

INQUIRY COMMITTEE RECORD OF DECISION

FILE NAME: DH1312

FACTS

On December 10, 2013, the Registrar received a complaint alleging that a Registrant was practicing dental hygiene while holding a non-practicing license. College staff contacted the dental office where the Registrant was allegedly employed for confirmation of employment and was advised that the Registrant was not working on that date. The dental office confirmed that, at the request of the office, the Registrant had provided dental hygiene services on six occasions when the office had been short staffed.

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 prior to renewal of his/her registration.

On December 16, 2013, 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 she had renewed her registration in the non-practicing class as she was on maternity leave during the 2013/14 registration period. While on maternity leave, the Registrant had been contacted by the dental office and been requested to provide dental hygiene treatment on six separate days when the office had been short staffed. The Registrant acknowledged the oversight of practicing dental hygiene while holding a non-practicing license.

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 December 10, 2013.

In accordance with section 33(6)(a) of the *Health Professions Act*, the Inquiry Committee determined that this was an appropriate case to take no further action on matter DH1312 because of the inadvertent nature of the Registrant's conduct 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 thoroughly review the requirements set out in the CDBHC Registrant's Handbook.

RELEVANT PROVISION OF ACT, REGULATION, OR BYLAWS: *Act, section 13; 33(4); 33(5); 33(6)(a); Bylaws, 47 (1); 49; Regulation, 3 and 5(a)*

STATUS: *Closed*

LEGISLATIVE AUTHORITY: *Health Professions Act, s. 33*