

## DEFINITIONS

1. In these bylaws,
  - “Act” means the *Health Professions Act*;
  - “appointed board member” means a person appointed to the board under section 17(3)(b) of the Act;
  - “board” means the board of the college;
  - “board chair” means the chair of the board elected under section 11;
  - “board member” means an appointed board member or an elected board member;
  - “board vice-chair” means the vice-chair of the board elected under section 11;
  - “Code of Ethics” means the Code of Ethics set out in Schedule F;
  - “college” means the College of Dental Hygienists of British Columbia;
  - “deliver” with reference to a notice or other document, includes mail to or leave with a person, or deposit in a person’s mailbox or receptacle at the person’s residence or place of business, or transmit to the most recent electronic mail address provided to the college by a registrant for the purpose of delivery;
  - “dental hygiene corporation” means a health profession corporation to which a permit has been issued by the college under section 43 of the Act;
  - “dental hygiene professional association” means
    - (a) the Canadian Dental Hygienists Association,
    - (b) the British Columbia Dental Hygienists’ Association, or
    - (c) another health profession association as defined in section 1 of the Act or similar organization whose members are registrants or persons registered or licensed for the practice of dental hygiene in another jurisdiction, and whose purposes or objects include the promotion of the interests of its members;
  - “elected board member” means a person elected to the board under section 17(3)(a) of the Act or appointed to the board under section 8;
  - “eligible voter” means, in respect of an election for the office of an elected board member or the removal of an elected board member from office, a registrant who is eligible under section 3.2 to vote in an election for that office;
  - “examination” means a theoretical examination, given orally or in writing, or a practical examination, or any combination of these, approved by the board, and includes a supplemental examination;
  - “holding company”, in respect of a dental hygiene corporation, has the same meaning as in section 40.1 of the Act;
  - “in good standing” means, in respect of a registrant,
    - (a) the registration of the registrant is not suspended under the Act, and
    - (b) no limits or conditions are imposed on the registrant’s practice of dental hygiene under section 20(2.1) or (3), 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act;
  - “Practice Standards” means the Practice Standards set out in Schedule E;
  - “public representative” means a person who is not a registrant or former registrant and has no close family or business relationship with a registrant or former registrant, and includes an appointed board member;
  - “Regulation” means the Dental Hygienists Regulation, B.C. Reg. 276/2008;
  - “respondent” means a current or former registrant named in a citation under section 37 of the Act, or a dental hygiene corporation named in a notice of permit revocation hearing under section 68;
  - “special resolution” means a resolution which requires a 2/3 vote of those persons present and eligible to vote at a meeting.

## PART I: BOARD OF THE COLLEGE

### *Board Composition*

2. The board consists of six elected board members and the appointed board members.

### *Electoral Districts*

3. (1) The province of British Columbia is divided into the following five electoral districts whose boundaries are defined by the map in Schedule A:
  - (a) Lower Mainland;
  - (b) Cariboo North;
  - (c) Kootenays;
  - (d) Okanagan;
  - (e) Vancouver Island/Coast.
- (2) Two elected board members must be elected for the Lower Mainland electoral district, and one elected board member must be elected for each other electoral district, in accordance with these bylaws.
- (3) The boundaries of an electoral district, or the number of elected board members elected for an electoral district, may only be changed by a special resolution of the board amending Schedule A or subsection (2).
- (4) For the purposes of an election of an elected board member, every registrant is assigned to the electoral district in which the registrant's mailing address, as specified in the register under section 21(2) of the Act, is located on November 1 prior to the expiry of the applicable term of office.

### *Eligibility for Election*

- 3.1 (1) Subject to subsections (2) to (8), registrants in the following classes of registrants are eligible to be elected in an election under section 17(3)(a) of the Act:
  - (a) full registrants;
  - (b) full registration (365 day rule exempt) registrants;
  - (c) conditional registrants.
- (2) To be eligible to be elected in an election under section 17(3)(a) of the Act, a registrant must be in good standing, and must ordinarily reside in British Columbia.
- (3) A registrant must be assigned to an electoral district in accordance with section 3(4) to be elected as an elected board member for that electoral district.
- (4) An elected board member is not eligible to be elected to another office as an elected board member with an overlapping term of office in an election under section 17(3)(a) of the Act, unless he or she resigns his or her existing office as an elected board member at the time he or she submits his or her nomination for the other office.
- (5) A registrant is not eligible to be elected in an election under section 17(3)(a) of the Act if the registrant is employed by the college, or was employed by the college at any time on or after the date that is 11 months before the expiry of the applicable term of office.
- (6) A registrant is not eligible to be elected in an election under section 17(3)(a) of the Act if the registrant is, or was at any time on or after the date that is 11 months before the expiry of the applicable term of office, a director or officer of a dental hygiene professional association.
- (7) A registrant is not eligible to be elected in an election under section 17(3)(a) of the Act if the registrant is a current candidate for election as a director of a dental hygiene professional association.
- (8) An elected board member who has held office for a consecutive period of six years or more is not eligible to be elected in an election for a vacant office under section 17(3)(a) of the Act, unless the term of office of the vacant office commences at least one year after the expiry of that consecutive period.

### ***Eligibility to Vote in Elections***

- 3.2 (1) Subject to subsection (2), registrants in the following classes of registrants are eligible to vote in an election under section 17(3)(a) of the Act:
- (a) full registrants;
  - (b) full registration (365 day rule exempt) registrants;
  - (c) conditional registrants;
  - (d) non-practising registrants.
- (2) A registrant must be assigned to an electoral district in accordance with section 3(4) to be eligible to vote in an election for the office of an elected board member for that electoral district.

### ***Notice of Election***

4. (1) The registrar must deliver to every eligible voter notice of an election at least 150 days prior to the expiry of the applicable term of office.
- (2) The notice must contain information about the nomination procedure and the election procedure.
- (3) The accidental omission to deliver notice of an election to, or the non-receipt of such notice by, any person entitled to receive notice does not invalidate the election, any proceedings in relation thereto, or the results thereof.

### ***Nomination Procedure***

5. (1) A candidate for election to a vacant office must be nominated by another individual who is an eligible voter in good standing who has not nominated any other candidate for election to the same office.
- (2) The nomination must be in writing in the form set out in Schedule B, and must be signed by the nominator and at least five other eligible voters in good standing.
- (3) A person nominated under subsection (1) must declare in writing that he or she will observe the provisions of the Act, the regulations and these bylaws and the procedures related to the election and the conduct of the election by signing the declaration on the form set out in Schedule B.
- (4) Nominations must be received by the registrar at least 90 days before the expiry of the applicable term of office.
- (5) A nomination is not valid if the person nominated is ineligible for election to the applicable vacant office under section 3.1.
- (6) A candidate for election must not simultaneously be nominated for election to more than one vacant office.

### ***Election Procedures***

6. (1) The registrar must deliver an election ballot to each eligible voter for each vacant office not less than 45 days before the expiry of the applicable term of office.
- (2) Each eligible voter for a vacant office is entitled to one ballot, and may vote in favour of one candidate to be elected for that vacant office.
- (3) A ballot must not be counted unless it is received by the registrar at least 21 days prior to the expiry of the applicable term of office and is delivered to the registrar in accordance with the procedures established under subsection (6.1).
- (4) The candidate for a vacant office who receives the most votes on the return of the ballots is elected.
- (5) In the case of a tie vote, the registrar must select the successful candidate by random draw.
- (6) The registrar must supervise and administer all board elections and may establish procedures, consistent with these bylaws, for that purpose.
- (6.1) The registrar must establish procedures, consistent with these bylaws, for eligible voters to deliver ballots to the registrar in a manner that ensures that each ballot is

- submitted by an eligible voter and that no eligible voter casts more than one ballot, while assuring the anonymity of each voter in the counting of the ballots.
- (7) The registrar must determine any dispute or irregularity with respect to any nomination, ballot or election.
  - (8) If only one candidate is nominated for election to a vacant office under section 5 by the close of nominations, the nominee is elected by acclamation.

### ***Terms of Office***

7. (1) Subject to the Act, subsections (2) to (2.2), and sections 8 and 10, the term of office for an elected board member is two years, commencing on March 1 immediately following the election.
- (2) Except as provided in subsection (2.1), subsection (1) does not affect the term of office of an elected board member who was elected on or before March 1, 2015.
- (2.1) The elected board member elected in the 2015 board election for the Lower Mainland electoral district is deemed to have been elected for a two year term.
- (2.2) The term of office for the elected board member elected in the 2016 board election for the Kootenays electoral district is three years, commencing March 1, 2016.
- (3) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation is effective upon receipt by the registrar.

### ***Vacancy***

8. (1) If an elected board member ceases to hold office as an elected board member before the expiry of his or her term of office, the board may, by special resolution, appoint a registrant to fill the resulting vacancy who is eligible to be elected to that office, who will immediately assume the former board member's office as an elected board member, and will hold office for the remainder of the former board member's term of office.
- (2) For the purpose of subsection (1),
  - (a) the reference in section 3(4) to "November 1 prior to the expiry of the applicable term of office" must be read as "the date of the special resolution of the board under section 8(1)", and
  - (b) the references in section 3.1(5) and (6) to "the date that is 11 months before the expiry of the applicable term of office" must be read as "the date that is 11 months before the date of the special resolution of the board under section 8(1)".
- (3) Subject to subsection (4), if no eligible candidate is nominated for election to a vacant office within the time required under section 5(4), the board may, by special resolution, appoint a registrant who is eligible to be elected to that office to fill that office.
- (4) The board may appoint a registrant to fill an office under subsection (3) who does not satisfy one or more of the following requirements:
  - (a) the requirement under section 3.1(5), if the registrant is not currently employed by the college or resigns his or her employment with the college;
  - (b) the requirement under section 3.1(6), if the registrant is not currently a director or officer of a dental hygiene professional association or resigns his or her position as a director or officer of a dental hygiene professional association;
  - (c) the requirement under section 3.1(8).

### ***Remuneration of Board Members***

9. Board members are equally entitled to be
  - (a) remunerated for time spent on business of the college, in the amount approved by the board from time to time, and

- (b) reimbursed by the college for reasonable expenses necessarily incurred in connection with the business of the college.

### ***Removal of Board Member***

- 10. An elected board member ceases to hold office as an elected board member if he or she
  - (a) is removed from office under section 17.11(5) of the Act,
  - (b) ceases to be a full registrant, a full registration (365 day rule exempt) registrant or a conditional registrant in good standing,
  - (c) ceases to be a resident of British Columbia,
  - (d) becomes an employee of the college,
  - (e) becomes a director or officer, or a candidate for election as a director, of a dental hygiene professional association,
  - (f) resigns from office as an elected board member, or
  - (g) dies.

### ***Board Chair and Vice-Chair***

- 11. (1) The board must elect a board chair and a board vice-chair from among its members by a majority vote, for a two year term.
  - (1.1) The board chair or board vice-chair ceases to hold office as board chair or board vice-chair
    - (a) upon the election of a new board chair or board vice-chair, as the case may be, under subsection (1), or
    - (b) if he or she
      - (i) ceases to hold office as an elected board member,
      - (ii) resigns from the office of board chair or board vice-chair, as the case may be, or
      - (iii) is removed from the office of board chair or board vice-chair by a majority vote of the board.
  - (1.2) If the board chair or board vice-chair ceases to hold that office under subsection (1.1)(b), the board must elect another board chair or board vice-chair from among its members, by a majority vote, to fill the vacancy in the applicable office as soon as is convenient.
- (2) The board chair must
  - (a) preside at all general meetings of the college and board meetings, and is a non-voting member of every committee of the college to which the board chair is not otherwise appointed as a voting member under section 13,
  - (b) sign certificates and other instruments executed on behalf of the college as required,
  - (c) sign the minutes of each meeting after they are approved by the board, and
  - (d) act generally in accordance with the requirements of his or her office for the proper carrying out of the duties of the board.
- (3) If the board chair is absent or unable to act, the board vice-chair may exercise the powers and must perform the duties of the board chair.
- (4) If the board chair and board vice-chair are both absent or unable to act, the board may authorize another board member to exercise the powers and perform the duties of the board chair.

### ***Board Meetings***

- 12. (1) The board must meet at least 3 times in each fiscal year and must provide reasonable notice of board meetings to registrants.
  - (1.1) Notice may be provided to registrants under subsection (1) by posting a notice on the college website.

- (1.2) The accidental omission to deliver notice of a board meeting to, or the non-receipt of, such notice by, any person entitled to receive notice does not invalidate proceedings at that meeting.
- (2) Meetings of the board must be called by the registrar at the request of either the board chair or any 5 board members.
- (3) Subject to subsection (3.1), the registrar must provide the following to any person on request:
  - (a) details of the time and place of a board meeting;
  - (b) a copy of the agenda for the board meeting;
  - (c) a copy of the minutes of any previous board meeting.
- (3.1) A copy of an agenda provided under subsection (3)(b) or minutes provided under subsection (3)(c) may be edited to remove information about any matter referred to in subsection (5), provided that the reasons for removing that information are noted in the edited agenda or minutes.
- (4) Subject to subsection (5), meetings of the board must be open to registrants and to the public.
- (5) The board may exclude any person who is not a board member from any part of a meeting if it is satisfied that one or more of the following matters will be discussed:
  - (a) financial or personal or other matters that are of such a nature that the interest of any affected person or the public interest in avoiding disclosure of those matters outweighs the public interest in board meetings be open to the public;
  - (b) information concerning an application by any individual for registration under section 20 of the Act, or reinstatement or renewal thereof, the disclosure of which would be an unreasonable invasion of the applicant's personal privacy;
  - (c) information concerning a complaint against, or investigation of, any individual under Part 3 of the Act, the disclosure of which would be an unreasonable invasion of the individual's personal privacy;
  - (d) information concerning an assessment of the professional performance of a registrant under section 26.1 of the Act, the disclosure of which would be an unreasonable invasion of the registrant's personal privacy;
  - (e) information the disclosure of which may prejudice the interests of any person involved in
    - (i) a proceeding under the Act, including a disciplinary proceeding under Part 3 of the Act, a review under Part 4.2 of the Act, or a permit revocation hearing under section 68, or
    - (ii) any other criminal, civil or administrative proceeding;
  - (f) personnel matters;
  - (g) property acquisitions;
  - (h) the contents of examinations;
  - (i) information concerning the scoring or results of examinations, or a report of an examiner under section 51(4), the disclosure of which would be an unreasonable invasion of any individual's personal privacy;
  - (j) communications with the Office of the Ombudsperson;
  - (k) instructions given to or opinions received from legal counsel, or any other matter which is subject to solicitor-client privilege;
  - (l) information which the college would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of the *Freedom of Information and Protection of Privacy Act*;
  - (m) information which the college is otherwise required by law to keep confidential.
- (6) If the board excludes any person from a part of a meeting, it must have its reasons for doing so noted in the minutes of the meeting.
- (7) The registrar must ensure that minutes are taken at each meeting and retained on file.
- (8) A majority of the board members constitutes a quorum.

- (9) The board may meet and conduct business in person or by video, teleconference, web casting, or an equivalent medium.
- (10) Despite subsections (1) and (1.1), the registrar may call a meeting of the board under subsection (2) without providing notice to the registrants where necessary to conduct urgent business.
- (11) In case of a tie vote the chair of the meeting does not have a second vote in addition to the vote to which the chair is entitled as a board member, and the proposed resolution does not pass.
- (12) Except as otherwise provided under the Act, the most recent edition of the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure* governs the procedures at meetings of the board.

### **Resolutions in Writing**

- 12.1 (1) A resolution approved by a majority of all board members in writing, including by mail, facsimile or e-mail, is valid and binding and of the same effect as if such resolution had been duly passed at a meeting of the board.
- (2) A resolution approved by two-thirds of all board members in writing, including by mail, facsimile or e-mail, is valid and binding and of the same effect as a special resolution duly passed at a meeting of the board.
- (3) A report of any resolution or special resolution approved under subsection (1) or (2) must be verified and made a part of the minutes of the next meeting of the board.

### **Committees**

13. (1) Committee members
  - (a) must be appointed by the board for terms of office specified by the board not exceeding two years, and
  - (b) are eligible for reappointment, except that a registrant may not serve more than three consecutive terms as a member of the same committee.
- (2) The board may from time to time establish special committees, the membership and purpose of which are determined by the board.
- (3) Only a public representative or a member of one of the following classes of registrants may serve as a member of a committee:
  - (a) full registrants;
  - (b) full registration (365 day rule exempt) registrants;
  - (c) conditional registrants;
  - (d) non-practising registrants.
- (4) A committee member may be removed by a special resolution of the board.
- (5) A committee member may resign from the committee by providing written notice of resignation to the registrar.
- (6) If a committee position becomes vacant, the board may appoint a new member to the committee.
- (7) The board must appoint a committee chair and committee vice-chair from among the members of the committee.
- (8) The duties of the chair of a committee include
  - (a) presiding over all meetings of the committee,
  - (b) submitting an annual report to the board of the committee's activities, and
  - (c) carrying out other duties as directed by the board.
- (9) The vice-chair of a committee must perform the duties of the chair of a committee in the absence of the chair.

### **Registration Committee**

14. (1) The registration committee is established consisting of at least 6 persons.

- (2) The registration committee must include at least one third public representatives, one of whom is an appointed board member, one elected board member and three registrants.

#### ***Inquiry Committee***

15. (1) The inquiry committee is established consisting of at least 6 persons.
- (2) The inquiry committee must include at least one third public representatives, one of whom is an appointed board member, one elected board member, and three registrants.

#### ***Discipline Committee***

16. (1) The discipline committee is established consisting of at least 6 persons.
- (2) The discipline committee must include one third public representatives, one of whom is an appointed board member, one elected board member, and three registrants.
- (3) The board must not appoint a person to be a member of the discipline committee and the inquiry committee at the same time.

#### ***Quality Assurance Committee***

17. (1) The quality assurance committee is established consisting of at least 6 persons.
- (2) The quality assurance committee must include one third public representatives, one of whom is an appointed board member, one elected board member and three registrants.

#### ***Committee Panels***

18. (1) The discipline committee, the inquiry committee, the registration committee and the quality assurance committee may meet in panels of three committee members which must include at least one public representative.
- (2) The chair of a committee referred to in subsection (1) must appoint the members of a panel and must designate a chair of a panel.
- (3) A panel of a committee referred to in subsection (1) may exercise any power, duty or function of that committee.

#### ***Meetings of a Committee or Panel***

19. (1) A majority of a committee constitutes a quorum.
- (2) All members of a panel constitute a quorum.
- (3) The provisions of section 12(1.2) to (7), (9), (11) and (12) and section 12.1 apply to a committee or a panel as if it were the board, with any necessary changes.

#### ***Remuneration of Committee Members***

20. Committee members are equally entitled to be
  - (a) remunerated for time spent on business of the college, in the amount approved by the board from time to time, and
  - (b) reimbursed by the college for reasonable expenses necessarily incurred in connection with the business of the college.

## **PART II: COLLEGE ADMINISTRATION**

#### ***Seal***

21. (1) A seal for the college must be approved by the board.
- (2) The seal of the college must be affixed, by those persons designated by the board, to certificates of registration and such other documents as the board may direct by resolution.

#### ***Registrar***



- 21.1 (1) In addition to the registrar's powers and duties under the Act, the registrar holds final responsibility for all administrative and operational matters for the college.
- (2) The registrar is a non-voting member of every committee of the college.
- (3) The registrar is authorized to establish, by bylaw, forms for the purposes of the bylaws, and to require the use of such forms by registrants.
- (4) The registrar may designate an officer, employee or agent of the college to exercise any power or perform any duty of the registrar assigned by the registrar.
- (5) An officer, employee or agent of the college referred to in subsection (4) has the same authority as the registrar when the officer, employee or agent is acting on behalf of the registrar.

#### ***Deputy Registrar***

22. If the board appoints a deputy registrar under section 21 of the Act, the exercise or performance by the deputy registrar of any power or duty of the registrar is subject to any directions given by the registrar.

#### ***Fiscal Year***

23. The fiscal year of the college commences on March 1 and ends on the last day of February of the following year.

#### ***Banking***

24. The board must establish and maintain such accounts with a chartered bank, trust company or credit union as the board determines necessary from time to time.

#### ***Payments and Commitments***

25. (1) The board
- (a) must annually approve an operating expense and revenue budget for each fiscal year, and
  - (b) may from time to time, as and subject to any conditions the board considers necessary, authorize the registrar to approve capital expenditures up to a maximum amount as determined by the board.
- (2) The registrar may authorize any budgeted expenditure provided that the registrar is satisfied that the expenditure will not cause the total of the annual operating expense and revenue budget to be exceeded.
- (3) The registrar may authorize an expenditure that was not contemplated by the operating expense and revenue budget or that exceeds the amounts set out in that budget for any item of expense, or a capital expenditure, provided that the registrar is satisfied that the contemplated expenditure will not
- (a) compromise the board's annual objectives,
  - (b) cause the total of the annual operating expense and revenue budget to be exceeded, or
  - (c) exceed the registrar's authority to approve capital expenditures as authorized by the board under subsection (1)(b).
- (4) If the registrar authorizes an expenditure under subsection (3), the registrar must report that action to the board at its next meeting.

#### ***Collection of Funds as Agent***

- 25.1 (1) In this section, "association" means a health profession association as defined in section 1 of the Act or similar organization, whose members are registrants or persons registered or licensed for the practice of dental hygiene in another Canadian jurisdiction.
- (2) In each fiscal year, the college may collect from registrants an amount equivalent to the annual fees of an association, whether or not the registrant is a member of the

association, provided that the board and the association execute a written agreement to that effect.

- (3) Funds received by the registrar under subsection (2) are collected by the college as agent for the association and are held by the college on trust for the association.

### **Borrowing Powers**

26. The board may raise money, or guarantee or secure the payment of money in the name of the college, in any manner determined by the board, in order to carry out the purposes of the college.

### **Investments**

27. (1) The board may invest funds of the college in accordance with the board's investment policy, which must be consistent with sections 15.1 and 15.2 of the *Trustee Act*.
- (2) All income derived from invested funds must be added to and become part of the general revenue of the college.

### **Auditor**

28. (1) The board must appoint a chartered accountant or a certified general accountant as auditor.
- (2) The registrar must submit the college's financial statement to the auditor within 45 days of the end of the fiscal year.

### **Legal Counsel**

29. The board or registrar may retain a member in good standing of the Law Society of British Columbia for the purpose of advising the college on any matter.

### **General Meetings**

30. (1) A general meeting of the college must be held in British Columbia at a time and place determined by the board, at least once in every calendar year.
- (2) The following matters must be considered at an annual general meeting:
  - (a) financial statements;
  - (b) the report of the board;
  - (c) the report of the auditor.
- (3) The board
  - (a) may convene an extraordinary general meeting by resolution of the board, and
  - (b) must convene an extraordinary general meeting within 60 days after receipt by the registrar of a request for such a meeting signed by at least 10 percent of all registrants referred to in subsection (4).
- (4) Only registrants in good standing in the following classes of registrants are eligible to vote or present motions at general meetings of the college, or to propose resolutions under section 32:
  - (a) full registrants;
  - (b) full registration (365 day rule exempt) registrants;
  - (c) conditional registrants;
  - (d) non-practising registrants.

### **Notice of General Meetings**

31. (1) The registrar must deliver notice of an annual general meeting to every registrant at least 60 days before the meeting, and must deliver notice of an extraordinary general meeting to every registrant at least 30 days before the meeting.
- (2) Notice of a general meeting must include
  - (a) the place, day and time of the meeting,
  - (b) the general nature of the business to be considered at the meeting,
  - (c) any resolutions proposed by the board, and

- (d) any resolutions proposed by registrants under section 32 and delivered to the registrar before the delivery of the notice.
- (3) The accidental omission to deliver a notice of a meeting to, or the non-receipt of a notice by, any registrant or board member entitled to receive notice does not invalidate proceedings at that meeting.

### ***Resolutions Proposed by Registrants***

- 32. (1) Any 20 registrants referred to in section 30(4) may deliver a written notice to the registrar at least 30 days before the date of an annual or extraordinary general meeting requesting the introduction of a resolution.
- (2) If a request is received under subsection (1) after delivery of the notice of the general meeting under section 31, the registrar must deliver a supplementary notice, including the proposed resolution, to every registrant referred to in section 30(4).

### ***Proceedings at General Meetings***

- 33. (1) The quorum at a general meeting is 10 registrants referred to in section 30(4).
- (2) No business, other than the adjournment or termination of the meeting, may be conducted at a general meeting at a time when a quorum is not present.
- (3) If at any time during a general meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present.
- (4) If a quorum is not present within 30 minutes from the time appointed for the commencement of a general meeting or from any time during a general meeting when there ceases to be a quorum present, the meeting must be adjourned.
- (5) In the absence of both the board chair and the board vice-chair, an acting chair for a meeting must be elected by a majority vote of the registrants present.
- (6) A general meeting may be adjourned from time to time and from place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (7) When a general meeting is adjourned in accordance with subsection (4) or by motion, notice of the rescheduled general meeting must be delivered in the same manner as notice of the original meeting.
- (8) Every registrant referred to in section 30(4) who is present at a general meeting is entitled to one vote.
- (9) In case of a tie vote, the chair of the meeting does not have a second vote in addition to the vote to which the chair is entitled under subsection (8), and the proposed resolution does not pass.
- (10) Except as otherwise provided under the Act, the most recent edition of the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure* governs the procedures at general meeting.
- (11) A resolution passed or defeated at a general meeting must not bind the board, any committee of the college, the registrar, or any other officer, employee or agent of the college in the exercise of its or their powers or in the performance of its or their duties under the Act or any other enactment.

## **PART III: COLLEGE RECORDS**

### ***Administration of the Freedom of Information and Protection of Privacy Act***

- 34. (1) The registrar is the “head” of the college for the purposes of the *Freedom of Information and Protection of Privacy Act*.
- (2) The registrar may authorize a deputy registrar or another officer, employee or agent of the college to exercise any power or perform any duty of the registrar under the *Freedom of Information and Protection of Privacy Act*.

### ***Fees for Information Requests***

34.1 Subject to section 75 of the *Freedom of Information and Protection of Privacy Act*, an applicant who requests access to a college record under section 5 of the *Freedom of Information and Protection of Privacy Act* must pay the applicable fees specified in the “Schedule of Maximum Fees” in Schedule 1 of the Freedom of Information and Protection of Privacy Regulation, B.C. Reg. 155/2012.

### ***Protection of Personal Information***

- 34.2 (1) The board must take reasonable measures to ensure that the collection, use and disclosure of personal information by the college complies with the *Freedom of Information and Protection of Privacy Act*.
- (2) The board must take reasonable measures to ensure that, if personal information is provided by the college to any person or service provider for processing, storage or destruction, a contract is made with the person or service provider which includes an undertaking by the person or service provider that the confidentiality of that personal information will be maintained.

### ***Disclosure of Annual Report***

35. The registrar must make each annual report under section 18(2) of the Act available electronically and free of charge on the college website, must notify registrants that the report is available, and must provide a paper copy of the report to any person on request upon payment of the applicable fee specified in Schedule D.

### ***Disclosure of Registration Status***

36. If the college receives an inquiry about the registration status of a person, the registrar must disclose
- (a) whether or not the person is a registrant or a former registrant, and
  - (b) any information respecting the person that is included in the register under section 21(2) or (5) of the Act as of the date the inquiry is made, if the person is a registrant or former registrant, unless access to that information is refused under section 22(2) of the Act.

### ***Manner of Disposal of College Records Containing Personal Information***

37. The board must ensure that a college record containing personal information is disposed of only by
- (a) effectively destroying a physical record by utilizing a shredder or by complete burning,
  - (b) erasing information recorded or stored by electronic methods on tapes, disks or cassettes in a manner that ensures that the information cannot be reconstructed,
  - (c) returning the record to the person the information pertains to, or
  - (d) returning the record to the registrant who compiled the information.

## **PART IV: REGISTRATION**

### ***Classes of Registrants***

38. The following classes of registration are established:
- (a) full registration,
  - (c) full registration (365 day rule exempt), for the purposes of section 6 (2) of the regulation;
  - (d) conditional registration,
  - (e) non-practicing registration,
  - (f) temporary registration, and

- (g) student registration.

### **Full Registration**

39. (1) An applicant may be granted registration in the full registration class if the applicant submits the applicable fees set out in Schedule D and provides evidence to the registration committee, in the form established by the committee, of
- (a) graduation from an approved dental hygiene education program,
  - (b) certification by the National Dental Hygiene Certification Board,
  - (c) graduation from a local anaesthesia course approved by the registration committee, and
    - (i) eligibility to perform local anaesthesia in the jurisdiction of practice within the past three years, or
    - (ii) success within the past three years in a local anaesthesia refresher course approved by the registration committee,
  - (d) compliance with any requirements set out in section 52 or section 52.1, as applicable,
  - (e) completion of a jurisprudence module required by the registration committee,
  - (f) possession of professional negligence insurance in the amount of \$1 million per occurrence,
  - (g) good standing in every jurisdiction in which currently or previously registered to practice dental hygiene,
  - (h) good character, consistent with the responsibilities and standards expected of a registrant, and
  - (i) authorization for a criminal record check in the form required by the *Criminal Records Review Act*.
- (2) Applicants who have graduated from a dental hygiene program that is not an approved dental hygiene education program may satisfy the requirement in section 39(1)(a) where they
- (a) have successfully completed the National Dental Hygiene Certification Board exam; and
  - (b) have successfully completed the examination approved by the registration committee and any upgrading programs required by the registration committee.
- (3) Applicants who have graduated from a dental hygiene education program are exempt from the requirement in section 39(1)(d) until March 1 of the year following graduation.
- (4) Despite section 39(1) to (3), the registration committee has discretion, in satisfying itself under section 20 of the *Act* that the applicant meets the conditions or requirements for registration as a member of the College, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in section 39(1)(a), (c) and (d), (2) and (3), as applicable, and to grant registration on that basis, if the applicant also meets the requirements established in section 39(1)(e) to (i).
- (5) In this section, "approved dental hygiene education program" means
- (a) a dental hygiene education program in British Columbia that is recognized by the board for the purpose of registration and specified in Schedule I, or
  - (b) another dental hygiene education program that is
    - (i) accredited by the Commission on Dental Accreditation of the American Dental Association, and
    - (ii) considered by the registration committee to be equivalent to a program referred to in paragraph (a).

### ***Full Registration (365-Day Rule Exempt)***

40. (1) An applicant may be granted registration in the full registration (365-Day Rule Exempt) class if the applicant:
- (a) is a full registrant or meets the requirements for full registration in section 39,
  - (b) submits the applicable fees set out in Schedule D, and
  - (c) provides evidence satisfactory to the registration committee that the applicant:
    - i. has current cardiopulmonary resuscitation qualifications consistent with those required of continuing care staff,
    - ii. has at least 3500 hours of clinical dental hygiene practice experience in the 5 year period prior to the date of application under this section, and
    - iii. holds a bachelor of dental hygiene degree, or has demonstrated the following abilities at a level equivalent to that ordinarily expected of a holder of a bachelor of dental hygiene degree, as assessed by an agency approved by the board:
      - A. ability to safely and effectively perform a needs assessment, develop a dental hygiene diagnosis and plan, implement and evaluate dental hygiene care, for clients with complex needs or disabling conditions;
      - B. ability to work effectively as a member of an interprofessional health care team;
      - C. ability to apply the standards of infection control and safe practice in alternative practice settings;
      - D. ability to make appropriate and timely referrals through the identification of abnormalities, conditions and circumstances which are outside the scope of dental hygiene practice or limit the registrant's ability to provide safe dental hygiene care.
- (2) An applicant for the full registration (365 day rule exempt) class who meets the requirements in subsection (1), with the exception of the requirement in section 39(1)(c) may be granted full registration (365 day rule exempt) for a maximum period of two years.
- (3) Full registration (365-day rule exempt) registrants who do not meet the requirement in section 39(1)(c) must not administer local anaesthesia.
- (4) Despite section 40(1) to (3), the registration committee has discretion, in satisfying itself under section 20 of the Act that the applicant meets the conditions or requirements for registration as a member of the college, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in section 40(1)(a) and (c), and to grant registration on that basis, if the applicant also meets the requirements established in section 39(e) to (i) and section 40(1)(b).

### ***Full Registration (Dental Hygiene Practitioner)***

41. \* THIS SECTION IS NOT IN FORCE

### ***Conditional Registration***

42. (1) An applicant may be granted registration in the conditional registration class if the applicant submits the applicable fees set out in Schedule D and provides evidence to the registration committee in the form established by the committee that
- (a) the applicant meets the requirements for full registration in section 39 with the exception of the requirements described in section 39(1)(c).
- (2) An applicant registered in the conditional registration class pursuant to subsection (1) must not administer local anaesthesia.
- (3) An applicant may be granted registration in the conditional registration class if the applicant submits the applicable fees set out in Schedule D and provides evidence to the registration committee in the form established by the committee that the applicant
- (a) meets the requirements for full registration, with the exception of the requirement in section 39(1)(d),
  - (b) may, in the opinion of the registration committee, be expected to satisfy in a reasonable length of time the requirements in section 39(1)(d),
  - (c) may in the opinion of the registration committee practice as a conditional registrant under the supervision of a full registrant without any risk to public health and safety, and
  - (d) has delivered to the registrar
    - (i) a signed application for conditional registration in the form established by the registration committee, and
    - (ii) the applicable fees set out in Schedule D.
- (4) A person who has been granted conditional registration pursuant to subsection (3) may only perform dental hygiene services under the supervision of a full registrant and upon any limits or conditions set by the registration committee.
- (5) Full registration may be granted by the registration committee to a person who has been granted conditional registration pursuant to section 42(1) upon completion of the requirements in section 39(1)(c).
- (6) Full registration may be granted by the registration committee to a person who has been granted conditional registration pursuant to section 42(3) upon completion of the requirements in section 39(1)(d).
- (7) A person may be granted conditional registration for a maximum period of two years.

### ***Non-practising Registration***

43. (1) An applicant may be granted registration in the non-practising class if
- (a) the applicant meets the requirements for full registration in section 39(1)(a), (b), (e) and (g) to (i) inclusive, and
  - (b) submits the applicable fees set out in Schedule D to the registrar.
- (2) A person registered in the non-practising class may not practise dental hygiene.
- (3) A person registered in the non-practising class may renew registration annually by submitting to the registrar
- (a) an application in the form approved by the registration committee,
  - (b) the applicable fees set out in Schedule D, and
  - (c) a completed Declaration Statement in Form 2
- (4) A person registered in the non-practising class may transfer to the full registration class by submitting to the registrar
- (a) the applicable fees set out in Schedule D, and
  - (b) proof satisfactory to registration committee that the requirements in section 39(1)(c), (d), and (g) have been met.

### ***Temporary Registration***

44. (1) An applicant may be granted registration in the temporary class if the applicant

- (a) is currently registered as a dental hygienist in good standing in another jurisdiction,
- (b) submits the applicable fees set out in Schedule D,
- (c) provides proof of professional liability insurance in the amount of \$1 million per occurrence,
- (d) undertakes to practice dental hygiene in British Columbia only for a period not greater than 90 days and only for the purpose of participating in or conducting an educational program sponsored by an agency approved by the registration committee.

### ***Student Registration***

45. (1) An applicant may be granted registration in the student class if the applicant submits the applicable fees set out in Schedule D and provides evidence to the registration committee in the form established by the committee of
- (a) current enrolment in a dental hygiene education program approved by the board, and
  - (b) recommendation by the head of the program referred to in subsection (a) specifying those procedures which the student is competent to perform and the dates during which the student may perform those procedures.
- (2) A student registrant may perform dental hygiene services only under the direct supervision of a full registrant.

### ***Certificate of Registration***

46. (1) The registrar must issue a certificate in Form 4 to any person who is granted registration.
- (2) The certificate must identify the class of registration and specify any limits or conditions applicable to that registrant.
- (3) A certificate is valid until the date shown on the certificate.

### ***Registration Renewal***

47. (1) Registration in any class must be renewed annually, not later than the last day of February.
- (2) To be eligible for a renewal of registration, a full, full (365 Day Rule Exempt), full (dental hygiene practitioner) or conditional registrant must submit to the registrar no later than the last day of February
- (a) a renewal application in the form approved by the registration committee,
  - (b) the applicable fees set out in Schedule D,
  - (c) any other outstanding fee owed to the college,
  - (d) proof satisfactory to the registration committee of continued compliance with the continuing education required by these bylaws,
  - (e) a declaration in Form 2, and
  - (f) proof of possession of professional negligence insurance in the amount of \$1 million per occurrence.
- (3) Notice of the renewal requirements and fees must be delivered to each registrant not later than January 31 and must describe the consequences of late payment and non-payment of fees.
- (4) Each registrant must pay to the college the registration renewal fee on or before the last day of February.
- (5) Where a registrant fails to pay a registration renewal fee on or before the last day of February, he or she ceases to be registered.
- (6) The registrar must issue to a registrant who has met the requirements of this section a receipt for the fees paid bearing the seal of the college and a renewal certificate



stating that the registrant is, subject to his or her compliance with the *Act*, the regulations and the bylaws, entitled to practice the profession of dental hygiene in the Province of British Columbia as a registrant of the college, and must specify the period during which the renewal certificate is valid.

In this section, “continuing education” means either the continuing competency program set out in section 52 or the quality assurance program set out in section 52.1, as the quality assurance committee determines in respect of each registrant.

### ***Reinstatement Following Non-payment of Fees***

48. (1) A former registrant who has ceased to be registered by reason only of a failure to renew his or her annual registration, is eligible for reinstatement by the registration committee where the former registrant
- (a) applies for reinstatement in the form approved by the registration committee not later than sixty (60) days following the expiry of his or her registration,
  - (b) has not had his or her registration suspended or cancelled pursuant to section 39 of the *Act*,
  - (c) submits the applicable registration renewal fees set out in Schedule D, and
  - (d) submits a reinstatement fee in an amount equal to 35 percent of the applicable annual registration renewal fee set out in Schedule D.

### ***Notification of Change of Registration Information***

49. A registrant must immediately notify the registrar of any changes of his or her address, name or any other registration information previously provided to the registrar.

### ***Fees***

50. The board may
- (a) fix different fee amounts for the different classes of registration,
  - (b) establish a lesser registration renewal fee for registrants who practise for less than a full year,
  - (c) extend the time for a registrant to pay the annual registration fee on such terms and conditions as the board deems appropriate, and
  - (d) establish such fees in Schedule D as are necessary for the proper administration of the college and its affairs.

### ***Examinations***

51. (1) All examinations conducted by the college must be prepared by or under the direction of the registration committee and approved by the registration committee.
- (2) The registration committee must
- (a) determine the time and place for the holding of an examination, designate examiners and determine the procedures for the conduct of the examinations,
  - (b) review the results of the examination or re-examination for each applicant and make a determination as to that applicant’s qualification for registration, and
  - (c) notify the applicant of the results of the examination or re-examination as soon as is practicable.
- (3) An applicant who fails the initial examination is entitled to 2 opportunities to repeat the examination.
- (4) Where the examiner has reason to believe that an applicant has engaged in improper conduct during the course of an examination, the examiner must make a report to the registration committee and may recommend that the registration committee take one or more of the following courses of action
- (a) fail the applicant,
  - (b) pass the applicant,
  - (c) require the applicant to rewrite the examination, or

- (d) disqualify the applicant from participating in any examination for a period of time.

After considering a report made under subsection (4), the registration committee may take one or more of the courses of action specified in subsection (4).

- (6) An applicant disqualified under subsection 4(d) must be provided with written reasons for the disqualification.
- (7) Applicants for registration must pay to the college the examination fees approved by the board.

### ***Continuing Competency***

- 52. (1) Full, full registration (365 Day Rule Exempt), full registration (dental hygiene practitioner) and conditional registrants, and new graduates not previously registered as dental hygienists in any other jurisdiction, must complete 75 credits of continuing dental hygiene education, approved by the quality assurance committee, within a three year period.
- (2) The period referred to in subsection (1) begins January 1 of the year following registration, and continues in three year cycles thereafter.
- (3) The board may vary the requirements in subsection (1) by extending the three year period and increasing the number of credits of continuing dental hygiene education to be completed by a registrant if the registrant
  - (a) has an on-going serious illness, or
  - (b) has experienced a catastrophe resulting in loss of human life, home or belongings.
- (4) A full, full registration (365 Day Rule Exempt), full registration (dental hygiene practitioner) or conditional registrant who has not met the requirements set out in subsection (1) is not entitled to renew registration unless the registrant has successfully completed a dental hygiene refresher course approved by the registration committee or an examination approved by the registration committee.

### ***Quality Assurance Program***

- 52.1 (1) In this section:
  - “assessment” means the assessment described in paragraph (a) of the definition of QAP;
  - “continuing competency credit” means a continuing dental hygiene educational activity that has been approved for the purposes of QAP by the quality assurance committee for which a registrant receives credit;
  - “QAP” means the quality assurance program established by the quality assurance committee in accordance with this section, and consists of
    - (a) an individualized assessment process approved by the quality assurance committee,
    - (b) an individualized learning plan that includes stated learning goals,
    - (c) 75 continuing competency credits consistent with the individualized learning plan and learning goals described in subparagraph (b), and
    - (d) any other learning activities as directed by the quality assurance committee in accordance with paragraph (d) of the definition of “QAP cycle.”
  - “QAP cycle” means each five year period starting on January 1, and continuing in five year cycles thereafter, during which a registrant
    - (a) completes the assessment within the first two months of the QAP cycle,
    - (b) states the learning goal portion of the registrant’s individualized learning plan within the first year of the QAP cycle,
    - (c) acquires 75 continuing competency credits, and
    - (d) completes any other learning activities that the registrant is directed by the quality assurance committee to complete within the QAP cycle.
- (2) Each registrant described in section 47 (2) must complete the QAP within the QAP cycle.

- (3) Despite paragraph (a) of the definition of “QAP cycle” in subsection (1), each first-time registrant who has not been registered with the College in any previous year
  - (a) must complete the assessment within 60 days of their date of registration,
  - (b) has a QAP cycle that begins on January 1 of the year following the date on which the registrant first registered with the College, and
  - (c) is exempt from the assessment requirement during the registrant’s first QAP cycle.
- (4) Despite the definitions of “QAP” and “QAP cycle” in subsection (1), the quality assurance committee may modify, in respect of a registrant, one or more of the requirements of the QAP or QAP cycle as necessary to reasonably accommodate the registrant as required by the BC Human Rights Code or as otherwise required by law.
- (6) The quality assurance committee must establish criteria for successful completion of the assessment.
- (7) Registrants who satisfy the criteria established under subsection (5) must state learning goals and a learning plan in accordance with the policy for individualized learning goals and individualized learning plans established by the quality assurance committee.
- (8) Registrants who do not satisfy the criteria established under subsection (5) may be assigned an assessor appointed under section 26.1 (4) of the *Act*, who must
  - (a) assess the registrant’s professional practice, and
  - (b) report to the quality assurance committee in respect of the assessment under paragraph (a).
- (9) Upon receipt of a report described in subsection (7) (b), the quality assurance committee may act under section 26.1 (3) of the *Act* in respect of that registrant.
- (10) The quality assurance committee must establish policies and procedures, consistent with the bylaws, for ensuring compliance of registrants with their individualized learning plans and individualized learning goals.
- (11) The quality assurance committee must establish a policy, consistent with the bylaws, governing transfer during the transfer period of registrants from the continuing competency program to the QAP, and must notify each affected registrant of that registrant’s transfer date.

## **PART V: INSPECTIONS, INQUIRIES AND DISCIPLINE**

### ***Disposition of Complaints by Registrar***

53. The registrar is authorized to act under section 32(3) of the *Act*.

### ***Inspections***

54. An inspector must not observe a registrant while the registrant is providing a service to a client except where

- (a) the consent of the client being treated has been obtained in advance, or
- (b) the service is being provided in a public setting.

### ***Undertakings and Consents***

56. (1) The record of an undertaking or consent given under section 36 of the *Act*, a consent order under section 37.1 of the *Act*, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the *Act* must

- (a) include any consent to a reprimand or to any other action given by the respondent under section 32.2(4)(b), 32.3(3)(b), 36 or 37.1 of the Act,
  - (b) include any undertaking made by the respondent under section 36 of the Act,
  - (c) specify the length of time that an undertaking specified in paragraph (b) is binding on the respondent,
  - (d) specify the procedure that the respondent may follow to be released from an undertaking specified in paragraph (b), and
  - (e) subject to sections 22 and 39.3 of the Act and sections 36 and 59, specify what notification and disclosure of the limits or conditions of the undertaking, consent, order or agreement may be given to others, including members of the public.
- (2) If an undertaking or consent given under section 36 of the Act, a consent order under section 37.1 of the Act, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act requires the respondent to take any corrective or remedial action, the inquiry committee may direct the registrar
- (a) to monitor the respondent's compliance with that requirement, and
  - (b) to report periodically to the chair or vice-chair of the inquiry committee regarding the respondent's compliance with that requirement.

### ***Citation***

57. (1) Before the issuance of any citation under section 37 of the Act, on the direction of a panel of the inquiry committee, the registrar may join one or more complaints or other matters which are to be the subject of a discipline hearing in one citation as the panel considers appropriate in the circumstances.
- (2) After the issuance of a citation or citations under section 37 of the Act, on the direction of a panel of the discipline committee, the registrar may, as the panel considers appropriate in the circumstances,
- (a) join one or more complaints or other matters which are to be the subject of a discipline hearing,
  - (b) sever one or more complaints or other matters which are to be the subject of a discipline hearing, or
  - (c) amend a citation.
- (3) If a citation is amended before a discipline hearing, the amended citation must be delivered to the respondent by personal service or sent by regular mail to the respondent at the last address for the respondent recorded in the register referred to in section 21(2) of the Act not fewer than 14 days before the date of the hearing.
- (4) If a citation is amended before a discipline hearing and the amended citation changes the date, time or place of the hearing, the registrar must notify any complainant of the amendment not fewer than 14 days before the date of the hearing.

### ***Hearings of Discipline Committee***

58. (1) No member of the discipline committee may sit on a panel hearing a matter in which the discipline committee member
- (a) was involved as a member of the inquiry committee, or
  - (b) has had any other prior involvement.
- (2) Information about the date, time and subject matter of the hearing must be provided to any person on request.
- (3) The discipline committee must provide notice by registered mail or by personal service to a person who is required to attend a hearing under section 38(6) of the Act in the form set out in Schedule H.
- (4) All discipline hearings must be recorded and any person may obtain, at the person's own expense, a transcript of any part of the hearing which the person was entitled to attend.

### ***Notice of Disciplinary Action***

59. (1) In addition to any notification required under section 39.3 of the Act with respect to any of the actions referred to in section 39.3(1)(a) to (e) of the Act, the registrar
- (a) must notify all registrants,
  - (b) must notify the regulatory bodies governing the practice of dental hygiene in every other Canadian jurisdiction, and
  - (c) may notify any other governing body of a health profession inside or outside of Canada.
- (2) Notification provided to all registrants under subsection (1)(a)
- (a) must include all information included in the public notification under section 39.3 of the Act, and
  - (b) unless otherwise directed by the inquiry committee or the discipline committee, as the case may be, must exclude any information withheld from the public notification under section 39.3(3) or (4) of the Act.
- (3) Unless otherwise directed by the inquiry committee or the discipline committee, as the case may be, notification provided to other regulatory or governing bodies under subsection (1)(b) or (c) may include information that has been withheld from the public notification under section 39.3(3) or (4) of the Act.

### ***Effect of Suspension***

- 59.1 (1) During any period of suspension of registration, a registrant must
- (a) not engage in the practice of dental hygiene or hold himself or herself out as a registrant,
  - (b) not hold office in the college,
  - (c) not make appointments for patients or prospective patients,
  - (d) not contact or communicate with patients or prospective patients, except for the purpose of
    - (i) advising a patient or prospective patient of the fact and duration of the suspension,
    - (ii) advising a patient or prospective patient that another registrant will continue to act or provide services in the suspended registrant's place, or
    - (iii) referring a patient or prospective patient to another registrants in good standing,
  - (e) remove the registrant's name and any sign relating to the registrant's practice from any premises where the registrant practised dental hygiene, and any building in which any such premises are located,
  - (f) prominently display, if required by an order under section 35, 37.1, 38, 39 or 39.1 of the Act, an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act, or other action taken under section 33(2) of the Act, a notice of suspension in a form and in an area approved by the registrar, which states the duration and reasons for the suspension, and
  - (g) pay any fee required by the college when due in order to remain a registrant, and any other outstanding fine, fee, debt or levy owed to the college.
- (2) No current or former registrant is entitled to any refund of any fine, fee, debt or levy paid to the college solely on the basis that it was paid during or in relation to a period of suspension.
- (3) During the period of suspension, a suspended registrant may permit another registrant in good standing to practise dental hygiene within premises where the registrant practised dental hygiene, provided that the suspended registrant complies with subsection (1).
- (4) Any communication under subsection (1)(d) may be made in writing in a form approved in advance by the registrar, or by employing office staff, an answering service, or other telephonic device specifically for that purpose.

### ***Fines***

59.2 The maximum amount of a fine that may be ordered by the discipline committee under section 39(2)(f) of the Act is \$50,000.

### ***Costs***

- 59.3 (1) The tariff of costs set out in Schedule G, to partially indemnify the college for investigations under section 33 of the Act, is hereby established pursuant to section 19(1)(v.1) of the Act.
- (2) The tariff of costs set out in Schedule H, to partially indemnify parties their expenses incurred in the preparation for and conduct of hearings under section 38 of the Act, is hereby established pursuant to section 19(1)(w.1) of the Act.
- (3) Any costs awarded by the discipline committee under section 39(4) or (5) of the Act, or by the inquiry committee under section 33(7) of the Act or in accordance with a proposal under section 37.1 of the Act, must be assessed by the applicable committee in accordance with Schedules G and H and the applicable tariff of costs set out therein.

### ***Retention of Inquiry Committee and Discipline Committee Records***

60. Records of the inquiry committee must be retained for not less than 6 years following the conclusion of an investigation and records of the discipline committee must be retained for not less than 6 years following the date a decision is rendered.

## **PART VI: DENTAL HYGIENE CORPORATIONS**

### ***Authority of Registrar***

60.1 The registrar is authorized to act for the board under section 43 of the Act.

### ***Eligibility for Dental Hygiene Corporation Permit***

- 60.2 A corporation may be issued a permit to operate as a dental hygiene corporation if, in addition to satisfying the other requirements and conditions under Part 4 of the Act,
- (a) every registrant of the college referred to in section 43 of the Act is
    - (i) a full registrant, a full registration (365 day rule exempt) registrant, or a conditional registrant, or
    - (ii) with the approval of the registrar, a non-practising registrant, and
  - (b) the name of the corporation is approved by the registrar under section 64.

### ***Application for Dental Hygiene Corporation Permit***

61. (1) A corporation may be issued a permit to operate as a dental hygiene corporation if, having satisfied the requirements of section 43 of the Act and section 60.2, the corporation delivers to the registrar
- (a) a completed dental hygiene corporation permit application in a form approved by the registrar,
  - (b) a true copy of the certificate of incorporation, filed transition application, certificate of amalgamation, or certificate of continuation, as the case may be, any certificate of change of name, and any certificate of restoration, issued to or filed by the corporation under the *Business Corporations Act*,
  - (c) the permit fee set out in Schedule D,
  - (d) any other outstanding fee, fine, debt or levy owed to the college,
  - (e) an acknowledgement, in a form approved by the registrar, executed by each registrant who is a voting shareholder of the corporation or a holding company that directly or indirectly owns a legal or beneficial interest in any voting share

- of the corporation, confirming that the registrant has read section 14.1 of the Act, and that the registrant understands that
- (i) the registrant's liability for professional negligence will not be affected by the fact that the registrant practises dental hygiene through or on behalf of the corporation, and
  - (ii) the application of the Act, the Regulation and these bylaws to the registrant will not be affected, modified or diminished as a result of the dental hygienist's relationship with the corporation, and
- (f) a certificate of solicitor in a form approved by the registrar.
- (2) A permit issued to a corporation under section 43 of the Act is valid until
- (a) the last day of the following February,
  - (b) the registrar receives from the corporation a written request for cancellation of the permit,
  - (c) the permit is revoked under section 44 of the Act, or
  - (d) the corporation is dissolved or otherwise ceases to be a company in good standing under the *Business Corporations Act*.

### **Professional Liability Insurance**

62. The board or the registrar may require, as a condition of a dental hygiene corporation permit, that the dental hygiene corporation insure its employees against liability arising from an error, omission or negligent act in the provision of services included in the practice of dental hygiene in an amount of at least \$1 million per occurrence in a form that is satisfactory to the college.

### **Renewal of Dental Hygiene Corporation Permit**

63. (1) A dental hygiene corporation which intends to continue to provide dental hygiene services to the public must, before its permit expires, apply for a renewal of its permit by delivering to the registrar
- (a) a completed permit renewal application in a form approved by the registrar, and
  - (b) the permit renewal fee set out in Schedule D.
- (2) Subject to section 61(2), a renewal permit is valid until the last day of the following February.
- (3) A dental hygiene corporation applying for or granted a renewal of a permit under subsection (1) must promptly inform the registrar in writing of any change to the information provided to complete its permit application or its most recent permit renewal application.

### **Dental Hygiene Corporation Names**

64. (1) The name of a dental hygiene corporation
- (a) must contain the words "Dental Hygiene" together with and immediately preceeding the word or abbreviation "Corporation", "Corp.", "Incorporation" or "Inc.",
  - (b) must not be identical to, or so closely resemble, the name of another dental hygiene corporation holding a valid permit issued under section 43 of the Act that it is likely to confuse or mislead the public, and
  - (c) must not contravene section 69.
- (2) The registrar must approve the name of a corporation that complies with subsection (1) on receipt of
- (a) an application for dental hygiene corporation name approval in a form approved by the registrar, and
  - (b) any applicable application fee set out in Schedule D.

### ***Notification of Changes***

65. (1) A dental hygiene corporation
- (a) must not change its name unless the new name has been approved by the registrar under section 64, and
  - (b) must deliver to the registrar a true copy of any certificate of change of name issued to the dental hygiene corporation under the *Business Corporations Act*.
- (2) A dental hygiene corporation must
- (a) immediately notify the registrar of any other changes to the information provided to complete its permit application or its most recent permit renewal application, and
  - (b) must deliver to the registrar another certificate of solicitor if required by the registrar.

### ***Dental Hygiene Corporation Advertising***

66. A dental hygiene corporation which carries on the business of providing the services of dental hygiene to the public
- (a) must disclose on all letterhead and business cards, and in all other advertisements, that the services of dental hygiene are being provided by a dental hygiene corporation, and
  - (b) must comply with the requirements of section 69 as if it were a registrant, to the extent those requirements may be applicable to a corporation.

### ***Disposition of Shares***

67. (1) The legal or beneficial interest in a voting or non-voting share of a dental hygiene corporation or holding company must not be transferred, pledged, or assigned to any person who is not entitled to hold that legal or beneficial interest in accordance with the requirements of section 43 of the Act and section 60.2(a).
- (2) If the legal or beneficial interest in any voting share of a dental hygiene corporation or a holding company that directly or indirectly owns a legal or beneficial interest in any voting share of the corporation is transferred or issued to a registrant or holding company who is entitled to hold that legal or beneficial interest under section 43 of the Act and section 60.2(a), and who is not already a voting shareholder, the dental hygiene corporation must
- (a) notify the registrar of the transfer or issuance,
  - (b) deliver to the registrar an acknowledgement in compliance with section 61(1)(e) executed by
    - (i) the transferee or new shareholder to be issued such shares, if the transferee or new shareholder is a registrant, or
    - (ii) each registrant who is a voting shareholder of the transferee or of the new shareholder to be issued such shares, or of another holding company that directly or indirectly owns a legal or beneficial interest in any voting share of the transferee or new shareholder, if the transferee or new shareholder is a holding company, unless an acknowledgement executed by that registrant has previously been delivered to the registrar, and
  - (c) deliver to the registrar another certificate of solicitor if required by the registrar.

### ***Permit Revocation Hearings***

68. (1) The powers and duties of the board under section 44 of the Act are delegated to the discipline committee.



- (2) A permit revocation hearing may be consolidated with a hearing conducted under section 38 of the *Act* if there are common matters in issue in both hearings, and the discipline committee considers consolidation to be appropriate in the circumstances.
- (3) The discipline committee may conduct an oral hearing or a hearing by written submission to determine if a dental hygiene corporation permit should be revoked.
- (4) The discipline committee may conduct a hearing upon receipt of a written complaint or on its own motion.
- (5) The registrar must provide notice of a permit revocation hearing by personal service or by registered mail to the registered office of the dental hygiene corporation not less than 30 days before the date of the hearing.
- (6) The notice of permit revocation hearing must
  - (a) name the dental hygiene corporation as respondent,
  - (b) describe the matter that is to be the subject of the hearing, including the particulars of any evidence in support of that subject matter,
  - (c) if the hearing is to be an oral hearing,
    - (i) specify the date, time and place of the hearing,
    - (ii) notify the respondent that the discipline committee is entitled to proceed with the hearing in the absence of a representative of the dental hygiene corporation, and
    - (iii) notify the respondent that the respondent and the college may appear as parties and with legal counsel at the hearing, and
  - (d) if the hearing will be conducted by written submission, notify the respondent that he or she is entitled to submit a written submission within 30 days of receiving the notice.
- (7) At an oral permit revocation hearing of the discipline committee,
  - (a) the testimony of witnesses must be taken on oath, which may be administered by any member of the discipline committee, and
  - (b) the respondent and the college have the right to cross examine witnesses and to call evidence in defence and reply.
- (8) If the respondent does not attend, the discipline committee may
  - (a) proceed with the hearing in the respondent's absence on proof of receipt of the notice of permit revocation hearing by the respondent, and
  - (b) without further notice to the respondent, take any action that it is authorized to take under the Act.
- (9) After a permit revocation hearing, the discipline committee must notify the respondent in writing of its decision under section 44(1) or (2) of the Act.

## **PART VII: GENERAL**

### ***Liability Insurance***

68.1 All registrants, other than non-practising registrants, must be insured against liability arising from an error, omission or negligent act in the provision of services included in the practice of dental hygiene in an amount of at least \$1 million per occurrence in a form that is satisfactory to the college.

### ***Marketing***

69. (1) In this section:  
“advertisement” means the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser;

“marketing” includes

- (a) an advertisement,
  - (b) any publication or communication in any medium with any client, prospective client or the public generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which professional services are promoted, and
  - (c) contact with a prospective client initiated by or under the discretion of a registrant.
- (2) Any marketing undertaken or authorized by a registrant in respect of his or her professional services must not be
- (a) false,
  - (b) inaccurate,
  - (c) reasonably expected to mislead the public,
  - (d) unverifiable, or
  - (e) contrary to the public interest in the practice of the profession.
- (3) Marketing violates subsection (2) if it
- (a) is calculated or likely to take advantage of the weakened state, either physical, mental or emotional, of the recipient or intended recipient,
  - (b) is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the results which the registrant can achieve,
  - (c) implies that the registrant can obtain results
    - (i) not achievable by other registrants,
    - (ii) by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient,
    - (iii) by any other improper means, or
  - (d) compares the quality of services provided with those provided by
    - (i) another registrant,
    - (ii) a person authorized to provide health care services under another enactment, or
    - (iii) another health profession.
- (4) A registrant must not
- (a) state publicly that he or she speaks on behalf of the college unless he or she has been expressly authorized by the board to state the official position of the college, or
  - (b) endorse or lend himself or herself as a dental hygienist to the advertisement of any property, investment or service for sale to the public unless such property, investment or service relates directly to the profession.
- (5) A registrant who, in any advertisement, includes a statement of fees for a specific service
- (a) must ensure that the statement sufficiently describes the fees and services so as to enable the recipient or intended recipient to understand the nature and extent of the services to be provided and the cost to the client, and
  - (b) must not in the advertisement compare the fees charged by the registrant with those charged by another registrant.
- (6) Unless otherwise authorized by the Act, the regulations, these bylaws, or the board, a registrant
- (a) must not use the title "specialist" or any similar designation suggesting a recognized special status or accreditation on any letterhead or business card or in any other marketing, and
  - (b) must take all reasonable steps to discourage the use, in relation to the registrant by another person, of the title "specialist" or any similar designation suggesting a recognized special status or accreditation in any marketing.

- (7) A registrant must retain for one year after the date of publication or broadcast of any advertisement or brochure, and must provide to the board upon request
  - (a) a copy of any such publication,
  - (b) a recording of any such broadcast made by use of any electronic media, including radio, television and microwave transmission, and
  - (c) a written record of when and where the publication or broadcast was made.
- (8) It is the duty of the registrant, when called upon by the discipline committee, inquiry committee, or the board to do so, to verify the statements made in his or her marketing.
- (9) Registrants who limit their practices to certain branches or areas of the profession may state in any marketing the branch or area to which the practice is restricted.

### **PART VIII: PRACTICE STANDARDS**

- 70. Registrants must comply with
  - (a) the Practice Standards of the College set out in Schedule E, and
  - (b) any standards, limits and conditions for the practice of dental hygiene established by the board under section 19(1)(k) of the Act, whether or not those standards, limits or conditions are specified in Schedule E.

### **PART IX: CODE OF ETHICS**

- 71. Registrants must comply with
  - (a) the Code of Ethics of the College set out in Schedule F, and
  - (b) any standards of professional ethics established by the board under section 19(1)(l) of the Act, whether or not those standards are specified in Schedule F.

**DECLARATION STATEMENT**  
**FULL, CONDITIONAL, NON-PRACTICING REGISTRATION**

I, \_\_\_\_\_, registrant of the College of Dental Hygienists of British Columbia (CDHBC)  
 Name  
 of \_\_\_\_\_ in \_\_\_\_\_, do solemnly declare  
 that: City Province, State or Country

1. I am in good standing in all jurisdictions of current or past registration.
2. I have obtained liability insurance coverage as required by the CDHBC Bylaws and will ensure that I maintain this coverage for the entire registration period for which I am applying.
3. I have met the continuing competency requirements necessary for the class of registration for which I am applying.
4. I will remain at all times in compliance with the *Health Professions Act*, the Dental Hygienists Regulation and the CDHBC Bylaws.
5. I do not know of any reason, condition or circumstance why I should not be granted registration.
6. I understand that this application will be returned to me if it is incomplete.
7. The information provided on this form is true and correct.
8. **For Conditional Registrants only:** I understand that, if I am applying for conditional registration, I undertake not to administer local anaesthesia and to practice in accordance with any conditions on my practice established by the registration committee, and know that my conditional registration in this province may be renewed to a maximum of two years after my initial registration date if I have not obtained local anaesthesia qualifications or completed the required continuing competency activities.
9. **For Non-practicing Registrants Only:** I undertake not to practice dental hygiene in British Columbia during the period of non-practicing registration. I understand that to return to practice, I must meet the requirements of a practicing registrant as outlined in the CDHBC Bylaws. (Note: Liability insurance is not required for non-practicing registrants.)
10. **For Full (365-Day Rule Exempt) Registrants only:** I understand that as a Full (365-Day Rule Exempt) registrant, I will be exempt from the requirement that states my clients must have had a dental examination in the 365 days prior to receiving dental hygiene care. However, I understand that I am required to advise my clients of the need for regular dental exams and to notify the College of Dental Surgeons of B.C if dental services cannot be arranged for clients. I will refer to Tab 7 in my Registrant's Handbook for the guidelines outlining the notification requirement.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Removal from the Register**

If you wish to be removed from the register, please check the following box and provide your signature and date below. The remainder of this form does not require completion. Confirmation of your removal in good standing will be sent to you via email or mail.

Please remove me from the register in good standing, effective March 1, 2018.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**DECLARATION STATEMENT**  
**FULL REGISTRATION (365 Day Rule Exempt)**

I, \_\_\_\_\_, hereby submit my application to the College of Dental Hygienists of British Columbia for Full Registration (365 Day Rule Exempt) to practice dental hygiene in the Province of British Columbia for the remainder of the registration period ending February \_\_, \_\_\_\_.

Furthermore, I certify that, to the best of my knowledge:

1. I currently meet all requirements for Full Practicing or Conditional registration as outlined in the College of Dental Hygienists of BC Bylaws.
2. I hold a current certificate in Health Care Practitioners (HCP) Cardiopulmonary Resuscitation (CPR) and will ensure I maintain a current certificate while I am registered in the Full Registration (365-Day Rule Exempt) class.
3. I have a minimum of 3500 hours of clinical dental hygiene practice experience completed within the previous 5 years from the date of this application.
4. I understand that as a Full (365-Day Rule Exempt) registrant, I will be exempt from the requirement that states my clients must have had a dental examination in the 365 days prior to receiving dental hygiene care. However, I understand that I am required to advise my clients of the need for regular dental exams and to notify the College of Dental Surgeons of B.C. if dental services cannot be arranged for clients. I will refer to Tab 7 in my Registrant's Handbook for the guidelines outlining the notification requirement.
5. The information provided on this form is true and correct.
6. I do not know of any reason, condition or circumstance why I should not be granted Full (365 Day Rule Exempt) Registration.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**For Conditional Registrants only:**

I understand that I may not administer local anesthesia and I know that my registration in this province may be renewed to a maximum period of two years.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**CERTIFICATE OF REGISTRATION**

**FORM 4**

**COLLEGE OF DENTAL HYGIENISTS OF BRITISH COLUMBIA**

**Registration No. \_\_\_\_\_**

**CERTIFICATE OF REGISTRATION**

The board of the College of Dental Hygienists hereby certifies that \_\_\_\_\_  
has met the qualifications provided for in the bylaws of the College made pursuant to the *Health Professions Act*, and is duly qualified to practice dental hygiene as a registrant of the College of Dental Hygienists of British Columbia in the following category:

\_\_\_\_\_

Limits or Conditions: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_ EXPIRY DATE: \_\_\_\_\_

**FORM 5**

**CERTIFICATE OF ELECTION**

**COLLEGE OF DENTAL HYGIENISTS OF BRITISH COLUMBIA**

**Certificate No. \_\_\_\_\_**

**CERTIFICATE OF ELECTION**

The board of the College of Dental Hygienists hereby certifies that \_\_\_\_\_  
has been elected as a member of the board of the College in accordance with the *Health Professions Act*. The term of office as a member of the board of the College will commence on \_\_\_\_\_ in the year \_\_\_\_\_ and terminate on \_\_\_\_\_ in the year \_\_\_\_\_ .

Given under the seal of the board at \_\_\_\_\_, British Columbia, this \_\_\_\_\_ day  
of \_\_\_\_\_.

\_\_\_\_\_

[Registrar]

BRITISH COLUMBIA ELECTORAL DISTRICTS



LEGEND

- 1 - CARIBOO NORTH
- 2 - VANCOUVER ISLAND / COAST
- 3 - LOWER MAINLAND
- 4 - OKANAGAN
- 5 - KOOTENAYS

SCHEDULE B

**NOMINATION AND DECLARATION FOR ELECTION TO THE BOARD  
OF THE COLLEGE OF DENTAL HYGIENISTS OF BRITISH COLUMBIA**

I, \_\_\_\_\_, of \_\_\_\_\_ B.C., hereby nominate for election  
*(please print)*  
as a Board member of the College of Dental Hygienists of British Columbia \_\_\_\_\_  
of the following district: Cariboo North, Kootenays, Lower Mainland, Okanagan,  
Vancouver Island/Coast. (CIRCLE ONE)

DATED at \_\_\_\_\_, B.C., this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature

The nomination of \_\_\_\_\_ is supported by the following 5 registrants:

- |    |                                   |           |
|----|-----------------------------------|-----------|
| 1. |                                   |           |
|    | Name and Registration No. (print) | Signature |
| 2. |                                   |           |
| 3. |                                   |           |
| 4. |                                   |           |
| 5. |                                   |           |

I, the above named \_\_\_\_\_ hereby accept this nomination.

In accepting this nomination, I declare that I will observe all the provisions of the *Health Professions Act*, all regulations made pursuant to the *Health Professions Act* and the bylaws of the College of Dental Hygienists of British Columbia.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# BALLOT PAPER

## SCHEDULE C

### District: Cariboo North

Only *one* Candidate to be voted for:

[name]	
[name]	
[name]	

*Mark* with (X) opposite the Candidate for whom you desire to vote.

### District: Kootenays

Only *one* Candidate to be voted for:

[name]	
[name]	
[name]	

*Mark* with (X) opposite the Candidate for whom you desire to vote.

### District: Lower Mainland

Only *one* Candidate to be voted for:

[name]	
[name]	
[name]	

*Mark* with (X) opposite the Candidate for whom you desire to vote.

### District: Okanagan

Only *one* Candidate to be voted for:

[name]	
[name]	
[name]	

*Mark* with (X) opposite the Candidate for whom you desire to vote.

### District: Vancouver Island/Coast

Only *one* Candidate to be voted for:

[name]	
[name]	
[name]	

*Mark* with (X) opposite the Candidate for whom you desire to vote

## FEES

<b>SCHEDULE D</b>
-------------------

*The Board fixes the fees as follows:*

1. Initial Registration (Full, Full (365 Day Rule Exempt), Conditional, Non-Practicing Classes)	\$525.00
2. Application Fee (Handbook sent after this is received)	\$100.00
3. Annual Registration (Full, Full [365 Day Rule Exempt], Conditional Classes)	\$495.00
4. Annual Registration (Non-Practicing Class)	\$250.00
5. Half Year Registration (Annual)	\$290.00
6. Temporary or Student Registration	\$112.00
7. Reinstatement Fee (Full Classes)	\$176.75
8. Reinstatement Fee (Non-Practicing Class)	\$89.25
9. Examination	\$2500.00
10. Non-Sufficient Funds (NSF) Cheque Fee	\$25.00
11. Duplicate Receipts/Certificates	\$25.00
12. Duplicate Handbook (USB drive)	\$25.00
13. Health Profession Corporation Permit Fee	\$105.00
14. Health Profession Corporation Permit Renewal Fee	\$30.00
15. Quality Assurance Program Non Compliance Fee	\$750.00

## PRACTICE STANDARDS

1. A dental hygienist must obtain informed consent from the client or the client's representative before initiating dental hygiene care.
2. A dental hygienist must practice safely.
3. A dental hygienist must assess the client's needs.
4. A dental hygienist must analyze the assessment information and make a dental hygiene diagnosis.
5. A dental hygienist must plan for the dental hygiene care to be provided, based on the assessment data and dental hygiene diagnosis.
6. A dental hygienist must implement the plan consented to or adjust the plan in consultation with the client or the client's representative.
7. A dental hygienist must evaluate while dental hygiene care is being provided, and at the completion of care, to determine if the desired outcome has been achieved.
8. A dental hygienist must document the dental hygiene care provided, following protocols of the practice setting.

## CODE OF ETHICS

A dental hygienist must:

1. Hold paramount the health and welfare of those served professionally;
2. Provide competent and appropriate care to clients;
3. Practice the principle of confidentiality;
4. Treat clients with respect for their individual needs and values;
5. Regard the clients' rights to control their own care;
6. Inform clients of the dental hygiene care available to them, clearly advise them of probable consequences of not following recommended action, but respect the client's right of informed choice;
7. Recognize the expertise and contribution of colleagues and other disciplines as essential to excellent client care;
8. Uphold the principle that the public should have fair and equitable access to dental hygiene services;
9. Maintain a high level of skill by participating in programs of continued study to update and advance their body of knowledge;
10. Report to their licensing body or other appropriate agencies any illegal or unethical professional decisions or practices by dental hygienists, or others;
11. Avoid a conflict of interest in carrying out professional duties, but where such conflict arises, fully disclose the circumstances without delay to the client or appropriate agency; and
12. Represent the values and ethics of dental hygiene before others, and maintain the public trust in dental hygienists and their profession.

## **TARIFF OF COSTS (INVESTIGATIONS)**

For the purpose of assessing costs under this tariff, qualifying expenses incurred by the college from the time

- (a) the registrar receives a complaint in writing under section 32(1) of the Act, or
- (b) the inquiry committee initiates an investigation of a matter on its own motion under section 33(4) of the Act,

until the time the inquiry committee directs the registrar to issue a citation or otherwise disposes of the complaint or matter under section 33(6) of the Act are deemed to be expenses incurred for the investigation of the complaint or matter.

### ***Expense***

Legal representation for the purposes of the investigation  
Other reasonable and necessary professional services engaged for the purposes of the investigation  
Other reasonable and necessary disbursements incurred for the purposes of the investigation (including disbursements incurred by legal counsel)

### ***Rate of indemnity***

up to 50% of actual legal fees  
100% of actual fees  
100% of actual disbursements

## **TARIFF OF COSTS (HEARINGS OF DISCIPLINE COMMITTEE)**

For the purpose of assessing costs under this tariff, qualifying expenses incurred from the time the inquiry committee directs the registrar to issue a citation under section 33(6)(d) of the Act until the time

- (a) the inquiry committee accepts a written proposal for a consent order under section 37.1(2) or (5) of the Act,
  - (b) the discipline committee dismisses the matter under section 39(1) of the Act, or
  - (c) the discipline committee issues an order under section 39(2) of the Act,
- are deemed to be expenses incurred in the preparation for and conduct of the hearing.

***Expense***

***Rate of indemnity***

Legal representation for the purposes of preparing for and conducting the hearing

up to 50% of actual legal fees

Reasonable and necessary expert witness fees for the purposes of preparing for and conducting the hearing

100% of actual fees

Other reasonable and necessary disbursements incurred for the purposes of preparing for and conducting the hearing (including disbursements incurred by legal counsel)

100% of actual disbursements

## DENTAL HYGIENE PROGRAMS

### *British Columbia*

- Camosun College, Dental Hygiene Program
- College of New Caledonia, Dental Hygiene Program
- University of British Columbia, Faculty of Dentistry, Dental Hygiene Program
- University of the Fraser Valley, Dental Hygiene Program *\*UFV suspended intake into their program in Fall 2012\**
- Vancouver College of Dental Hygiene, Dental Hygiene Program
- Vancouver Community College, Dental Hygiene Program
- Vancouver Island University, Dental Hygiene Program