

**INQUIRY COMMITTEE
RECORD OF DECISION**

File Reference: DH1907

ELEMENTS OF COMPLAINT

On September 9, 2019, the Inquiry Committee initiated an investigation under section 33(4)(c) of the *Health Professions Act*, RSBC 1996, c. 183 (the "Act") based on concerns that the Respondent may have contravened the terms of her Consent Agreement dated June 20, 2019 (the "2019 Consent Agreement") related to Inquiry Investigation DH1808, specifically:

- i. para. 3 by failing to meet a deadline of August 15, 2019 as directed by the Quality Assurance Committee (the "QAC") in the QAP Directed Learning Plan;
- ii. para. 7 by failing to establish a mentorship relationship, as directed by the QAC; and
- iii. para. 2 by failing to report any changes with respect to his/her employment status and place of employment to the College within five days of any changes.

On September 9, 2019, the CDHBC the Inquiry Committee appointed an inspector to assist with the investigation and notified the Respondent of the investigation and invited a response in accordance with s. 33(5) of the Act.

On September 24, 2019, the Respondent emailed the College to advise that she had just received the College's emails and had been unaware that the College had not received her QAP submissions.

On October 30, 2019, the College received the inspector's report, a copy of which was provided to the Respondent for response.

On November 22, 2019, the Respondent acknowledged reviewing the inspector's report but did not provide any substantive comments on it.

On February 29, 2020, the Respondent's registration with the College expired as she failed to renew her registration.

COMMITTEE DECISION

Based on a review of the material gathered during the investigation, the Inquiry Committee concluded that the Respondent contravened: (a) para. 2 of the 2019 Consent Agreement by failing to report to the College that she had started a new position within five days of starting it or at all; (b) para. 3 of the 2019 Consent Agreement by failing to meet an August 15, 2019 deadline imposed by the QAC for re-submitting revised reflection papers under her QAP Directed Learning Plan; and (c) para. 7 of the 2019 Consent Agreement by failing to establish a mentorship relationship and meet bi-weekly with her mentor as directed by the QAC.

On December 2, 2019, the Inquiry Committee directed the Registrar to issue a citation under s. 33(6)(d) of the Act. The discipline hearing was originally scheduled to commence on April 23, 2020 but was rescheduled to proceed by videoconference on October 30, 2020 because of the COVID-19 pandemic.

On October 19, 2020, the Respondent agreed to a proposal to resolve the matter under s. 37.1 of the Act.

On October 21, 2020, the Inquiry Committee accepted the terms of the proposal under s. 37.1(2) of the Act and directed the Registrar to cancel the citation and discipline hearing upon receipt of a signed s. 37.1 Consent Order from the Respondent. Under the terms of s. 37.1 consent order, the Respondent:

- acknowledges that s/he contravened paras. 2, 3, and 7 of the 2019 Consent Agreement and undertakes not to repeat the conduct of failing to comply with the terms of a consent agreement or order.
- consents to a written reprimand with respect to her failure to comply with paras, 2, 3, and 7 of the 2019 Consent Agreement.
- undertakes and consents not to seek reinstatement of registration with the College (or its successor) for a period of at least five years from the date of the s. 37.1 Consent Order.
- agrees that, if following the expiration of five years, she seeks reinstatement of registration with the College (or its successor), in addition to complying with the bylaw requirements for reinstatement, she undertakes and consents to:
 - (a) first complete the PROBE (Professional/Problem-Based Ethics) program offered by CPEP at her cost and obtain an unconditional pass and authorize the PROBE Program to release her program results to the College (or its successor);
 - (b) write and submit a reflective paper to the College (or its successor) of not less than 3,000 words (exclusive of references) outlining her statutory and professional obligations as a registrant;
 - (c) successfully pass the Canadian Performance Exam in Dental Hygiene (the “CPEDH”) or a similar performance-based assessment to be approved in advance by the College (or its successor); and
 - (d) successfully complete any outstanding QAP requirements required by the bylaws or the QAC.
- acknowledges that, in the event she is reinstated following the expiration of five years and completion of the requirements under sub-paragraphs (a) to (d) above, she consents and undertakes to contact the College (or its successor) by email or telephone on the first business day of each month as long as she holds registration to ensure there are no outstanding regulatory requirements to fulfill subject to the contrary direction of the College (or its successor).
- consents and undertakes to indemnify the College by paying investigative costs of \$2,000 to the College within 30 days of the date of the s. 37.1 Consent Order or, with approval of the Registrar, on an approved payment plan.
- acknowledges that the s. 37.1 Consent Order is considered to be an order of the Discipline Committee under s. 39 of the Act and a serious matter requiring public notification under s. 39.3 of the Act.

RELEVANT PROVISION OF ACT, REGULATION OR BYLAWS

Act, section 13; 33(4); 33(5); 33(6)(d); 37.1(2); 39.3 Bylaws,

STATUS

Closed.