meets any applicable continuing competency and quality assurance requirements established by the applicable regulatory or licensing authority in the jurisdiction referred to in paragraph (a),

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- (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.
- (3) Despite subsection (1), the registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant meets the conditions and requirements for registration as a dental technician registrant, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (1)(a), and to grant registration as a dental technician registrant on that basis, if the applicant
- (a) has provided, for a period of not less than 5 years, the services permitted to a dental technician registrant under section 4 of the *Dental Technicians Regulation*, B.C. Reg. 278/2008,
 - (b) meets the condition or requirement in subsection (1)(b),
 - (c) successfully completes any additional examination or upgrading program required by the registration committee, and
 - (d) delivers to the registrar
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a), (b) and, if applicable, (c), and
 - (ii) the items required under sections 6.03 to 6.05.

DIVISION 5 – DENTURISM REGISTRANTS

Full denturist registration

- 6.20** (1) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for registration as a full denturist registrant are
- (a) graduation from a recognized denturist education program,
 - (b) prior to writing the objective structured clinical examination required under paragraph (c)(ii), successful completion of the internship portfolio requirements described in Schedule X,

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- (c) less than 3 years before the date of the applicant's application for registration, successful completion of
 - (i) the theory examination, and
 - (ii) the objective structured clinical examinationspecified by the registration committee,
 - (d) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) to (c), and
 - (ii) the items required under sections 6.03 to 6.05.
- (2) Despite subsection (1), the registration committee may grant an applicant registration as a full denturist registrant if the applicant
- (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a full denturist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to full denturist registrants in British Columbia,
 - (b) meets any applicable continuing competency and quality assurance requirements established by the applicable regulatory or licensing authority in the jurisdiction referred to in paragraph (a),
 - (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.
- (3) Despite subsection (1), the registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant meets the conditions and requirements for registration as a full denturist registrant, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (1)(a) or (b) or (1)(a) and (b), as applicable, and to grant registration as a full denturist registrant on that basis, if the applicant

- (a) successfully completes the conditions and requirements under subsection (1)(a) or (b), as applicable, and (1)(c), and
- (b) delivers to the registrar the items required under sections 6.03 to 6.05.

Limited (grandparented) denturist registration

- 6.21** (1) Despite section 6.20, for the purposes of section 20(2) of the Act, the conditions and requirements for a limited (grandparented) denturist registrant to be granted registration as a full denturist registrant are,
- (a) successful completion, as required by the registration committee, of one or both of
 - (i) an upgrading program, and
 - (ii) examinations, and
 - (b) receipt by the registrar of the items required under sections 6.03 and 6.04.
- (2) A limited (grandparented) registrant may only carry out non-surgical intra-oral procedures to
- (a) make, repair, reline, replace or furnish complete dentures, and
 - (b) replace teeth or make repairs to partial dentures and overdentures.

DIVISION 6 – STUDENT REGISTRANTS

Student registration – dentistry

- 6.22** (1) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for registration as a student registrant in the designated health profession of dentistry are:
- (a) successful completion of, or credit received for, the first 3 years of the undergraduate program of the Faculty of Dentistry at the University of British Columbia, or the equivalent portion of another undergraduate dentistry program of a post-secondary educational institution approved by the registration committee for the purposes of this section,
 - (b) current enrolment as a student in the undergraduate program of the Faculty of Dentistry at the University of British Columbia, or another undergraduate dentistry program referred to in paragraph (a),

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- (c) participation in a program for dental student practitioners that has been approved by the registration committee, and
 - (d) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) to (c),
 - (ii) a written recommendation from the Faculty of Dentistry of the University of British Columbia or another undergraduate dentistry program referred to in paragraph (a), and
 - (iv) the items required under sections 6.03 to 6.05.
 - (2) The registration committee may grant an applicant registration as a student registrant under subsection (1) for a period not exceeding 4 months.
 - (3) A student registrant granted registration under subsection (1) may only perform a restricted activity in a dental office or other clinical setting under the indirect supervision of a full dentist registrant or a limited (restricted-to-specialty) dentist registrant.
 - (4) When a student registrant granted registration under subsection (1) performs a restricted activity under the supervision of a dentist in accordance with subsection (3), the supervising dentist must
 - (a) examine the patient at the beginning of or during the appointment, in accordance with the standards of practice,
 - (b) evaluate the treatment provided by the student registrant after it is completed and before the patient is released, and
 - (c) review the student registrant's treatment plan and the treatment rendered by the student registrant in accordance with any applicable requirements of the Faculty of Dentistry of the University of British Columbia or another undergraduate dentistry program referred to in subsection (1)(a).
 - (5) Despite subsection (1), the registration committee may grant an applicant registration as a student registrant in the designated health profession of dentistry if the applicant
 - (a) has successfully completed a degree or equivalent qualification in dentistry from a post-secondary educational institution, and
 - (b) the applicant is applying for registration as a student registrant solely for

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- (i) the purpose of taking or engaging in a course, clinical placement, research program, internship, or residency offered at the post-graduate level by or under the sponsorship of the Faculty of Dentistry of the University of British Columbia, or another post-secondary educational institution, hospital, or other institution approved by the registration committee, or
 - (ii) a related purpose approved by the registration committee, and
 - (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) and (b), and
 - (ii) the items required under sections 6.03 to 6.05.
 - (6) A student registrant granted registration under subsection (5)
 - (a) may only practise dentistry
 - (i) for a purpose described in subsection (5)(b), and
 - (ii) in accordance with any standards or requirements established by any educational institution, hospital, or other institution referred to in subsection (5)(b), or where the registrant is practising, and
 - (b) may only perform a restricted activity if the student registrant is authorized by an educational institution, hospital, or other institution referred to in subsection (5)(b).

Student registration – dental technology

- 6.23** (1) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for registration as a student registrant in the designated health profession of dental technology are
- (a) current enrolment as a student in a recognized dental technician education program,
 - (b) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the condition or requirement established in paragraph (a), and

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- (ii) the items required under sections 6.03 to 6.05.
 - (2) Subject to subsections (3) and (4), a student registrant registered under subsection (1) may only practise dental technology
 - (a) under the indirect supervision of a dental technician registrant, and
 - (b) in accordance with the applicable standards of practice.
 - (3) A supervising dental technician registrant does not need to be present at the same location while a student registrant registered under subsection (1) is practicing dental technology under subsection (2).
 - (4) A student registrant registered under subsection (1) must not deliver or release any dental prosthesis or oral device until the prescription for that prosthesis or device has been signed and dated by a dental technician registrant.

Student registration - denturism

- 6.24** (1) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for registration as a student registrant in the designated health profession of denturism are
- (a) the applicant is enrolled, or was enrolled during the 6 months prior to the date of application under this subsection, as a student in a recognized denturist education program,
 - (b) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the condition or requirement established in paragraph (a),
 - (ii) a signed mentor contract in a form approved by the registration committee, and
 - (iii) the items required under sections 6.03 to 6.05.
 - (2) A student registrant registered under subsection (1) may do the following under the indirect supervision of a full denturist registrant:
 - (a) observation of an aspect of practice;
 - (b) office management functions.
 - (3) A student registrant registered under subsection (1) may do the following only under the direct supervision of a full denturist registrant:

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- (a) examination of patients, history taking, developing a treatment plan, or delivery of a report of findings and treatment plan;
 - (b) performing a restricted activity specified in section 5 of the *Denturists Regulation*, B.C. Reg. 277/2008, or application of any other therapeutic modalities or treatments.
- (4) The registration of a student registrant registered under subsection (1) is cancelled if
- (a) the student registrant becomes a full denturist registrant under section 6.20,
 - (b) the student registrant does not become a full denturist registrant within 90 days after successfully completing all examinations required under section 6.20(1)(c), or
 - (c) the student registrant has been registered for the maximum total registration time specified in subsection (5).
- (5) The maximum total time that a student registrant may be registered under this section is 42 months.
- (6) The maximum total registration time specified in subsection (5)
- (a) is cumulative and survives any period of non-registration, and
 - (b) includes any time during which the student registrant was an intern registrant of the CDBC.

DIVISION 7 – TEMPORARY AND NON-PRACTISING REGISTRANTS

Temporary registration

- 6.25** (1) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for temporary registration are:
- (a) the applicant holds registration or licensure in another jurisdiction as the equivalent of a
 - (i) dental hygienist registrant
 - (ii) dental hygiene practitioner registrant,
 - (iii) full dentist registrant,
 - (iv) limited (restricted-to-specialty) dentist registrant,

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- (v) dental technician registrant, or
 - (vi) full denturist registrant,

which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to the equivalent registrant class in British Columbia;
- (b) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the condition or requirement established in paragraph (a),
 - (ii) a certificate, letter, or other evidence in a form satisfactory to the registration committee, dated within 60 days of the date of application, from the regulatory or licensing authority in the jurisdiction where the applicant holds registration for the purposes of paragraph (a), certifying that
 - (A) the applicant's entitlement to practise has not been cancelled, suspended, limited, restricted or made subject to conditions in that jurisdiction at any time, or specifying particulars of any such cancellation, suspension, limitation, restriction or conditions,
 - (B) there is no investigation, review or other proceeding underway in that jurisdiction that could result in the applicant's entitlement to practise being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such investigation, review or other proceeding, and
 - (C) the applicant's entitlement to practise has not been voluntarily relinquished in that jurisdiction with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in the applicant's entitlement to practise being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such relinquishment,
 - (iii) a declaration, in a form acceptable to the registration committee, that the applicant is applying for temporary registration solely for the purpose of participating in or conducting an educational program or course, or administering or delivering an examination or assessment, that is sponsored by an agency approved by the registration committee, and
 - (iv) the items required under sections 6.03 to 6.05.

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- (2) The registration committee may
 - (a) grant an applicant registration as a temporary registrant for a period of up to 30 days, and
 - (b) grant registration as a temporary registrant to an applicant who has previously been a temporary registrant, provided the applicant satisfies the conditions and requirements under subsection (1).
 - (3) A temporary registrant
 - (a) may only provide the services of the designated health profession in which the temporary registrant holds registration or licensure in another jurisdiction for the purpose described in the declaration required under subsection (1)(b)(iii), and
 - (b) must not provide those services on a fee-for-service basis.

Non-practising registration

- 6.26** (1) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for non-practising registration are
- (a) current or previous registration as
 - (i) a dental hygienist registrant
 - (ii) a dental hygiene practitioner registrant,
 - (iii) a full dentist registrant,
 - (iv) a limited (restricted-to-specialty) dentist registrant,
 - (v) a dental technician registrant,
 - (vi) a full denturist registrant, or
 - (vii) a limited (grandparented) denturist registrant, and
 - (b) receipt by the registrar of
 - (i) a declaration, in a form acceptable to the registration committee, that, while registered as a non-practising registrant, the applicant will not practice a designated health profession in accordance with subsection (2), and

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- (ii) subject to section 6.05(2)(a), the items required under sections 6.03 to 6.05.
- (2) A non-practising registrant must not practice, or provide any service in, a designated health profession in British Columbia.

DIVISION 8 – RENEWAL AND REINSTATEMENT

Renewal of registration

- 6.27** (1) The registration of the following registrants is subject to annual renewal on or before March 31 of each year in accordance with this section:
- (a) dental hygienist registrants;
 - (b) dental hygiene practitioner registrants;
 - (c) full dentist registrants;
 - (d) limited (restricted-to-specialty) dentist registrants;
 - (e) limited (academic) dentist registrants;
 - (f) limited (education and volunteer) dentist registrants;
 - (g) limited (armed forces/government) dentist registrants;
 - (h) dental therapist registrants;
 - (i) dental technician registrants;
 - (j) full denturist registrants;
 - (k) limited (grandparented) denturist registrants;
 - (l) student registrants in the designated health profession of dentistry registered under section 6.22(5);
 - (m) subject to section 6.24(5) and (6), student registrants in the designated health profession of denturism;
 - (n) non-practising registrants.
- (2) For the purposes of section 20(2)(b) of the Act, the conditions and requirements for renewal of registration are receipt by the registrar of

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- (a) any outstanding fine, fee, debt or levy owed to the college,
 - (b) the declarations prescribed in Schedule X that are applicable to the registrant's class of registration,
 - (c) evidence satisfactory to the registration committee that the registrant meets the applicable continuing competency and quality assurance requirements under Part 12
 - (d) evidence satisfactory to the registration committee of the registrant's professional liability insurance coverage as required under section 15.02, 15.03, 15.04 or 15.05, as applicable, and
 - (f) the items required under section 6.03 and 6.04.
- (3) Subsection (2)(c) and (d) do not apply to applicants for renewal of non-practising registration.
 - (4) The registrar must deliver an annual notice of renewal to each registrant eligible for renewal under subsection (1) by January 31 of each year, which must state the applicable renewal fees payable by the registrant under section 38.3 and describe the consequences of late payment or non-payment of renewal fees.
 - (5) Each registrant eligible for renewal under subsection (1) must satisfy the conditions and requirements under subsection (3) on or before March 31 of each year.
 - (6) If a registrant eligible for renewal under subsection (1) satisfies the conditions and requirements under subsection (3) on or before March 31 in a year, the registrar must issue the registrant a receipt stating that the registrant's registration has been renewed.
 - (7) If a registrant eligible for renewal under subsection (1) fails to satisfy the conditions and requirements under subsection (3) on or before March 31 in a year, the registrant's registration is cancelled.

Reinstatement of registration

6.28 (1) In this section,

“former registrant” means a non-practising registrant or former registrant who was previously registered as one of more of the following:

- (a) a dental hygienist registrant;
- (b) a dental hygienist registrant of the CDHBC;

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- (c) a grandparented registrant of the CDHBC;
 - (d) a full registrant of the CDHBC;
 - (e) a conditional registrant of the CDHBC;
 - (f) a dental hygiene practitioner registrant;
 - (g) a dental hygiene practitioner registrant of the CDHBC;
 - (h) a full registration (365 day rule exempt) registrant of the CDHBC;
 - (i) a full dentist registrant;
 - (j) a full registrant of the CDSBC;
 - (k) a limited (restricted-to-specialty) dentist registrant;
 - (l) a restricted to specialty registrant of the CDSBC;
 - (m) a dental therapist registrant;
 - (n) a dental therapist registrant of the CDSBC;
 - (m) a dental technician registrant;
 - (n) a dental technician registrant of the CDTBC;
 - (o) a full denturist registrant;
 - (p) a full registrant of the CDBC.
 - (q) a limited (grandparented) denturist registrant;
 - (r) an active B registrant of the CDBC.
- (2) A former registrant who was previously registered as
- (a) a dental hygienist registrant,
 - (b) a dental hygienist registrant of the CDHBC,
 - (c) a grandparented registrant of the CDHBC,
 - (d) a full registrant of the CDHBC, or

- (e) a conditional registrant of the CDHBC
may only reinstate as a dental hygienist registrant.
- (3) A former registrant who was previously registered as
 - (a) a dental hygiene practitioner registrant,
 - (b) a dental hygiene practitioner registrant of the CDHBC, or
 - (c) a full registration (365 day rule exempt) registrant of the CDHBCmay only reinstate as a dental hygiene practitioner registrant.
- (4) A former registrant who was previously registered as
 - (a) a full dentist registrant, or
 - (b) a full registrant of the CDSBCmay only reinstate as a full dentist registrant.
- (5) A former registrant who was previously registered as
 - (a) limited (restricted-to-specialty) dentist registrant, or
 - (b) a restricted to specialty registrant of the CDSBCmay only reinstate as a limited (restricted-to-specialty) dentist registrant.
- (6) A former registrant who was previously registered as
 - (a) a dental therapist registrant, or
 - (b) a dental therapist registrant of the CDSBCmay only reinstate as a dental therapist registrant.
- (7) A former registrant who was previously registered as
 - (a) a dental technician registrant, or
 - (b) a dental technician registrant of the CDTBCmay only reinstate as a dental technician registrant.

- (8) A former registrant who was previously registered as
- (a) a full denturist registrant,
 - (b) a full registrant of the CDBC,
 - (c) a limited (grandparented) denturist registrant, or
 - (d) an active B registrant of the CDBC
- may only reinstate as a full denturist registrant.
- (9) A former registrant as defined in subsection (1) must satisfy the conditions and requirements established in this section to be reinstated, as applicable, under subsections (2) to (8) and is not eligible for registration under sections 6.10 to 6.13, 6.19 or 6.20.
- (10) Subject to subsections (11) to (16), for the purposes of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of a former registrant are receipt by the registrar of the following, either within 60 days of the date on which the former registrant's previous registration in the applicable class of registrants was cancelled or within the time specified by the registration committee under subsection (12):
- (a) any outstanding fine, fee, debt or levy owed to the college;
 - (b) evidence satisfactory to the registration committee that the former registrant is of good character and fit to engage in the practice of the designated health profession in which the applicant is seeking reinstatement;
 - (c) any additional evidence required under subsections (12) or (14);
 - (d) the declarations prescribed in Schedule X that are applicable to the class of registrants in which the former registrant is seeking reinstatement;
 - (e) evidence satisfactory to the registration committee that the former registrant meets any applicable continuing competency and quality assurance requirements under Part 12, as if, during the time the former registrant has been registered as a former registrant, the former registrant had continued to be registered in the class of registrants in which the former registrant is seeking reinstatement;
 - (f) evidence satisfactory to the registration committee of the former registrant's professional liability insurance coverage as required under 15.02, 15.03, 15.04 or 15.05, as applicable;

- (g) the items required under sections 6.03 and 6.04.
- (11) Despite subsection (10), the registration committee may reinstate the registration of a former registrant who
- (a) holds registration or licensure in another Canadian jurisdiction that
 - (i) is the equivalent of registration in the class of registrants in which the former registrant is seeking reinstatement, and
 - (ii) not subject to any practice limitations, restrictions or conditions that do not apply to that class of registrants in British Columbia,
 - (b) meets any applicable continuing competency and quality assurance requirements established by the applicable regulatory or licensing authority in the jurisdiction referred to in paragraph (a),
 - (c) delivers to the registrar
 - (i) evidence satisfactory to the registration committee of the former registrant's satisfaction of the conditions and requirements established in paragraphs (a) and (b),
 - (ii) the declarations prescribed in Schedule X that are applicable to the class of registrants in which the former registrant is seeking reinstatement,
 - (iii) evidence satisfactory to the registration committee of the former registrant's professional liability insurance coverage as required under 15.02, 15.03, 15.04 or 15.05, as applicable, and
 - (iv) the items required under sections 6.03 and 6.04.
- (12) The registration committee may extend the time for a former registrant to apply for reinstatement under subsection (10) if, in addition to the items required under subsection (10), the former registrant delivers to the registrar
- (a) the items referred to in section 6.05(1)(c) and (e), and
 - (b) any additional evidence that may be required by the registration committee to satisfy the committee that the former registrant has maintained knowledge, skills and abilities that are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications that initial applicants require to be registered in the class of registrants in which the former registrant is seeking reinstatement.

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- (13) The registration committee may extend the time for a former registrant to apply for reinstatement under subsection (11) if, in addition to satisfying the requirements under subsection (10), the applicant delivers to the registrar the items referred to in section 6.05(1)(c) and (e).
- (14) If the registration of a former registrant applying for reinstatement under this section was cancelled under section 6.27(6) following a determination by the registration committee that the former registrant failed to meet the conditions and requirements for renewal of registration under section 6.27(2)(c), the former registrant must provide additional evidence to satisfy the registration committee that the former registrant has satisfied all outstanding conditions and requirements established in section 6.27(2) or any alternative remediation requirements specified by the quality assurance committee.
- (15) A former registrant is not eligible for reinstatement of registration under this section until the former registrant satisfies
- (a) all outstanding conditions and requirements established in subsections (10)(e), and (12)(b), as applicable, or
 - (b) any alternative remediation requirements specified by the quality assurance committee.
- (16) A former registrant applying for reinstatement under this section must provide additional evidence to satisfy the registration committee that reinstatement of the former registrant's registration will not pose an undue risk to public health and safety, if
- (a) the former registrant's previous registration was cancelled under section 32.2, 32.3, 33, 36, 37.1, 38, 39 or 39.1 of the Act,
 - (b) the former registrant's previous registration was cancelled under section 6.27(6) or with the agreement or at the request of the former registrant while the former registrant's previous registration was suspended under section 32.2, 32.3, 33, 36, 37.1, 38, 39 or 39.1 of the Act, or
 - (c) the former registrant voluntarily relinquished the former registrant's previous registration under the Act in circumstances as described in section 20(2.1)(b.1) of the Act.

DIVISION 9 – AMALGAMATION

Registration on amalgamation

6.29 For the purposes of section 25.07(1)(a) and (3)(a) of the Act,

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- (a) a person who, as of the amalgamation date, was a dental hygienist registrant of the CDHBC is deemed on the amalgamation date to be a dental hygienist registrant of the college under section 6.02(a),
 - (b) a person who, as of the amalgamation date, was a dental hygiene practitioner registrant of the CDHBC is deemed on the amalgamation date to be a dental hygiene practitioner registrant of the college under section 6.02(b),
 - (c) a person who, as of the amalgamation date, was a full registrant of the CDSBC is deemed on the amalgamation date to be a full dentist registrant of the college under section 6.02(c),
 - (d) a person who, as of the amalgamation date, was a restricted to specialty registrant of the CDSBC is deemed on the amalgamation date to be a limited (restricted-to-specialty) dentist registrant of the college under section 6.02(d),
 - (e) a person who, as of the amalgamation date, was an academic registrant or academic (grandparented) registrant of the CDSBC is deemed on the amalgamation date to be a limited (academic) dentist registrant of the college under section 6.02(e),
 - (f) a person who, as of the amalgamation date, was a limited (education, research and volunteer) registrant of the CDSBC is deemed on the amalgamation date to be a limited (education and volunteer) dentist registrant of the college under section 6.02(f),
 - (g) a person who, as of the amalgamation date, was a limited (armed services or government) registrant of the CDSBC is deemed on the amalgamation date to be a limited (armed forces/government) dentist registrant of the college under section 6.02(g),
 - (h) a person who, as of the amalgamation date, was a dental therapist registrant of the CDSBC is deemed on the amalgamation date to be a dental therapist registrant of the college under section 6.02(h),
 - (i) a person who, as of the amalgamation date, was a dental technician registrant of the CDTBC is deemed on the amalgamation date to be a dental technician registrant of the college under section 6.02(i),
 - (j) a person who, as of the amalgamation date, was a full registrant of the CDBC is deemed to be a full denturist registrant of the college under section 6.02(j),
 - (k) a person who, as of the amalgamation date, was an active B registrant of the CDBC is deemed on the amalgamation date to be a limited (grandfathered) denturist registrant of the college under section 6.02(k),

- (l) a person who, as of the amalgamation date, was
 - (i) a limited (post-graduate) registrant or a limited (student practitioner) registrant of the CDSBC,
 - (ii) a dental technician student registrant of the CDTBC, or
 - (iii) an intern registrant of the CDBC

is deemed on the amalgamation date to be a student registrant of the college under section 6.02(l) in the applicable designated health profession,

- (m) a person who, as of the amalgamation date, was
 - (i) a temporary (visitor) registrant of the CDHBC,
 - (ii) a temporary registrant of the CDSBC, or
 - (iii) a temporary registrant of the CDBC

is deemed on the amalgamation date to be a temporary registrant of the college under section 6.02(m) in the applicable designated health profession, and

- (n) a person who, as of the amalgamation date, was a non-practicing registrant of the CDHBC, CDSBC, CDTBC or CDBC is deemed on the amalgamation date to be a non-practicing registrant of the college under section 6.02(n) in the applicable designated health profession.

Registration applications on amalgamation

- 6.30** (1) For the purposes of section 25.07(2) and (3)(b) of the Act,
- (a) a person who applied, before the amalgamation date, to be a dental hygienist registrant of the CDHBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a dental hygienist registrant under section 6.10,
 - (b) a person who applied, before the amalgamation date, to be a dental hygiene practitioner registrant of the CDHBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a dental hygiene practitioner registrant under section 6.11,
 - (c) a person who applied, before the amalgamation date, to be a full registrant of the CDSBC but whose application has not, as of the amalgamation date, been

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- granted or refused is deemed to have applied to the college to be a full dentist registrant under section 6.12,
- (d) a person who applied, before the amalgamation date, to be a restricted to specialty registrant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a limited (restricted-to-specialty) dentist registrant under section 6.13,
 - (e) a person who applied, before the amalgamation date, to be an academic registrant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a limited (academic) dentist registrant under section 6.15,
 - (f) a person who applied, before the amalgamation date, to be a limited (education, research and volunteer) registrant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a limited (education and volunteer) dentist registrant under section 6.16,
 - (g) A person who applied, before the amalgamation date, to be a limited (armed services or government) registrant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a limited (armed forces/government) dentist registrant under section 6.17,
 - (h) A person who applied, before the amalgamation date, to be a dental therapist registrant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a dental therapist registrant under section 6.18,
 - (i) A person who applied, before the amalgamation date, to be a dental technician registrant of the CDTBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a dental technician registrant under section 6.19,
 - (j) A person who applied, before the amalgamation date, to be a full registrant of the CDBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a full denturist registrant under section 6.20,
 - (k) A person who applied, before the amalgamation date, to be a limited (post-graduate) registrant or a limited (student practitioner) registrant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a student registrant in the designated health profession of dentistry under section 6.22,

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- (l) A person who applied, before the amalgamation date, to be a dental technician student registrant of the CDTBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a student registrant in the designated health profession of dental technology under section 6.23,
 - (m) A person who applied, before the amalgamation date, to be an intern registrant of the CDHC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a student registrant in the designated health profession of denturism under section 6.24,
 - (n) A person who applied, before the amalgamation date, to be
 - (i) temporary (visitor) registrant of the CDHBC,
 - (ii) a temporary registrant of the CDSBC, or
 - (iii) a temporary registrant of the CDHCbut whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a temporary registrant under section 6.25 in the applicable designated profession, and
 - (o) a person who applied, before the amalgamation date, to be a non-practising registrant of the CDHBC, CDSBC, CDTBC or CDHC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a non-practising registrant under section 6.26 in the applicable designated health profession.

PART 7 – REGISTRANT CERTIFICATION

Certification applications

- 7.01** (1) Every registrant seeking certification under this Part, including reinstatement of certification, must deliver an application to the registrar in the form and manner specified by the registrar for the certification sought by the registrant.
- (2) The registrar may modify the manner of delivery of an application under subsection (1) as the registrar considers necessary or advisable from time to time.

Certification fees

- 7.02** Every applicant for certification, including reinstatement or renewal of certification, under this Part must deliver to the registrar the full amount of all applicable application and certification fees specified in Schedule X.

Certification of dental hygienists for administration of local anesthesia

- 7.03** (1) A dental hygienist must not administer local anesthesia unless the dental hygienist is
- (a) a dental hygienist registrant or dental hygiene practitioner registrant who
 - (i) is granted and maintains current certification under this section, or
 - (ii) is authorized to administer local anesthesia under subsection (2), or
 - (b) a temporary registrant in the designated health profession of dental hygiene, and is authorized to administer local anesthesia in the jurisdiction referred to in section 6.25(1)(a).
- (2) A dental hygienist referred to in subsection (1)(a)(i) or (b) who is a faculty member or instructor for a recognized local anesthesia certification program or for a local anesthesia refresher course referred to in subsection (3)(b)(i) or section 7.06(2)(a) may authorize a dental hygienist registrant or dental hygiene practitioner registrant enrolled in that course to administer local anesthesia, provided the dental hygienist registrant or dental hygiene practitioner registrant administers the local anesthesia
- (a) under the direct supervision of the dental hygienist who is a faculty member or instructor, and
 - (b) for the purpose fulfilling course requirements.

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- (3) The registration committee must grant a dental hygienist registrant or dental hygiene practitioner registrant certification to administer local anesthesia under this section if the dental hygienist registrant or dental hygiene practitioner registrant delivers to the registrar
- (a) evidence satisfactory to the registration committee that the dental hygienist registrant or dental hygiene practitioner registrant has successfully completed a recognized local anesthesia certification program, or another course or program considered by the registration committee to be equivalent,
 - (b) if more than 5 years have elapsed since the dental hygienist registrant or dental hygiene practitioner registrant completed a course or program described in paragraph (a), evidence satisfactory to the registration committee that the registrant has, within the past 5 years,
 - (i) successfully completed a local anesthesia refresher course approved by the registration committee, or another course or program considered by the registration committee to be equivalent, or
 - (ii) been authorized in another Canadian jurisdiction to administer local anesthesia, and
 - (c) the items required under sections 7.01 and 7.02.
- (4) Despite subsection (3), a dental hygienist registrant or dental hygiene practitioner registrant who, as of the amalgamation date, was certified to administer local anesthesia by the CDHBC is deemed on the amalgamation date to be granted certification under this section.

Certification of full dentist registrants as certified specialists

- 7.04** (1) The board may recognize areas of special interest within the practice of dentistry as specialties for the purpose of this Part and for the purpose of registration as a limited (restricted-to-specialty) dentist registrant under section 6.13.
- (2) The registration committee must grant certification as a certified specialist in a recognized specialty to a full dentist registrant who
- (a) applies to the college for certification as a certified specialist in the recognized specialty, and
 - (b) satisfies the registration committee that the full dentist registrant meets the conditions or requirements for certification as a certified specialist in the recognized specialty under subsection (3), (4) or (5) and under subsection (6).

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- (3) The requirements for certification of a full dentist registrant as a certified specialist in a recognized specialty are
- (a) a degree or equivalent qualification in the recognized specialty from
 - (i) a listed specialty program, or
 - (ii) a program in the recognized specialty at a postsecondary educational institution that is, in the opinion of the registration committee, equivalent to a listed specialty program,
 - (b) successful completion of the assessment in the recognized specialty specified by the registration committee,
 - (c) receipt by the registrar of
 - (i) any outstanding fine, fee, debt or levy owed to the college,
 - (ii) evidence satisfactory to the registration committee of the full dentist registrant's degree or qualification referred to in paragraph (a),
 - (iii) evidence satisfactory to the registration committee of the full dentist registrant's successful completion of the assessment referred to in paragraph (b),
 - (iv) the declaration prescribed in Schedule X that is applicable to certification as a certified specialist, and
 - (v) a letter in a form satisfactory to the registration committee, dated within 60 days of the date of the application, from each applicable regulatory or licensing authority in every jurisdiction where the full dentist registrant is or was, at any time, certified or otherwise recognized as a specialist in the specialty,
 - (A) certifying that the full dentist registrant's certification or recognition in, or entitlement to practise, the specialty has not been cancelled, suspended, limited, restricted or made subject to conditions in the applicable jurisdiction at any time, or specifying particulars of any such cancellation, suspension, limitation, restriction or conditions,
 - (B) certifying that there is no investigation, review, or other proceeding underway in the applicable jurisdiction that could result in the full dentist registrant's certification or recognition in, or entitlement to practise, the specialty being cancelled, suspended, limited, restricted or made subject to conditions, or specifying

particulars of any such investigation, review or other proceeding, and

- (C) certifying that the full dentist registrant's entitlement to practise the applicable specialty has not been voluntarily relinquished in that other jurisdiction with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in the full dentist registrant's certification or recognition in, or entitlement to practise, the applicable specialty in that jurisdiction being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such relinquishment, and

(vi) the items required under sections 7.01 and 7.02.

- (4) Despite subsection (3)(a) and (c)(ii), a full dentist registrant who does not have a degree or equivalent qualification from the specified programs may be granted certification as a certified specialist in a recognized specialty if the full dentist registrant
 - (a) holds a degree or equivalent qualification in the recognized specialty from a post-secondary educational institution, and provides evidence satisfactory to the registration committee of that degree or qualification,
 - (b) provides evidence that the full dentist registrant has obtained a qualification satisfactory to the registration committee from the Faculty of Dentistry of the University of British Columbia, or from another post-secondary educational institution approved by the registration committee, certifying that the full dentist registrant's competency in the recognized specialty is equivalent to that of a graduate of a listed specialty program in the recognized specialty, and
 - (c) meets the requirements under subsection (3)(b) and (c), except subsection (3)(c)(ii).
- (5) Despite subsection (3)(a), (b) and (c)(ii) and (iii), a full dentist registrant may be granted certification as a certified specialist in a recognized specialty if the full dentist registrant
 - (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a full dentist registrant, and is certified or otherwise recognized in that jurisdiction as the equivalent of a certified specialist in the recognized specialty,
 - (b) provides evidence satisfactory to the registration committee of the full dentist registrant's registration or licensure, and certification or other recognition, referred to in paragraph (a), and

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- (c) meets the requirements under subsection (3)(c), except subsection (3)(c)(ii) and (iii).
- (6) Despite subsections (2) to (5), the registration committee may refuse to grant a full dentist registrant certification as a certified specialist if the registration committee determines, after giving the full dentist registrant an opportunity to be heard, that
- (a) the full dentist registrant certification or recognition in, or entitlement to practise, a recognized specialty or its equivalent has been cancelled or suspended at some time in British Columbia or in another jurisdiction,
 - (b) an investigation, review or other proceeding is underway in British Columbia or in another jurisdiction that could result in the applicant's certification or recognition in, or entitlement to practise, a recognized specialty or its equivalent being cancelled or suspended, or
 - (c) the applicant's entitlement to practise dentistry, or to practise a recognized specialty or its equivalent, has been voluntarily relinquished in British Columbia or in another jurisdiction with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in the applicant's certification or recognition in, or entitlement to practise, the recognized specialty or its equivalent being cancelled or suspended.
- (7) Despite subsections (2) to (6), a full dentist registrant who, as of the amalgamation date, was a certified specialist of the CDSBC in a specialty recognized by the CDSBC is deemed on the amalgamation date to be a certified specialist of the college in the same recognized specialty, or its equivalent.

Renewal of certification

- 7.05** (1) Certification granted to a registrant under this Part is subject to annual renewal on or before March 31 of each year in accordance with this section.
- (2) The certification of a registrant may be renewed by the registration committee if the registrant
- (a) applies for and is granted renewal of registration under section 6.27, and
 - (b) delivers to the registrar evidence satisfactory to the registration committee of meeting any applicable continuing competency and quality assurance requirements under Part 12 pertaining to renewal of certification.

Reinstatement of certification

- 7.06** (1) Subject to subsections (2) and (4) and any limits or conditions imposed under the Act on the practice of a dental hygienist registrant or dental hygiene practitioner registrant who previously held certification to administer local anesthesia under this Part or with the CDHBC, the registration committee may reinstate that certification if the registrant delivers to the registrar the items required under sections 7.01 and 7.02.
- (2) If, at the time a dental hygienist registrant or dental hygiene practitioner registrant applies for reinstatement of certification under subsection (1), more than 5 years have elapsed since the registrant ceased to hold certification under this Part or with the CDHBC, the registrant must deliver to the registrar, in addition to the items required under sections 7.01 and 7.02, evidence satisfactory to the registration committee that the registrant has, within the past 5 years,
- (a) successfully completed a local anesthesia refresher course approved by the registration committee, or another course or program considered by the registration committee to be equivalent, or
 - (b) been authorized in another Canadian jurisdiction to administer local anesthesia,
- (3) Subject to subsection (4) and any limits or conditions imposed under the Act on the practice of a full dentist registrant who previously held certification in a recognized specialty or its equivalent under this Part or with the CDSBC, the registration committee may reinstate the registrant's certification in the recognized specialty if the registrant delivers to the registrar the items required under sections 7.01 and 7.02 and evidence satisfactory to the registration committee that the registrant remains eligible under section 7.04 for certification in the recognized specialty.
- (4) If the certification of a registrant seeking reinstatement of certification under subsections (1) or (3) was previously cancelled or suspended under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, or voluntarily relinquished by the registrant in circumstances as described in section 20(2.1)(b.1) of the Act, the registrant must deliver to the registrar, in addition to the items required under subsections (1) to (3), as applicable, evidence satisfactory to the registration committee that reinstatement of the registrant's certification will not pose an undue risk to public health or safety.

PART 8 – REGISTRANT RECORDS

Treatment records

- 8.01** (1) For each patient a registrant must make and keep legible and contemporaneous records that include
- (a) a dated entry for each time services are provided,
 - (b) in accordance with the standards of practice applicable to the registrant's designated profession, particulars of the services, and
 - (c) a statement of account or other record of financial transactions, setting out each date on which a service was provided, the type of service provided and charge made.
- (2) For each day of practice, a registrant must make and keep a day book, daily diary, appointment sheets or equivalent containing the names of all patients provided services.
- (3) A registrant must keep all records referred to in subsections (1) and (2)
- (a) either,
 - (i) typed or written in ink and filed in suitable systematic permanent form such as books, binders, files, cards or folders, or
 - (ii) in electronic form if the information kept in those records can be reproduced promptly in written form when required, and
 - (b) for a period of not less than 16 years from the date of the last recorded entry or the date the patient reaches the age of majority, whichever is later.
- (4) A registrant must make records kept under this section and all other written or electronically, computerized, or mechanically-recorded documentation relevant to those records available at reasonable hours for inspection by representatives of the college, including the registrar, members of the inquiry committee, the discipline committee and the quality assurance committee, and assessors and inspectors appointed under any provision of these bylaws or the Act.

Privacy requirements

- 8.02** (1) In this section, “**personal information**” has the same meaning as in Schedule 1 of the *Personal Information Protection Act*.

- (2) A registrant must take all reasonable measures to ensure that the collection, use, disclosure and disposal of patient personal information occurs in accordance with the *Personal Information Protection Act*, and all other relevant legal requirements, and, without limitation, a registrant must
 - (a) ensure that patient personal information collected under section 8.01 is current, legible, accurate and completely recorded,
 - (b) at all times protect and maintain the confidentiality of patient personal information collected under section 8.01,
 - (c) upon request, provide patients, or legal representatives of patients, with access to their patient personal information in accordance with the *Personal Information Protection Act*, and all other relevant legal requirements, and
 - (d) ensure that all records from the registrant's practice containing patient personal information are safely and securely stored, or disposed of, by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

PART 9 – CERTIFIED DENTAL ASSISTANTS

Definitions

9.01 In this Part:

“**certified dental assisting education standards**” means the standards for assessing the education of applicants for certification as a certified dental assistant under sections 9.06 and 9.07;

“**CPE**” means a Clinical Practice Evaluation offered by the NDAEB;

“**NDAEB**” means the National Dental Assisting Examining Board or another examining body approved by the board;

“**NDAEB certificate**” means a certificate of qualification issued by the NDAEB;

“**registration committee**” includes

- (a) the board, if the registration committee has referred an application for certification as a certified dental assistant, or for reinstatement of certification as a certified dental assistant, to the board for decision, and
- (b) except in sections 9.05(5) and (6) and 9.13(3), the registrar, if the registration committee has authorized the registrar in writing to act.

Classes of certified dental assistants

9.02 The following classes of certified dental assistants are established:

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

Certification applications

9.03 (1) Every person seeking certification under this Part, including reinstatement or renewal of certification, must deliver a certification application to the registrar in the form and manner specified by the registrar for the class of certified dental assistant in which the person is seeking certification.

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- (2) A temporary certified dental assistant or limited certified dental assistant seeking extension of certification under sections 9.08(2) and 9.09(5). must deliver an application for extension of certification to the registrar in the form and manner specified by the registrar.
 - (3) The registrar may modify the manner of delivery of a certification application as the registrar considers necessary or advisable from time to time.

Certification fees

9.04 Every applicant for certification under this Part, including reinstatement or renewal of certification, must deliver to the registrar the full amount of all applicable application and certification fees specified in Schedule X.

Certification of certified dental assistants

- 9.05**
- (1) The registration committee is responsible for granting certification as a certified dental assistant, including reinstatement or renewal of certification, to persons under this Part.
 - (2) The registration committee must grant certification in a class of certified dental assistants established under section 9.02 to every person who
 - (a) applies to the college for certification in accordance with this Part, and
 - (b) satisfies the registration committee that the applicant meets the conditions and requirements for certification in the applicable class of certified dental assistants.
 - (3) Subject to subsection (4), an applicant for certification in any class of certified dental assistants must deliver the following to the registrar:
 - (a) evidence satisfactory to the registration committee that the applicant is of good character;
 - (b) any outstanding fine, fee, debt or levy that the applicant owes to the college, including without limitation any fine, fee, debt, levy or amount accrued or accruing before the amalgamation date;
 - (c) a criminal record check authorization or, if permitted by the registration committee, a criminal record check verification authorization, in the form required by the *Criminal Records Review Act*, accompanied by any required payment;
 - (d) the declaration prescribed in Schedule X that is applicable to the class of certified dental assistant for which the applicant is applying;

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- (e) a certificate, letter, or other evidence in a form satisfactory to the registration committee, dated within 60 days of the date of the application, from each regulatory or licensing authority in every jurisdiction where the applicant is or was, at any time, certified, registered or licensed to provide the services of a certified dental assistant or to practise any health profession, certifying that
 - (i) the applicant's entitlement to provide the services of a certified dental assistant or practise a health profession has not been cancelled, suspended, limited, restricted or made subject to conditions in the applicable jurisdiction at any time, or specifying particulars of any such cancellation, suspension, limitation, restriction or conditions,
 - (ii) there is no investigation, review, or other proceeding underway in the applicable jurisdiction that could result in the applicant's entitlement to provide the services of a certified dental assistant or practise a health profession being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such investigation, review or other proceeding, and
 - (iii) the applicant's entitlement to provide the services of a certified dental assistant or practise a health profession has not been voluntarily relinquished in the applicable jurisdiction with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in the applicant's entitlement to provide the services of a certified dental assistant or practise a health profession in the applicable jurisdiction being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such relinquishment;
 - (f) all information or records about an applicant, including without limitation notarized copies of government-issued records or other reliable, independent source records, that the registration committee reasonably requires for the purpose of
 - (i) verifying the applicant's identity,
 - (ii) preventing misidentification of applicants, certified dental assistants or other persons, or
 - (iii) managing access to, or protecting the integrity and security of, the college's records, information systems and online services;
 - (g) a valid email address, individual to the applicant, for the purpose of receiving communications from the college to the applicant, and without limitation all other personal contact, business contact or emergency contact information for

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- the applicant that the registration committee reasonably requires in the circumstances;
- (h) any supplementary or supporting information or records about the applicant, and relevant to other information or another item required under these bylaws to be included in or with a certification application, that the registration committee or the registrar requires to be submitted in or with certification applications, generally or by class, from time to time.
- (4) Subsection (3) does not apply to applicants for certification as a non-practising certified dental assistant.
 - (5) Despite subsection (2), the registration committee may refuse to grant an applicant certification as a certified dental assistant, may grant certification for a limited period specified for the applicant by the registration committee, or may grant certification and impose limits or conditions on the provision by the applicant of the services of a certified dental assistant, if the registration committee determines, after giving the applicant an opportunity to be heard, that
 - (a) the applicant's entitlement to provide the services of a certified dental assistant or practise a health profession has been cancelled or suspended at some time in British Columbia or in another jurisdiction,
 - (b) an investigation, review or other proceeding is underway in British Columbia or in another jurisdiction that could result in the applicant's entitlement to provide the services of a certified dental assistant or practise a health profession being cancelled or suspended,
 - (c) the applicant's entitlement to provide the services of a certified dental assistant or to practise a health profession has been voluntarily relinquished in British Columbia or another jurisdiction with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in the applicant's entitlement to provide those services or practise that health profession being cancelled or suspended, or
 - (d) the applicant has been convicted of an indictable offence.
 - (6) If an applicant for certification as a certified dental assistant has been convicted of an indictable offence, the registration committee must not make a decision under subsection (5) unless the registration committee is satisfied that the nature of the offence or the circumstances under which it was committed give rise to concerns about the applicant's competence or fitness to provide the services of a certified dental assistant.
 - (7) Despite subsection (2), if an applicant for certification as a certified dental assistant fails to authorize a criminal record check or a criminal record check verification

under the *Criminal Records Review Act* or the deputy registrar under that Act has determined that an applicant for certification presents a risk of physical or sexual abuse to children or a risk of physical, sexual or financial abuse to vulnerable adults and that determination has not been overturned by the registrar under that Act, the registration committee must take the failure or the determination into account when deciding whether to grant certification to the applicant or whether to impose limits or conditions on the provision by the applicant of the services of a certified dental assistant.

Full certified dental assistants

9.06 (1) Subject to subsection (2), the conditions and requirements for certification as a full certified dental assistant are

- (a) no more than 10 years before the date of the applicant's application for certification as a full certified dental assistant under section 7.03, graduation from a dental assisting program or dental program that has been
 - (i) accredited by the Commission on Dental Accreditation of Canada, or
 - (ii) accredited by the Commission on Dental Accreditation of the American Dental Association, and determined by the registration committee to meet the certified dental assisting education standards with respect to education and training in any applicable skills not included in that accreditation process,
- (b) an NDAEB certificate or an NDEB certificate, and
- (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's graduation referred to in paragraph (a),
 - (ii) evidence satisfactory to the registration committee of the applicant's certificate referred to in paragraph (b),
 - (iii) if the applicant's date of graduation under paragraph (a) was more than 3 years before the date of the application under subparagraph (i), evidence satisfactory to the registration committee that the applicant has met the requirements of section 9.07, and
 - (iv) the items required under section 9.03, 9.04 and 9.05(3).

(2) An applicant who graduated from a dental assisting program or dental program that does not satisfy the requirements of subsection (1)(a) may be granted certification as a full certified dental assistant if

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- (a) no more than 10 years before the date of the applicant's application for certification as a full certified dental assistant under section 9.03, the applicant graduated from a dental assisting program or dental program that has been determined by the registration committee to meet the certified dental assisting education standards, and
 - (b) the applicant provides evidence satisfactory to the registration committee
 - (i) of the applicant's graduation referred to in paragraph (a),
 - (ii) that the applicant has either
 - (A) successfully completed the CPE and any further examination or course required by the registration committee, or
 - (B) met the hours of practice and credit hours requirements under section 9.07(2)(a), and
 - (iii) if the applicant's date of graduation under paragraph (a) was more than 3 years before the date of the applicant's application for certification as a full certified dental assistant under section 9.03, that the applicant has met all of the remaining conditions and requirements in section 9.07, and
 - (c) the applicant meets the conditions and requirements in subsection (1)(b) and (c)(ii) and (iv).
- (3) Despite subsection (1)(a), (b) and (c)(i) to (iii), an applicant may be granted certification as a full certified dental assistant if the applicant
- (a) holds certification, registration or licensure in a recognized jurisdiction as the equivalent of a full certified dental assistant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to full certified dental assistants in British Columbia,
 - (b) meets any applicable continuing competency and quality assurance requirements established by the applicable regulatory or licensing authority in the jurisdiction referred to in paragraph (a),
 - (c) delivers to the registrar evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements in paragraphs (a) and (b), and
 - (d) meets the requirements in subsection (1)(c)(iv).
- (4) Despite subsection (1)(a), (b) and (c)(i) to (iii), and subject to subsection (5), an applicant may be granted certification as a full certified dental assistant if

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- (a) the registration committee determines that the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement, and the competencies or other qualifications required for full certified dental assistants, and
 - (b) the applicant meets the requirements in subsection (1)(c)(iv).
- (5) The registration committee must not grant an applicant certification under subsection (4) if the committee
- (a) determines that granting certification to the applicant would pose an undue risk to public health or safety, or
 - (b) is unable to determine, based on evidence provided by the applicant, whether granting certification to the applicant would pose an undue risk to public health or safety.
- (6) A full certified dental assistant
- (a) may provide the services of a full certified dental assistant in accordance with Part 11, and
 - (b) must not perform any restricted activity which the full certified dental assistant is not authorized to perform under Part 11.

Additional conditions and requirements for certification as a full certified dental assistant

- 9.07** (1) In this section, “**credit hour**” has the same meaning as in Part 12.
- (2) An applicant for certification as a full certified dental assistant who is required under section 9.06(1)(c)(iii) or (2)(b) to meet the conditions and requirements of this section must, in addition to any other applicable conditions and requirements for certification, provide evidence satisfactory to the registration committee that, in the 3 years immediately preceding the date of the applicant's application for certification as a full certified dental assistant under section 9.03,
- (a) the applicant has
 - (i) engaged in a minimum of 600 hours of practice as a certified dental assistant in accordance with criteria established by the quality assurance committee, and
 - (ii) completed a minimum of 36 credit hours, or the equivalent through participation in continuing education courses, study clubs, or other activities approved by a regulatory or licensing authority in another jurisdiction, or

- (b) the applicant has successfully completed the CPE, an upgrading course, or any other examinations, education, or competency assessment required by the registration committee to meet the certified dental assisting education standards.

Temporary certified dental assistants

- 9.08** (1) The requirements for certification as a temporary certified dental assistant are
- (a) satisfaction of the conditions and requirements in 9.06(1)(a) and (c), and
 - (b) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee that the applicant has applied to write the CPE, and
 - (ii) the items required under section 9.03, 9.04 and 9.05(3).
- (2) The registration committee may
- (a) grant an applicant certification as a temporary certified dental assistant under subsection (1) for a period not exceeding one year, and
 - (b) in extenuating circumstances, extend the certification of a temporary certified dental assistant for successive periods, each of which does not exceed one year, if
 - (i) the temporary certified dental assistant is employed in a dental office by a full dentist registrant or limited (restricted-to-specialty) dentist registrant who provides a written recommendation that the certification of the temporary certified dental assistant be extended,
 - (ii) the temporary certified dental assistant's total period of certification as a temporary certified dental assistant does not exceed 2 years, and
 - (iii) before the end of the period of certification granted to the temporary certified dental assistant under subsection (1) or a period of extended certification granted under this subparagraph, the temporary certified dental assistant delivers to the registrar
 - (A) any outstanding fine, fee, debt or levy owed to the college, and
 - (B) the items required under 9.03 and 9.04.
- (3) A temporary certified dental assistant

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- (a) may provide the services of a certified dental assistant which a temporary certified dental assistant is authorized to provide in accordance with Part 11, and
 - (b) must not perform any restricted activity which the temporary certified dental assistant is not authorized to perform under Part 11.

Limited certified dental assistants

- 9.09** (1) The conditions and requirements for certification as a limited certified dental assistant are
- (a) graduation from a dental assisting program or dental program,
 - (b) non-restricted certification, registration or licensure as a Level II dental assistant in a Canadian jurisdiction that is not a recognized jurisdiction, and
 - (c) receipt by the registrar of
 - (i) evidence satisfactory to the registration committee of the applicant's graduation referred to in paragraph (a),
 - (ii) evidence satisfactory to the registration committee of the applicant's certification, registration or licensure referred to in paragraph (b),
 - (iii) evidence satisfactory to the registration committee that the applicant meets any applicable continuing competency and quality assurance requirements established by the regulatory or licensing authority in the jurisdiction referred to in paragraph (b),
 - (iv) evidence satisfactory to the registration committee that the applicant is working towards satisfaction of the conditions and requirements for certification as a full certified dental assistant under this Part, and
 - (v) the items required under section 9.03, 9.04 and 9.05(3).
- (2) Despite subsection (1)(b) and (c)(ii) and (iii), an applicant may be granted certification as a limited certified dental assistant if the applicant
- (a) provides evidence satisfactory to the registration committee that, within the 3-year period immediately preceding the date of the applicant's application for certification as a full certified dental assistant under section 9.03, the applicant has been practising as the equivalent of a full certified dental assistant or a Level II dental assistant in a Canadian jurisdiction where certification, registration or licensure is not required for that purpose, and

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- (b) meets the conditions and requirements in subsection (1)(a) and (c)(i), (iv) and (v).
- (3) Despite subsection (1)(a), (b) and (c)(ii) to (iii), and subject to subsection (4), an applicant may be granted certification as a limited certified dental assistant if
- (a) the registration committee determines that the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement, and the competencies or other qualifications required for limited certified dental assistants, and
 - (b) the applicant meets the conditions and requirements in subsection (1)(c)(i), (iv) and (v).
- (4) The registration committee must not grant an applicant certification under subsection (3) if the committee
- (a) determines that granting certification to the applicant would pose an undue risk to public health or safety, or
 - (b) is unable to determine, based on evidence provided by the applicant, whether granting certification to the applicant would pose an undue risk to public health or safety.
- (5) The registration committee may
- (a) grant an applicant certification under subsection (1), (2) or (3) for a period not exceeding one year, and
 - (b) in extenuating circumstances, extend the certification of a limited certified dental assistant for successive periods, each of which does not exceed one year, if
 - (i) the limited certified dental assistant is employed in a dental office by a full dentist registrant or limited (restricted-to-specialty) dentist registrant who provides a written recommendation that the certification of the limited certified dental assistant be extended,
 - (ii) the limited certified dental assistant provides evidence satisfactory to the registration committee that the limited certified dental assistant is continuing to work towards satisfaction of the conditions and requirements for certification as a full certified dental assistant,
 - (iii) the limited certified dental assistant's total period of certification as a limited certified dental assistant will not exceed 2 years, and

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- (iv) before the end of the period of certification granted to the limited certified dental assistant under subsection (1), (2) or (3) or a period of extended certification granted under this subparagraph, the temporary certified dental assistant delivers to the registrar
 - (A) any outstanding fine, fee, debt or levy owed to the college, and
 - (B) the items required under 9.03 and 9.04.
 - (6) A limited certified dental assistant
 - (a) may provide the services of a certified dental assistant which a limited certified dental assistant is authorized to provide in accordance with Part 11, and
 - (b) must not perform any restricted activity which the limited certified dental assistant is not authorized to perform under Part 11.

Non-practising certified dental assistants

- 9.10** (1) An applicant who holds or is eligible to hold certification as a full certified dental assistant may be granted certification as a non-practising certified dental assistant by the registration committee if the applicant has delivered to the registrar
- (a) any outstanding fine, fee, debt or levy owed to the college,
 - (b) a declaration, in a form acceptable to the registration committee, that, while certified as a non-practising certified dental assistant, the applicant will not provide the services of a certified dental assistant, and
 - (c) the items required 9.03 and 9.04.
- (2) A non-practising certified dental assistant must not provide the services of a certified dental assistant, or perform any restricted activity.

Certified dental assistant certificate and certification card

- 9.11** (1) The registrar must issue a certified dental assistant certificate to a person granted certification as a certified dental assistant under this Part.
- (2) A certificate issued by the registrar under subsection (1) must be in a form approved by the registrar and must specify
- (a) the class of certified dental assistants in which the person has been granted certification, and any limits or conditions that apply to the provision of services by a certified dental assistant in that class under these bylaws,

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- (b) any additional limits or conditions imposed on the certified dental assistant's certification under sections 9.05(5) or 9.13(4), and
 - (c) if the certified dental assistant is a temporary certified dental assistant or a limited certified dental assistant, the expiration date of the certified dental assistant's certification.
- (2) On renewal of the certification of a full certified dental assistant or non-practicing certified dental assistant or the extension of the certification of a temporary certified dental assistant or limited certified dental assistant under section 9.08(2)(b), 9.09(5)(b), the registrar must issue a certification card to the certified dental assistant which must
- (a) specify the class of certified dental assistants in which the certified dental assistant has been granted certification, and
 - (b) specify the card's expiration date.

Renewal of certification as a full or non-practising certified dental assistant

- 9.12** (1) Certification granted to a full certified dental assistant or a non-practising certified dental assistant under this Part is subject to annual renewal in accordance with this section.
- (2) The certification of a full certified dental assistant or a non-practising certified dental assistant may be renewed by the registration committee if the certified dental assistant delivers to the registrar, on or before March 31 of each year,
- (a) any outstanding fine, fee, debt or levy owed to the college,
 - (b) evidence satisfactory to the registration committee that the applicant has met any applicable requirements of the quality assurance program under Part 12, and
 - (c) the declarations prescribed in Schedule X that are applicable to the applicant's class of certified dental assistants, and
 - (d) the items required under section 9.03 and 9.04.
- (3) Notice of annual renewal fees must be delivered to each full certified dental assistant and non-practising certified dental assistant by no later than January 31 of each year, and must describe the consequences of a failure to meet the conditions and requirements under subsection (2).
- (4) If a full certified dental assistant or a non-practising certified dental assistant fails to meet the conditions and requirements under subsection (2) on or before March 31 in

a year, the certified dental assistant ceases to hold certification as a certified dental assistant.

Reinstatement as a full certified dental assistant

- 9.13** (1) In this section, “**former certified dental assistant**” means a non-practising certified dental assistant or a former certified dental assistant who previously held certification as a full certified dental assistant.
- (2) Subject to subsection (3) and (4) and section 9.05(5) to (7), the registration committee must reinstate the certification of a former certified dental assistant if the former certified dental assistant delivers to the registrar
- (a) any outstanding fine, fee, debt or levy owed to the college, and
 - (b) evidence satisfactory to the registration committee of meeting any applicable continuing competency and quality assurance requirements under Part 12 as if, during the time the applicant had been a former certified dental assistant, the applicant had continued to be certified as a full certified dental assistant,
 - (c) the declarations prescribed in Schedule X that are applicable to the class of certified dental assistants in which the former certified dental assistant is seeking reinstatement, and
 - (d) the items required under sections 9.03 and 9.04.
- (3) If the certification of a former certified dental assistant applying for reinstatement under subsection (2) was previously cancelled or suspended under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, or voluntarily relinquished as described in section 9.05(5)(c), the registration committee may only reinstate the certification of the former certified dental assistant if it is satisfied that
- (a) the applicant meets all applicable requirements under subsection (2), and
 - (b) reinstatement of the applicant’s certification
 - (i) complies with the terms of any order made against the former certified dental assistant under section 37.1, 39 or 39.1 of the Act, and
 - (ii) does not pose an undue risk to public health or safety.
- (4) If, on the date of an application for reinstatement delivered to the registrar under subsection (2)(c), the former certified dental assistant has not been certified as a full certified dental assistant for more than 3 years, the registration committee may only reinstate the certification of the former certified dental assistant under subsection (2) if the former certified dental assistant

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- (a) meets the conditions and requirements under subsection (2)(a) and (c), and
 - (b) undertakes to complete, as required by the registration committee, one or more of the following:
 - (i) continuing competency and quality assurance requirements as necessary to satisfy subsection (2)(b);
 - (ii) coursework on providing the services of a certified dental assistant;
 - (iii) a mentoring program that
 - (A) is designed to address any continuing competency and quality assurance concerns identified by the committee, and
 - (B) includes any limits on providing the services of a certified dental assistant that the committee deems necessary while the program is ongoing.

Notification of changes

9.14 A certified dental assistant must immediately notify the registrar of any change in the name or contact information the certified dental assistant most recently provided to the registrar.

Application of Part 3 of the Act

- 9.15** (1) Part 3 of the Act applies to a certified dental assistant as though the certified dental assistant were a registrant, and to a former certified dental assistant as though the former certified dental assistant were a former registrant.
- (2) For the purposes of subsection (1), a reference in Part 3 of the Act pertaining to practice of a designated health profession is deemed to be a reference to provision of the services of a certified dental assistant.

Certified dental assistants on amalgamation

9.16 For the purposes of section 25.07(1)(b) and (3)(a) of the Act,

- (a) a person who, as of the amalgamation date, was a practising certified dental assistant of the CDSBC is deemed on the amalgamation date to be a full certified dental assistant of the college under section 9.02(a),
- (b) a person who, as of the amalgamation date, was a temporary certified dental assistant of the CDSBC is deemed on the amalgamation date to be a temporary certified dental assistant of the college under section 9.02(b),

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- (c) a person who, as of the amalgamation date, was a limited certified dental assistant of the CDSBC is deemed on the amalgamation date to be a limited certified dental assistant of the college under section 9.02(c), and
 - (d) a person who, as of the amalgamation date, was a non-practising certified dental assistant of the CDSBC is deemed on the amalgamation date to be a non-practising certified dental assistant of the college under section 9.02(d).

Certification applications on amalgamation

- 9.17** (1) For the purposes of section 25.07(2) and (3)(b) of the Act,
- (a) a person who applied, before the amalgamation date, to be a practising certified dental assistant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a practising certified dental assistant under section 9.06,
 - (b) a person who applied, before the amalgamation date, to be a temporary certified dental assistant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a temporary certified dental assistant under section 9.08,
 - (c) a person who applied, before the amalgamation date, to be a limited certified dental assistant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a limited certified dental assistant under section 9.09, and
 - (d) a person who applied, before the amalgamation date, to be a non-practising certified dental assistant of the CDSBC but whose application has not, as of the amalgamation date, been granted or refused is deemed to have applied to the college to be a non-practising certified dental assistant under section 9.10.

PART 10 – TITLES

Use of titles by registrants and certified dental assistants

- 10.01** (1) A registrant may only use a title reserved for the exclusive use of registrants under, as applicable, the *Dental Hygienists Regulation*, B.C. Reg. 276/2008, the *Dentists Regulation*, B.C. Reg. 415/2008, the *Dental Technicians Regulation*, B.C. Reg. 278/2008, or the *Denturists Regulation*, B.C. Reg. 277/2008, or another title, term or abbreviation referred to in this Part, if the registrant
- (a) is registered in a class of registrants authorized under this Part to use the title, term or abbreviation, and
 - (b) uses the title, term or abbreviation in a manner authorized under this Part.
- (2) A certified dental assistant may only use a title referred to in this Part, if the certified dental assistant
- (a) is certified in a class of certified dental assistants authorized under this Part to use the title, term or abbreviation, and
 - (b) uses the title, term or abbreviation in a manner authorized under this Part.

Dental hygienist titles

- 10.02** (1) A dental hygienist registrant may use the titles “registered dental hygienist” and “dental hygienist” and the abbreviation “RDH”.
- (2) A dental hygiene practitioner registrant may use the titles “registered dental hygiene practitioner”, “dental hygiene practitioner”, “registered dental hygienist” and “dental hygienist” and the abbreviations “RDHP” and “RDH”.
- (3) A dental hygienist registrant or dental hygiene practitioner registrant holding current certification to administer local anesthesia under section 7.03 may use the term “(certified)” or the abbreviation “(C)” together with and immediately following a title or abbreviation the registrant is authorized to use under subsection (1) or (2).
- (4) A temporary registrant in the designated health profession of dental hygiene may use the title “temporary dental hygienist” and the abbreviation “RDH (temporary)”.
- (5) A non-practising registrant in the designated health profession of dental hygiene may use the titles
- (a) “non-practising dental hygienist” and “retired dental hygienist”, and

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- (b) if the non-practicing registrant was previously registered as a dental hygiene practitioner registrant with the college or with the CDHBC, “non-practising dental hygiene practitioner” and “retired dental hygiene practitioner”.

Dentist and dental therapist titles

- 10.03** (1) A full dentist registrant, limited (restricted-to-specialty) dentist registrant, limited (academic) dentist registrant, limited (education and volunteer) registrant, limited (armed forces/government) dentist registrant or temporary registrant in the designated health profession of dentistry may use the titles “dentist”, “dental surgeon” and “doctor”.
- (2) A student registrant in the designated health profession of dentistry may use the title “student dentist”.
- (3) A non-practising registrant in the designated health profession of dentistry may use the titles “non-practising dentist” and “retired dentist”.
- (4) A dental therapist registrant may use the title “dental therapist”.

Specialty titles for dentists

- 10.04** (1) A certified specialist who is a full dentist registrant may use the titles “specialist”, “certified specialist”, “specialist in [*name of recognized specialty*]” and “certified specialist in [*name of recognized specialty*]”.
- (2) A certified specialist who is a limited (restricted-to-specialty) registrant may use the titles “specialist, restricted to specialty”, “certified specialist, restricted to specialty”, “specialist, restricted to [*name of recognized specialty*]” or “certified specialist, restricted to [*name of recognized specialty*]”.
- (3) In addition to the titles identified in subsection (1) or (2), as applicable, a certified specialist in a recognized specialty may use any title approved by the board for use by certified specialists in that recognized specialty.
- (4) A limited (academic) registrant may use the title “academic specialist” or “academic specialist in [*name of recognized specialty*]” if the limited (academic) registrant holds a post-graduate degree or equivalent qualification in a recognized specialty.

Certified dental assistant titles

- 10.05** (1) A full certified dental assistant may use the title “certified dental assistant” or the abbreviation “CDA”.

- (2) A temporary certified dental assistant may use the title “temporary certified dental assistant” or the abbreviation “CDA(T)”.
- (3) A limited certified dental assistant may use the title “limited certified dental assistant” or the abbreviation “CDA(L)”.
- (4) A non-practising certified dental assistant may use the title “non-practising certified dental assistant”.

Dental technicians

- 10.06**
- (1) A dental technician registrant may use the titles “dental technician” and “registered dental technician” and the abbreviation “RDT”.
 - (2) A student registrant in the designated health profession of dental technology may use the title “student dental technician”.
 - (3) A temporary registrant in the designated health profession of dental technology may use the title “temporary dental technician”.
 - (4) A non-practising registrant in the designated health profession of dental technology may use the titles “non-practising dental technician” and “retired dental technician”.

Denturist titles

- 10.07**
- (1) A full denturist registrant or limited (grandparented) denturist registrant may use the titles “denturist” and “registered denturist” and the abbreviation “RD”.
 - (2) A student registrant in the designated health profession of denturism may use the title “student denturist”.
 - (3) A temporary registrant in the designated health profession of denturism may use the title “temporary denturist”.
 - (4) A non-practising registrant in the designated health profession of denturism may use the titles “non-practising denturist” and “retired denturist”.

PART 11 – DELEGATION AND AUTHORIZATION

Definitions

11.01 In this Part:

“**authorize**” means the assignment from a registrant to a non-registrant of an aspect of practice of the registrant’s designated health profession to be provided or performed by the non-registrant under supervision of the assigning registrant or a registrant from the same profession;

“**delegate**” means the assignment from a registrant to a non-registrant of an aspect of practice of the registrant’s designated health profession to be provided or performed by the non-registrant without supervision;

“**dental assistant**” means a person other than a certified dental assistant who assists a dentist or dental hygienist with the provision of services included in the practice of dentistry or dental hygiene, as applicable;

“**dental radiography module**” means a program providing specific training, in accordance with criteria established by the board, on the competent and safe exposure of dental radiographs;

“**orthodontic module**” means a program providing specific training, in accordance with criteria established by the board, on the competent and safe provision of the aspects of practice specified in sections 11.07(3) and (5) and 11.08(5);

“**prosthodontic module**” means a program providing specific training, in accordance with criteria established by the board, on the competent and safe provision of the aspects of practice specified in section 11.08(7).

Ultimate responsibility

11.02 A registrant remains ultimately responsible for any aspect of practice that the registrant

- (a) delegates to a non-registrant to provide or perform, or
- (b) authorizes a non-registrant to provide or perform under supervision.

Requirements for delegation

11.03 (1) A registrant who delegates to a non-registrant an aspect of practice that includes the performance of a restricted activity must

- (a) issue to the non-registrant specific and appropriate instructions on providing or performing that aspect of practice, and
 - (b) be satisfied that the non-registrant
 - (i) has the appropriate knowledge, skill and judgment to provide or perform the aspect of practice,
 - (ii) can provide or perform the aspect of practice as competently and safely as the delegating registrant, and
 - (iii) will provide or perform the aspect of practice in accordance with the standards of practice.
- (2) A registrant who delegates to a non-registrant an aspect of practice that does not include the performance of a restricted activity must be satisfied that the non-registrant
- (a) is competent to provide or perform the aspect of practice, and
 - (b) will provide or perform the aspect of practice in accordance with the standards of practice.
- (3) A registrant must not delegate to a non-registrant an aspect of practice that the registrant cannot provide or perform because of a limit, condition or restriction on practice under these Bylaws, or that was imposed under section 20 of the Act or imposed or consented to under Part 3 of the Act.

Requirements for authorization

- 11.04** (1) If a registrant authorizes a non-registrant to provide or perform an aspect of practice that includes the performance of a restricted activity,
- (a) the authorizing registrant must
 - (i) issue to the non-registrant specific and appropriate instructions on providing or performing that aspect of practice,
 - (ii) be satisfied that the non-registrant
 - (A) has the appropriate knowledge, skill and judgment to provide or perform the aspect of practice,
 - (B) can provide or perform the aspect of practice as competently and safely as the authorizing registrant, and

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- (C) will provide or perform the aspect of practice in accordance with the standards of practice and paragraph (b), and
 - (b) the authorizing registrant or a registrant from the same designated health profession as the authorizing registrant must supervise the non-registrant at all times while the non-registrant is providing or performing the aspect of practice.
 - (2) If a registrant authorizes a non-registrant to provide or perform an aspect of practice that does not include the performance of a restricted activity,
 - (a) the authorizing registrant must be satisfied the non-registrant
 - (i) is competent to provide or perform the aspect of practice, and
 - (ii) will provide or perform the aspect of practice in accordance with the standards of practice, and
 - (b) the authorizing registrant or a registrant from the same designated health profession as the authorizing registrant must supervise the non-registrant at all times while the non-registrant is providing or performing the aspect of practice.
 - (3) A registrant must not authorize a non-registrant to provide or perform an aspect of practice that the registrant cannot provide or perform because of a limit, condition or restriction on practice under these Bylaws, or that was imposed under section 20 of the Act or imposed or consented to under Part 3 of the Act.

Dental hygienist delegation and authorization

- 11.05**
- (1) A dental hygienist must not delegate an aspect of practice to a non-registrant.
 - (2) A dental hygienist must not authorize a non-registrant to provide or perform an aspect of practice except as permitted in subsections (3) and (4) and section 11.06.
 - (3) Subject to section 11.02, 11.04(1) and 11.10(4), a dental hygienist registrant or dental hygiene practitioner registrant may authorize a dental assistant who has successfully completed a dental radiography module, a full certified dental assistant, a temporary certified dental assistant or a limited certified dental assistant to expose dental radiographs under the indirect supervision of a dental hygienist registrant or dental hygiene practitioner registrant.
 - (4) Subject to sections 10.02 and 10.04(2), a dental hygienist registrant or dental hygiene practitioner registrant may authorize a non-registrant, including a certified dental assistant or dental assistant, to provide or perform, under the indirect supervision of a dental hygienist registrant or dental hygienist practitioner

registrant, an aspect of practice that does not include the performance of a restricted activity.

Dental hygienist authorization of dental hygiene students

- 11.06** (1) Subject to subsections (2) and (3) and sections 11.02 and 11.04, a dental hygienist registrant, dental hygiene practitioner registrant or temporary registrant in the designated health profession of dental hygiene, who is a faculty member or instructor for a dental hygiene education program acceptable to the board, may authorize a student enrolled in that dental hygiene education program to provide or perform
- (a) under the direct supervision of a dental hygienist registrant, dental hygiene practitioner registrant or temporary registrant in the designated health profession of dental hygiene, a service that includes the performance of a restricted activity, and
 - (b) under the indirect supervision of a dental hygienist registrant, dental hygiene practitioner registrant or temporary registrant in the designated health profession of dental hygiene, a service that does not include the performance of a restricted activity.
- (2) A dental hygienist registrant, dental hygiene practitioner registrant or temporary registrant in the designated health profession of dental hygiene may only authorize a student to provide or perform a service under subsection (1), if
- (a) the authorization is for the purpose of the student's fulfillment of the requirements of the dental hygiene education program, and
 - (b) the authorized service is provided or performed in a setting operated by or affiliated with the dental hygiene education program.
- (3) A dental hygienist registrant, dental hygiene practitioner registrant or temporary registrant in the designated health profession of dental hygiene must not authorize a student to provide or perform a service under subsection (1) that includes the administration of local anesthesia unless the registrant authorizing the service and the registrant who will supervise the providing or performing of the service are certified to administer local anesthesia under section 7.03.

Dentist delegation to certified dental assistants and dental assistants

- 10.07** (1) A dentist must not delegate an aspect of practice that includes the provision or performance of a restricted activity except as permitted in subsections (2) and (3).
- (2) Subject to sections 11.02, 11.03(1) and 11.09, a full dentist registrant or limited (restricted-to-specialty) dentist registrant may delegate the provision or

performance of the following aspects of practice to a full certified dental assistant, temporary certified dental assistant or limited certified dental assistant:

- (a) removing extrinsic stains not associated with calculus on the enamel of teeth using an appropriate hand instrument or slow-speed rotary instrument;
 - (b) applying anticariogenic agents;
 - (c) exposing dental radiographs.
- (3) Subject to sections 11.02, 11.03(1), 11.09 and 11.10(2), a full dentist registrant or limited (restricted-to-specialty) dentist registrant may delegate the provision or performance of the following aspects of practice to a full certified dental assistant or limited certified dental assistant, who has successfully completed an orthodontic module:
- (a) applying appropriate materials to irritating components;
 - (b) removing irritating components.
- (4) Subject to sections 11.02 and 11.03(2) and subsection (5), a full dentist registrant or limited (restricted-to-specialty) dentist registrant may delegate an aspect of practice that does not include the performance of a restricted activity to a full certified dental assistant, temporary certified dental assistant, limited certified dental assistant or dental assistant.
- (5) Subject to section 11.10(2), a full dentist registrant or limited (restricted-to-specialty) dentist registrant may delegate the instructing of patients on the use and care of orthodontic appliances only to a full certified dental assistant or limited certified dental assistant, who has successfully completed an orthodontic module.

Dentist authorization of certified dental assistants and dental assistants

- 11.08** (1) A dentist must not authorize a non-registrant to provide or perform an aspect of practice that includes the performance of a restricted activity except as permitted in subsections (2) to (5) and (7) and (8).
- (2) Subject to section 11.02, 11.04(1) and 11.09, a full dentist registrant or limited (restricted-to-specialty) dentist registrant may authorize a full certified dental assistant, a temporary certified dental assistant, a limited certified dental assistant, or a dental assistant to provide or perform the following aspects of practice under the indirect supervision of a full dentist registrant or limited (restricted-to-specialty) dentist registrant:
- (a) dispensing restorative materials into a prepared cavity;

- (b) applying topical anesthetic;
 - (c) placing and removing dental dams and dental dam clamps;
 - (d) supporting and removing impression materials after the dentist has placed them.
- (3) Subject to section 11.02, 11.04(1) and 11.09, a full dentist registrant or limited (restricted-to-specialty) dentist registrant may authorize a full certified dental assistant, a temporary certified dental assistant or a limited certified dental assistant to provide or perform the following aspects of practice under the indirect supervision of a full dentist registrant or limited (restricted-to-specialty) dentist registrant:
- (a) any of the aspects of practice listed in section 11.07(2);
 - (b) applying desensitizing agents, acid etch, antibacterial agents, chemical cleansers, primer and bond, and treatment liners (without pulpal involvement);
 - (c) obtaining impressions and occlusal records;
 - (d) applying and adjusting fissure sealants with an appropriate hand instrument or slow-speed rotary instrument;
 - (e) placing and removing dental dam clamps, matrices and wedges;
 - (f) using and maintaining coronal whitening systems where the concentration of bleaching agents poses minimal risk of patient harm.
- (4) Subject to section 11.02, 11.04(1) and 11.09, a full dentist registrant or limited (restricted-to-specialty) dentist registrant may authorize a practising certified dental assistant or temporary certified dental assistant to provide or perform the following aspects of practice under the indirect supervision of a full dentist registrant or limited (restricted-to-specialty) dentist registrant:
- (a) removing sutures, periodontal dressings and retraction cords;
 - (b) performing pulp vitality tests;
 - (c) the following services, if the full certified dental assistant or temporary certified dental assistant has provided the services of a certified dental assistant on a full time basis for a minimum of one year, or has equivalent experience, and has received training that will allow the full certified dental assistant or temporary certified dental assistant to provide the applicable service in accordance with section 11.04(1)(a)(ii):

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- (i) intra-oral fabrication of single unit extra-coronal provisional restorations, including try-in, adjusting occlusion extra-orally, temporary cementation, removing provisional cement, and removing provisional restorations, provided that provisional restorations are assessed by a full dentist registrant or limited (restricted-to-specialty) dentist registrant before cementation and again after removal of provisional cement;
 - (ii) gross removal of supragingival permanent cement using an appropriate hand instrument and excluding the use of dental handpieces.
- (5) Subject to section 11.02, 11.04(1), 11.09 and 11.10(2), a full dentist registrant or limited (restricted-to-specialty) dentist registrant may authorize a full certified dental assistant or a limited certified dental assistant, who has successfully completed an orthodontic module, to provide or perform the following aspects of practice under the indirect supervision of a full dentist registrant or limited (restricted-to-specialty) dentist registrant:
- (a) a service referred to in section 11.07(3) and (5);
 - (b) placing and removing orthodontic separators;
 - (c) preparing teeth for bonding or cementing of orthodontic attachments or bands;
 - (d) subject to subsection (6), fitting, placing, and light curing orthodontic bands or bondable attachments, with assessment by a full dentist registrant or limited (restricted-to-specialty) dentist registrant after fitting and again before light curing;
 - (e) removing excess adhesive material using appropriate hand instruments, or ultrasonic or slow-speed rotary instruments, following banding/bonding or debanding/debonding procedures;
 - (f) fitting and adjusting orthodontic appliances and archwires followed by assessment by a full dentist registrant or limited (restricted-to-specialty) dentist registrant;
 - (g) placing and ligating archwires after assessment by a full dentist registrant or limited (restricted-to-specialty) dentist registrant;
 - (h) removing ligating materials and archwires;
 - (i) removing orthodontic bands and bonded attachments using appropriate hand instruments.
- (6) Despite subsection (5)(d), only a full dentist registrant or limited (restricted-to-specialty) dentist registrant may perform attachment by self-curing materials.

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- (7) Subject to section 11.02, 11.04(1), 11.09 and 11.10(3), a full dentist registrant or limited (restricted-to-specialty) dentist registrant may authorize a full certified dental assistant or limited certified dental assistant, who has successfully completed a prosthodontic module, to provide or perform the following aspects of practice under the indirect supervision of a full dentist registrant or limited (restricted-to-specialty) dentist registrant:
- (a) fabricating and trying-in provisional restorations intra-orally, including intra-coronal direct provisionals, and adjusting occlusion extra-orally, followed by assessment by a full dentist registrant or limited (restricted-to-specialty) dentist registrant before cementation;
 - (b) temporary cementation of provisional restorations and removal of temporary cement followed by assessment by a full dentist registrant or limited (restricted-to-specialty) dentist registrant;
 - (c) performing non-surgical gingival retraction techniques excluding the use of epinephrine;
 - (d) removing temporary and permanent cements using an appropriate hand instrument and excluding the use of dental handpieces;
 - (e) removing provisional restorations.
- (8) Subject to section 11.02, 11.04(1), 11.09 and 11.10(3), a full dentist registrant or limited (restricted-to-specialty) dentist registrant may authorize a dental assistant who has successfully completed a dental radiography module, a full certified dental assistant, a temporary certified dental assistant or a limited certified dental assistant to expose dental radiographs under the indirect supervision of a full dentist registrant or limited (restricted-to-specialty) dentist registrant.

60-day rule

- 11.09** (1) A full dentist registrant or limited (restricted-to-specialty) dentist registrant must not delegate to a certified dental assistant an aspect of practice that includes the provision or performance of a restricted activity under section 11.07(2) or (3) or authorize a certified dental assistant or a dental assistant to provide or perform an aspect of practice that includes the provision or performance of a restricted activity under section 11.08(2) to (5) and (7) or (8), unless the full dentist registrant or limited (restricted-to-specialty) dentist registrant
- (a) ensures that the delegated or authorized aspect of practice will be provided or performed within

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- (i) 60 days of the dentist issuing specific and appropriate instructions to the certified dental assistant or the dental assistant in accordance with section 11.03(1)(a) or 11.04(1)(a)(i), as applicable, or
 - (ii) such shorter period of time after receipt of such instructions as may be required under the standards of practice or as the full dentist registrant or limited (restricted-to-specialty) dentist registrant may otherwise consider necessary, and
- (b) examines the patient, or ensures that another full dentist registrant or limited (restricted-to-specialty) dentist registrant examines the patient
- (i) during the course of the appointment at which the aspect of practice is provided or performed, unless the patient is returning for treatment that was authorized by a full dentist registrant or limited (restricted-to-specialty) dentist registrant who examined the patient within the previous 60 days and no further examination is required in accordance with the standards of practice, or
 - (ii) at the beginning of the appointment at which the aspect of practice is provided or performed, if required under the standards of practice or otherwise considered necessary by the full dentist registrant or limited (restricted-to-specialty) dentist registrant.
- (2) Subsection (1) does not apply to an aspect of practice provided or performed in the context of a certified dental assisting program, to the extent necessary to allow students to practise on each other.

Expanded training programs

- 11.10** (1) On the successful completion of an orthodontic module or prosthodontic module, a certified dental assistant must deliver to the registrar evidence satisfactory to the registrar of the successful completion of that module.
- (2) A full dentist registrant or limited (restricted-to-specialty) dentist registrant must not delegate an aspect of practice to a certified dental assistant under section 11.07(3) or (5) unless the certified dental assistant has delivered to the registrar evidence of the successful completion of an orthodontic module under subsection (1).
- (3) A full dentist registrant or limited (restricted-to-specialty) dentist registrant must not authorize a certified dental assistant to provide or perform an aspect of practice under section 11.08(5) or (7) unless the certified dental assistant has delivered to the registrar evidence of the successful completion of a prosthodontic module under subsection (1).

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- (4) A dental hygienist registrant, dental hygiene practitioner registrant, full dentist registrant or limited (restricted-to-specialty) dentist registrant, must not authorize a dental assistant to expose dental radiographs under section 11.08(8) unless
- (a) the dental assistant has delivered to the registrar evidence satisfactory to the registrar of the dental assistant's successful completion of a dental radiography module, and
 - (b) the registrar has written to the dental assistant confirming that a dental hygienist registrant, dental hygiene practitioner registrant, full dentist registrant or limited (restricted-to-specialty) dentist registrant may authorize the dental assistant to expose dental radiographs.

Dentist authorization of dental students

11.11 Subject to section 11.02 and 11.04(1), a full dentist registrant or limited (restricted-to-specialty) dentist registrant may authorize a student enrolled in the undergraduate program of the Faculty of Dentistry at the University of British Columbia to provide or perform under the direct supervision of a full dentist registrant or limited (restricted-to-specialty) dentist registrant an aspect of practice that includes the performance of a restricted activity,

- (a) for the purpose of the student's fulfillment of the requirements of the undergraduate program of the Faculty of Dentistry of the University of British Columbia,
- (b) in a setting operated by or affiliated with the University of British Columbia, and
- (c) in accordance with any standards or requirements established by the Faculty of Dentistry of the University of British Columbia.

Dental technician delegation and authorization

- 11.12** (1) A dental technician must not delegate an aspect of practice to a non-registrant.
- (2) A dental technician must not authorize a non-registrant to provide or perform an aspect of practice except as permitted in subsections (3) to (5).
- (3) Subject to sections 11.02 and 11.04 and subsections (4) and (5), a dental technician registrant may authorize a non-registrant to provide or perform an aspect of practice under the indirect supervision of a dental technician registrant.
- (4) A supervising dental technician registrant does not need to be present at the same location while a non-registrant is providing or performing an aspect of practice under subsection (3).

- (5) A dental technician registrant must not authorize or permit a non-registrant to deliver or release any dental prosthesis or oral device until the prescription for that prosthesis or device has been signed and dated by a dental technician registrant.

Denturist delegation and authorization

- 11.13** (1) A denturist must not delegate an aspect of practice to a non-registrant.
- (2) A denturist must not authorize a non-registrant to provide or perform an aspect of practice except as permitted in subsections (3) to (5).
 - (3) Subject to sections 11.02 and 11.04, a full denturist registrant may authorize a non-registrant to provide or perform the following aspects of practice under the indirect supervision of a full denturist registrant:
 - (a) supporting and removing impression materials after the denturist has placed them;
 - (b) supporting and removing tissue conditioners after the denturist has placed them;
 - (c) placing and removing dentures, without any involvement in the assessment of fit.
 - (4) Subject to sections 11.02 and 11.04 and subsection (5), a full denturist registrant may authorize a non-registrant to make or alter a denture under the indirect supervision of a full denturist registrant.
 - (5) A supervising full denturist registrant does not need to be present at the same location while a non-registrant is making or altering a denture under subsection (4), but must review the denture made or altered by the non-registrant before it is provided to a patient.

PART 12 – QUALITY ASSURANCE

Definitions

12.01 (1) In this Part,

“**credit hour**” means an hour of participation in an activity that, under section 12.03, may be applied towards satisfaction of the continuing education requirements under section 12.05, 12.07 or 12.08;

“**QAP cycle**” means

- (a) in respect of a dental hygienist registrant or dental hygiene practitioner registrant,
 - (i) the first 5-calendar-year period assigned to the dental hygienist registrant or dental hygiene practitioner registrant further to the satisfaction of the requirements of section 12.04, or
 - (ii) any successive 5-calendar-year period thereafter,
- (b) in respect of a full dentist registrant, limited (restricted-to-specialty) dentist registrant, limited (academic) dentist registrant, dental therapist registrant, or a certified dental assistant, other than a non-practicing certified dental assistant,
 - (i) the first 3-calendar-year period assigned to the full dentist registrant, limited (restricted-to-specialty) dentist registrant, limited (academic) dentist registrant, dental therapist registrant or certified dental assistant further to the satisfaction of the requirements of sections 12.05 and 12.06, or
 - (ii) any successive 3-calendar-year period thereafter,
- (c) in respect of a dental technician registrant,
 - (i) the first 3-calendar-year period assigned to the dental technician registrant further to the satisfaction of the requirements of section 12.07, or
 - (ii) any successive 3-calendar year period thereafter, and
- (d) in respect of a full denturist registrant or a limited (grandparented) denturist registrant,

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- (i) the first calendar-year period assigned to the full denturist registrant, or a limited (grandparented) denturist registrant further to the satisfaction of the requirements of sections 12.08, or
 - (ii) any successive calendar year period thereafter.

The quality assurance program

- 12.02** (1) The quality assurance committee must establish policies for the application of QAP cycles, including criteria to determine when a QAP cycle begins for a registrant or certified dental assistant to whom this Part applies.
- (2) In accordance with the *Human Rights Code* or as otherwise required by law, the quality assurance committee or, if authorized by the quality assurance committee, the registrar may
- (a) extend the QAP cycle of a registrant or certified dental assistant, or
 - (b) modify a quality assurance program requirement to be met by a registrant or certified dental assistant under this Part.
- (3) Each registrant and certified dental assistant to whom this Part applies must maintain and retain records related to meeting quality assurance program requirements under this Part.
- (4) If, as of the amalgamation date, a registrant or certified dental assistant to whom this Part applies was responsible for completing activities or practice hours within a specified period of time further to the quality assurance requirements of a former college, the quality assurance committee may
- (a) deem the portion of the specified period of time that has already passed to be part of
 - (i) the QAP cycle applicable to the registrant or certified dental assistant under this Part, or
 - (ii) the periods of years specified in sections 12.08(2) and 12.09, and
 - (b) accept activities or practice hours completed by the registrant or certified dental assistant during the portion of the specified period of time that has already passed toward satisfaction of quality assurance requirements in this Part.

Approval and auditing of quality assurance activities

- 12.03** (1) Subject to subsection (3), an activity may only be applied toward satisfaction of a continuing education requirement in this Part if the activity
- (a) has significant intellectual or practical content directly related to
 - (i) as applicable,
 - (A) the practice of the designated health profession of the registrant seeking to apply the activity toward satisfaction of required continuing competency credits or credit hours, or
 - (B) the provision of the services of a certified dental assistant,
 - (ii) practice management, or
 - (iii) the professional responsibilities or ethical obligations of registrants or certified dental assistants, and
 - (b) satisfies any additional criteria established by the quality assurance committee under subsection (3).
- (2) The quality assurance committee may approve a continuing education course, study club, or equivalent activity as meeting the criteria under subsection (1).
- (3) The quality assurance committee may establish criteria for determining the maximum number of hours of participation in an activity or a category of activities that meet the criteria under subsection (1) which may be applied toward satisfaction of a continuing education requirement in this Part.
- (4) The quality assurance committee may
- (a) audit activities applied by a registrant or certified dental assistant toward satisfaction of a continuing education requirement in this Part, and
 - (b) further to an audit under paragraph (a), require the registrant or certified dental assistant to provide evidence that an activity meets the criteria under subsection (1).
- (5) If, following an audit under subsection (3), the quality assurance committee determines that an activity applied by a registrant or certified dental assistant toward satisfaction of a continuing education requirement in this Part does not meet the criteria under subsection (1), the quality assurance committee may do one or both of the following, as applicable:

- (a) work with the registrant or certified dental assistant to resolve any resulting deficiency in credits or credit hours required under this Part;
- (b) notify the inquiry committee under section 26.2 of the Act.

Quality assurance for dental hygienists and dental hygiene practitioners

- 12.04** (1) In this section, “**continuing competency credit**” means a credit for participating in an activity that meets the criteria under section 12.03(1).
- (2) The quality assurance committee must establish
- (a) criteria for successful completion of the individualized assessment process under subsection (3)(a), and
 - (b) policies and procedures, consistent with the bylaws, for
 - (i) preparation of a statement of learning goals and the remaining components of a learning plan under subsection (3)(b), and
 - (ii) the compliance of a dental hygienist or dental hygiene practitioner with an individualized learning plan prepared by the dental hygienist or dental hygiene practitioner.
- (3) Subject to subsections (4) and (5), every dental hygienist registrant and dental hygiene practitioner registrant must do all of the following during each QAP cycle:
- (a) within the first 2 months of the QAP cycle, successfully complete the individualized assessment process approved by the quality assurance committee;
 - (b) prepare an individualized learning plan that includes stated learning goals;
 - (c) complete 75 continuing competency credits;
 - (d) complete any other learning activities that the quality assurance committee directs the registrant to complete during the QAP cycle.
- (4) Subsection (3)(a) does not apply during the first QAP cycle of a dental hygienist registrant or dental hygiene practitioner registrant if all of the following apply:
- (a) the first QAP cycle of the dental hygienist registrant or dental hygiene practitioner registrant begins on January 1 of the year following the registrant’s initial registration;

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- (b) the dental hygienist registrant or dental hygiene practitioner registrant was not registered or licensed for the practice of dental hygiene in another jurisdiction before being granted registration in British Columbia;
 - (c) the dental hygienist registrant or dental hygiene practitioner registrant was awarded a recognized dental hygiene diploma or a recognized dental hygiene degree less than one year before being granted registration;
 - (d) the dental hygienist registrant or dental hygiene practitioner registrant successfully completed the NDHCE less than one year before being granted registration.
- (5) When a dental hygienist registrant or dental hygiene practitioner registrant is exempted under subsection (4) from completing the individualized assessment process described in subsection (3)(a), the activities completed by that registrant under subsection (3)(b) to (d) during the first QAP cycle of the dental hygienist or dental hygiene practitioner must include any content directed by the quality assurance committee.
- (6) If a dental hygienist registrant or dental hygiene practitioner registrant who is not exempted under subsection (4) fails to successfully complete the individualized assessment process under subsection (3)(a) in accordance with the criteria established under subsection (2)(a), the quality assurance committee may appoint an assessor under section 26.1 of the Act
- (a) to assess the professional performance of the dental hygienist registrant or dental hygiene practitioner registrant under section 26.1(2) of the Act, and
 - (b) to report to the quality assurance committee regarding that assessment.

Quality assurance for dentists, dental therapists and certified dental assistants

- 12.05** (1) During each QAP cycle,
- (a) every full dentist registrant, limited (restricted-to-specialty) dentist registrant, and limited (academic) dentist registrant must complete
 - (i) a minimum of 90 credit hours, and
 - (ii) any other learning activities that the quality assurance committee directs the registrant to complete during the QAP cycle,
 - (b) every dental therapist registrant must complete a minimum of 75 credit hours, and

- (c) every certified dental assistant, other than a non-practising certified dental assistant, must complete a minimum of 36 credit hours.
- (2) The quality assurance committee may require a limited (education and volunteer) dentist registrant to satisfy continuing education requirements equivalent to those required under subsection (1)(a), if the registration of the limited (education and volunteer) dentist registrant is renewed under section 6.27 for successive periods that, together with any periods of registration as a limited (education and volunteer) registrant of the CDSBC, total more than 3 years.

Continuous practice requirements for dentists, dental therapists and certified dental assistants

12.06 During each QAP cycle,

- (a) a full dentist registrant, limited (restricted-to-specialty) dentist registrant or dental therapist registrant must
 - (i) engage in the practice of dentistry for a minimum of 900 hours, in accordance with criteria established by the quality assurance committee, or
 - (ii) in addition to any portion of the practice hours specified in subparagraph (i) completed by the registrant, successfully complete one or more of examinations, education, or competency assessment approved by the quality assurance committee for the purpose of satisfying the requirements of the quality assurance program, and
- (b) a certified dental assistant other than a non-practicing certified dental assistant must
 - (i) engage in a minimum of 600 hours of practice as a certified dental assistant, in accordance with criteria established by the quality assurance committee, or
 - (ii) in addition to any portion of the practice hours specified in subparagraph (i) completed by the certified dental assistant, successfully complete one or more of examinations, education, or competency assessment approved by the quality assurance committee for the purpose of satisfying the requirements of the quality assurance program.

Quality assurance for dental technicians

12.07 During each QAP cycle, a dental technician registrant must

- (a) complete a minimum of 30 credit hours, and

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- (b) engage in the practice of dental technology for a minimum of 675 hours, in accordance with criteria established by the quality assurance committee.

Quality assurance for denturists

- 12.08** (1) For every QAP cycle, a full denturist registrant or a limited (grandparented) denturist registrant must complete the following quality assurance program requirements:
- (a) 20 credit hours;
 - (b) a continuing competence exercise assigned by the quality assurance committee;
 - (c) a practice self assessment.
- (2) As part of the assessment of professional performance under section 26.1 of the Act, the committee may require a full denturist registrant or limited (grandparented) denturist registrant to complete a quality assurance practitioner review form at least once every 5 years.
- (3) Upon receiving a quality assurance practitioner review form from the quality assurance committee under subsection (2), the full denturist registrant or limited (grandparented) denturist registrant must send the committee the completed form within 30 days.
- (4) If the quality assurance committee is not satisfied with a response provided by a full denturist registrant or limited (grandparented) denturist registrant in a quality assurance practitioner review form, the committee may return the quality assurance practitioner review form to the registrant with a request that the registrant revise the response.
- (5) The quality assurance committee, or an assessor appointed by the committee under s. 26.1 of the Act, may assess the professional practice and inspect the records of a full denturist registrant or limited (grandparented) denturist registrant under section 26.1(2) and (3) of the Act, if
- (a) the registrant does not send the quality assurance committee a completed quality assurance practitioner review form under subsection (3) or (4), or
 - (b) despite subsection (4), the committee is not satisfied with a response provided by the registrant in a quality assurance practitioner review form.
- (6) If the quality assurance committee or an assessor acts under subsection (5), the full denturist registrant or limited (grandparented) denturist registrant must pay the office assessment fee specified in Schedule X.

Continuous practice requirement for denturists

12.09 For every 3 year period of registration, a denturist who is a full denturist registrant or limited (grandparented) denturist registrant must engage in the practice of denturism for a minimum of 675 hours, in accordance with criteria established by the quality assurance committee.

Quality assurance policies in effect on amalgamation

- 12.10** (1) All continuing competence and quality assurance program standards, policies or criteria of the CDHBC in effect as of the amalgamation date,
- (a) remain in effect for the applicable dental hygienists and dental hygiene practitioners on and after the amalgamation date, unless and until they are amended or repealed, or others are established in their place, and
 - (b) for greater certainty, are deemed to have been established by the board as the continuing competence and quality assurance program standards, policies or criteria of the college.
- (2) All continuing competence and quality assurance program standards, policies or criteria of the CDSBC,
- (a) remain in effect for the applicable dentists, dental therapists and certified dental assistants on and after the amalgamation date, unless and until they are amended or repealed, or others are established in their place, and
 - (b) for greater certainty, are deemed to have been established by the board as the continuing competence and quality assurance program standards, policies or criteria of the college.
- (3) All continuing competence and quality assurance program standards, policies or criteria of the CDTBC,
- (a) remain in effect for the applicable dental technicians on and after the amalgamation date, unless and until they are amended or repealed, or others are established in their place, and
 - (b) for greater certainty, are deemed to have been established by the board as the continuing competence and quality assurance program standards, policies or criteria of the college.
- (4) All continuing competence and quality assurance program standards, policies or criteria of the CDBC,

- (a) remain in effect for the applicable denturists on and after the amalgamation date, unless and until they are amended or repealed, or others are established in their place, and
- (b) for greater certainty, are deemed to have been established by the board as the continuing competence and quality assurance program standards, policies or criteria of the college.

PART 13 – INVESTIGATION AND DISCIPLINE

Disposition of complaints by registrar

13.01 The registrar is authorized to act under section 32(3) of the Act.

Additional powers and duties of inspectors

13.02 In addition to the powers and duties of inspectors under section 28 of the Act, an inspector may do one or more of the following in the course of assessing a complaint under section 32(2) of the Act or investigating a matter under section 33 of the Act:

- (a) require the registrant or certified dental assistant who is the subject of the complaint or matter to produce, for inspection, examination or copying,
 - (i) equipment or materials used by the registrant to practise the registrant's designated health profession or used by the certified dental assistant to provide the services of a certified dental assistant, or
 - (ii) records of the registrant or the certified dental assistant relating to the registrant's practice of a designated health profession or the certified dental assistant's provision of the services of a certified dental assistant;
- (b) require the registrant or certified dental assistant to
 - (i) attend an interview by an inspector or the inquiry committee,
 - (ii) answer questions and provide information relating to the matter under assessment or investigation;
- (c) require the registrant to cause an employee or agent of the registrant to answer questions and provide information relating to the matter under assessment or investigation;
- (d) require the registrant or certified dental assistant to provide the identity and contact information for current employers or supervisors of the registrant or certified dental assistant, if any;
- (e) do anything described in section 28(1)(a) to (c) of the Act during the regular business hours in effect at a particular premises or, by agreement with the registrant or certified dental assistant, at a time outside of those regular business hours.

Inspections

13.03 An inspector must not observe a registrant or certified dental assistant while the registrant or certified dental assistant is providing a service to a patient except where

- (a) the consent of the patient being treated has been obtained in advance, or
- (b) the service is being provided in a public setting.

Duty to co-operate

13.04 (1) A registrant or certified dental assistant who is the subject of a complaint being assessed under section 32(2) of the Act or a matter being investigated under section 33 of the Act must co-operate fully in the assessment or investigation including, without limitation, by responding fully and substantively, in a form and manner acceptable to the inquiry committee,

- (a) to the complaint, if any, once the complaint or a summary of it is delivered to the registrant or certified dental assistant, and
- (b) to all requests made or requirements imposed by an inspector or the inquiry committee in the course of the assessment or investigation.

(2) A registrant or certified dental assistant who is required or requested to do anything under section 13.02 or subsection (1) must comply with the requirement or request

- (a) in the case of information or a record, even if the information or record is confidential, and
- (b) as soon as practicable and, in any event, by the date and time set by an inspector or the inquiry committee.

(3) For greater certainty, nothing in section 13.02 or this section requires disclosure of information or a record to an inspector or the inquiry committee if

- (a) the information or record is subject to solicitor-client privilege, or
- (b) disclosure of the information or record to an inspector or the inquiry committee is prohibited by law.

Undertakings and consents

12.05 (1) The record of an undertaking or consent given under section 36 of the Act, a consent order under section 37.1 of the Act, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act must

- (a) include

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- (i) any consent to a reprimand or to any other action that the registrant or certified dental assistant has provided, and
 - (ii) any undertaking given by the registrant or certified dental assistant,
 - (b) specify
 - (i) the length of time that an undertaking under paragraph (a)(ii) is binding on the registrant or certified dental assistant, or
 - (ii) the procedure that the registrant or certified dental assistant may follow to be released from the undertaking, and
 - (c) subject to sections 22 and 39.3 of the Act and sections 5.08 and 5.12, specify what notification and disclosure of the limits or conditions of the undertaking, consent, order or agreement may be given to others, including members of the public.
 - (2) If an undertaking or consent given under section 36 of the Act, a consent order under section 37.1 of the Act, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act requires the registrant or certified dental assistant to take any corrective or remedial action, the inquiry committee may direct the registrar to
 - (a) monitor the compliance of the registrant or certified dental assistant with that requirement and
 - (b) report periodically to the inquiry committee regarding that compliance.

Citations

- 13.06** (1) Before the issuance of a citation under section 37 of the Act, if directed by the inquiry committee, the registrar must join in the citation 2 or more complaints or other matters that are to be the subject of a hearing before the discipline committee, including complaints or matters involving more than one registrant.
- (2) After the issuance of a citation under section 37 of the Act, if directed by the discipline committee, the registrar must
- (a) amend the citation,
 - (b) join the citation with another citation issued under section 37 of the Act,
 - (c) join to the citation one or more complaints or other matters that are to be the subject of a hearing before the discipline committee, including complaints or matters involving more than one registrant or certified dental assistant, or

- (d) sever from the citation one or more complaints or other matters that are to be the subject of a discipline hearing.
- (3) If a citation is amended under subsection 2(a) to (d) before the hearing of the citation commences, the registrar must, at least 14 days before the date of the hearing,
 - (a) deliver the amended citation to each named respondent by personal service or by registered mail to the last address for the respondent recorded in the register, and
 - (b) if the amendment includes a change in the date, time or place of the hearing, notify any complainant of that change in writing.

Pre-hearing conference

- 13.07** (1) At any time before the commencement of a hearing before the discipline committee, either the respondent or the college may request that a pre-hearing conference be held.
- (2) A pre-hearing conference must be presided over by a panel of the discipline committee, which may, but need not, be the same panel that will preside at the hearing.
 - (3) At the discretion of the presiding panel, a pre-hearing conference may be conducted by telephone or other mode of remote communication that permits all participants to hear and speak to each other.
 - (4) A pre-hearing conference must be held in private unless the presiding panel orders otherwise.
 - (5) A pre-hearing conference may proceed in the absence of a party, other than the requesting party, if reasonable notice of the conference was delivered to the absent party.
 - (6) At a pre-hearing conference, the presiding panel may make an order
 - (i) fixing or changing the date, time and place for the hearing,
 - (ii) for the discovery and production of documents or information relevant to the citation,
 - (iii) respecting applications for joinder or severance of one or more complaints or other matters which are to be the subject of a hearing, or,

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- (iv) respecting any other matters that may aid in the disposition of the citation.

Hearings of discipline committee

- 13.08** (1) No member of the discipline committee may sit on a panel hearing a matter in which the discipline committee member
- (a) was involved as a member of the inquiry committee, or
 - (b) has had any other prior involvement.
- (2) The discipline committee must provide notice by registered mail or by personal service in a form approved by the registrar to a person who is required to attend a hearing under section 38(6) of the Act.
- (3) All discipline hearings must be transcribed or recorded, and the transcript or recording must be considered to be correct and to constitute part of the record of the hearing.
- (4) If, by mechanical or human failure or other accident, the transcription or recording of a discipline hearing is destroyed, interrupted or incomplete, the validity of the hearing is not affected.

Effect of suspension

- 13.09** (1) During any period of suspension of registration or certification, a registrant or certified dental assistant must
- (a) not provide, delegate or supervise the services of the registrant's designated health profession or the services of a certified dental assistant, as applicable,
 - (b) not advertise as, or otherwise claim to be, a registrant or certified dental assistant, as applicable,
 - (c) not hold office in the college,
 - (d) not make appointments for patients or prospective patients,
 - (e) not contact or communicate with patients or prospective patients, except for the purpose of
 - (i) advising a patient or prospective patient of the fact and duration of the suspension,
 - (ii) advising a patient or prospective patient that another registrant or certified dental assistant will continue to act or provide services in the place of the suspended registrant or certified dental assistant, or

- (iii) referring a patient or prospective patient to another registrant or certified dental assistant in good standing,
 - (f) prominently display, if required by an order under section 35, 37.1, 38 or 39 of the Act, an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act, or as part of action taken under section 33 or 36 of the Act, a notice of suspension in a form and in an area approved by the registrar, which states the duration of and reasons for the suspension,
 - (g) immediately surrender to the registrar the certificate of registration and any current registration card issued to the registrant under section 6.07 or the certified dental assistant certificate and any current certification card issued to the certified dental assistant under section 9.11, and
 - (h) pay any fee required by the college when due in order to remain a registrant or certified dental assistant, and any other outstanding fine, fee, debt or levy owed to the college.
- (2) No current or former registrant or certified dental assistant is entitled to any refund of any fine, fee, debt or levy paid to the college solely on the basis that it was paid during or in relation to a period of suspension.
 - (3) During the period of suspension, a suspended registrant may permit another registrant in good standing from the same designated health profession to carry on the practice of the suspended registrant, provided that the suspended registrant
 - (a) complies with subsection (1), and
 - (b) does not, directly or indirectly, receive any payment in respect of services provided by the registrant carrying on that practice.
 - (4) Any communication under subsection (1)(e) may be made in writing in a form approved in advance by the registrar, or by employing office staff, an answering service, or other telephonic device specifically for that purpose.

Fines

- 13.10** The maximum amount of a fine that may be ordered by the discipline committee under section 39(2)(f) of the Act is \$50,000.

Costs

- 13.11** (1) The tariff of costs set out in Schedule X, to partially indemnify the college for investigations under section 33 of the Act, is hereby established pursuant to section 19(1)(v.1) of the Act.
- (2) Costs awarded by the inquiry committee under section 33(7) of the Act or included in a proposal under section 37.1(1)(c) of the Act must be assessed in accordance with the tariff of costs set out in Schedule X.
- (3) The tariff of costs set out in Schedule X, to partially indemnify parties for their expenses incurred in the preparation for and conduct of hearings under section 38 of the Act, is hereby established pursuant to section 19(1)(w.1) of the Act.
- (4) Costs included in a proposal under section 37.1(1)(d) or (5)(a)(ii) of the Act must be assessed in accordance with the tariff of costs set out in Schedule X.
- (5) Subject to section 39(6) or (7) of the Act, as applicable, costs awarded by the discipline committee under section 39(4) or (5) of the Act, must be assessed in accordance with the tariff of costs set out in Schedule X.

PART 14 – HEALTH PROFESSION CORPORATIONS

Authority of Registrar

14.01 The registrar is authorized to act for the board under section 43 of the Act.

Health profession corporation permit applications

- 14.02** (1) Every corporation seeking a permit under this Part to operate as a health profession corporation, including renewal of a permit, must deliver a health profession corporation permit application to the registrar in the form and manner specified by the registrar.
- (2) The registrar may modify the manner of delivery of a health profession corporation permit application as the registrar considers necessary or advisable from time to time.

Health profession corporation permit fees

14.03 Every applicant for a health profession corporation permit under this Part, including renewal of a permit, must deliver to the registrar the full amount of all applicable application and permit fees specified in Schedule X.

Eligibility for health profession corporation permit

- 14.04** (1) A corporation may be issued a permit to operate as a health profession corporation if, in addition to satisfying the other requirements under Part 4 of the Act,
- (a) the registrants who, under section 43(1)(c)(i) of the Act, own voting shares of the corporation or who, under section 43(1)(c)(ii) of the Act, own voting shares of a company that owns the voting shares of the corporation are
- (i) all
- (A) dental hygienist practitioner registrants, or
- (B) with the approval of the registrar, non-practicing registrants who, immediately before becoming a non-practicing registrant, were registered as
- (I) a dental hygienist practitioner registrant,
- (II) a dental hygienist practitioner registrant of the CDHBC, or

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- (III) a full registration (365 day rule exempt) registrant of the CDHBC,
- (ii) all
 - (A) full dentist registrants,
 - (B) limited (restricted-to-specialty) dentist registrants, or
 - (C) with the approval of the registrar, non-practicing registrants who, immediately before becoming a non-practicing registrant, were registered as
 - (I) a full dentist registrant,
 - (II) a limited (restricted-to-specialty) dentist registrant,
 - (III) a full registrant of the CDSBC, or
 - (IV) a restricted to specialty registrant of the CDSBC,
- (iii) all
 - (A) full denturist registrants,
 - (B) limited (grandparented) denturist registrants, or
 - (C) with the approval of the registrar, non-practicing registrants who, immediately before becoming a non-practicing registrant, were registered as
 - (I) a full denturist registrant,
 - (II) a limited (grandparented) denturist registrant,
 - (III) a full registrant of the CDDBC, or
 - (IV) an active B registrant of the CDDBC.
- (b) the corporation delivers to the registrar
 - (i) any outstanding fine, fee, debt or levy owed to the college by
 - (A) the corporation, or

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- (B) a registrant who, under section 43(1)(c)(i) of the Act, legally and beneficially owns the voting shares of the corporation or who, under section 43(1)(c)(ii) of the Act, legally and beneficially owns the voting shares of a company that legally and beneficially owns the voting shares of the corporation,
 - (ii) a certificate of solicitor in a form approved by the registrar,
 - (iii) an acknowledgement in a form approved by the registrar, executed by each registrant who, under section 43(1)(c)(i) of the Act, legally and beneficially owns the voting shares of the corporation or who, under section 43(1)(c)(ii) of the Act, legally and beneficially owns the voting shares of a company that legally and beneficially owns the voting shares of the corporation, acknowledging that the registrant has read section 14.1 of the Act, and that the registrant understands that
 - (A) the registrant's liability for professional negligence is not affected by the registrant practising through or on behalf of the corporation,
 - (B) the registrant's relationship with the corporation does not affect, modify or diminish the application of the Act, the regulations, and these bylaws to the registrant, and
 - (C) neither the issuance of a health profession corporation permit by the college nor the registrant's practising through or on behalf of the corporation in any way relieves or absolves the registrant from complying with a standard, limit or condition imposed under the Act,
 - (iv) a true copy of the certificate of incorporation, filed transition application, certificate of amalgamation, or certificate of continuation, as the case may be, any certificate of change of name, and any certificate of restoration, issued to or filed by the corporation under the *Business Corporations Act*, and
 - (v) the items required under sections 14.02 and 14.03, and
 - (c) the name of the corporation is approved by the registrar under section 14.05.
 - (2) Subject to subsections (3) and (4), a permit issued to a corporation by the college under section 43 of the Act is valid until
 - (a) the following March 31,
 - (b) the corporation delivers a written request to the registrar for cancellation of the permit,

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- (c) the permit is revoked under section 44 of the Act, or
 - (d) the corporation is dissolved or otherwise ceases to be a company in good standing under the *Business Corporations Act*.
- (3) Subsection (2)(a) applies as of the amalgamation date to a health profession corporation permit issued by the CDHBC or the CDBC that, on amalgamation, is deemed under section 25.08(1)(a) of the Act to be a valid permit issued by the college under section 43 of the Act, even if the permit issued by the CDHBC or the CDBC was issued with a different expiry date.
 - (4) Subsection (2)(a) applies after April 1, 2023 to a health profession corporation permit issued by the CDSBC that, on amalgamation, is deemed under section 25.08(1)(a) of the Act to be a valid permit issued by the college under section 43 of the Act, even if the permit issued by the CDSBC was issued without an expiry date.
 - (5) Until a corporation with a valid health profession corporation permit issued by the college under section 43 of the Act renews that permit under section 14.06, the corporation must promptly inform the registrar in writing of any change to the information provided in its permit application to the college or to a former college.
 - (6) After a corporation has renewed its health profession corporation permit under section 14.06, the corporation must promptly inform the registrar in writing of any change to the information provided in its most recent permit renewal application.

Health profession corporation names

- 14.05** (1) Subject to subsection (2), the name of a corporation holding a valid health profession corporation permit issued by a former college as of the amalgamation date is grandparented for the purposes of these bylaws and is deemed to comply with the requirements of this section.
- (2) If any change is made to the name of a health profession corporation described in subsection (1), the changed name must
 - (a) comply with subsection (3), and
 - (b) be approved by the registrar under subsection (4).
 - (3) The name of a health profession corporation
 - (a) must contain, together with and immediately preceding one of the words or abbreviations “Corporation”, “Corp.”, “Incorporation” or “Inc.”,

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- (i) the words “Dental Hygienist” or the words “Dental Hygiene”, if the voting shareholders of the corporation are registrants described in subsection (1)(a)(i),
 - (ii) the word “Dentist” or the word “Dental”, if the voting shareholders of the corporation are registrants described in subsection (1)(a)(ii), or
 - (iii) the word “Denturist” or the word “Denturism”, if the voting shareholders of the corporation are registrants described in subsection (1)(a)(iii),
- (b) must not
 - (i) be identical to the name of another health profession corporation with a valid health profession corporation permit issued by the college under section 43 of the Act, or
 - (ii) so closely resemble the name of another health profession corporation with a valid health profession corporation permit issued by the college under section 43 of the Act that, in the opinion of the registrar, it is likely to confuse or mislead the public, and
 - (c) must not contravene section 15.06.
- (4) The registrar may approve the name of a corporation that complies with subsection (1) on receipt of
 - (a) a completed application for health profession corporation name approval in a form approved by the registrar, and
 - (b) any applicable application fee specified in Schedule X.

Renewal of health profession corporation permit

- 14.06** (1) A health profession corporation which intends to continue to provide the services of a designated health profession to the public must, before its health profession corporation permit expires, apply for a renewal of the permit by delivering to the registrar the items requires under sections 14.02 and 14.03.
- (2) Subject to section 14.04(2)(b) to (d), a renewal permit is valid until the following March 31.
 - (3) A health profession corporation that fails to deliver to the College the items required under sections 14.02 and 14.03 before its health profession corporation permit expires, must, in addition to delivering those items, pay a late fee as set out in Schedule X.

Disposition of shares

- 14.07** (1) The legal or beneficial interest in a voting or non-voting share of a health profession corporation or a company that legally and beneficially owns the voting shares of a health profession corporation must not be transferred, pledged, or assigned to any person who is not entitled to own that legal or beneficial interest in compliance with the requirements of section 43 of the Act and section 14.04(1)(a).
- (2) If the legal or beneficial interest in any voting share of a health profession corporation or a company that legally and beneficially owns the voting shares of a health profession corporation is transferred or issued to a registrant or a company entitled to hold that legal or beneficial interest under section 43 of the Act and section 14.04(1)(a), the health profession corporation must
- (a) notify the registrar of the transfer or issuance, and
 - (b) deliver to the registrar an acknowledgement in compliance with section 14.04(1)(b)(iii) executed by each of the following registrants, unless an acknowledgement executed by the registrant has already been delivered to the registrar:
 - (i) a registrant to whom the shares are to be transferred or issued;
 - (ii) a registrant who is a voting shareholder of
 - (A) the company to which the shares are to be transferred or issued,
 - (B) a company that directly or indirectly owns a legal or beneficial interest in any voting share of the company to which the shares are to be transferred or issued.
- (3) If, following a transfer of shares, the name of a health profession corporation includes the name of a registrant who is no longer a voting shareholder of the corporation or a company that legally and beneficially owns the voting shares of the corporation, the corporation must
- (a) apply to the registrar under section 14.05(2) for approval of a new name, and
 - (b) after the registrar approves a new name, change its name under the *Business Corporations Act* to the approved name.

Notification of changes

- 14.08** A health profession corporation must

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- (a) get approval from the registrar under section 14.05(2) before changing the name of the corporation,
 - (b) deliver to the registrar a true copy of any certificate of change of name issued to the corporation under the *Business Corporations Act*, and
 - (c) deliver to the registrar a new certificate of solicitor if required by the registrar.

Permit revocation hearings

- 14.09** (1) The powers and duties of the board under section 44 of the Act are delegated to the discipline committee.
- (2) A permit revocation hearing may be consolidated with a hearing conducted under section 38 of the Act if there are common matters in issue in both hearings, and the discipline committee considers consolidation to be appropriate in the circumstances.
 - (3) The discipline committee may conduct an oral hearing or a hearing by written submission to determine if a permit should be revoked.
 - (4) The discipline committee may conduct a hearing on the receipt of a written complaint or on its own motion.
 - (5) The registrar must provide notice of a permit revocation hearing by personal service or registered mail to the health profession corporation at its registered office not less than 30 days before the date of the hearing.
 - (6) The notice of permit revocation hearing must
 - (a) name the health profession corporation as respondent,
 - (b) describe the matter that is to be the subject of the hearing, including the particulars of any evidence in support of that subject matter,
 - (c) if the hearing is to be an oral hearing,
 - (i) specify the date, time and place of the hearing, and
 - (ii) advise the respondent that the discipline committee is entitled to proceed with the hearing in the absence of a representative of the health profession corporation, and
 - (d) if the hearing will be conducted by written submission,
 - (i) advise the respondent of the deadline for delivery of written submissions by the college and the respondent, and

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- (ii) advise the respondent that the discipline committee is entitled to proceed with the hearing if the health profession corporation does not deliver its written submissions by a specified deadline.
- (7) At an oral permit revocation hearing of the discipline committee,
 - (a) the respondent and the college may appear as parties and with legal counsel,
 - (b) the testimony of witnesses must be taken on oath, which may be administered by any member of the discipline committee, and
 - (c) the respondent and the college have the right to cross examine witnesses and to call evidence in defence and reply.
 - (8) If the respondent does not attend an oral permit revocation hearing of the discipline committee or fails to deliver written submissions by a specified deadline, the discipline committee may
 - (a) proceed with the hearing in the respondent's absence on proof of receipt of the notice of permit revocation hearing by the respondent, and
 - (b) without further notice to the respondent, take any action that it is authorized to take under the Act.
 - (9) After a permit revocation hearing, the discipline committee must notify the respondent in writing of its decision under section 44(1) or (2) of the Act.

Provision of services through a health profession corporation

13.10 For the purposes of section 42(2)(b) of the Act, services referred to in section 42(1) of the Act may be provided on behalf of a health profession corporation by a person employed or engaged as a contractor by the corporation

- (a) to whom a registrant delegates the provision of those services, or who is authorized by a registrant to provide those services under a registrant's supervision, in compliance with the requirements of Part 11 and
- (b) who provides those services in compliance with the requirements of Part 11.

Marketing by health profession corporations

14.11 A health profession corporation that carries on the business of providing to the public services referred to in section 42(1) of the Act must

- (a) disclose on all letterhead and business cards, and in all other advertisements, that those services are being provided by a health profession corporation, and

- (b) comply with the requirements of section 15.06 as if it were a registrant, to the extent those requirements may be applicable to a corporation.

PART 15 – GENERAL

Standards of practice and professional ethics

- 15.01** (1) Registrants and certified dental assistants must conduct themselves in accordance with the standards of practice and the standards of professional ethics.
- (2) On and after the amalgamation date,
- (a) all standards of practice and all standards of professional ethics of the CDHBC that were in effect as of the amalgamation date remain in effect, unless and until those standards are amended or repealed, or others are established in their place, and
 - (b) the following registrants must continue to conduct themselves in accordance with the standards of practice and standards of professional ethics of the CDHBC referred to in subparagraph (a) while those standards remain in effect:
 - (i) dental hygienist registrants;
 - (ii) dental hygiene practitioner registrants;
 - (iii) temporary registrants and non-practising registrants in the designated health profession of dental hygiene.
- (3) On and after the amalgamation date,
- (a) all standards of practice and all standards of professional ethics of the CDSBC that were in effect as of the amalgamation date remain in effect, unless and until they are amended or repealed, or others are established in their place, and
 - (b) certified dental assistants and the following registrants must continue to conduct themselves in accordance with the standards of practice and standards of professional ethics of the CDSBC referred to in subparagraph (a) while those standards remain in effect:
 - (i) full dentist registrants;
 - (ii) limited (restricted-to-specialty) dentist registrants;
 - (iii) limited (academic) dentist registrants;
 - (iv) limited (volunteer) dentist registrants;

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- (v) limited (armed forces/government) dentist registrants;
 - (vi) dental therapist registrants;
 - (vii) student registrants, temporary registrants and non-practising registrants in the designated health profession of dentistry.
- (4) On and after the amalgamation date,
- (a) all standards of practice and all standards of professional ethics of the CDTBC that were in effect as of the amalgamation date remain in effect, unless and until they are amended or repealed, or others are established in their place, and
 - (b) dental technician registrants and student registrants, temporary registrants and non-practising registrants in the designated health profession of dental technology must continue to conduct themselves in accordance with the standards of practice and standards of professional ethics of the CDTBC referred to in subparagraph (a) while those standards remain in effect.
- (5) On and after the amalgamation date,
- (a) all standards of practice and all standards of professional ethics of the CDHC that were in effect as of the amalgamation date remain in effect, unless and until they are amended or repealed, or others are established in their place, and
 - (b) the following registrants must continue to conduct themselves in accordance with the standards of practice and standards of professional ethics of the CDHC referred to in subparagraph (a) while those standards remain in effect:
 - (i) full denturist registrants;
 - (ii) limited (grandfathered) denturist registrants;
 - (iii) student registrants, temporary registrants and non-practising registrants in the designated health profession of denturism.
- (4) For greater certainty, the standards of practice and standards of professional ethics of the CDHBC, CDSBC, CDTBC and CDHC referred to in subsections (2) to (5) are deemed to have been established by the board as standards of practice and standards of professional ethics of the college.

Liability insurance for dental hygienists

- 15.02** (1) Dental hygienist registrants, dental hygiene practitioner registrants and temporary registrants in the designated health profession of dental hygiene must be insured against liability arising from an error, omission, or negligent act in the provision of services included in the practice of dental hygiene in an amount of at least \$1,000,000 per occurrence in a form that is satisfactory to the college.
- (2) Dental hygienist registrants and temporary registrants in the designated health profession of dental hygiene must ensure that every person employed by them to provide services included in the practice of dental hygiene is insured against liability arising from an error, omission, or negligent act in the provision of those services in an amount of at least \$1,000,000 per occurrence in a form that is satisfactory to the college.
- (3) Dental hygiene practitioner registrants must ensure that every person employed by them, or by a health profession corporation in which they are a director or shareholder, to provide services included in the practice of dental hygiene is insured against liability arising from an error, omission, or negligent act in the provision of those services in an amount of at least \$1,000,000 per occurrence in a form that is satisfactory to the college.

Liability insurance for dentists

- 15.03** (1) The following registrants must be insured against liability arising from an error, omission, or negligent act in the provision of services included in the practice of dentistry in an amount of at least \$3,000,000 per occurrence in a form that is satisfactory to the college:
- (a) full dentist registrants;
 - (b) limited (restricted-to-specialty) dentist registrants;
 - (c) limited (academic) dentist registrants;
 - (d) limited (volunteer) dentist registrants;
 - (e) limited (armed forces/government) dentist registrants;
 - (f) dental therapist registrants;
 - (f) student registrants and temporary registrants in the designated health profession of dentistry.
- (2) Full dentist registrants and limited (restricted-to-specialty) dentist registrants must ensure that every person employed by them, or by a health profession corporation in

which they are a director or shareholder, to provide services included in the practice of dentistry is insured against liability arising from an error, omission, or negligent act in the provision of those services in an amount of at least \$3,000,000 per occurrence in a form that is satisfactory to the college.

- (3) Limited (academic) dentist registrants who meet the conditions and requirements under section 6.15(3) must ensure that every person employed by them to provide services included in the practice of dentistry is insured against liability arising from an error, omission, or negligent act in the provision of those services in an amount of at least \$3,000,000 per occurrence in a form that is satisfactory to the college.

Liability insurance for dental technicians

- 15.04** (1) Dental technician registrants and temporary registrants in the designated health profession of dental technology must be insured against liability arising from an error, omission, or negligent act in the provision of services included in the practice of dental technology in an amount of at least \$1,000,000 per occurrence in a form that is satisfactory to the college.
- (2) Dental technician registrants must ensure that every person employed by them to provide services included in the practice of dental technology is insured against liability arising from an error, omission, or negligent act in the provision of those services in an amount of at least \$1,000,000 per occurrence in a form that is satisfactory to the college.

Liability insurance for denturists

- 15.05** (1) The following registrants must be insured against liability arising from an error, omission, or negligent act in the provision of services included in the practice of denturism in an amount of at least \$2,000,000 per occurrence in a form that is satisfactory to the college:
- (a) full denturist registrants;
 - (b) limited (grandfathered) denturist registrants;
 - (c) temporary registrants in the designated health profession of denturism.
- (2) Full denturist registrants and limited (grandfathered) denturist registrants must ensure that every person employed by them, or by a health profession corporation in which they are a director or shareholder, to provide services included in the practice of denturism is insured against liability arising from an error, omission, or negligent act in the provision of those services in an amount of at least \$2,000,000 per occurrence in a form that is satisfactory to the college.

Marketing

15.06 (1) In this section:

“advertisement” means the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or products or enhancing the image of the advertiser;

“marketing” includes

- (a) an advertisement,
 - (b) any publication or communication in any medium with any patient, prospective patient or the public generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance, or any other means by which professional services are promoted, and
 - (c) contact with a prospective patient initiated by or under the discretion of a registrant.
- (2) Any marketing undertaken or authorized by a registrant in respect of the registrant’s professional services must not be
- (a) false,
 - (b) inaccurate,
 - (c) reasonably expected to mislead the public,
 - (d) unverifiable, or
 - (e) contrary to the public interest or the standards of professional ethics.
- (3) Without limitation, marketing violates subsection (2) if it
- (a) is calculated or likely to take advantage of the weakened state, either physical, mental or emotional, of the recipient or intended recipient,
 - (b) is likely to create in the mind of the recipient or intended recipient an unjustified expectation about results which the registrant can achieve,
 - (c) implies that the registrant can obtain results
 - (i) not achievable by other registrants,

- (ii) by improperly influencing a public body or official or any corporation, agency or person having an interest in the welfare of the recipient or intended recipient, or
 - (iii) by any other improper means,
- (d) compares the quality of services provided by the registrant with those provided by
 - (i) another registrant,
 - (ii) a person authorized to provide health care services under another enactment, or
 - (iii) another health profession.
- (4) A registrant who, in any advertisement, includes a statement of fees for a specific service
 - (a) must ensure that the statement sufficiently describes the fees and services so as to enable the recipient or intended recipient to understand the nature and extent of the services to be performed or provided and the cost to the patient, and
 - (b) must not, in the advertisement, compare the fees charged by the registrant with those charged by another registrant.
- (5) Registrants must not advertise free or discounted goods or services, or participate in rewards programs aimed at promoting a particular treatment.
- (6) Subsection (5) does not apply to *pro bono* services, or services provided to low income patients who would not otherwise have access to care.
- (7) Unless otherwise authorized by the Act, the regulations, these bylaws, or the board, a registrant
 - (a) must not use the title “specialist” or any similar designation suggesting a recognized special status or accreditation or any letterhead or business card or in any other marketing, and
 - (b) must take all reasonable steps to discourage another person from using, in relation to the registrant, the title "specialist" or any similar designation as described in paragraph (a).

- (8) A registrant must verify statements made in any marketing by, on behalf of, or respecting the registrant when asked to do so by the registrar, the inquiry committee or the discipline committee.
- (9) Registrants who limit their practices to certain branches or areas of their designated health profession may state in any marketing the branch or area to which their practice is limited.
- (10) A registrant must retain a copy of any advertisement or other marketing material for one year after the date of publication or broadcast, and must, upon request, provide to the registrar, the inquiry committee or the discipline committee
 - (a) a copy of any publication, including a publication made using telephone or computer-based media,
 - (b) a recording of any broadcast, including a broadcast made on radio or television or using computer-based media, and
 - (c) a written record of when and where the publication or broadcast was made.
- (11) A registrant
 - (a) may only speak on behalf of the college if the board has expressly authorized the registrant to do so, and
 - (b) may only endorse as a registrant a product or service for sale to the public, whether for reward or not, if the product or service relates directly to the practice of the registrant's designated health profession.