



Province of Alberta

HEALTH PROFESSIONS ACT

DENTURISTS PROFESSION REGULATION

Alberta Regulation 186/2002

With amendments up to and including Alberta Regulation 269/2009

Office Consolidation

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(Consolidated up to 269/2009)

ALBERTA REGULATION 186/2002

Health Professions Act

DENTURISTS PROFESSION REGULATION

Table of Contents

1	Definitions
2	Register
Registration	
3	Application for general register
4	Equivalent jurisdiction
5	Substantial equivalence
5.1	Provisional register
6	Courtesy register
7	Good character, reputation
8	Liability insurance
8.1	English language requirements
8.2	Citizenship
8.3	CPR certification
Practice Permit	
9	Renewal requirements
10	Conditions
Continuing Competence	
10.1	Continuing competence program
11	Continuing competence program rules
12	Rule distribution
12.1	Practice visits
12.2	Actions to be taken
Titles	
13	Titles
Restricted Activities	
14	Restricted activities authorization
15	Restriction
16	Students

Alternative Complaint Resolution Process

- 17 Process conductor
- 18 Agreement
- 19 Confidentiality
- 20 Leaving the process

Reinstatement

- 21 Application
- 22 Hearing date
- 23 Hearing
- 24 Deliberations
- 25 Decision
- 26 Review by Council
- 27 Access to decisions

Information

- 28 Providing information
- 29 Section 119 information

Transitional Provisions, Repeals and Coming into Force

- 32 Transitional
- 33 Repeal
- 34 Coming into force

Definitions

- 1 In this Regulation,
 - (a) “Act” means the *Health Professions Act*;
 - (a.1) “College” means College of Alberta Denturists;
 - (b) “Complaints Director” means the complaints director of the College;
 - (c) “Council” means the council of the College;
 - (c.1) “courtesy register” means the courtesy register category of the regulated members register;
 - (c.2) “general register” means the general register category of the regulated members register;
 - (c.3) “Hearings Director” means the hearings director of the College;

- (d) “provisional register” means the provisional register category of the regulated members register;
- (e) “Registrar” means the registrar of the College;
- (f) “Registration Committee” means the registration committee of the College;
- (g) “Reinstatement Review Committee” means the reinstatement review committee of the College.

AR 186/2002 s1;269/2009

Register

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

- (a) general register;
- (a.1) provisional register;
- (b) courtesy register.

AR 186/2002 s2;269/2009

Registration

Application for general register

3(1) An applicant for registration as a regulated member may be registered on the general register if the applicant

- (a) has obtained a diploma in denturism from a program approved by the Council,
- (b) has successfully completed an internship program approved by the Council, and
- (c) has successfully passed the registration examination approved by the Council.

(2) An applicant under subsection (1) must have passed the registration examination referred to in subsection (1)(c) within the 2 years immediately preceding the date the Registrar receives the complete application.

(3) Where an applicant does not meet the requirements of subsection (2), the applicant must provide evidence satisfactory to the Registrar or Registration Committee that the applicant is competent to practise as a denturist.

(4) For the purposes of subsection (3), the Registrar or Registration Committee may require an applicant to undergo any

examination, testing, assessment, training or education the Registrar or Registration Committee considers necessary.

AR 186/2002 s3;269/2009

Equivalent jurisdiction

4 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 registration requirements substantially equivalent to the registration requirements set out in section 3 may be registered on the general register.

AR 186/2002 s4;269/2009

Substantial equivalence

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

(2) In determining whether or not an applicant's qualifications are substantially equivalent under subsection (1), the Registrar or Registration Committee may require the applicant to undergo any examination, testing and assessment activity to assist with the determination.

(3) The Registrar may direct an applicant under subsection (1) to undergo any education or training activities the Registrar or Registration Committee may consider necessary in order for the applicant to be registered.

(4) The Registrar or Registration Committee may require an applicant under subsection (1) to provide any other relevant information or evidence that the Registrar or Registration Committee considers necessary in order to assess an application under this section.

AR 186/2002 s5;269/2009

Provisional register

5.1(1) An applicant for registration as a regulated member may be registered on the provisional register if the applicant

- (a) has fulfilled the registration requirements set out in section 3(1)(a) and (b) but has not successfully passed the registration examination referred to in section 3(1)(c),

- (b) is undergoing examination, testing, assessment, training or education in denturism for the purpose of establishing that the applicant is competent to practise as a denturist under section 3(3) or (4), or
- (c) is qualified to practice denturism in another jurisdiction and the applicant's competencies are being assessed under section 5.

(2) A person who is registered on the provisional register may practise only while supervised in a manner satisfactory to the Registrar or the Registration Committee.

(3) A regulated member may be registered on the provisional register for a period of not more than one year.

(4) Despite subsection (3), the Registrar or the Registration Committee may extend a registration on the provisional register beyond one year if the Registrar or the Registration Committee is of the opinion that extenuating circumstances exist.

(5) If a regulated member registered on the provisional register meets the registration requirements set out in section 3, the Registrar must remove the regulated member's name from the provisional register and enter it on the general register.

AR 269/2009 s7

Courtesy register

6(1) A person who requires registration in Alberta on a temporary basis for a specified purpose approved by the Registrar is eligible for registration on the courtesy register if the person

- (a) is registered as a denturist in good standing in another jurisdiction, and
- (b) satisfies the Registrar of having the necessary competencies to carry out the purpose for which the registration is requested.

(2) The term of the registration of a person registered in the courtesy register is for 6 months or less, as specified by the Registrar.

(3) A person who is registered on the courtesy register must remain registered in the jurisdiction in which the person was registered at the time of the person's application for registration on the courtesy register.

AR 186/2002 s6;269/2009

Good character, reputation

7 An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar of having good character and reputation by submitting one or more of the following on the request of the Registrar:

- (a) written references from colleagues and, where applicable, from another jurisdiction in which the applicant is currently registered;
- (b) a written statement by the applicant as to whether the applicant is currently undergoing an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of denturism or of another profession;
- (c) a written 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;
- (d) the results of a current criminal records check;
- (e) any other relevant evidence as requested by the Registrar.

AR 186/2002 s7;269/2009

Liability insurance

8 All applicants for registration as regulated members must provide evidence of having the type and amount of professional liability insurance required by the Council.

English language requirements

8.1(1) An applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of denturism.

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

AR 269/2009 s10

Citizenship

8.2 An applicant for registration as a regulated member must provide proof of Canadian citizenship or proof of having been lawfully admitted to and entitled to work in Canada.

AR 269/2009 s10

CPR certification

8.3 An applicant for registration as a regulated member is required to provide evidence of current cardiopulmonary resuscitation certification at a level required by the Council.

AR 269/2009 s10

Practice Permit**Renewal requirements**

9 A regulated member applying for renewal of the member's practice permit must, at the request of the Registrar,

- (a) provide a written statement as to whether the regulated member has pleaded guilty or been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada since the member's last practice permit,
- (b) provide a written statement as to whether the member has been the subject of any disciplinary action by a regulatory organization in Alberta or elsewhere since the member's last practice permit,
- (c) provide information related to whether the member continues to be of good character and reputation,
- (d) provide evidence of having the type and amount of professional liability insurance required by the Council,
- (e) provide evidence of holding a current cardiopulmonary resuscitation certificate at the level required by the Council, and
- (f) submit evidence of credits required under section 10.1.

AR 186/2002 s9;269/2009

Conditions

10 The Registrar or Registration Committee may impose conditions on a regulated member when issuing a practice permit, including but not limited to the following:

- (a) completion of the continuing competence requirements within a specified time;
- (b) completion of any examinations, testing, assessment, practicum, work experience or counselling;
- (c) a prohibition from engaging in sole practice;

- (d) a requirement that the regulated member limit the member's practice to specified areas of practice or practice settings and refrain from practising in specified areas of practice or practice settings;
- (e) a requirement to practise only under the supervision of a regulated member;
- (f) a requirement to report to the Registrar on specified matters on specified dates;
- (g) a provision stating the time and the purposes for which the practice permit is valid;
- (h) a provision prohibiting the regulated member from supervising students of the profession or regulated members of the College.

AR 186/2002 s10;269/2009

Continuing Competence

Continuing competence program

10.1(1) A regulated member registered on the general register must complete 100 hours of continuing education, in accordance with the rules established by the Council under section 11, in each sequential 5-year period beginning on the January 1 following the year of the regulated member's initial registration under the *Dental Mechanics Regulation* (AR 315/69) or under this Regulation.

(2) To obtain continuing education credit hours, a regulated member registered on the general register may undertake one or more of the following continuing education activities if those activities contain scientific or clinical content related to the practice of denturism:

- (a) a program of full time study;
- (b) attendance at or participation in conventions or conferences;
- (c) self-study or distance education courses;
- (d) preparation of publications;
- (e) any other activities approved by the Council, Registrar or Registration Committee.

(3) To obtain continuing education credit hours, a regulated member may undertake continuing education activities that promote the personal or non-clinical development of the regulated

member to a maximum of 10 hours in the 5 years preceding the date of renewal of practice permit.

(4) A regulated member must submit to the Registrar the hours of continuing education that the member has undertaken and specify the activities undertaken in accordance with the rules established under section 11.

(5) A one credit hour is given for every hour of participation in a continuing education activity unless otherwise specified in the rules established under section 11.

AR 269/2009 s13

Continuing competence program rules

11(1) The Council may establish rules governing

- (a) the program credit hours that may be earned for each professional development activity,
- (b) the type and category of professional development activities that a regulated member must undertake in a 5-year period,
- (c) the number of professional development activities within a specific category for which a member may earn credit hours, and
- (d) 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, the proposed rules or proposed amendments to the rules must be distributed by the Registrar to all regulated members 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.

AR 186/2002 s11;269/2009

Rule distribution

12 The Registrar must distribute the rules and any amendments to the rules established under section 11(4) to the regulated members and provide copies on request to the Minister, regional health authorities and any person who requests them.

AR 186/2002 s12;269/2009

Practice visits

12.1(1) The Competence Committee is authorized to carry out practice visits and may, for the purposes of assessing continuing competence, select individual regulated members or a group of regulated members for a practice visit based on criteria approved by the Council.

(2) The criteria for selecting members for review must be developed by the Competence Committee and approved by the Council.

AR 269/2009 s14

Actions to be taken

12.2 If the results of a practice visit are unsatisfactory, the Competence Committee may direct a regulated member or a group of regulated members to undertake one or more of the following actions within the time period, if any, specified by the Competence Committee:

- (a) successful completion of specific continuing competence requirements of professional development activities;
- (b) successful completion of any examinations, testing, assessment, training, education or counselling to enhance competence in a specified area or areas;
- (c) a requirement to practise under the supervision of another regulated member;
- (d) limitation of practice to specified procedures or practice settings;
- (e) reporting to the Registration Committee on specified matters on specified dates;
- (f) prohibition from supervising other regulated members or students;
- (g) correction of any problems identified in the practice visit.

AR 269/2009 s14

Titles**Titles**

13 A regulated member may use the titles set out in section 2 of Schedule 8 to the Act as follows:

- (a) a regulated member on the general register or on the courtesy register may use the titles “denturist” and “registered denturist”;
- (b) a regulated member on the provisional register may use the title “provisional denturist”.

AR 186/2002 s13;269/2009

Restricted Activities

Restricted activities authorization

14 Regulated members may, in the practice of denturism and in accordance with the standards of practice, perform the following restricted activities:

- (a) prescribe or fit
 - (i) a removable partial or complete denture, or
 - (ii) a fixed or removable implant supported prosthesis that replaces 2 or more teeth;
- (b) perform an invasive procedure on body tissue below the mucous membrane or in or below the surface of teeth if the procedure does not alter natural dentition;
- (c) insert and remove instruments, devices and fingers into an artificial opening of the mouth;
- (d) reduce a dislocation of a temporomandibular joint for the purposes of reducing a subluxation of the temporomandibular joint;
- (e) order any form of ionizing radiation in medical radiography.

AR 186/2002 s14;269/2009

Restriction

15(1) Despite section 14, regulated members must restrict themselves in performing restricted activities to those activities that they are competent to perform and 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.

AR 186/2002 s15;269/2009

Students

16(1) A student who is enrolled in a denturist program approved by the Council or an internship program approved by the Council may perform the restricted activities set out in section 14 with the consent of and under the supervision of a regulated member.

(2) The supervising regulated member must

- (a) be on site with the student while the student is performing the restricted activity,
- (b) be available for consultation and to assist the student performing the restricted activity as required, and
- (c) be authorized by this Regulation to perform the restricted activity and be authorized to supervise the restricted activity by the head of the denturist or internship program in which the student is enrolled.

AR 186/2002 s16;269/2009

Alternative Complaint Resolution Process**Process conductor**

17 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

18 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 a representative of the College.

Confidentiality

19 The complainant and the investigated person must, subject to sections 59 and 60 of the Act, agree to treat all information shared during the process as confidential.

AR 186/2002 s19;269/2009

Leaving the process

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

AR 186/2002 s20;269/2009

Reinstatement

Application

21(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) must

- (a) not be made earlier than 5 years after the date of the cancellation, and
- (b) not be made more frequently than once in each 12-month period following a refusal of an application under section 25(1)(a).

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

AR 186/2002 s21;269/2009

Hearing date

22(1) On receipt of an application under section 21, the Registrar must refer the application to the Hearings Director who must appoint, in accordance with the bylaws, regulated members to a Reinstatement Review Committee to hold a hearing on the application.

(2) The hearing must be held within 90 days from the date the Registrar receives the application under subsection (1).

(3) The Registrar must provide to the person making the application, at least 30 days before the date of the hearing, written notice of the time and place of the hearing.

AR 186/2002 s22;269/2009

Hearing

23(1) The reinstatement hearing is open to the public unless the Reinstatement Review Committee determines on its own motion or on the application of any person that the reinstatement hearing or part of it should be in private

- (a) because of probable prejudice to a civil action or a prosecution of an offence,
- (b) to protect the safety of the person or of the public,

- (c) because not disclosing a person's confidential personal, health, property or financial information outweighs the desirability of having the hearing open to the public,
 - (d) because the presence of the public or complainant could compromise the ability of a witness to testify,
 - (e) because of other reasons satisfactory to the Reinstatement Review Committee, or
 - (f) because another Act requires that the hearing or part of the hearing be held in private.
- (2) The applicant must present evidence of the actions taken since the cancellation.
- (3) The Registrar or a person that the Registrar designates may appear at the reinstatement hearing on behalf of the College to present evidence, including a copy of the decision and of the record of the hearing at which the applicant's registration and practice permit were cancelled, and to make submissions respecting the application.
- (4) If a person is designated under subsection (3), the Registrar must inform the applicant of the person's name at least 30 days before the date of the reinstatement hearing.
- (5) The following may be represented by legal counsel at the reinstatement hearing:
- (a) the Reinstatement Review Committee hearing the application;
 - (b) the applicant;
 - (c) the Registrar or a person designated under subsection (3).
- (6) Evidence may be given before the Reinstatement Review Committee in any manner that it considers appropriate and it is not bound by the rules of law respecting evidence applicable to judicial hearings.

AR 186/2002 s23;269/2009

Deliberations

24 In determining whether or not an application should be approved, the Reinstatement Review Committee must consider

- (a) the record of the hearing at which the applicant's registration and practice permit were cancelled, and
- (b) whether the applicant

- (i) meets the current requirements for registration,
- (ii) has met any conditions imposed under Part 4 of the Act before the applicant's registration and practice permit were cancelled,
- (iii) is fit to practise denturism, and
- (iv) does not pose a risk to public safety.

AR 186/2002 s24;269/2009

Decision

25(1) The Reinstatement Review Committee must, within 30 days after the conclusion of a hearing, issue a written decision containing one or more of the following orders:

- (a) an order refusing the application;
- (b) an order directing the Registrar to reinstate the applicant's registration and to reissue the applicant's practice permit if the applicant is eligible for registration as a regulated member;
- (c) an order directing the Registrar to impose specified conditions on the applicant's practice permit;
- (d) an order directing the applicant to pay any or all of the College's expenses incurred in respect of the application as provided for in the bylaws;
- (e) any other order that the Reinstatement Review Committee considers necessary for the protection of the public.

(2) The Reinstatement Review Committee must provide reasons for any of its orders in its written decision.

AR 186/2002 s25;269/2009

Review by Council

26(1) An applicant whose application is refused or on whose practice permit conditions have been imposed under section 25 may apply to the Council for a review of the decision of the Reinstatement Review Committee.

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

AR 186/2002 s26;269/2009

Access to decisions

27(1) The Reinstatement Review Committee under section 25, or the Council under section 26, may order that its decision be published in a manner it considers appropriate.

(2) The College must make the decisions under section 25 or 26 available for 5 years to the public on request.

AR 186/2002 s27;269/2009

Information**Providing information**

28(1) An applicant for registration or a regulated 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 changes to the information or at the request of the Registrar:

- (a) home address, mailing address, telephone number, fax number and e-mail address;
- (b) business mailing address, telephone number, fax number and e-mail address;
- (c) emergency contact telephone number;
- (d) a passport-type photograph;
- (e) year of registration;
- (f) degrees and other qualifications, including specialization;
- (g) school of graduation;
- (h) year of graduation;
- (i) date of birth;
- (j) gender;
- (k) date of retirement.

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

- (a) with the consent of the regulated 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.

AR 186/2002 s28;269/2009

Section 119 information

29 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 regulated 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 regulated member's practice permit, while the suspension is in effect and for 2 years after the period of suspension has expired,
 - (ii) the cancellation of a regulated member's practice permit, for 2 years after the cancellation,
 - (iii) the conditions imposed on a regulated member's practice permit, while the conditions are in effect,
 - (iv) the directions made that a regulated 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 regulated 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 regulated 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 of the College rendered its decision.

AR 186/2002 s29;269/2009

30, 31 Repealed AR 269/2009 s28.

Transitional Provisions, Repeals and Coming into Force

Transitional

32 On the coming into force of this Regulation, a person described in section 6(1) of Schedule 8 to the Act is deemed to be registered on the general register.

Repeal

33 The *Dental Mechanics Regulation* (AR 315/69) is repealed.

Coming into force

34 This Regulation comes into force on the coming into force of Schedule 8 to the *Health Professions Act*.



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