

INQUIRY COMMITTEE RECORD OF DECISION

FILE NAME: DH1303

FACTS

On April 5, 2013, a Registrant called the College to enquire as to why (s)he had received a reinstatement reminder when (s)he had been reinstated in March. The Registrant was advised that a payment for reinstatement had been processed in March, but that the Registrant had failed to submit a reinstatement application. The Registrant was not aware that a reinstatement application form needed to be submitted after paying online. College staff asked the Registrant if (s)he had been practicing dental hygiene since March 1. The Registrant initially evaded the question, but eventually acknowledged that (s)he had done some temporary work as a dental hygienist since March 1, 2013. The College staff advised the Registrant that (s)he was not licensed to practice until the reinstatement application was approved by the Registrar and that the College had attempted to contact him/her by telephone regarding renewal but the Registrant's telephone line was no longer in service. The Registrant was reinstated on March 22, 2013.

On April 8, 2013, the CDHBC Inquiry Committee initiated an investigation under s. 33(4)(a) of the *Health Professions Act*, R.S.B.C. 1996, c. 183 (the "Act") to determine whether the Registrant had engaged in the authorized practice of dental hygiene without registration contrary to s. 13 of the *Act*, ss. 3 and 5(a) of the *Dental Hygienists Regulation* and ss. 47(1) and 49 of the College bylaws.

Under direction of the Inquiry Committee, the CDHBC Registrar notified the Registrant of the investigation and requested the Registrant's response to the investigation, in accordance with s. 33(5) of the *Act*.

The Registrant provided a written response, explaining that (s)he had attempted to renew online after office hours on February 28, but received a message advising him/her to contact the College. The Registrant contacted the College the following morning and was advised to apply for reinstatement. The Registrant went online and paid the reinstatement fee, confirmed that his/her credit card had been billed for the fees, and therefore believed that (s)he had been reinstated. As soon as the Registrant received the email advising that (s)he was not yet reinstated, (s)he ceased practicing dental hygiene and contacted the College to rectify the situation.

COMMITTEE DECISION

At the conclusion of the investigation, the Inquiry Committee determined that the evidence established that the Registrant had engaged in unauthorized practice without registration contrary to s. 13 of the *Act*, ss. 3 and 5(a) of the *Dental Hygienists Regulation* and ss. 47(1) and 49 of the College bylaws for the period March 1, 2013 to April 5, 2013.

The Inquiry Committee determined, in accordance with section 33(6)(a) of the *Health Professions Act*, that this was an appropriate case to take no further action on matter DH1303 other than to request the Registrant to voluntarily sign an undertaking not to repeat the conduct of engaging in the unauthorized practice of dental hygiene without full registration with the College, and to review and become thoroughly familiar with the requirements set out in the CDHBC Registrant's Handbook.

RELEVANT PROVISION OF ACT, REGULATION, OR BYLAWS: *Act, section 33(4); 33(5); 33(6)(a)*

STATUS: **Closed**

LEGISLATIVE AUTHORITY: *Health Professions Act s 33*