



Saskatchewan Dental Therapists Association

SDTA REGULATORY BYLAWS

(version 1.0)

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PART 1 - REGULATORY BYLAWS

INTERPRETATION

1. These bylaws may be cited as the regulatory bylaws made pursuant to section 15(2) of the Dental Disciplines Act 1997;
2. Any term defined by the Dental Disciplines Act 1997 shall have the same meaning when used in these bylaws and, unless the context otherwise requires;
3. These bylaws replace all previously existing bylaws of the Association.

BYLAW I - MEMBERSHIP

SECTION 1 - Categories of Membership

1. Membership in the association shall consist of the following categories:
 - a) Practicing Membership
 - b) Non-Practicing Membership

SECTION 2 - Practicing Membership

1. Practicing membership is granted to a licenced dental therapist to practice dental therapy ~~in the~~ province of Saskatchewan upon completion of registration and licencing requirements in accordance with the Act and these bylaws;
2. Practicing members are entitled to the following privileges:
 - a) may practice dental therapy;
 - b) are entitled to have voice, vote, be eligible to stand for and hold office in the association;
 - c) shall receive publications of the association;
 - d) shall receive all documents designed for distribution to practicing members;

SECTION 3 - Non-Practicing Membership

1. A non-practicing membership shall be granted to a dental therapist who has fulfilled the registration requirements in accordance with these bylaws but will not be practicing as a dental therapist in the province of Saskatchewan;
2. A dental therapist may be granted a non-practicing membership for no more than three consecutive licensing periods, after which the dental therapist must obtain a licence to remain registered;
 - a) Failure to comply with Section 3 - 2) of the non-practicing membership provisions will result in the name of the dental therapist being struck from the register.
3. Members with a non-practicing membership are entitled to the following privileges:
 - a) are entitled to have voice, vote and be eligible to stand for and hold elected office in the association;
 - b) shall receive publications of the association;
 - c) shall receive all documents designed for distribution to non-practicing members;

BYLAW II - REGISTRATION AND LICENSING

SECTION 1 - Requirements for Registration

1. A person may be registered as a member of the association by completing the prescribed application form and:
 - a) providing evidence to the satisfaction of council that the applicant has successfully completed an educational program in dental therapy recognized by Council;
 - b) payment of the prescribed fees;
 - c) be of good character;
 - d) apply for registration:
 - i. within three (3) years of graduation; or
 - ii. have legally provided dental therapy services for at least 60 days in the last 5-year period;
2. Council may prescribe examinations and/or an evaluation process for registration where the evidence provided is not adequate to the satisfaction of council to determine the eligibility of applicants for registration.
3. An applicant for registration who does not meet the currency of practice requirements in paragraph 1 d) may be granted registration upon proof that the applicant has successfully completed a re-entry program approved by the Council.
4. The Council may grant a restricted licence to a person that meets the requirements of paragraphs 1 a) to c) and has been approved by the Council to participate in a re-entry program approved by the Council. Such restricted licence may be subject to such conditions and restrictions as Council specifies in the licence, including a restriction on the length of time for which such licence is valid.

SECTION 2 - Maintaining Registration

1. To maintain registration members must either hold a current Saskatchewan licence or a non-practicing membership;
2. A dental therapist who has not maintained registration in accordance with Section 2 1) of these bylaws shall automatically have their registration revoked and have their name struck from the register.

SECTION 3 - Requirements for a Licence or Non-practicing Membership

1. All persons applying for a licence to practice dental therapy or a non-practicing membership must:
 - a) be registered in accordance with the Act and bylaws;
 - b) pay the prescribed fees;
 - c) fulfil continuing education requirements;
2. Council may prescribe examinations required where the evidence provided is not adequate to the satisfaction of council to determine the eligibility of applicants for licensure;
3. Any member applying for a license must provide evidence to the satisfaction of Council that the applicant is insured for professional liability to a minimum level of at least \$1,000,000/occurrence and at least \$1,000,000 in aggregate.
4. Licensed members must display their annual license certificates in a prominent place in each member's place of employment.

SECTION 4 - Categories of Licence

1. A registered member may be issued one of the following categories of licence:

- a) Full licence
 - b) Restricted licence
 - c) Temporary Licence to Practice
2. Full Licence - shall be granted to members who have fulfilled all registration and licence requirements;
 3. Restricted Licence - may be granted to members:
 - a) who have not completed to the satisfaction of council all the requirements for a full licence;
 - b) to restrict a member from providing specific services where the discipline committee has found a member guilty of professional misconduct or professional incompetence.
 4. Temporary Licence to Practice - may be granted to a dental therapist to practice dental therapy for a specified period of time and purpose including but not limited to conducting a continuing education course or research project; who
 - a) fulfils the requirements for registration as defined in the bylaws; and
 - b) pays the prescribed fees;
 - c) A temporary licence to practice will specify the purpose, conditions and the period of time that the temporary licence to practice will be in effect for.

SECTION 5 - Reinstatement

1. A member whose licence to practice dental therapy has been suspended or restricted for disciplinary reasons or their registration has automatically ceased by reason of a deficiency of continuing education credits, or not paying annual licence or non-practicing membership fees, may apply to Council to have their status reviewed by submitting a written request including:
 - a) evidence that they meet the requirements for registration;
 - b) payment of the prescribed reinstatement, registration and licence or non-practicing membership fees;
 - c) any other evidence that the applicant desires the Council to review in support of the reinstatement request;
2. On receipt of the written request, council shall review the evidence submitted and exercise its discretion in the best interests of the public and profession and may impose or waive conditions for reinstatement.

SECTION 6 - Continuing Education Requirements

1. All practicing and non-practicing members must obtain a minimum number of 40 continuing education credits over a three-year period to maintain registration and/or licence with the association.
2. Continuing education credits will be granted for continuing education courses or professional development activities according to policies set by the Credentials Committee and approved by council.
3. Members are responsible to provide evidence to the satisfaction of council that the member has obtained the required educational credits. This evidence must be filed with the Registrar.
4. The Registrar will provide all members with a yearly report of their continuing education credits with their annual licence or non-practicing membership renewal forms.
5. The accumulation period for continuing education credits will begin upon registration and/or licensure and end at the end of the third licencing period from which the member initially registered and/or licenced.

SECTION 7 - Licence and Non-practicing Membership Renewal

1. Council or its designate will provide ~~by regular mail,~~ annual licence and non-practicing membership renewal forms to all registered members of the association at least 45 days before the licences and non-practicing memberships expire.
2. Effective 2009 the Annual Membership year shall begin February 1 and shall end on January 31 of the following year.
3. Any person who is a member of the Saskatchewan Dental Therapists Association on the day before subsection 7(2) comes into force will have their membership extended to January 31 of 2010.

BYLAW III - STATUTORY COMMITTEES

SECTION 1 - Professional Conduct Committee

1. The Professional Conduct Committee is responsible for carrying out the duties prescribed to it under the Act and these bylaws including investigation of incidents of professional misconduct and professional incompetence;
2. All matters referred to the Professional Conduct Committee must be in writing;
3. The Professional Conduct Committee shall:
 - a) notify, in writing, the person who is the subject of a report or allegation that a report or allegation has been received and request a written response;
 - b) notify, in writing, the person who made the report or allegation that the report or allegation will be reviewed;
 - c) subject to subsection 29 (5) of the Act, hold in confidence all sessions, documentation and information received.

SECTION 2 - Discipline Committee

1. The Discipline Committee shall carry out the duties prescribed to it under the Act and these bylaws including hearing and determination of formal complaints that are referred to it by the Professional Conduct Committee including, but not limited to;
 - a) All necessary actions including hearings to determine whether the subject of a complaint or allegation is guilty of professional misconduct and/or professional incompetence;
2. The Discipline Committee will provide a written decision respecting the determination of the Committee subsequent to any hearing to review a complaint to:
 - a) Council
 - b) the person who was the subject of the allegation or report; and
 - c) the person who initiated the allegation or report;
3. Subject to the Act, the Discipline Committee shall hold in confidence all documentation and information received except findings of guilt;
4. For the purposes of the Act and bylaws, professional misconduct includes but is not limited to the following:
 - a) violation of the Professional Code of Ethics of the association;
 - b) failure to maintain or falsifying a record with respect to the care and services to a client;

- c) abusing a client physically, sexually, emotionally or verbally;
- d) failure to inform an employer of the dental therapist's inability to accept specific responsibility in areas where they do not have the formal training as approved by Council;
- e) failure to respond without reasonable cause to inquiries of the Professional Conduct Committee and/or the Discipline Committee regarding alleged professional misconduct and/or professional incompetence;
- f) obtaining registration by misrepresentation or fraud;
- g) contravening any provision of the Act or bylaws.

BYLAW IV - CODE OF PROFESSIONAL ETHICS

SECTION 1 - Code of Professional Ethics

1. It is the duty of every dental therapist to uphold the honour and dignity of the profession and adhere to the principles hereinafter set forth;
2. A dental therapist must realize the preventive aspects of dental services and make use of every opportunity to promote the improvement of the health and well-being of the individual and the community;
3. A dental therapist shall not make any statement or declaration or sign any certificate or any other document which the therapist knows, or ought to know, to be untrue, misleading or otherwise improper;
4. A dental therapist shall only undertake the treatment of a patient when the therapist is qualified by training and experience to carry out the treatment plan;
5. It is unethical for any dental therapist to pass judgement to members of the public on the qualifications or procedures rendered by fellow dental therapists or members of the dental profession generally;
6. Information of a confidential nature acquired from a patient in the course of duty shall be kept in utmost confidence except as it may be necessary to divulge such information to protect the welfare of the individual or as may be required by law;
7. Every dental therapist shall give whole hearted support to the highest standards of integrity, honesty, competence and devotion to the common good of the profession;
8. A dental therapist, as a member of the health profession, does not lend testimonial or signature, whether for reward or not, to any product or material offered for sale to the public;
9. A dental therapist should expose to the Registrar and/or member of the Saskatchewan Dental Therapists Council without hesitation any illegal, unethical or unprofessional conduct of fellow therapists;

BYLAW V - PROFESSIONAL CONFLICT OF INTEREST GUIDELINES

SECTION 1 - Professional Conflict of Interest Guidelines

1. All dental therapists shall conduct themselves so that their actions and conduct may not be interpreted as protecting self-interest. The interests of the public must always come first;
2. All elected members of Council and the association, appointed members, committee chairpersons, and employees of the association acting in an official capacity shall conduct themselves so that their actions and conduct may not be interpreted as self-serving; and
 - a) shall declare a conflict of interest in matters in which they have a vested interest;
 - b) remove themselves completely from the matters from which the conflict arises.

3. A conflict of interest may be defined as, but is not limited to the following:
- a) where the member has a direct material interest;
 - b) where the member is involved in determining/reviewing credentials and registration/licencing eligibility for an applicant or another member who is an associate or related to that member;
 - c) where the member is involved in the investigation and/or discipline process affecting another member who is an associate or related to that member; and
 - d) any situation that a reasonable person would believe that a conflict of interest could occur.