The College of Dental Surgeons of Saskatchewan

 REGULATORY BYLAWS

 TABLE OF CONTENTS

 PART I Interpretation

PART II Registration, Licensure, Professional Corporations, Permits

 PART III Professional Practice Standards

 PART IV Quality Assurance

 PART V Complaint Resolution Process

Feb 20, 2017

**PART I - INTERPRETATION**

**Definitions**

* 1. In these bylaws:
1. "Act" means *The Dental Disciplines Act* of Saskatchewan, and the regulations passed pursuant to it;
2. “College” means the College of Dental Surgeons of Saskatchewan;
3. “Certificate of Standing” means the document in the College License, Professional Corporations and Permit Policy that each provincial regulator completes and provides on behalf of a Member or former Member to support that Member’s or former Member’s licensure process in another jurisdiction;
4. “Consent to Release of Information” means the document in the College License, Professional Corporations and Permit Policy that a Member or former Member completes and provides to support that Member’s or former Member’s licensure process in another jurisdiction;
5. “Council” means the council for the College as described in the Act;
6. “Dental Clinic Facility” means a place to which a General Dentist or a Specialist is connected by self-employment, employment, contract or other arrangement;
7. “General Dentistry” means the practice of general dentistry, not one of the College recognized specialties listed in subsection 2.4(1);
8. “General Dentist” means a Member who is not licensed in any of the Specialties listed in subsection 2.4(1);
9. “good character” means compliance with the College Good Character Standard;
10. "good standing" means:
11. that the College has assessed a potential Member’s Certificate of Standing and has determined that the information in it would not preclude registration or licensure as a Member; or
12. that a Member has met the qualifications, requirements and conditions of registration and licensure in Saskatchewan, including the College Professional Practice Standard, Professional Conduct Conditions, Discipline Committee Orders, professional liability Insurance requirements, payment of applicable fees and any other licensing requirements pursuant to the College License, Professional Corporations and Permit Policy;
13. “Member” means a Member of the College as described in Part II;
14. “other arrangement” means a formal referral or consultation process as referred to in the Act;
15. “Professional Corporation” means a corporation that:
16. is registered as a Professional Corporation under *The Professionals Corporations Act* of Saskatchewan and under these bylaws; and
17. holds a valid permit from the College;
18. “Specialty “means a defined body of knowledge within dentistry that is recognized as such in subsection 2.4(1);

1. “Specialist” means a Member licensed by the College in a specialty listed in subsection 2.4(1);
2. “Registrar” means a Member or former Member who is employed by the Council and appointed and delegated by the Council to perform the duties of registration, licensing, permitting, associated regulatory duties and other duties as determined by the Council.
3. “CDSS approved language proficiency” means a level of language proficiency identified in

 the College License, Professional Corporations and Permit Policy;

1. “CDSS approved ethics examination” means an ethics exam identified in

 the College License, Professional Corporations and Permit Policy;

**Incorporation of Definitions by Reference**

**1.2** (1)Any reference to a statute, regulation, or a College policy or standard means that statute, regulation or College policy or standard as amended and any corresponding provisions of successor statutes, regulations and College policiesand standards.

 (2) Unless otherwise stated, words and phrases used in these bylaws have the same meanings as ascribed to them in the Act and regulations passed pursuant to it.

**References to Forms**

**1.3** Unless otherwise stated in these bylaws, the Council, in its sole discretion, has the right to establish and amend all the required documents and forms referred to in these bylaws.

**PART II - REGISTRATION, LICENSURE, PROFESSIONAL CORPORATIONS, PERMITS**

**Licence Categories of Members**

**2.1** The Registrar shall register and licence qualified Members in one of the categories described in sections 2.3, 2.4 2.5, 2.6 and 2.7 of these bylaws and

**Registers and Fees**

**2.2** (1) The College will establish and maintain a Member Register that records:

(a) the name and contact addresses of each Member, and

(b) the category of licensure and Specialty, if applicable, of each Member.

 (2) The College will establish and maintain a Corporate Register that records:

(a) the name and contact address of each Professional Corporation that is registered and has a valid permit pursuant to section 2.10; and

(b) the name of each director and each voting shareholder of each Professional Corporation.

(3) The College will establish and maintain a Dental Clinic Facility Register that will list the names of all Dental Clinic Facilities that Members are connected to pursuant to section 25 of the Act.

 (4) Each Member must supply to the College his or her current contact address, electronic address and phone number for service of communications and documents.

(5) Each Professional Corporation must supply to the College its current registered address, electronic address and phone number for service of communications and documents.

(6) Before being entitled to receive his or her registration and license to practice dentistry or, where applicable, receive registration and a permit as a Professional Corporation, each person seeking to be registered and licensed as a Member and each corporation seeking to be registered and issued a permit as a Professional Corporation shall pay to the College:

1. the initial registration fee required by the College; and

 (b) the annual fee required by the College.

**Full Practice - General Dentist Members**

**2.3** (1) Subject to other provisions in these bylaws and the College License, Professional Corporation and Permit Policy, a person may apply to the College to be registered and licensed to practice General Dentistry if that person:

 (a) has paid the required College fees; and

(b) has completed and forwarded to the College all documents required by the College, including, but not limited to:

 (i) a College application form;

(ii) a valid National Dental Examining Board certificate, indicating successful completion of that board’s examination;

 (iii) a Certificate of Standing from any previous licensing jurisdictions, if applicable;

 (iv) a Consent to Release of Information from any previous licensing jurisdictions, if applicable;

 (v) a criminal record check document;

 (vi) a signed College good character document; and

 (vii) proof of the College-required general and professional liability insurance that will cover the person and all employees of the person and/or the Professional Corporation, including Student Members, under the person’s supervision.

 (viii) proof of CDSS approved language proficiency

 (ix) successful completion of a CDSS approved ethics examination;

(2) A person who meets the criteria set out in subsection 2.3(1) and who has been approved for registration by the Registrar will be registered and licensed as a General Dentist entitled to practice General Dentistry in Saskatchewan.

**Full Practice - Specialist Members**

**2.4** (1) For the purposes of this section 2.4, the following definitions apply for each of the following College recognized specialties:

 (a) Endodontist: a certified Specialist and only a certified Specialist in the Specialty of endodontics;

 (b) Oral and Maxillofacial Surgeon: a certified Specialist and only a certified Specialist in the Specialty of oral and maxillofacial surgery;

 (c) Orthodontist or Dentofacial Orthopedics Specialist: a certified Specialist and only a certified Specialist in the Specialty of orthodontics or dentofacial orthopedics;

 (d) Pediatric Dentist or Pedodontist: a certified Specialist and only a certified Specialist in the Specialty of pediatric dentistry;

 (e) Periodontist: a certified Specialist and only a certified Specialist in the

 Specialty of periodontics;

 (f) Prosthodontist: a certified Specialist and only a certified Specialist in the

 Specialty of prosthodontics;

 (g) Oral Radiologist: a certified specialist and only a certified specialist in the Specialty of oral radiology;

 (h) Dental Public Health Specialist: a certified Specialist and only a certified

 Specialist in the Specialty of dental public health;

 (i) Oral Medicine and Pathology Specialist: a certified Specialist and only a

 certified Specialist in the Specialty of oral medicine and oral pathology.

 (2) Subject to other provisions in these bylaws and College License, Professional Corporation and Permit Policy, a person may apply to the College to be registered and licensed to practice a College recognized Specialty, listed above if that person:

1. has paid the required College fees; and

 (b) has completed and forwarded to the College all documents required by the College, including, but not limited to:

 (i) a College application form;

(ii) a valid Royal College of Dentists of Canada certificate, indicating successful completion of that body’s examination in a Specialty;

 (iii) a Certificate of Standing from any previous licensing jurisdiction;

(iv) a Consent to Release Information from any previous licensing jurisdictions, if applicable;

(v) a criminal record check document;

(vi) a signed College good character document; and

(vii) proof of the College-required general and professional liability insurance that will cover the person and all employees of the person and/or the Professional Corporation, including students Members, under the person’s supervision.

 (viii) proof of CDSS approved language proficiency

 (ix) successful completion of a CDSS approved ethics examination;

(3) A person who meets the criteria set out in subsection 2.4(2) and who has been approved for registration by the Registrar will be registered and licensed as a Specialist entitled to practice solely within the Specialties noted on his or her College-issued license.

 **Conditional Practice Members**

**2.5** (1) Subject to other provisions in these bylaws and College License, Professional Corporation and Permit Policy, a person may apply to the College to be registered and licensed to practice as a Conditional Member subject to conditions as determined and set out by council if that person:

1. has paid the required College fees;
2. has completed and forwarded to the college all documents required by the College, including, but not limited to, the following:
3. a College application form;
4. proof of employment, sponsorship, volunteer privileges or volunteer positions approved by the College;
5. a Certificate of Standing from any previous licensing jurisdiction;
6. a Consent to Release Information from any previous licensing jurisdictions, if applicable;
7. a criminal record check document;
8. a signed College good character document; and
9. proof of the College-required general and professional liability insurance that will cover the person and all employees of the person and/or the Professional Corporation, including Student Members, under the person’s supervision;
10. proof of CDSS approved language proficiency

 (ix) successful completion of a CDSS approved ethics examination;

1. falls within one of the following defined categories of Conditional Practice Members:
2. a full-time faculty member or part-time faculty member undertaking a

 full-time faculty or part-time faculty teaching position with the

 University of Saskatchewan College of Dentistry as confirmed by the

 Dean; or

 a person who is performing an administrative role with a Government

 Agency or Third Party and who will not be a ‘connected’ dentist

 involved in the practice of dentistry;

1. a person presenting, conducting, engaging in or supervising a College-approved graduate, undergraduate, clinical or research program on an itinerantbasis at, or under the sponsorship of, the University of Saskatchewan College of Dentistry or under the sponsorship of a College-approved organization;
2. a person participating as a member of a forensic team sponsored by a College approved agency to assist with identification procedures associated with any disaster that occurs or has occurred in Saskatchewan;

(iv)aperson providing humanitarian dental services in a jurisdiction outside of Saskatchewan where the provision of that treatment is under the auspices of a College-approved humanitarian project sponsored by a jurisdiction that requires the person to have a status of registration and

 membership in another jurisdiction; or

(v) a person providing dental services as an unpaid volunteer in a Saskatchewan health region facility approved by the College;

and

 (2) A person who meets the criteria set out in subsection 2.5(1) and who has been approved

 for registration by the Registrar will be registered and licensed as a conditional member

 entitled to practice in accordance with the College License, Professional Corporation and

 Permit Policy.

**Student Members**

**2.6** (1) Subject to other provisions in these bylaws and College License, Professional Corporation and Permit Policy, a person may apply to be registered and licensed as a Student Member if that person:

1. has paid the required College fees;
2. has completed and forwarded to the College all of the documents required by the College, including, but not limited to:

 (i) a College application form;

(ii) a criminal record check document;

(iii) a signed College good character document; and

1. proof of the College-required general and professional liability insurance that will cover the person;
2. proof of CDSS approved language proficiency
3. successful completion of a CDSS approved ethics examination;

 (c) falls within one of the following defined categories of Student Members:

1. Undergraduate Student Member:an undergraduatestudent at the University of Saskatchewan College of Dentistry;
2. Penultimate Student Member: an undergraduate student who, following successful completion of his or her penultimate year at a faculty or college of dentistry is employed by a General Dentist or a Specialist in good standing, and under the conditions in the College License, Professional Corporation and Permit Policy; or

(iii) Intern Student Member:an undergraduate student who, as part of his or her training, is under the supervision of an on-site General Dentist or Specialist while serving a period of internship or residency within a University of Saskatchewan College of Dentistry facility or in a Saskatchewan health region facility or affiliate approved for undergraduate training by the University of Saskatchewan College of Dentistry.

 (2) A person who meets the criteria set out in subsections 2.6 (1) and who has been approved for registration by the Registrar will be registered as a Student Member in one of the categories listed in 2.6(1) above.

**Associate Members**

**2.7** (1) Subject to other provisions in these bylaws, the College may enter a person on the Member Register as an Associate Member if that person:

1. has previously been a CDSS General Dentist, a Specialist or a Conditional Practice Member;
2. at the time of application was in good standing; and
3. at the time of application has paid all the required College fees.

 (2) An Associate Member:

(a) is eligible to receive the College newsletter and other routine communications from the College;

1. will be provided access to the Members’ website;
2. will be provided other privileges that may be identified in College License, Professional Corporation and Permit Policy

 (3) registration as an associate member is at the discretion of the registrar

**Application after Not** Practicing

**2.8** (1)Subject to other provisions in these bylaws and the College License, Professional Corporation and Permit Policy, where a person applying for registration and licensure:

1. has not been fully licensed to practice as a General Dentist or a Specialist in Saskatchewan or any other jurisdiction for a period of two or more consecutive years; or
2. has not practiced a minimum of 300 hours per year for a period of two or more consecutive years preceding the date of application for licensure in the College;

the College may register and license that person if he or she:

1. has paid the required College fees;
2. has completed and forwarded to the College all documents required by the College, including, but not limited to, the following:

(i) a College application form;

(ii) a valid:

 (a) National Dental Examining Board certificate, indicating successful completion of that board’s examination;

 (b) Royal College of Dentists of Canada certificate, indicating successful completion of that body’s examination in a Specialty;

 (iii) a Certificate of Standing from any previous licensing jurisdiction;

(iv) a Consent to Release Information from any previous licensing jurisdictions, if applicable;

(v) a criminal record check document;

(vi) a signed College good character document; and

(vii) proof of the College-required general and professional liability insurance that will cover the person and all employees of the person and/or the Professional Corporation, including students Members, under the person’s supervision.

1. proof of CDSS approved language proficiency
2. successful completion of a CDSS approved ethics examination;
3. has successfully completed all assessments, examinations and courses prescribed by the Council following their review of the application, and
4. has been approved for registration and licensuby the Registrar

 (2) This section shall not apply to a person who, immediately prior to his or her application for registration and licensure, was a student in and successfully graduated from a College, school or faculty of dentistry.

**Professional Corporations**

**2.9**  (1) Subject to other provisions in these bylaws and College License, Professional Corporation and Permit Policy a corporation may apply to be registered as a Professional Corporation and be issued a permit if:

1. it meets the criteria set out in *The Professional Corporations Act*, these bylaws, and the College License, Professional Corporations and Permit Policy;
2. it has paid the fees required by the College;
3. it has completed and forwarded to the College all forms required by the College;

(d) it has provided proof of a minimum of 5 million dollars of professional liability insurance for each Member practicing as an employee of or in a contractual or other arrangement with the Professional Corporation; and

(e) it has been approved by the Registrar for registration as a Professional Corporation.

 (2) The name of every Professional Corporation shall appropriately depict that the Professional Corporation is engaged in the business of providing dental services and shall otherwise comply with these bylaws and the College Advertising Standard.

 (3) The Registrar, in his or her sole discretion, has the right to determine what is appropriately depicted under subsection (2).

 (4) The permit that the College issues to a Professional Corporation shall contain conditions and restrictions as determined and set out by the Council in the College License, Professional Corporation and Permit Policy.

 (5) Each Member shall be responsible for ensuring that any Professional Corporation of which he or she is a director complies with these bylaws and the Professional Corporation’s permit.

 (6) Where a Member has been suspended, or expelled and was the sole person providing the

 dental services of a Professional Corporation, the permit of that Professional Corporation

 shall be revoked as required by *The Professional Corporations Act* and he or she shall not

 be eligible to continue practicing within the Professional Corporation or otherwise.

 (7) Where a Member has been suspended, and was one of two or more persons providing the dental services of a Professional Corporation, he or she shall not be eligible to continue practicing as an employee of or in any contractual or other arrangement with the Professional Corporation until their license has been reinstated and renewed pursuant to section 2.10.

 (8) The Council may revoke the permit of a Professional Corporation as permitted or

 required by *The Professional Corporations Act*.

(9) When the Council revokes a Professional Corporation’s permit, the Registrar shall send notice of that fact to the Professional Corporation and strike its name from the Corporate Register.

 (10) A Professional Corporation shall notify the Registrar in writing within 10 days after

 any of the following changes occurs within the Professional Corporation:

1. a change in its name;
2. a change in the voting rights attached to any class of its shares;
3. a change in the ownership of the issued shares of the Professional Corporation or in the ownership of the issued shares of a corporation holding non-voting shares in the Professional Corporation;
4. a change in the directors of the Professional Corporation;
5. a change in the status of a Member’s spouse who holds non-voting shares in the Professional Corporation;
6. a change in the status of a Member’s spouse who holds shares in a corporation that holds non-voting shares in the Professional Corporation;
7. a change in the status of a Member’s spouse who is a beneficiary of a trust that holds non-voting shares in the Professional Corporation; or

(h) a change in the beneficiaries of a trust that holds non-voting shares in the Professional Corporation.

(11) Upon receipt of a notice referred to in subsection (10), the Council may:

1. continue the permit;
2. amend the permit to add or delete any terms or conditions; or

(c) subject to the terms of *The Professional Corporations Act*, revoke the permit and registration of the Professional Corporation for a period that the Council deems reasonable given the nature of the change.

(12) Any person who is aggrieved by a decision of the Registrar with respect to:

1. the registration of a Professional Corporation;
2. the issuance of a permit to or the renewal of a permit of a Professional Corporation; or

 (c) the revocation of a permit of a Professional Corporation;

has the right to apply to the Council for a review of the Registrar’s decision in the manner permitted by *The Professional Corporations Act* and the Council shall decide.

 (13) After the Council, has decided under subsection (12), the Professional Corporation affected, in accordance with the provisions of *The Professional Corporations Act*, may appeal the decision of the Council to court where:

1. the application of the Professional Corporation for registration, for a permit, or for the renewal of a permit as a Professional Corporation has been rejected;
2. a permit as a Professional Corporation has been issued subject to terms and

 conditions; or

1. the permit of the Professional Corporation has been revoked

 (14) After the Council, has reviewed the appeal and decided under subsection (13), its

 decision will be final.

**Annual Renewal of Licenses and Permits**

**2.10** (1) The licenses of all Members, and Permits of all Dental Professional Corporations are subject to annual renewal as further set out in these bylaws and the College License, Professional Corporations and Permit Policy.

(2) To be eligible for the annual renewal of licensure, each Member must:

1. be in good standing with the College;
2. complete the College’s annual license renewal form; and
3. pay the required fee by the date stipulated in College License, Professional Corporation and Permit Policy.

 (3) Where a Member is suspended at the time of annual renewal, the Member may apply for renewal at the end of the term of his or her suspension by complying with the above subsection (1) and (2) above and as set out in section 41 of the Act,.

 (4) To be eligible for the annual renewal of its registration and permit, each Professional Corporation must:

1. continue to meet the criteria set out in *The Professional Corporations Act*, these bylaws and the College License, Professional Corporation and Permit Policy;
2. complete the College’s annual registration and permit renewal form; and
3. pay the required annual fee by the date stipulated in College License, Professional Corporation and Permit Policy for the year in which the Professional Corporation wishes to have a permit for the practice of dentistry.

(5) Where a Member or a Professional Corporation has been in arrears in the payment of annual fees, the Registrar may renew the license or the permit upon payment of the annual fee and any late payment fees.

 (6) Where a Member who is suspended, is the sole person carrying on the

 business of providing dental services in the name of a Professional Corporation, that

 Professional Corporation may apply for its re-registration and permit at the end of the term

 of the Member’s suspension by complying with subsection (4) above and by paying the

 required fee on the date of application,

**PART III - PROFESSIONAL PRACTICE STANDARDS**

**Lawful, Ethical Practice**

**3.1** (1) Every Member shall abide by the terms and conditions or limitations of the Member’s license.

 (2) Every Professional Corporation having a permit and every Member:

1. shall not contravene, while engaged in the practice of dentistry, any federal, provincial, municipal, health region or College law, bylaw, regulation or rule; or
2. shall not permit, counsel or assist any person who is not licensed under the Actto engage in the practice of dentistry except as provided for in the Actand these bylaws.

1. shall not knowingly do anything false, misleading, improper, disgraceful, dishonorable or unprofessional while engaged in the practice of dentistry.
2. shall not engage, or permit a member to engage, in the practice of dentistry when they are not fit to do so, for any reason including impairment by health matters, conflict of interest or other, to give full force to his or her training, experience and judgement.
3. shall always uphold the honor, dignity and ethics of the profession.

**Service of Documents**

**3.2** (1) Service of documents may be made by personal service pursuant to the Act.

 (2) In addition to the methods of service described in the Act, service of documents may be effected by an alternate mode, including:

1. courier;
2. registered or ordinary mail;
3. fax; or
4. electronic transmission.

 (3) In the case of service by courier, a copy of the document to be served must be:

1. left at the address for service with the person to be served;
2. left at the address for service with an adult person who appears to be an employee, agent, representative or household member of the person to be served; or
3. left in a mail receptacle at the address for service of the person to be served if there is no person described in clause (b) present to be served and, in that case, the mail receptacle must be:

(i) at an address for service that is a residential address; or

(ii) during regular office hours, at an address for service that is a business address.

 (4) In the case of service by registered or ordinary mail, a copy of the document to be served must be placed in an envelope and mailed to the address for service of the person to be served.

 (5) In the case of service by fax, the document to be served must be faxed to the fax number shown in the address for service of the person to be served and must include a cover page that sets out all of the following information:

1. the sender’s name, address, telephone and fax number;
2. the name of the person to be served;
3. the date and time of transmission; and
4. the total number of pages transmitted, including the cover page.

(6) In the case of service by electronic transmission:

1. the document to be served must be electronically transmitted to the electronic transmission address shown in the address for service of the person to be served; and
2. the electronic transmission must set out all of the following information:

(i) the sender’s name, electronic transmission address, telephone number, and fax number if there is one;

 (ii) the name of the person to be served;

1. the date and time of transmission;

(iv) the electronic file name of the document being transmitted; and

1. the name and date of the document being transmitted.

**Members’ Obligations to the Council, College Committees and College Officers**

**3.3** Every Member must:

1. respond to requests and orders of the Council and committees and officers of the College or their delegates within the time specified in the request or order; and
2. fulfill the recommendations of, and agreements with, the Council and committees and officers of the College or their delegates by the time specified in the recommendations and agreements.

**Professional Practice Standard**

**3.4** All Professional Corporations having permits and all Members shall practice per the College Professional Practice Standard.

**Dental Clinic Facility Permits**

**3.5** (1) For a Dental Clinic Facility to be eligible to provide dental services:

1. the primary Member connected to the Dental Clinic Facility must complete and submit to the Registrar and the Registrar must approve an application for an Annual Dental Clinic Facility Permit; and
2. the primary Member connected to the Dental Clinic Facility must pay the required annual fee by the specified time for the year in which the Dental Clinic Facility wishes to hold an Annual Dental Clinic Facility Permit.

(2) Dental Clinic Facility Permits must be renewed annually.

 (3) Every Member connected to a Dental Clinic Facility having a valid Annual Dental Clinic Facility Permit shall operate the facility per the College Practice of Dentistry Clinic Facility Standard and provide general oversight and supervision of the oral health services provided in that dental clinic.

 (4) A Member connected to a Dental Clinic Facility may delegate procedures and tasks within his or her authorized practices and under the restrictions and conditions of the College Practice of Dentistry Clinic Facilities Standard.

**Radiation Orders, Equipment**

**3.6** Every Member must comply with *The Radiation Health and Safety Regulations* and the College’s Radiation Standard.

**Agreements and Leases**

**3.7** No Member shall enter any agreement, including a lease of premises, pursuant to which the amount payable by or to a Member is related, directly or indirectly, to the fees charged by the Member or by a person licensed or registered under any legislation regulating a health discipline, unless the agreement is a contract for services with:

1. another Member or Members, or a dental assistant, dental hygienist or dental therapist;

or

1. a corporation, partnership, or other entity controlled by a Member or Members.

**Employment and Business Relationships**

**3.8** (1)No Member, except with the consent of the Council, shall act as an employee, assistant, agent, partner, officer, shareholder or otherwise, or engage in the private practice of their profession for the benefit or advantage of, any corporation or any person who is not duly qualified and lawfully entitled to practice General Dentistry, a Specialty or medicine in Saskatchewan, or in such a way that any such company or unqualified person may realize a profit, reward or advantage, either directly or indirectly, unless:

1. provision is made for the profit, reward or advantage by another federal or provincial act;
2. in the case of a corporation, that corporation is a Professional Corporation; or

 (c) in the case of employment of the Member, the employer is a person, corporation or

 other legal entity referred to in subsection 25(1) of the Act.

 (2) Pursuant to the DDAs 41, any employer who terminates for cause the employment of a

 member shall report the termination to the member's association where the employer

 reasonably believes the cause is professional incompetence or professional misconduct.

**Advertising**

**3.9** (1) The only persons who are permitted to advertise dental services are Members and they are entitled to do so only in the manner provided for in these bylaws and the College Advertising Standard.

 (2) Advertising, promotion and all other external marketing activities:

1. must be accurate and not capable of misleading the public;

1. must not misrepresent the facts;
2. must be truthful;
3. must not be misleading, deceptive or fraudulent;
4. must be objectively verifiable; and
5. must not include personal feelings, beliefs, interpretation, opinions, or testimonials.

 (3) Advertising, promotion and all other external marketing activities must be professional

 and observe the dignity and ethics of the dental profession, and therefore must not include:

1. statements of uniqueness or comparisons to other providers;
2. undignified statements;
3. deprecating statements about other Members;
4. statements in bad taste that could harm the dental profession;
5. promises or statements that could create unjustified expectations;
6. coercion, duress or harassment to take advantage of physical, emotional or financial duress;
7. coupons or giveaways; or
8. references to materials, techniques, or equipment.

(4) Determinations under subsections (2) and (3) lie within the authority of the Quality Assurance Committee.

 **PART IV - QUALITY ASSURANCE**

**Quality Assurance Committee**

**4.1** (1) The Quality Assurance Committee shall be composed of a minimum of three persons, a majority being practicing members, one of whom shall be a member of the Council and one of whom shall be a public member of council.

 (2) The Quality Assurance Committee shall assist the Members in a co-operative manner so that they may provide quality care to the public which meets the College Professional Practice Standard.

(3) The Quality Assurance Committee may appoint any one or more of its members or other persons as assessors and delegate to those persons the authority to conduct an assessment and, following the assessment, to report to the Quality Assurance Committee.

(4) The Quality Assurance Committee may establish assessment and assistance programs for members.

**4.2** (1) A Member shall:

1. co-operate fully in allowing the Quality Assurance Committee and its assessors

to:

1. enter and inspect any Dental Clinic Facility to which the Member is

 connected by employment, contract or other arrangement; and

1. have access to inspect all books, records, correspondence and other documents or electronic data related to the Dental Clinic Facility, including the right to make copies;

 (b) provide all information requested by an assessor by a specified time; and

1. appear before or confer with the Quality Assurance Committee or any of its assessors when requested to do so and by a specified time.
2. fulfil all requirements and follow all recommendations of the committee.

 (2) Following a Quality Assurance Committee assessment, the Quality Assurance Committee may require the Member to:

1. make changes to his or her practice by a specified time;
2. attend specified courses by a specified time;
3. successfully complete specified examinations by a specified time; or
4. a combination of clauses (a) through (c).

**Referral to Professional Conduct Committee**

**4.3** (1) Following a Quality Assurance Committee assessment, the Quality Assurance Committee may refer to the Professional Conduct Committee any matter that has come to the attention of the Quality Assurance Committee or to the attention of an assessor appointed by it, including perceived professional incompetence or perceived professional misconduct including, but not limited to, the following:

1. a member’s refusal or failure to co-operate with any request of the Quality Assurance Committee or any assessor appointed by it by a specified time; or
2. a member’s failure to fulfill the requirements, recommendations or conditions of the Quality Assurance Committee as prescribed pursuant to subsection 4.2(2);

**Critical Incident Reports**

**4.4** (1) Where a Member has experienced a critical incident during the practice of dentistry, the Member must file a critical incident report with the Quality Assurance Committee as soon as reasonably achievable indicating details, circumstances and any action taken to mitigate repetition of the incident.

 (2) The QAC will maintain a register of incident, review the incidents, act as deemed necessary and provide reports to council.

**Assessments for Professional Conduct Committee Investigations**

**4.5** When requested by the Professional Conduct Committee to assist in a professional conduct investigation, the Quality Assurance Committee must provide an assessment of the specified matter and provide a report to the Professional Conduct Committee.

 **Prescription Review Program**

 **4.6** (1) The College mayparticipate in the Prescription Review Program established in Saskatchewan.

 (2) For the purposes of this section, “Drugs” mean the drugs listed in the Panel of Monitored Drugs under the Prescription Review Program bylaw of the College of Physicians and Surgeons of Saskatchewan.

 (3) The Prescription Review Program shall apply to all dosage forms of all listed Drugs.

 (4) Prescriptions for Drugs shall be prescribed and dispensed by a Member according to the policies and procedures agreed to by the College, the College of Physicians and Surgeons of Saskatchewan, the Saskatchewan Registered Nurses’ Association and the Saskatchewan College of Pharmacists

 (a) In order to prescribe a drug to which the Prescription Review

 Program applies, a member shall complete a written prescription

 which meets federal and provincial legal requirements and

 includes the following:

 (i) the patient's date of birth;

 (ii) the patient's address;

 (iii)the total quantity of medication prescribed, both numerically

and in written form;

  (iv) the patient's health services number; and,

 (v) the prescriber's name and address.

   (b) For the purpose of this bylaw, "written prescription" includes an

 electronic prescription that meets the requirements for electronic

 prescribing under the Pharmaceutical Information Program.

1. A member who prescribes a drug to which the Prescription

Review Program applies, and who provides the prescription directly to a pharmacy by electronic prescribing, by email or by FAX, or who transmits a prescription in accordance with the policies and protocols of the Pharmaceutical Information Program, need not include both the quantity numerically and in written form.

1. Members shall only prescribe part-fills of medications to which

the Prescription Review Program applies if the following information is specified in the prescription:

 (i) the total quantity;

  (ii) the amount to be dispensed each time; and

1. the time interval between fills.
2. Members shall keep a record of all drugs, to which the Prescription

Review Program applies, that are purchased or obtained for the member's practice and that are dispensed, administered or furnished to a patient in or out of the member's office. That record, kept separate from the patient's oral health record, must show:

 (i) the name, strength and quantity of the drug purchased or obtained;

 (ii) the name, strength, dose and quantity of the drug administered or

 furnished;

 (iii) the name and address of the person to whom the drug was

 administered or furnished, and, if applicable, the name and address of

 the person who took delivery of the drug; and

1. the date on which the drug was purchased or obtained and the date(s) on which the drug was administered, furnished or otherwise disposed of.

 (5) The Registrar or designate may gather and analyze information pertaining to the prescribing and dispensing of Drugs for the purpose of limiting the inappropriate prescribing or dispensing of Drugs or the inappropriate use of Drugs.

(6) The Registrar or designate may, among other activities:

1. provide education for Members regarding appropriate prescribing and dispensing practices;
2. alert Members to possible inappropriate use of Drugs by patients to whom they have prescribed or dispensed those Drugs;
3. alert Members to possible inappropriate prescribing or dispensing of Drugs;
4. make recommendations to Members with respect to their prescribing and dispensing practices for Drugs;
5. require a Member to provide explanations, within 14 days of receipt of such a request for information, of his or her prescribing and dispensing of Drugs and in making requests for explanations the Registrar or designate may require the Member to provide:

(i) information about the patient;

 (ii) the reasons for prescribing and/or dispensing to the patient; and

1. any knowledge which the Member may have about other narcotics or

 controlled medications received by the patient;

(f) cause information, concerns or opinions of general application to the dental profession to be communicated to Members without identifying any Member to whom that information relates; and

1. provide information gathered within the Prescription Review Program to another health professional regulatory body, including the Saskatchewan College of Pharmacists, the Saskatchewan Registered Nurses’ Association or the College of Physicians and Surgeons of Saskatchewan, provided that the information to be gathered is required by that body to perform and carry out the duties of that body pursuant to an act with respect to regulating that profession.
2. Where the personal health information gathered under clause (6)(g) relates to a member of the health professional body that is seeking disclosure, disclosure by the Registrar of that information may be made only in accordance with The Health Information Protection Act, subsection 27(5).

(8) The College may enter an agreement with a person or organization to do any or all of the following:

1. access and analyze information in the Prescription Review Program database pertaining to Members’ prescribing and dispensing of Drugs;
2. advise the College of concerns pertaining to Members’ prescribing and dispensing of Drugs;
3. advise the College of possible inappropriate use of Drugs by patients to whom Members have prescribed and dispensed those Drugs;
4. provide general education to the College and its Members pertaining to prescribing and dispensing of Drugs; and
5. alert the College to possible inappropriate use of Drugs by patients to whom a Member has prescribed or dispensed those Drugs.

**PART V – COMPLAINT RESOLUTION PROCESS**

5.1 (1) the Professional Conduct Committee will consider:

 (i) complaints or concerns identified by council or the registrar, or

 (ii) written complaints from the public, members or an agency.

 (2) Upon receiving a concern or complaint, the Professional Conduct Committee, with the assistance of the employees of the College, shall review and investigate the concern or complaint using any steps necessary, including obtaining the assistance of third parties.

(3) Following investigation, the Professional Conduct Committee may determine that matters within the concern or complaint can best be addressed by having the member enter a **confidential** agreement (“Consent to Conditions”) containing conditions that must be fulfilled for continuance of the members license to practice.

(4) The conditions within a Consent to Conditions may include, but are not limited to:

 (i) fines;

 (ii) specified remediation;

 (iii) refunds of payments for services;

 (iv) consent to ‘Fitness to Practice’ assessment and treatment;

 (v) specified audits for a specified time;

 (vi) specified advertising content previews for a specified time.

 (5) To dispose of a concern or complaint the Professional Conduct Committee shall determine

 and

 report, as set out in the Act, one of the following:

1. The Discipline Committee hear and determine the formal complaint as set out in the written

 report of the Professional Conduct Committee; or

1. No further action be taken with respect to the matter because, in the opinion of the Professional Conduct Committee:

 (i) The matter has been resolved with the agreement of the member and the complainant; or

 (ii) The facts of the matter do not warrant the matter proceeding; or

 (iii) The member has agreed to a confidential Consent to Conditions, which merits that no

 further action is warranted.

 (6) Where it is alleged by the Council, registrar or a committee that a member has not fulfilled a

 Consent to Conditions agreement, the matter will be referred to the Professional Conduct

 Committee for their review, investigation and reporting per this section V.

 (7) The professional Conduct Committee shall regularly report to council as to the complaints received

 and the disposition of such.