

## INQUIRY COMMITTEE RECORD OF DECISION

**FILE NAME: DH0552**

### **FACTS**

In May 2005, the Registrar received a written complaint from the president of a dental association against registrant(s) of the College of Dental Hygienists of British Columbia who had advertised in a telephone directory. The complainant expressed concern over statements printed in the advertisement, as follows:

- “Complimentary New Patient Exams” The complainant stated that “dental hygienists are not permitted to conduct ‘examinations’ in this province”.
- “Tooth Whitening and Sports Mouth Guards” The complainant stated that “tooth whitening and sports mouth guards are not listed in the CDHBC Registrant’s Handbook as being allowable procedures”.
- “Application of desensitizing agents; taking of radiographs and application of fissure sealants” The complainant stated that “while all within a hygienist’s scope of practice, require a dentist’s prescription before they can be carried out.”
- “Reference to the office being ‘mercury free’” The complainant stated that “mercury free” is also of concern as this term is used in reference to amalgam restorations.

The complainant’s letter stated that “Our Association considers this type of misleading advertising to the public at large to be a serious issue”.

As directed by the Inquiry Committee, the Registrar investigated the complainant’s allegations.

### **FINDINGS**

The words “examination” or “mercury free” are not misleading the public; “Tooth whitening”, “sports mouth guards”, “desensitizing agents”, the “application of fissure sealants” and “radiographs” are within the dental hygienists’ scope of practice and therefore, there is nothing misleading in the advertisement.

### **COMMITTEE DECISION**

After reviewing the findings and considering the registrants’ response to the complaint, in accordance with section 33(6)(a) of the *Health Professions Act* the Inquiry Committee determined that no further action would be taken on the basis that the conduct to which the matter relates is satisfactory.

In August 2005, the complainant requested the Board of the College of Dental Hygienists of British Columbia to review the decision of the Inquiry Committee. The Board met September 30, 2005, and confirmed the decision of the Inquiry Committee.

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**RELEVANT PROVISION OF ACT, REGULATION, OR BYLAWS:** Act, s. 33(6)(a)

**STATUS:** Closed

**LEGISLATIVE AUTHORITY:** Health Professions Act, s. 32, 33, 34