

## Section 3

### ***College of Denturists***

This section contains a brief history of the regulation of denturists in British Columbia as well as a graphic presentation of the structure of the College of Denturists of British Columbia and of the College office. The section also outlines the duties and responsibilities of the College and the Board, as well as the mandates of the College Committees.

## **History of Denturist Regulation in British Columbia**

---

Denturists, first known as dental mechanics, were legally recognized as a health occupation in 1958. They were included with dental technicians in the only dual incorporating Act in British Columbia, the *Dental Technician/Dental Mechanic Act*. Numerous changes were subsequently made to this Act between 1962 and 1995.

In 1990, the *Health Professions Act* was proclaimed. This Act was created to serve as "umbrella" legislation for unregulated health professions (rather than developing a specific act for each new health profession), and with a view to bringing existing health professions under the *Health Professions Act*.

The Minister of Health appointed a three-member Council, the Health Professions Council, to review applications for designation under the *Health Professions Act*. In 1991, the Denturist Association of British Columbia submitted its application to the Health Professions Council.

The Health Professions Council undertook a thorough investigation of the profession of denturism. The Council sought comments from numerous groups across Canada and held public hearings with regard to the application.

In October 1993, the Health Professions Council released their report recommending that denturists be designated under the *Health Professions Act*.

In December 1995, the *Dental Technicians and Denturists Act* was repealed, and the Denturists Regulation was approved under the *Health Professions Act*.

The College of Denturists of British Columbia developed bylaws which were approved by Cabinet on December 4, 1996. The first elections for the College were held in February 1997.

## Structure of the College of Denturists

---

### Board

The Board is comprised of six elected registrants and three public representatives appointed by the Minister. Election of professional members is held annually.

### Committees

Comprised of three persons appointed by the Board, with one-third public representation.

<b>Registration Committee</b>	<b>Inquiry Committee</b>	<b>Discipline Committee</b>
Responsible for all aspects of registration and licensing, including examinations.	Investigates complaints.  Makes orders resulting from complaints and investigations.  Refers complaints to Discipline Committee as necessary.	Conducts hearings into matters referred by Inquiry Committee
<b>Quality Assurance Committee</b>	<b>Patient Relations Committee</b>	<b>Executive Committee</b>
Responsible for continuing education and practice standards	Responsible for measures preventing or dealing with professional misconduct of a sexual nature.	Responsible for administering financial matters and other specific matters as requested by Board.

## **Structure of the College of Denturists**

---

### **Board**

Governs, controls and administers the affairs of the College.

### **Registrar**

Accountable to the Board for all aspects of College operations including financial matters, office personnel management, register of denturists, registration and licensure, investigation, and continuing education program.

Provides support to Board and Committees.

Is a non-voting member of the Board.

### **Deputy Registrar**

Fulfills role in the absence of the Registrar.

Present structure places the Chair of the Board as the Deputy Registrar.

### **Executive Secretary**

Responsible for day-to-day operation of the College.

Reports directly to the Registrar.

## Position Description: Registrar

---

Revised May 1999

### SUMMARY

The Registrar is responsible for carrying out the regulatory and administrative functions of the College. Assists the Board in developing objectives and policies to meet the present and future needs of the College and its registrants. Major areas of responsibility include: support for the Board of Directors in their roles, member and external relations, administration and committees, registration and licensing and the development, revision and administration of examinations. The functions and responsibilities of the Registrar are accomplished by seeking such advice, consultation and professional memberships as are necessary. The position requires that the Registrar not hold membership on the Board of the Denturist Association of BC.

### FUNCTIONS

#### *Board of Directors*

- Advises and supports the Board in carrying out the business of the College as required under the Health Professions Act, Regulations, and Bylaws.
- Identifies and monitors developments in health care and in the practice of denturism relevant to the College's public interest mandate. Remains current on issues/trends affecting the profession.
- Develops and recommends to the Board short- and long-range objectives. Develops and recommends policy to the Board.
- Attends and prepares materials for all Board meetings. Conducts the secretarial duties of the Board. Follows up on actions arising from Board minutes.
- Researches, analyzes and prepares briefing materials, options and recommendations on Board, committee, and College issues as appropriate. Research and analysis includes consulting relevant persons, agencies or references and condensing the information to be accessible to the Board.
- Oversees the planning and organization of the General Annual Meeting and other special meetings of the College.
- Assists the Board as required with the preparation and delivery of presentations to governments, registrants and other groups on issues which affect the College, its registrants or the public.

### ***Member and External Relations***

- Ensures that accurate and timely information about College organization, programs and policies is communicated to registrants, the public, other organizations and media.
- Responds to media requests or arranges for an appropriate spokesperson.
- Responds promptly to member enquiries or requests by providing comprehensive and accurate advice on College regulation and administrative policies.
- Submits to the Board for approval all newsletters and policy statements distributed to College registrants or to the public.
- Develops and maintains senior level contacts and effective working relationships with appropriate government and other public agency officials interested in health care issues related to the practice of denturism.

### ***Administration***

- Responsible for the efficient management of all College business.
- Conducts such administrative functions as are specified in the Health Professions Act and Regulation and the College's bylaws.
- Creates a work environment that is appropriate to attract and maintain professional/ administrative/clerical staff of high calibre.
- Ensures that staff members develop and maintain effective working relationships with those with whom they are in contact on College business.
- Instructs new staff in the effective performance of their responsibilities. Disciplines staff, up to and including discharge as required.
- Recommends to the Board the College's annual budget and administers the approved budget. Is a signing officer for the College.
- Ensures protection, maintenance and optimum use of the College's physical assets.

### ***Committee Support***

- Facilitates, supports, monitors progress and acts as a resource to the Registration, Inquiry, Executive, Discipline, Quality Assurance and Patient Relations Committees, and any special committees assigned by the Board.
- Assists the chair in preparing the agenda and arranges for reproduction and distribution of any briefing materials prior to the scheduled meeting.
- Attends Committee meeting; takes minutes; advises on inter-relating activities; prepares committee reports and follows up to ensure that committee projects are accomplished.
- Communicates College policy with respect to the activities and scope of all committees.
- Facilitates effective communication among committee members and between inter-relating committees.

### ***Regulation***

- Ensures that the Health Professions Act and regulation and the College bylaws are enforced as they relate to the discipline of registrants.
- Develops and present policy recommendations to the Registration Committee and criteria for registration/licensure to ensure the appropriate quality of licensed denturists in the province.
- Reviews applications for registration, licensure and examination including the approval of documents. Where credentials are in doubt, interviews candidates and investigates references, records, convictions, etc. which may influence the decision.
- Responsible for the final disposition of applications for registration, licensure, and examination.
- Maintains the Register for registrants and provides reports as requested.
- Consults with legal advisors concerning regulatory functions and jurisprudence as it relates to the practice of denturism.

- Arranges for investigations, professional reviews, mediation and Courts of Inquiry. Ensure that appropriate confidentiality of files and records is maintained and determines access to files related to regulatory functions.
- Consults with appropriate personnel regarding the validity of the examination and the process. Develops, recommends and implements changes/revisions to the examination and the process as approved by the Registration Committee.
- Arranges for the conduct of the examination including location, dates, markers, examiners and substitutes, observers, and support staff.
- Completes the entire examination process and provides results to the Registration Committee. This process includes revision of examinations and developing new exams as required. Makes policy recommendations regarding the examination and its administration.

### **Sundry**

- Carries out such further other duties and assignments as may from time to time be determined by the Board of Directors.
- The Registrar will have his/her performance reviewed annually by the Board.

### **CANDIDATE SPECIFICATIONS**

- Proven and successful management and administrative skills such as
  - ability to develop and maintain excellent working relationships.
  - high energy level and the ability to work independently.
  - ability to communicate effectively, both orally and in writing.
  - ability to cope with workload, a high tolerance to change, alterations to schedules, and performance in a public arena.
  - familiarity with boards and organization protocol.
- Experience working with regulatory agencies an asset.
- Working knowledge and understanding of the practice of denturism.
- Integrity and sound judgment.
- Establishing and achieving goals

- University degree preferred

### ***Position Description: Executive Secretary***

#### **Summary**

The Executive Secretary is a member of the administrative staff of the College and reports directly to the registrar. Major areas of responsibility include: secretarial support for the board and its committees as directed by the registrar, liaison with registrants and prospective registrants, and assistance with the day-to-day administrative functions of the College.

#### **Functions**

- Organizes meetings of the board and its committees as required. Prepares and distributes any necessary materials, and follows up with correspondence or action as appropriate. Directs correspondence to appropriate committees in a timely manner.
- Assists the registrar to ensure that accurate information about the College organization, programs and policies is communicated to registrants. Takes direct calls from registrants and answers questions as appropriate. Responds promptly to registrant inquiries.
- Prepares invoices for registration fees. Processes the appropriate application forms and other documentation for new or renewing registrants.
- Maintains a quality assurance record for all registrants.
- Organizes and maintains the central office file system including the database and all computer records. Processes all incoming and outgoing mail. Ensures confidentiality of documents and records.
- Ensures proper and appropriate backup copies of computer systems are completed on a timely basis.
- Supports the registrar in administering the College budget by monitoring all office and travel expenses, processing all accounts payable and accounts receivable, completing the payroll, and the timely preparation of any required financial statements.
- Ensures the adequate supply, maintenance and optimum use of all the College's office material assets.
- Makes any recommendations for change to the office management to the registrar.
- Carries out other duties and assignments as may, from time to time, be determined by the registrar.

## **Specifications**

- Demonstrates good interpersonal skills.
- Ability to communicate effectively orally, in writing, and by telephone.
- Familiarity with boards and organizational protocol.
- Good working knowledge of office administrative protocol.
- Ability to work independently.
- Demonstrates a professional and mature attitude.
- Office administrative credentials preferred.

## **Duties and Responsibilities of the College**

---

The duties and responsibilities of the College are found in Section 16 of the *Health Professions Act*, and include the following:

- to serve and protect the public;
- to exercise its powers and discharge its responsibilities under all enactments in the public interest;
- to superintend the practice of the profession;
- to govern registrants according to the *Act*, the regulations and the bylaws of the college;
- to establish, monitor and enforce standards of education and qualifications for registration of registrants;
- to establish, monitor and enforce standards of practice to enhance the quality of practice and reduce incompetent, impaired or unethical practice amongst registrants;
- to establish and maintain a continuing competency program to promote high practice standards amongst registrants;
- to establish a patient relations program to seek to prevent professional misconduct of a sexual nature;
- to establish, monitor and enforce standards of professional ethics amongst registrants;
- to require registrants to provide individuals access to their health care records in appropriate circumstances;
- to inform individuals of their rights under the *Act*, the regulations and the bylaws of the college and the *Freedom of Information and Protection of Privacy Act*;
- to administer the affairs of the college and perform other duties through the exercise of the powers conferred by the *Act*, the regulations or the bylaws.

## **Responsibilities of the Board**

---

Board responsibilities are found in Sections 18 and 19 of the *Health Professions Act*. The board must govern, control and administer the affairs of its college in accordance with the *Act*, the regulations and the bylaws.

The board must submit an annual report respecting its college, including information that the Lieutenant Governor in Council may prescribe, to the minister not later than 120 days after the end of the fiscal year for the college.

The board may, by bylaw, do the following:

- establish the number of members of the board to be elected;
- establish the time, manner and procedure for the election of registrants to the board;
- regulate the time, place, calling and conduct of meetings of the board and general meetings of registrants;
- establish the quorum for meetings of the board and general meetings of registrants;
- establish the terms of office of elected members of the board and the manner in which vacancies on the board may be filled;
- establish forms for the purposes of the bylaws and require use of the forms by registrants;
- provide for the appointment, removal, functions, duties and remuneration of officers, employees, and agents of the college;
- provide for the appointment of an auditor;
- establish classes of registrants;
- establish requirements for the registration of persons practicing denturism;
- establish standards, limits or conditions for the practice of denturism by registrants;
- establish standards of professional ethics for registrants;
- establish standards of education for registrants;
- establish requirements for continuing education for registrants;
- establish requirements for maintenance of professional liability insurance coverage by registrants;
- establish fees payable to the college by registrants;
- provide for special fees levied under the bylaws to be payable by registrants;
- establish requirements for renewal, suspension, cancellation and reinstatement of the registration of persons practicing denturism, including providing for the suspension or cancellation of the registration of a registrant for late payment or non-payment of fees;
- regulate and prohibit advertising or types of advertising by registrants;
- establish a registration committee, a quality assurance committee, an inquiry committee, a discipline committee, a patient relations committee and other committees the board determines are necessary or advisable;
- in respect of the established committees, provide for the following:
  - appointment and removal of committee members;
  - procedures to be followed by the committee;
  - duties and powers of the committee;
  - delegation of a duty or power of the board to the committee;
  - delegation of a duty or power of the committee to panels of the committee;

- provide for remuneration of the members of the board and established committees;
- establish the maximum fine that the discipline committee may impose under section 39 (1) (f);
- establish educational requirements and guidelines for registrants respecting their relations with patients;
- establish rules concerning access to health care records;
- provide for the general administration and operation of the college.

## **Committee Mandates**

---

### **Discipline Committee**

Mandate for the discipline committee is found in Sections 37 to 40 of the *Health Professions Act*. The committee must hear and determine a matter set for hearing by citation issued under Section 37.

#### ***Citation for Hearing by Discipline Committee [Health Professions Act Section 37]***

- If directed by the inquiry committee or the board, the registrar must issue a citation that:
  - names the affected registrant as respondent,
  - describes the nature of the complaint or other matter that is to be the subject of the hearing, including the particulars of any evidence in support of that subject matter,
  - specifies the date, time and place of the hearing, and
  - advises the respondent that the discipline committee is entitled to proceed with the hearing in his or her absence.
- The registrar must have a citation either delivered to the respondent by personal service or sent by registered mail to the respondent at the last address for that respondent recorded in the register referred to in section 21 (2) not fewer than 30 days before the date of the hearing.
- If the subject matter of a citation is a complaint, the registrar must notify the complainant in writing of the date, time and place of the hearing not fewer than 14 days before the date of the hearing.
- The inquiry committee or the board may direct the registrar to cancel a citation that has been issued on its direction if the inquiry committee or board afterwards determines that a hearing by the discipline committee is not required and the registrar must then cancel the citation and notify the respondent and the complainant, if any, of the cancellation.

### ***Discipline Committee Hearing [Health Professions Act, Sections 38]***

- A hearing of the discipline committee must be in public unless:
  - the complainant or the respondent requests the discipline committee to hold the hearing in private, and
  - the discipline committee is satisfied that a private hearing would be appropriate in the circumstances.
- At a hearing of the discipline committee,
  - the testimony of witnesses must be taken on oath, which may be administered by any member of the discipline committee, and
  - there must be a full right to cross examine witnesses and call evidence in defence and reply.
- If the discipline committee considers the action necessary to protect the public between the time a hearing is commenced and the time it makes an order under section 39 (1), the discipline committee may set limits or conditions on the practice of denturism by the registrant or may suspend the registration of the registrant and, for these purposes, section 35 applies.

### ***Action by Discipline Committee [Health Professions Act, Section 39]***

- On completion of a hearing, the discipline committee may, by order, do one or more of the following:
  - dismiss the matter;
  - reprimand the respondent;
  - impose limits or conditions on the practice of denturism by the respondent;
  - suspend the registration of the respondent;
  - cancel the registration of the respondent;
  - fine the respondent in an amount not exceeding the maximum fine established under section 19 (1) (w);
  - assess costs or part of the costs of the hearing against the respondent.
- An order of the discipline committee under section 39 (1) must be in writing and must be delivered to the respondent and to the complainant, if any.

### ***Appeal of Discipline Committee Decision to Supreme Court [Health Professions Act, Section 40 (1), (2)]***

- A person aggrieved or adversely affected by an order of the discipline committee under section 39 (1) may appeal or the board may appeal the order to the Supreme Court.
- An appeal under this section must be commenced within 30 days after the date of the decision.

### **Executive Committee**

- Prepare and recommend to the board a budget for operation of the College.
- Monitor that financial records are kept and statements are presented to the board on a regular basis.
- May invest funds of the College in lawful securities for the establishment of trust funds in the name of the College.
- Attend to other issues that may be referred to it by the board.

### **Inquiry Committee**

Mandate for the inquiry committee is found in Sections 26 to 36 of the *Health Professions Act*.

- The committee must investigate complaints received against registrants.
- The committee may also investigate a registrant on its own motion (i.e., without a complaint) with regard to:
  - contravention of the *Act*, regulations or bylaws; or failure to comply with a limit or condition imposed under the *Act*, regulations or bylaws;
  - professional misconduct;
  - competence to practice denturism; or
  - physical or mental ailment, emotional disturbance or addiction which impairs the ability to practice denturism.
- After investigating, the committee may:
  - take no further action;
  - take any action it considers appropriate to resolve the matter between complainant and registrant;
  - request the registrant not to repeat the misconduct;

- request the registrant to take educational courses;
  - request the registrant to consent to a reprimand;
  - request the registrant to undertake or consent to any other action specified by the committee; or
  - direct the registrar to issue a citation for a disciplinary hearing.
- In cases where the committee does not direct the registrar to issue a citation, the committee must report to the board the results of its investigation and decision and must notify the complainant in writing of its decision. The complainant may appeal the committee's decision to the board within 14 days.
  - The committee may set limits or conditions on the practice of denturism by the registrant, or suspend a registrant's registration and/or license if it considers that action necessary to protect the public during an investigation or pending a hearing. If the committee does this, it must notify the registrant in writing of its decision and the reasons for that decision, and of the registrant's right to appeal that decision to the Supreme Court. If the committee determines these actions are no longer necessary to protect the public, it must cancel them and notify the registrant in writing of the cancellation as soon as possible.

### **Patient Relations Committee**

- Establish and monitor a patient relations program that includes measures for preventing or dealing with professional misconduct of a sexual nature.
- Establish educational requirements.
- Establish and monitor conduct of registrants with their patients.
- Establish and provide information to the public regarding the responsibilities of registrants.

### **Quality Assurance Committee**

- Establish and monitor standards of practice to enhance the quality of practice and reduce incompetent, impaired or unethical practice among registrants.
- Establish and monitor standards of education and qualifications for registrants, and liaise with all associated accreditation councils.
- Establish and maintain a continuing competency program to promote high practice standards among registrants.
- Establish guidelines for advertising by registrants.
- Establish and monitor standards of professional ethics among registrants.

## Registration Committee

Mandate for the registration committee is found in Section 20 of the *Health Professions Act*.

- The committee is responsible for granting registration of a person as a member of the College of Denturists of British Columbia.
- The committee must grant registration to every person who, in accordance with the requirements of the bylaws,
  - applies to the College for registration,
  - satisfies the committee that he or she is qualified to be a registrant, and
  - pays the required fees.
- A person whose application for registration is refused by the committee may appeal the refusal to the Supreme Court of British Columbia.

Of the three requirements for registration noted above, the one of substantive interest is the requirement that the committee be satisfied that the applicant is qualified to be registered as a denturist. All of the application and examination requirements set out in the bylaws support this factor.

Additional powers, duties and functions of the Registration Committee may be found in Section 20 of the Bylaws.