



Province of Alberta

HEALTH PROFESSIONS ACT

DENTAL HYGIENISTS PROFESSION REGULATION

Alberta Regulation 255/2006

Extract

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ALBERTA REGULATION 255/2006

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Definitions

1 In this Regulation,

- (a) “Act” means the *Health Professions Act*;
- (b) “College” means the College of Registered Dental Hygienists of Alberta;
- (c) “Competence Committee” means the competence committee of the College;
- (d) “Complaints Director” means the complaints director of the College;
- (e) “Council” means the council of the College;
- (f) “courtesy member” means a regulated member registered on the courtesy register;
- (g) “courtesy register” means the courtesy register category of the regulated members register;

- (h) “general member” means a regulated member registered on the general register;
- (i) “general register” means the general register category of the regulated members register;
- (j) “Registrar” means the registrar of the College;
- (k) “Registration Committee” means the registration committee of the College.

Registers

Register categories

2 The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) general register;
- (b) courtesy register.

Registration

General register

3(1) An applicant for registration as a regulated member on the general register must

- (a) have a degree or diploma in dental hygiene from a program approved by the Council,
- (b) have successfully passed a dental hygiene registration examination approved by the Council, and
- (c) have successfully passed a jurisprudence examination approved by the Council.

(2) An applicant under subsection (1) must meet one of the following:

- (a) have met the requirements of subsection (1) within the 3 years immediately preceding the date the Registrar receives a complete application;
- (b) provide evidence of 600 hours of practice as a dental hygienist within the 3 years immediately preceding the date the Registrar receives a complete application;
- (c) have successfully completed a refresher education program approved by the Council within the year

immediately preceding the date the Registrar receives a complete application;

- (d) demonstrate to the satisfaction of the Registrar or the Registration Committee that the applicant is currently competent to practise as a dental hygienist.

Equivalent jurisdiction

4(1) Subject to subsection (2), an applicant for registration as a regulated member on the general register who is currently registered in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements to those described in section 3 and who has no limitations or conditions imposed on the applicant's registration in that jurisdiction may be registered on the general register.

(2) An applicant for registration under subsection (1) must successfully pass a jurisprudence examination referred to in section 3(1)(c).

Substantial equivalence

5(1) An applicant for registration as a regulated member on the general register who does not meet the requirements described in section 3 but whose qualifications have been determined by the Registrar or the Registration Committee under section 28(2)(c) of the Act to be substantially equivalent to the competence requirements described in section 3 may be registered on the general register.

(2) In order to assist with determining whether an applicant's qualifications are substantially equivalent under subsection (1), the Registrar or Registration Committee may

- (a) require the applicant to undergo any examination, testing or any assessment activity, and
- (b) direct the applicant to undergo any education or training activities that the Registrar or the Registration Committee considers necessary in order for the applicant to be registered.

(3) An applicant for registration under subsection (1) must successfully pass a jurisprudence examination referred to in section 3(1)(c).

Courtesy register

6(1) A person who is registered as a dental hygienist in good standing in another jurisdiction who applies for registration in Alberta on a temporary basis for a specified purpose and period of time approved by the Registrar is eligible for registration on the courtesy register.

(2) It is a condition of registration on the courtesy register that the person must remain registered in good standing in the jurisdiction in which the person was registered at the time of the person's application for registration on the courtesy register and if the registration in the other jurisdiction is suspended or cancelled the courtesy registration is cancelled.

(3) The term of the registration for a person registered on the courtesy register

- (a) is for up to 60 days, and
- (b) is not renewable.

Good character

7 An applicant for registration as a regulated member on the general register or on the courtesy register must provide written evidence of having good character and reputation by submitting one or more of the following on the request of the Registrar or the Registration Committee:

- (a) a statement by the applicant as to whether the applicant is currently undergoing an unprofessional conduct process or investigation or has previously been disciplined by another regulatory organization responsible for the regulation of dental hygienists or any other profession;
- (b) a statement by the applicant as to whether the applicant has ever pleaded guilty or has been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which the applicant has not been pardoned;
- (c) any other relevant evidence as requested by the Registrar or the Registration Committee.

Liability insurance

8 An applicant for registration as a regulated member on the general register or on the courtesy register must provide evidence of having the type and amount of professional liability insurance required by the Council.

CPR certification

9 An applicant for registration as a regulated member on the general register or on the courtesy register is required to provide evidence of current cardiopulmonary resuscitation certification at a level required by the Council.

English language requirements

10(1) An applicant for registration as a regulated member on the general register or on the courtesy register must be sufficiently proficient in English to be able to engage safely and competently in the practice of the profession of dental hygienists.

(2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements established by the Council.

Practice Permit**Renewal requirements**

11 A regulated member on the general register applying for renewal of a practice permit must provide

- (a) evidence of having the type and amount of professional liability insurance required by the Council;
- (b) evidence of holding a current cardiopulmonary resuscitation certificate at the level required by the Council;
- (c) a statement by the applicant as to whether the applicant has ever pleaded guilty or has been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which the applicant has not been pardoned since the applicant's last practice permit;
- (d) a statement by the applicant as to whether the applicant has been the subject of any disciplinary action by a regulatory organization responsible for the regulation of dental hygienists or any other profession since the applicant's last practice permit;
- (e) evidence of obtaining program credits required by section 17;
- (f) a statement by the applicant of the number of practice hours as a dental hygienist obtained in the previous year.

Conditions

12 The conditions on a practice permit that the Registrar, Registration Committee or Council may impose include, but are not limited to, the following:

- (a) completion of any continuing competence requirements within a specified time;
- (b) completion of any examinations, testing, assessments, training, work experience, education or counselling;
- (c) a requirement to practise only under the supervision of another regulated member;
- (d) limitation of practice to specified professional services, restricted activities or practice settings;
- (e) refraining from practising specified professional services or restricted activities or from practising in specific settings;
- (f) that the practice permit is valid only for a specified purpose;
- (g) limitation on supervising one or more of the following:
 - (i) dental hygienists;
 - (ii) students of dental hygiene;
 - (iii) regulated members of other colleges;
 - (iv) students of other regulated professions;
- (h) reporting to the Registrar or the Registration Committee on specified matters on specified dates;
- (i) limitation on the use of titles and abbreviations referred to in section 30.

Restricted Activities**Authorized activities**

13(1) General members and courtesy members are authorized, in the practice of dental hygiene and in accordance with the standards of practice approved by the Council, to perform the following restricted activities:

- (a) for the purpose of assessing or treating oral health conditions but not for the purpose of performing restoration procedures of a permanent nature, to cut a

- body tissue, to administer anything by an invasive procedure on body tissue or to perform surgical or other invasive procedures on body tissue below the dermis or the mucous membrane or in or below the surface of teeth, including scaling of teeth;
- (b) to insert or remove instruments, devices, fingers or hands beyond the pharynx for oral soft tissue examinations;
 - (c) to reduce a dislocation of a temporomandibular joint for the purpose of reducing a subluxation of the temporomandibular joint;
 - (d) to prescribe the following Schedule 1 drugs within the meaning of Schedule 7.1 to the *Government Organization Act* for the purpose of treating oral health conditions, providing prophylaxis and treating emergencies:
 - (i) antibiotics;
 - (ii) antifungal agents;
 - (iii) anti-infective agents;
 - (iv) antiviral agents;
 - (v) bronchodilators;
 - (vi) epinephrine;
 - (vii) fluoride;
 - (viii) pilocarpine;
 - (ix) topical corticosteroids;
 - (e) to compound, provide for selling or sell, incidentally to the practice of dental hygiene, a Schedule 1 drug or Schedule 2 drug within the meaning of Schedule 7.1 to the *Government Organization Act*;
 - (f) to order or apply any form of ionizing radiation in medical radiography.

(2) A general member or a courtesy member who has provided evidence satisfactory to the Registrar of having completed and remaining current in the advanced training required by the Council and who has received notification from the Registrar that the authorization is indicated on the general register or the courtesy register is authorized to perform the following restricted activities:

- (a) to prescribe or administer nitrous oxide for the purposes of conscious sedation;
- (b) in collaboration with a dentist, to fit an orthodontic or periodontal appliance for the purpose of determining the preliminary fit of the appliance;
- (c) in collaboration with a dentist, to perform surgical or other invasive procedures on body tissue below the surface of teeth for the purpose of performing restoration procedures of a permanent nature.

Restriction

14(1) Despite any authorization to perform restricted activities, regulated members must restrict themselves in performing restricted activities to those activities that they are competent to perform and to those that are appropriate to the member's area of practice and the procedure being performed.

(2) A regulated member who performs a restricted activity must do so in accordance with the standards of practice adopted by the Council under section 133 of the Act.

Students

15(1) A student who is enrolled in a dental hygienist program approved by the Council or a general member or a courtesy member undergoing training to perform a restricted activity in a program approved by the Council is permitted to perform the restricted activities referred to in section 13 with the consent of and under the supervision of a general member or a courtesy member who is authorized to perform those restricted activities.

(2) A student in a post-secondary health services program of studies approved by the council of another college under the Act that includes studies related to the restricted activities described in section 13, is permitted to perform those restricted activities with the consent of and under the supervision of a general member or a courtesy member who is authorized to perform those restricted activities.

(3) A student who is enrolled in a dental hygienist program of studies at a post-secondary institution outside Canada who has visiting student status in an approved dental hygienist program in Alberta and who is participating in a clinical practicum of the program in Alberta is permitted to perform the restricted activities described in section 13 with the consent of and under the supervision of a general member or a courtesy member who is authorized to perform those restricted activities.

Supervision

16 A general member or a courtesy member who consents to supervise a student or a general member or a courtesy member undergoing training, described in section 15, must be engaged by or approved to supervise by an organization that offers a dental hygienist program of studies approved by the Council or a post-secondary health services program of studies approved by the council of another college under the Act and

- (a) must be authorized to perform the restricted activity being performed, and
- (b) must supervise by being on-site and being available to assist the student or general member or courtesy member while the student or member is performing the restricted activity.

Continuing Competence**Program requirements**

17(1) As part of the continuing competence program, a general member must obtain

- (a) a minimum of 45 program credits in the 3-year period that starts on the general member's anniversary date and in each subsequent sequential 3-year period, and
- (b) a minimum of 600 practice hours in the 3-year period that starts on the general member's anniversary date and in each subsequent sequential 3-year period.

(2) A person who is deemed to be a general member on the coming into force of this Regulation or a person who becomes a general member after the coming into force of this Regulation but before November 1 immediately following the coming into force of this Regulation, has as an anniversary date the November 1 immediately following the coming into force of this Regulation.

(3) A person who becomes a general member on or after the November 1 immediately following the coming into force of this Regulation has as an anniversary date the November 1 immediately following the person's registration as a general member.

(4) General members must, on the request of the Registrar, provide to the Registrar evidence of meeting the requirements of subsection (1).

Program credits

18 To obtain program credits, a general member may undertake the following developmental activities in accordance with any rules approved by the Council:

- (a) attendance at an oral health-related scientific or clinical course designed to enhance professional development;
- (b) attendance at professional development sessions on oral health clinical practice issues;
- (c) attendance at an oral health-related study club;
- (d) self-directed study to enhance professional development;
- (e) providing oral health-related presentations, beyond regular employment obligations, to regulated members or other groups;
- (f) successful completion of courses toward a dental hygiene baccalaureate or graduate degree;
- (g) presentation of a research paper or abstract at a scientific meeting;
- (h) publication in a peer-reviewed journal;
- (i) publication in the College newsletter;
- (j) other activities approved by the Council, the Registrar or the Competence Committee.

Continuing competence program rules

19(1) The Council may make rules governing

- (a) the program credits that may be earned for each professional development activity;
- (b) the type and category of professional development activities that a general member must undertake;
- (c) the eligibility of an activity to qualify for program credits;
- (d) the number of program credits that may be earned within a specific type or category of activity;
- (e) the recognition of practice hours for the purpose of section 17(1)(b);
- (f) the continuing competence program.

- (2) The Registrar and the Competence Committee may recommend rules or amendments to the rules to the Council.
- (3) Before the Council establishes any rules or amendments to the rules they must be distributed by the Registrar to all general members of the College for their review.
- (4) The Council may establish the rules or amendments to the rules 30 or more days after distribution under subsection (3) and after having considered any comments received on the proposed rules or proposed amendments to the rules.

Rule distribution

20 The Registrar must distribute the rules and any amendments to the rules established under section 19(4) to the general members and provide copies on request to the Minister, regional health authorities, and any person who requests them.

Practice visits

21(1) The Competence Committee may, as part of the continuing competence program, undertake practice visits for the purpose of assessing continuing competence and select a general member or a group of general members for a practice visit.

- (2) The selection of general members for practice visits must be undertaken in accordance with the criteria approved by the Council.
- (3) If the results of a practice visit are unsatisfactory, the Competence Committee may direct a general member or a group of general members to undertake any one or more of the following:
- (a) correct any problems identified in the practice visit;
 - (b) complete specific continuing competence requirements or professional development activities within a specified time;
 - (c) complete examinations, testing, assessments, training, work experience, education or counselling;
 - (d) practise under the supervision of another general member for a specified period of time;
 - (e) limit their practice to specified professional services, restricted activities or practice settings;
 - (f) refrain from practising specified professional services, restricted activities or in specified practice settings;

- (g) limit supervision of one or more of the following:
 - (i) dental hygienists;
 - (ii) students of dental hygiene;
 - (iii) regulated members of other colleges;
 - (iv) students of other regulated professions;
- (h) report to the Competence Committee on specified matters on specified dates.

Alternative Complaint Resolution

Process conductor

22 When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint an individual to conduct the alternative complaint resolution process.

Agreement

23 The person conducting the alternative complaint resolution process must, in consultation with the complainant and the investigated person, establish the procedures for and objectives of the alternative complaint resolution process, which must be set out in writing and signed by the complainant, the investigated person, and the representative of the College.

Confidentiality

24 Subject to sections 59 and 60 of the Act, the complainant and the investigated person must agree to treat all information presented during the alternative complaint resolution process as confidential.

Leaving the process

25 The complainant or the investigated person may withdraw from the alternative complaint resolution process at any time.

Reinstatement of Registration and Practice Permits

Applying for reinstatement

26(1) A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the

Registrar to have the registration reinstated and the practice permit reissued.

(2) An application under subsection (1) may not be made earlier than

- (a) 5 years from the date of cancellation, or
- (b) one year after the refusal of an application under section 27(3)(a).

(3) An applicant under subsection (1) must provide evidence to the Registrar of qualifications for registration.

Review and decision

27(1) An application under section 26 must be reviewed by the Registrar or the Registration Committee.

(2) When reviewing an application under section 26, the Registrar or the Registration Committee must

- (a) consider the record of the hearing at which the applicant's registration and practice permit were cancelled, and
- (b) consider whether
 - (i) the applicant meets the current requirements for registration,
 - (ii) any conditions imposed at the time the applicant's registration and practice permit were cancelled have been met, and
 - (iii) the applicant is fit to practise dental hygiene and does not pose a risk to public safety.

(3) The Registrar or the Registration Committee, on reviewing an application, may make one or more of the following orders:

- (a) an order denying the application;
- (b) an order to reinstate the person's registration and reissue the person's practice permit;
- (c) an order to impose specified conditions on the person's practice permit;
- (d) an order directing the person making the application to pay any or all of the College's expenses incurred in respect of the application as provided for in the bylaws;

- (e) any order that the Registrar or Registration Committee considers necessary for the protection of the public.

Review of decision

28(1) An applicant whose application is denied or on whose practice permit conditions have been imposed under section 27 may apply to the Council for a review of the decision of the Registrar or Registration Committee.

(2) Sections 31 and 32 of the Act apply to a review under subsection (1).

Access to decisions

29(1) The Registrar or Registration Committee, under section 27(3), and the Council, under section 28(1), may order that its decision be published in a manner it considers appropriate.

(2) The College must make the decisions under sections 27(3) and 28(1) available for 5 years to the public on request.

Titles

Titles, abbreviations

30(1) Subject to any order made under Part 4 of the Act, a ratified settlement or any conditions on the practice permit imposed under section 12 or an order made under section 27 or 28, a general member and a courtesy member may use one or more of the following titles and abbreviations:

- (a) registered dental hygienist;
- (b) dental hygienist;
- (c) RDH;
- (d) DH.

(2) A general member and a courtesy member may use the words “registered”, “regulated” and the phrase “regulated health professional”.

(3) A general member and a courtesy member who holds a doctorate degree in dental hygiene from a program approved by the Council may, alone or in conjunction with other words in connection with providing a health service, use one or both of the following title and abbreviation:

- (a) Doctor;

- (b) Dr.

Information

Requested information

31(1) An applicant for registration, a general member and a courtesy member must provide the following information in addition to that required under section 33(3) of the Act, on the initial application for registration, when there are any changes to the information or at the request of the Registrar:

- (a) full legal name, and if applicable, previous surnames;
- (b) gender;
- (c) date of birth;
- (d) home address, telephone number, e-mail address and fax number;
- (e) academic and practical training qualifications;
- (f) name of the academic institution from which the member graduated;
- (g) year of graduation;
- (h) place of employment;
- (i) employer's name, address, telephone number, e-mail address and fax number;
- (j) type of facility in which the regulated member practises;
- (k) job title and position description;
- (l) number of working hours employed in the practice of dental hygiene for the previous year;
- (m) employment history;
- (n) area of practice and specialities;
- (o) languages in which the member can provide professional service;
- (p) other jurisdictions in which the member is registered to practise dental hygiene;
- (q) whether the member is a registered member of another health profession and whether the member is providing

professional services regulated by that profession's College.

(2) Subject to section 34(1) of the Act, the College may disclose the information collected under subsection (1)

- (a) with the consent of the general member or courtesy member whose information it is, or
- (b) in a summarized or statistical form so that it is not possible to relate the information to any particular identifiable person.

Section 119 information

32 The periods of time during which the College is to provide information under section 119(4) of the Act are as follows:

- (a) information referred to in section 33(3) of the Act entered in a register for a general member or a courtesy member, while the member is registered as a regulated member of the College and for 2 years after ceasing to be registered, except for the information referred to in section 33(3)(h) of the Act;
- (b) information referred to in section 119(1) of the Act respecting
 - (i) the suspension of a general member's or a courtesy member's practice permit, while the suspension is in effect and for 5 years after the period of suspension has expired,
 - (ii) the cancellation of a general member's or a courtesy member's practice permit for 5 years after the cancellation,
 - (iii) the conditions imposed on a general member's or a courtesy member's practice permit, while the conditions are in effect,
 - (iv) the directions made that a general member or a courtesy member cease providing professional services, while the directions are in effect, and
 - (v) the imposition of a reprimand or fine under Part 4 of the Act, for 5 years after the imposition of the reprimand or fine;
- (c) information as to whether a hearing is scheduled to be held under Part 4 of the Act with respect to a named

general member or courtesy member, until the hearing is concluded;

- (d) information respecting
 - (i) whether a hearing has been held under Part 4 of the Act with respect to a named general member or courtesy member, for 5 years from the date the hearing is concluded, and
 - (ii) a decision and a record of the hearing referred to in section 85(3) of the Act of a hearing held under Part 4 of the Act, for 5 years after the date the hearing tribunal rendered its decision.

Transitional Provisions, Repeals and Coming into Force

Transitional

33 On coming into force of this Regulation, a registered member described in section 6 of Schedule 5 to the Act is deemed to be entered on the general register.

Repeal

34 The *Dental Hygienists Regulation* (AR 302/96) is repealed.

Coming into force

35 This Regulation comes into force on the coming into force of Schedule 5 to the *Health Professions Act*.



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