

## INQUIRY COMMITTEE RECORD OF DECISION

**FILE NAME: DH1190**

### **FACTS**

In October 2011, a registrant emailed the College to inquire whether s/he was required to be a registrant of the College in order to practice as s/he believed that Canadian Dental Hygienists Association (CDHA) membership was sufficient. The registrant informed the College s/he had practiced dental hygiene one day a week for the last two years.

In November 2011, the Inquiry Committee, on its own motion, in accordance with section 33(4)(a) of the *Health Professions Act*, in order to determine whether the individual had been in contravention of section 3 and 5(a) of the *Dental Hygienists Regulation* and section 47(1) and 49 of the CDHBC bylaws. The 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 graduated from a dental hygiene program in 2009 but was unable to find a dental hygiene job until s/he received an offer to work part-time as a dental hygienist one day per week in 2010. The registrant acknowledged that s/he forgot to renew registration with the College as s/he misunderstood the relationship between the College and the CDHA.

The Registrar requested the registrant to provide further clarification and information regarding the response and the registrant provided further information acknowledging that failure to obtain registration prior to practice was due to a misunderstanding and poor communication skills.

### **COMMITTEE DECISION**

The Committee determined that the evidence established that the registrant had engaged in unauthorized practice without registration contrary to section 13 of the *Act*, section 3 and 5(a) of the *Dental Hygienists Regulation* and section 47(1) and 49 of the College bylaws for the period of March 1, 2010 until October 12, 2011.

The Inquiry Committee determined, and the registrant agreed, that the appropriate remedial action would be a consent order under s. 33(6)(c) and 36 of the *Act* in which the registrant would consent to maintain registration in good standing at all times while engaged in the practice of dental hygiene and to take remedial steps to ensure that s/he understands, and remains compliant with the *Act*, *Dental Hygienists Regulation*, and College bylaws and because: (a) the registrant acknowledged that s/he engaged in unauthorized practice for the period of March 1, 2010 to October 12, 2011; (b) the registrant explained that failure to obtain registration prior to engaging in practice was attributable to his/her error stemming from a lack of understanding and communication skills; (c) unauthorized practice raises public safety concerns and represents a serious issue but the registrant had taken some steps to ensure that s/he does not repeat the conduct; and (d) the registrant is prepared to take further steps to ensure that this conduct is not repeated.

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**RELEVANT PROVISION OF ACT, REGULATION, OR BYLAWS:** Dental Hygienists Regulation s. 3, 5(a); CDHBC Bylaw s. 47; Act 33(4)(a); 33(5); 36(1)(a); 36(1)(d)

**STATUS:** Closed

**LEGISLATIVE AUTHORITY:** *Health Professions Act*, s. 33, 36