

INQUIRY COMMITTEE RECORD OF DECISION

FILE NAME: DH1310

FACTS

On September 23, 2013, a College staff member received a telephone call from the receptionist at a dental office with an inquiry regarding the registration status of a Registrant. The receptionist noted on the College website that the Registrant showed as Non-Practicing. The College staff member confirmed that the information was correct. The receptionist stated she would advise the Registrant to contact the College.

The Registrant contacted the same College staff member a short time later to confirm his/her registration status and was advised that (s)he had renewed in the Non-Practicing class. The Registrant was asked whether (s)he has been practicing since being removed from full registration status on March 1st. The Registrant confirmed that (s)he has been practicing since March 1st. College staff advised the Registrant that (s)he was not registered to practice until the reinstatement application was approved by the Registrar. The Registrant subsequently made an online payment and was reinstated to Full Practicing registration.

On October 7, 2013, 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.

Under direction of the Inquiry Committee, 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 (s)he had renewed his/her registration on time. The Registrant advised that (s)he had not been aware that (s)he had accidentally selected the Non-Practicing Class rather than Full-Practicing when renewing online and had not reviewed the renewal letter, renewal card or receipt nor had (s)he noticed that the registration fees on the credit card receipt were lower than in past years. It was not until the Registrant contacted the College to confirm that (s)he currently held a non-practicing status that (s)he became aware that (s)he was not currently registered as full-practice.

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 September 23, 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 DH1310 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 review and be thoroughly familiar with requirements set out in the CDBHC Registrant's Handbook.

RELEVANT PROVISION OF ACT, REGULATION, OR BYLAWS: Act, section 33(4); 33(5); 33(6)(a); 36; 36(1)(a) and (d)

STATUS: Closed

LEGISLATIVE AUTHORITY: Health Professions Act, s. 33