

INQUIRY COMMITTEE RECORD OF DECISION

FILE NAME: DH: 1437; 1440; and 1468

FACTS

On March 3, 2014, the College was made aware that three Registrants failed to have valid professional negligence insurance in place while holding full registration with the College.

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") with respect to each Registrant to determine whether each Registrant had engaged in the unauthorized practice of dental hygiene by failing to have valid professional negligence insurance in place as a full registrant contrary to ss. 3 and 5(a) of the Dental Hygienists Regulation and s. 47(1) of the College bylaws prior to renewal of his/her registration.

On March 6, 2014, the CDHBC Registrar notified each Registrant of the investigation and requested the Registrant's response to the investigation, in accordance with s. 33(5) of the Act.

Each of the Registrants provided written responses, explaining that they had failed to renew their professional negligence insurance on time, and confirmed that they had engaged in dental hygiene practice during the period of lapsed insurance.

COMMITTEE DECISION

At the conclusion of the investigation, the Inquiry Committee determined that the evidence established that each of the Registrants had failed to have valid professional negligence insurance in place at all times while holding full registration with the College and 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 during that period.

In accordance with section 36 of the *Health Professions Act*, the Inquiry Committee and the Registrants agree that the appropriate remedial action is a consent order pursuant to ss. 36(1)(a) and (d) of the Act requiring the Registrants to undertake not to repeat the conduct of failing to have valid professional negligence insurance in place at all times while holding full registration with the College of Dental Hygienists of British Columbia, not to repeat the conduct of engaging in unauthorized practice of dental hygiene by failing to have valid professional negligence insurance in place as a full registrant, to review and thoroughly familiarize themselves with requirements set out in the CDHBC Registrant's Handbook, and to successfully complete the JEM within ten days of signing the consent order.

RELEVANT PROVISION OF ACT, REGULATION, OR BYLAWS: Act, section 33(4); 33(5); 33(6)(a); Bylaws, 47 (1); Regulation, 3 and 5(a)

STATUS: Closed

LEGISLATIVE AUTHORITY: Health Professions Act, s. 33