

**INQUIRY COMMITTEE
RECORD OF DECISION**

File Reference: DH1903

ELEMENTS OF COMPLAINT

On March 20, 2019, a staff member with the College of Dental Hygienists of British Columbia (the “College”) advised the Inquiry Committee that a Registrant may have engaged the unauthorized practice of dental hygiene on March 1, 2019, after failing to renew his/her registration by the renewal deadline.

On April 9, 2019, the Inquiry Committee directed a letter be sent to the Registrant seeking an explanation regarding concerns that s/he had missed the renewal deadline and applied for reinstatement for his/her full practicing license on three separate occasions since his/her initial registration with the College in June 2007.

On June 3, 2019, the 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) of the College bylaws. The Inquiry Committee appointed an inspector to assist with the investigation.

On June 5, 2019, the Registrar of the College provided notification of the investigation to the Registrant regarding whether s/he had practiced dental hygiene without a valid registration and invited a response.

On June 21, 2019, the College received a response from the Registrant acknowledging his/her failure to renew his/her registration on time and advising that s/he was aware s/he was not authorized to “perform supragingival and subgingival scaling, subgingival debridement or root planning, or administer oral local anaesthetic” and had asked a colleague to provide to support to his/her students while clients were present on the date in question.

On August 15, 2019, the College received the inspector’s report, a copy of which was provided to the Registrant for review.

COMMITTEE DECISION

At the conclusion of the investigation, the Inquiry Committee was concerned the Registrant had engaged in unauthorized practice of dental hygiene without valid registration on March 1, 2019, held himself/herself out to be a registered dental hygienist to his/her employer and students and claimed that s/he had received confirmation of reinstatement that morning when that was not the case.

In accordance with section 33(6)(c) of the Act, the Inquiry Committee determined this would be an appropriate case to seek a consent order under s. 36 of the Act because the Registrant failed to renew his/her annual registration prior to the renewal deadline and thereby engaged in unauthorized practice of dental hygiene and failed to provide completely accurate information to the College.

Under terms of the Consent Order, the Registrant:

- undertakes not to repeat the conduct of engaging in unauthorized practice of dental hygiene by failing to have valid registration in place as a full registrant.
- undertakes to review and thoroughly familiarize him/herself with the registration renewal and other requirements set out in the College Bylaws within seven (7) days of the date of the Consent Order.
- undertakes to complete the online Jurisprudence Education Module (JEM) within ten (10) days of the date of the Consent Order and to provide evidence satisfactory to the Inquiry Committee that s/he has successfully completed the JEM within ten (10) days of completing it.
- undertakes to complete nine (9) continuing competency credits in his/her Guided Learning Plan as part of his/her current Quality Assurance Program within twelve (12) months of the date of the Consent Order with a focus in:
 - Subcategory F1: Jurisprudence and;
 - Subcategory B2: Professional Communication;
 - Subcategory F2: Collaborative Relationships; and
 - Documentation Standards.
- consents to a reprimand for engaging in the unauthorized practice of dental hygiene, and for his/her failure to be disclosive to his/her employer and the College regarding that fact.
- agrees to pay a fine of \$2,000 to the College no later than six months of the date of the Consent Order. The Registrant acknowledges that the failure to pay the fine in full within this timeline will constitute a breach of the Consent Order.
- undertakes to write a reflective essay of not less than 1500 words outlining what s/he has learned from this experience, the seriousness of failing to renew his/her registration on time and misrepresenting him/herself as a dental hygienist, his/her understanding of registration renewal requirements and the purpose of registration for professionals, and the steps that s/he will take to ensure that s/he does not repeat the conduct, and to submit the draft essay for approval to the Inquiry Committee by January 2, 2020 and to make such changes to the reflective essay as the Inquiry Committee directs.

RELEVANT PROVISION OF ACT, REGULATION OR BYLAWS

Act, section 13; 33(4); 33(5); 33(6)(c); Dental Hygienists Regulation s 47(1)

STATUS

Closed.