CDRAF
Canadian Dental Regulatory Authorities Federation

FCORD
Fédération canadienne des organismes de réglementation dentaire

Canadian Dental Regulatory Authorities Federation
Fédération canadienne des organismes de réglementation dentaire

800 boul. René Lévesque West, Montreal, 16th, Room St-Laurent

CDRAF REGISTRARS' MEETING

Thursday, March 30, 2017

8:30 a.m.

CDRAF
Canadian Dental Regulatory Authorities Federation

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AGENDA

Canadian Dental Regulatory Authorities Federation

Fédération canadienne des organismes de réglementation dentaire

CDRAF Registrars' Meeting

800 boul. René Lévesque West, Montréal, 16th, Room St-Laurent

Thursday, March 30th 2017– 8:30 a.m.

Appendix

1. Call to Order

2. CDRAF Strategic Plan: update (Feb 23rd meeting) and discussions **A**
   - CDRAF Strategic Plan, Draft #5

3. RCDC Provincial Bi-Lateral Agreements Initiative: **B**
   - Provincial updates (Quebec, Ontario, Manitoba)
   - Draft Service Agreement
   - Letter of presentation/Assessment Service Agreement, Manitoba
   - Credential Verification and Repository Service Agreement, NDEB
   - Report of Registrars responsible for file of RCDC, April 2015

4. English Proficiency Assessment – "National" need/consensus in light of current provincial legislation? Additional NDEB's mandate? Profession specific language proficiency tool? **C**
    - "Best Practices: Occupation-Specific Language Assessment, Benchmarking and Training, May 2015

5. Opioids Crisis **D**

    a. CDRAF response to 2017 Guideline for the safe and effective use of opioids for chronic non-cancer pain

    b. CDRAF public commitment?

    - RCDSO commitment, Nov 2016
    - RCDC commitment, Jan 2017
    - CDA commitment, Feb 2017

6. Entry-level Competencies Framework Initiative: Update **E**
    - Regulation respecting the committee on training of dentists, Quebec

7. Wellness Conference v2.0 – April 2018 **F**
    - Briefing note, Mar 2017

8. CETA/EU Commission: Moving Forward

9. Specialty Recognition – Update and Edits to Processes and Protocols

10. Loss of IDPP Positions in Canada

11. Central Document Repository

12. CEO/Registrars 2017 Meeting

13. Registrars Meeting 2017-2018 Meeting Schedule

14. “National” messaging to the Canadian dentists about their obligations towards third party provider’s requests

15. Sterilization standards for Ivoclar sleeves laser

16. Smile Direct **G**
    - Email, Feb 16, 2017

17. Provincial Reports on Legislative/Other Changes

18. PGY one: Update **H**
    - Briefing Note, Mar 2017

19. Botox Guidelines: Current Position and Future Direction **I**
    - Ontario

20. Other business

21. Adjournment

AMS:714192

APPENDIX A

Canadian Dental Regulatory Authorities Federation (CDRAF) Strategic Plan

2017-2020

DRAFT 5 – 15/03/2017

Contents

EXECUTIVE SUMMARY

In 2016, the Canadian Dental Regulatory Authorities Federation (CDRAF) initiated the development of their Strategic Plan.

Strategic Planning involves re-examining the vision, mission and guiding principles of an organization, setting out strategies for achieving its objectives over several years. The strategic plan sets a very clear direction for staff and members and serves as a decision-making tool for the organization. All activity, guided by the principles, should support the strategic mission and vision of the organization.

Data was collected, information gathered, and surveys conducted. A current state analysis was completed based on the data, information and surveys. Board Directors and observers from Provincial Dental Regulatory Authorities (DRA) were invited to participate in a preliminary planning session which helped to develop the framework for the plan.

A steering committee consisting of several registrars, elected officials, as well as the Executive Director was formed to consider all the data and to formulate the plan. Steering Committee meetings were held virtually and face to face and many volunteer hours were contributed to effectively complete the plan.

The next steps for the organization include creating an operational plan, which will provide a road map for how the strategies will be achieved, and implementing a measurement and follow up process that will keep the plan at the forefront.

The time frame for this Strategic Plan is *three years*. In *2020* the CDRAF will revise the Strategic Plan and continue to meet the challenges and opportunities that the future will bring.

HISTORY OF THE CDRAF

The Canadian Dental Regulatory Authorities Federation (CDRAF) is a forum constituted of the provincial dental regulatory authorities (DRAs). These bodies hold the exclusive, legislated mandate of public protection.

The Letters Patent of the Federation were issued on March 3, 2004 marking the official creation date of the CDRAF.

In April 22, 2004, the first meeting of the Federation as a legally constituted organization was held in Ottawa.

At that first meeting in April 2004, Dr. Gordon Thompson was elected by the Federation board as its first President and Chair. Dr. Thompson was at the time the Executive Director and Registrar of the Alberta Dental Association and College.

Since then, the organization benefitted from the talents, dedication and leadership skills of six Presidents country-wide.

Since its inception, the CDRAF has experienced success on very important initiatives notably by ratifying a Mutual Recognition Agreement (2009) for the profession of dentistry in Canada with respect to general dentistry and dental specialties and developing a Memorandum of Understanding (2014) with respect to a uniform Canadian process for the certificate and licensure of internationally trained dental specialists.

These achievements were possible because of the CDRAF's members' vibrant determination to act in the public interest and their willingness to work together in a generous spirit.

MESSAGE FROM THE PRESIDENT

Dear Colleagues and Friends of the Dental Community,

It is my sincere pleasure to present you with the Canadian Dental Regulatory Authorities Federation's first Strategic Plan 2017-2020. I would like to recognize and thank every one involved in its development.

Over the past decade, our Board made great strides and dedicated time and energy to address issues of common interest for our members. Tangible successes were achieved. Nevertheless, we have realized in recent years, that CDRAF's "business as usual" approach was no longer possible. We needed to pull together not only to increase CDRAF's effectiveness and agility but also to create additional membership value and better serve the public interest.

I strongly believe that this ambitious plan will assist in sustaining a collaborative environment that is critical to CDRAF's future and will enhance its leadership role amongst the Canadian dental community.

Dr. Cliff Swanlund, Alberta Dental Association and College

CDRAF President

STRATEGIC FRAMEWORK

GUIDING PRINCIPLES

We recognize and respect the breadth of expertise within our Federation and we support collaboration that contributes to shared knowledge.

We seek every opportunity to share freely and with a generous spirit.

We are sensitive to individual jurisdictional and legislative differences as we strive for consensus.

We practice, in good faith, a willingness to be open and honest with each other.

CDRAF MISSION AND VISION

MISSION

The Canadian Dental Regulatory Authorities Federation is a forum for Provincial Dental Regulators to foster collaboration and develop best practices.

VISION

The CDRAF serves, protects and acts in the public interest.

CDRAF STRATEGIC INITIATIVES

Competency Standards

Develop competency standards for dentists and dental specialists.

Governance

Create a model that enables and supports the mandate of the Forum by Spring of 2018.

Relationships

Form alliances and partnerships with others to achieve our mission.

Trends and Special Topics

Develop regulatory responses to emerging trends in a timely manner.

STRATEGIC INITIATIVE # 1: COMPETENCY STANDARDS

Goal: Develop competency standards for dentists and dental specialists

1. Lead the development of a national document describing the set of skills, knowledge and abilities required to obtain an initial licence to practice as an entry level dentist.

2. Lead the development of a national document describing the set of skills, knowledge and abilities required to obtain a specialist certificate for every specialty.

3. Create a common system or process of measuring continuing competence to allow for mobility.

STRATEGIC INITIATIVE #2: GOVERNANCE

Goal: Create a model that enables and supports the mandate of the Forum by Spring of 2018

Objectives:

1. Determine appropriate legal structure.

2. Re-brand the organization to reflect the nature of the organization's main purpose as a Forum.
   (Canadian Forum of Dental Regulators or Canadian Dental Regulators Forum or Canadian Dental Regulatory Authorities Forum)

3. Create new Bylaws to reflect new structure if necessary.

4. Create terms of reference and responsibilities for all functional groups and staff.

5. Develop a plan for dealing with unforeseen circumstances and emergency responses.

6. Determine processes for reporting on Forum activity.

STRATEGIC INITIATIVE #3- RELATIONSHIPS

Goal: Form alliances and partnerships with others to achieve the mission of the CDRAF

Objectives:

1. Enhance awareness and understanding of the role and the purpose of the CDRAF:
    a. Use Social Media to enhance communication reach and profile;
    b. Identify process for disseminating outcomes of the Forum;
    c. Collect feedback;
    d. Identify the value proposition; and
    e. Use modern technology to meet communication needs and to increase participation

2. Define consistent processes and mechanisms for flow of communication with members and other parties:
    a. Identify key contacts;
    b. Frequency of communication;
    c. Methods of communications; and
    d. Protocols for reporting (Board meetings and annual reports etc.)

3. Broaden base of knowledge and share best practices by seeking out and cultivating relationships with health professional organizations and other regulatory authorities.

STRATEGIC INITIATIVE #4: TRENDS AND SPECIAL TOPICS

Goal: Develop regulatory responses to emerging trends in a timely manner

Objectives:

1. Establish mechanisms for validating and prioritizing topics.

2. Establish mechanisms for gathering and analysis of data.

3. Establish mechanisms for generation of response.

APPENDIX B

SERVICE AGREEMENT

BETWEEN:

PROVINCIAL DENTAL REGULATORY AUTHORITY

Address,
City, Province
Postal Code

Hereinafter, referred to as the «DRA»

AND

ROYAL COLLEGE OF DENTISTS OF CANADA

2404-180 Dundas Street West,
Toronto, Ontario
M5G 1Z8

Hereinafter referred to as the «RCDC»

PREAMBLE

WHEREAS the principal function of the DRA is to ensure the protection of the public. More particularly, its mission is to ensure the quality of dental services by means of compliance with the highest standards of practice and ethics by its members as well as to promote general and dental health;

And WHEREAS the RCDC was constituted in 1965 by Act of Parliament and is the organization responsible to assess trained dental specialists through examinations created specifically for each dental specialty. The National Dental Specialty Examination (NDSE; the Examination) is administered by the RCDC and is recognized by dental regulatory authorities as part of the requirements for licensure or certification as a specialist;

And WHEREAS the RCDC has the expertise in developing assessments and assessment questions that respond to the established standards of qualification and issues certificate to dentists who meets these standard in their chosen specialty ;

AND WHEREAS the RCDC agrees to mandate its Education committee, responsibilities and decisions making on many aspects of the procedure regarding the administration of the examinations;

AND WHEREAS each of Canada's ten Provincial dental Regulatory Authorities appoints a representative member on the Education committee (ED), the Canadian Dental Regulatory Authorities Federation (CDRAF) appoints a public member and the president of RCDC and the chief examiner are also members.

AND WHEREAS accountability to the DRA's is a corner stone of the public protection;

AND WHEREAS…….xxx of the DRA…..(ex.Quebec' Professional Code) stipulates that the Board of Directors of the DRA must…..(legal applicable)

AND WHEREAS the DRA is subject to the enquiry and recommendation powers of the Fairness commissioner concerning mechanisms for the recognition of professional competencies;

AND WHEREAS in October of 2009 the DRA and its fellow members of the Canadian Dental Regulatory Authorities Federation (CDRAF) entered into the Mutual Recognition Agreement for the dentistry profession that is attached as Schedule X to this Agreement (the MRA), in order to establish a number of common requirements for licensure in any province in Canada and to thereby facilitate mobility across Canada of dentists holding general or specialty licensure or both;

And WHEREAS the parties to the MRA identified criterias necessary to demonstrate the competency required to achieve certification in dental specialties;

And WHEREAS for the purposes of this agreement, the DRA is not the agent of the RCDC and the RCDC is not the agent of the DRA but rather, the DRA retains the services of the RCDC to develop and administer examination to assess trained dental specialists within the criterias that the DRA establishes from time to time.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The DRA shall retain the services of the RCDC for the purpose of developing and administering exams to assess the competence of individuals who have:

    a. graduated from a university based dental specialty training program accredited by CDAC or an equivalent national accreditation body with an approved reciprocity agreement with CDAC; or
    b. graduated from a university based dental specialty training program and holds a certificate of completion or its equivalent from an accredited Canadian dental specialty training program;

2. The RCDC shall constitute and maintain an Education committee (EC) comprised of thirteen voting members:

    a. RCDC council president
    b. CDSBC member
    c. ADAC member
    d. CDAA member

e. MDA member
f. RSDSO member
g. ODQ member
h. RBDS member
i. PDBNS member
j. DCPEI member
k. NLDB member
l. Member of the public
m. Examiner in chief

3. Each DRA will appoint for a two years term its representative on the EC. The mandate of its representative is renewable.

4. The CDRAF appoints a public representative for a two years term on the EC. The mandate of its representative is renewable.

5. The EC is responsible in the certification process to:

    a. establish and maintain processes and policies consistent with fair registration practices of impartiality, objectivity, accountability and transparency;
    b. ensure the NDSE is reflective of current Canadian entry-level dental specialty competencies;
    c. establish processes and policies consistent with the DRA's standards;
    d. establish an application process to identify individuals (Applicants) eligible to participate in the assessments consistent with the DRA's standards;
    e. establish publications and assessments for each dental specialty division in English and French;
    f. establish assessments for each dental specialty division consistent with the Regulatory Authority standards;
    g. establish a periodic review of assessments;
    h. establish process for notification of participants of application and assessment decisions;
    i. establish internal review and appeal processes for assessment decisions;
    j. review on an annual basis existing NDSE policies and processes and inform the DRA's and the CDRAF and the RCDC Council of any recommendations or changes;
    k. oversee and approve the work of the subcommittees including the examinations, credentials and appeals committees;
    l. review and revise terms of reference for examinations, credentials and appeals committees;
    m. annually evaluate sub-committee's effectiveness;
    n. annually evaluate Committee members' effectiveness.
    o. Annually report to the DRA's its activities.

6. The RCDC is responsible of the following:

    a. administer and maintain processes and policies consistent with the DRA's standards;

b. administer and maintain an application process to identify individuals (Applicants) eligible to participate in the assessments consistent with the DRA's standards;
c. administer and maintain publications and assessments for each dental specialty division in English and French;
d. administer and maintain a website for publication of information;
e. verify credentials of Applicants;
f. administer and maintain assessments for each dental specialty division consistent with the Regulatory Authority standards;
g. establish a periodic review of assessments;
h. administer and maintain a process for notification of participants of application and assessment decisions;
i. administer and maintain internal review and appeal processes for assessment decisions;
j. perform and retain relevant statistical analysis of application and certification results;
k. retain relevant records of the certification process for each individual applying or participating;
l. develop policies, processes and best practices to maintain or enhance the quality and effectiveness of the NDSE;

7. The RCDC shall provide a minimum of one assessment for each division each year.

8. The DRA shall direct individuals to the RCDC website for information on the assessments.

9. The DRA shall accept the NDSE Certificate issued by the RCDC to the participant as evidence of successful completion of the certification process for registration purposes in the Province.

10. The RCDC shall establish in collaboration whit the ED a single written policy for the selection of examiners applicable to all dental specialty divisions in consultation with the Regulatory Authority.

11. The RCDC shall request in writing that the DRA's nominate candidates from the Province by October 1st of each year.

12. The RCDC is not restricted to candidates nominated by the Regulatory Authority.

13. The RCDC shall publish information on the application process including the:

a. requirements for application;
b. requirements for credential verification;
c. procedures for application;

d. costs of application process;
e. relevant dates and deadlines in the application process;
f. method of notification for application decisions;
g. appeal of RCDC application decisions; and
h. application policies for documents, language and appeals.

14. The RCDC shall publish information on the certification process including the:

    a. nature and content areas of assessments;
    b. statistical information on assessment success rates;
    c. procedures of assessments;
    d. costs of assessments;
    e. relevant dates and deadlines in the assessment process;
    f. method of notification of assessment results;
    g. appeal of assessment results; and
    h. assessment policies;

15. The RCDC shall consult with the Regulatory Authority prior to significant changes to published information.

16. Nothing in this Section, limits additional information the RCDC may wish to publish relevant to the assessments.

17. The RCDC shall keep personal information and certification process results obtained from individuals in the certification process confidential except:

    a. for information or results the individual consents to release;
    b. as provided for by provincial fair registration practices or health professional regulatory legislation;
    c. as provided for by federal and provincial privacy legislation; or
    d. for de-identified information used for RCDC research, analysis or reporting.

18. The DRA recognizes ownership of all intellectual property, questions and psychometric information related and contained in the Assessments resides exclusively with the RCDC.

19. Nothing in this agreement shall be construed as granting the DRA any ownership rights to this intellectual property, questions and psychometric information.

20. The DRA does and shall not have any right to copy or use the intellectual property, questions or psychometric information developed and prepared by the RCDC for the certification process before, during or after the term of this Agreement, without the RCDC's express prior written permission.

21. The RCDC shall provide a written invitation for the DRA to send an observer to the following events:

    a. nomination committee meetings;
    b. standard setting workshops;
    c. dental specialty division blueprint workshops;
    d. assessment question development workshops;
    e. examiner preparation workshops;
    f. assessments; and
    g. key validation of assessment results.

22. The RCDC shall provide any written invitation ninety days prior to the event.

23. The RCDC shall provide written report/reports annually to the Regulatory Authority.

24. The RCDC shall report to the Regulatory Authority the following information:

    a. number of applications received;
    b. number of complete applications received;
    c. number of applications processed and average processing time;
    d. number and results of assessments;
    e. number and results of repeated assessments;
    f. number and results of key validation;
    g. number and results of appeal applications;
    h. psychometrician review of assessments;
    i. examiner-in-chief and chief examiner for each dental specialty division reports;
    j. RCDC committee reports related to the assessments including the ED
    k. financial information and proposed budget plans for upcoming two years.

25. The RCDC shall remain a not for profit corporation for the term of this agreement.

26. The RCDC shall establish, administer and maintain the assessments on a cost recovery basis.

27. The fees to applicants and participants shall cover the costs to establish, administer and maintain the assessments.

28. The RCDC application fees shall be the same for Applicants regardless of the dental specialty division.

29. The RCDC appeal fees shall be the same for Participants regardless of the dental specialty division.

30. Nothing in this section limits the RCDC from entering into funding arrangements with regulatory authorities, government or governmental agencies to support the assessment process or advance assessment initiatives.

31. The RCDC shall not enter into funding arrangements with for profit corporations or membership services organizations to support the assessment process or advance assessment initiatives.

32. The RCDC shall establish assessment reserve funds to mitigate variability in yearly participation; renew the assessments regularly for validity and security; replace existing infrastructure and incorporate technological advances in assessment delivery.

33. Any assessment reserve fund shall be:
    a. clear, written parameters consistent with the purpose of the fund;
    b. objective documentation supporting the written parameters; and
    c. subject to consultation with the Regulatory Authority before accepting funds.

34. The RCDC shall consult with the Regulatory Authority prior to any change in fees.

35. The RCDC shall publish changes to fees for an upcoming certification process 90 days prior to the application deadline.

36. No fees other than those published by the RCDC on its website shall be charged in the certification process.

37. The agreement shall be governed by and interpreted under the federal, provincial and municipal laws in force in the Province (DRA) of Canada.

38. The agreement will come into force on the day of signing by the parties.

39. The term of this agreement will be three (3) years. lt will begin on January 1, 2017 and will terminate on December 31, 2020.

40. This agreement will be automatically extended for additional periods of one (1) year, with automatic adjustments with respect to the fees to be charged pursuant to Section 5.

41. Each party may terminate this agreement immediately upon written notice to the other party if ether of the parties breaches any of its material obligations under this agreement

42. The agreement may be terminated with written notice by a party if the other party is in breach of a material undertaking in the agreement.

43. This agreement can be terminated for any reason by written notice from either of the parties at least six (6) months before the expiry date of the initial term or any renewal thereof.

44. The parties hereto have expressly requested that the present agreement, including the schedules hereto, be drafted in both the English and the French languages. However, should any conflict or inconsistency arise between the terms of the English version and the terms of the French version, the French version shall prevail. Les Parties aux présentes ont expressément demandé à ce que la présente entente ainsi que toutes les annexes soient rédigées la fois en langue anglaise et en langue française, Cependant, en cas de contradiction entre les termes de la version anglaise et ceux de la version française, la version française prévaudra.

THE AGREEMENT IS SIGNED BY THE PARTIES THIS xxst DAY OF XXXXX 2017

_____	_____
Dr. xxx	Dr. Christopher Robinson
President, DRA	President, Royal College of Dentists of Canada

Dear Colleagues,

The MDA has been reviewing processes to develop written agreements with our third-party assessors. This would include roles and responsibilities for examinations, accreditation and a centralized document repository. In our recent Registration Review by the Office of the Manitoba Fairness Commissioner, this issue is part of our formal action plan.

While there are benefits to a uniform process and documents, the MDA understands that provinces may choose to move forward on their own. We also understand some jurisdictions may not be interested at this time in undertaking this process.

The MDA wishes to seek expressions of interest from other regulatory authorities to collaborate and reach a consensus on the structure and content of this type of agreement with our third-party assessors. This will be a comprehensive process to work towards these agreements. I anticipate the process to reach comprehensive agreements with all our third-party assessors will take about a year.

The intent will be to have consistent agreements with substantially similar format and content. I have included to draft documents – one for the NDSE with RCDC and one to create a central document repository with NDEB.

You are free to use the documents as you see fit. For those interested in collaborating to reach a consensus, please let me know.

Finally, I have included a document related to language proficiency benchmarking and the development of profession specific language proficiency tools and assessments.

Yours sincerely,

Marcel Van Woensel
Registrar, Manitoba Dental Association

This Assessment Service Agreement dated , 2017 (hereinafter referred to as the "**Agreement**").

BETWEEN:

Name of Provincial Dental DRA, whose principal place of business is located at the City of , Canada, (hereinafter referred to as the "**DRA**").

AND

Royal College of Dentists of Canada, whose principal place of business is located at the City of Toronto, Canada (hereinafter referred to as the "**RCDC**").

(each a "**Party**" and collectively, the "**Parties**")

RECITALS

WHEREAS a written agreement describing the roles and responsibilities of the RCDC and the DRA supports a fair, objective, accountable and transparent relationship in the public interest;

AND WHEREAS the DRA is the statutory authorized organization responsible to regulate dentistry in the public interest by the Province of Manitoba (Province) including the determination of requirements to practice as a dental specialist and standards for competency;

AND WHEREAS the RCDC has the infrastructure and expertise to develop and perform assessments necessary for a certification process consistent with established standards for each dental specialty recognized by the DRA;

AND WHEREAS the Parties wish to define herein their obligations with respect to assessments in the certification process; development of those assessments and recognition of that certification in connection with the RCDC Certification Process.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties, intend to be legally bound, and agree as follows:

SECTION I - ASSESSMENTS

1. The DRA shall recognize certification by the RCDC as part of the requirements for registration as a dental specialist in the Province.

2. The RCDC shall establish, administer and maintain certification processes - the National Dental Specialty Examinations (NDSE) - for assessing the competence of individuals who have:

    a. graduated from a university based dental specialty training programme accredited by the Commission on Dental Accreditation of Canada (CDAC) or an equivalent national accreditation body with an approved reciprocity agreement with CDAC; or
    b. graduated from a university based dental specialty training programme and holds a certificate of completion or its equivalent from an accredited Canadian dental specialty training programme.

3. The RCDC is responsible in the certification process to:

    a. establish, administer and maintain processes and policies consistent with fair registration practices of impartiality, objectivity, accountability and transparency;
    b. establish, administer and maintain processes and policies consistent with the DRA standards;
    c. establish, administer and maintain an application process to identify individuals (Applicants) eligible to participate in the assessments consistent with the DRA standards;
    d. establish, administer and maintain publications and assessments for each dental specialty division in English and French;
    e. establish, administer and maintain a website for publication of information;
    f. verify credentials of Applicants;
    g. establish, administer and maintain assessments for each dental specialty division consistent with the DRA standards;
    h. perform periodic review of assessments;
    i. establish, administer and maintain a process for notification of participants of application and assessment decisions;
    j. establish, administer and maintain internal review and appeal processes for assessment decisions;
    k. perform and retain relevant statistical analysis of application and certification results; and
    l. retain relevant records of the certification process for each individual applying or participating.

4. The RCDC shall offer a minimum of one assessment for each division each year.

5. The DRA shall direct individuals to the RCDC website for information on the assessments.

6. The DRA shall accept the NDSE Certificate issued by the RCDC to the participant as evidence of successful completion of the certification process for registration purposes in the Province.

SECTION II - EXAMINERS

1. The RCDC shall establish and apply a single written policy and criteria for the selection of examiners applicable to all dental specialty divisions in consultation with the DRA.

2. The RCDC shall request in writing that the DRA nominate candidates for consideration from the Province by 01 October each year.

3. The RCDC is not restricted to candidates nominated by the DRA.

SECTION III - PUBLICATION

1. The RCDC shall publish information on the application process including the:

    a. requirements for application;
    b. requirements for credential verification;
    c. procedures for application;
    d. costs of application process;
    e. relevant dates and deadlines in the application process;
    f. method of notification for application decisions;

g. appeal of RCDC application decisions; and
h. application policies for documents, language and appeals.

2. The RCDC shall publish information on the certification process including the:

    a. nature and content areas of assessments;
    b. statistical information on assessment success rates;
    c. procedures of assessments;
    d. costs of assessments;
    e. relevant dates and deadlines in the assessment process;
    f. method of notification of assessment results;
    g. appeal of assessment results; and
    h. assessment policies.

3. The RCDC shall consult with the DRA prior to significant changes to published information.

4. Nothing in this Section, limits additional information the RCDC may wish to publish relevant to the assessments.

SECTION IV - CONFIDENTIALITY

1. The RCDC shall keep personal information and certification process results obtained from individuals in the certification process confidential except:

    a. for information or results the individual consents to release;
    b. as provided for by provincial fair registration practices or health professional regulatory legislation;
    c. as provided for by federal and provincial privacy legislation; or
    d. for de-identified information used for RCDC research, analysis or reporting.

2. The DRA shall keep all personal information and certification process results of individuals obtained as part of its regulatory and oversight responsibilities confidential except:

    a. for information or results the individual consents to release;
    b. as provided for by provincial fair registration practices or health professional regulatory legislation;
    c. as provided for by federal and provincial privacy legislation; or
    d. for de-identified information used for RCDC research, analysis or reporting.

SECTION V - OWNERSHIP

1. The DRA recognizes ownership of all intellectual property, questions and psychometric information related and contained in the Assessments resides exclusively with the RCDC.

2. Nothing in this agreement shall be construed as granting the DRA any ownership rights to this intellectual property, questions and psychometric information.

3. The DRA does and shall not have any right to copy or use the intellectual property, questions or psychometric information developed and prepared by the RCDC for the certification process before, during or after the term of this Agreement, without the RCDC's express prior written permission.

SECTION VI - OBSERVATION

1. The RCDC shall provide a written invitation for the DRA to send an observer to the following events:

    a. nomination committee meetings;
    b. standard setting workshops;
    c. dental specialty division blueprint workshops;
    d. assessment question development workshops;
    e. examiner preparation workshops;
    f. assessments; and
    g. key validation of assessment results.

2. The RCDC shall provide any written invitation sixty days prior to the event.

SECTION VII – REPORTS

1. The RCDC shall provide written report/reports annually to the DRA.

2. The RCDC shall report to the DRA the following information:

    a. number of applications received;
    b. number of complete applications received;
    c. number of applications processed and average processing time;
    d. number and results of assessments;
    e. number and results of repeated assessments;
    f. number and results of key validation;
    g. number and results of appeal applications;
    h. psychometrician review of assessments;
    i. examiner-in-chief and chief examiner for each dental specialty division reports;
    j. RCDC committee reports related to the assessments;
    k. financial information and proposed budget plans for upcoming two years.

3. The DRA shall provide a copy of written reports related to the certification processes produced by the DRA.

SECTION VIII - PARTICIPATION

1. RCDC shall invite the DRA to participate in:

    a. assessment standard setting and periodic review;
    b. certification process and policy development and periodic review; and
    c. oversight and periodic review of committees involved in certification process.

2. The DRA may send a representative to participate in any other aspect of the certification process that the RCDC invites participation.

3. The DRA may invite the RCDC to participate in any request from provincial authorities with respect to fair registration practices.

4. The RCDC shall participate in all reasonable requests by the DRA related to fair registration practices.

SECTION IX - FUNDING MECHANISM

1. The RCDC shall remain a not for profit corporation for the term of this agreement.

2. The RCDC shall establish, administer and maintain the assessments on a cost recovery basis.

3. The fees to applicants and participants shall cover the costs to establish, administer and maintain the assessments.

4. The RCDC application fees shall be the same for Applicants regardless of the dental specialty division.

5. The RCDC assessment fees shall be the same for Participants regardless of the dental specialty division.

6. The RCDC appeal fees shall be the same for Participants regardless of the dental specialty division.

7. Nothing in this section limits the RCDC from entering into funding arrangements with regulatory authorities, government or governmental agencies to support the assessment process or advance assessment initiatives.

8. The RCDC shall not enter into funding arrangements with for profit corporations or membership services organizations to support the assessment process or advance assessment initiatives.

9. The RCDC shall establish assessment reserve funds to mitigate variability in yearly participation; renew the assessments regularly for validity and security; replace existing infrastructure and incorporate technological advances in assessment delivery.

10. Any assessment reserve fund shall be:

    a. clear with written parameters consistent with the purpose of the fund;
    b. objective documentation supporting the written parameters; and
    c. subject to consultation with the DRA before accepting funds.

11. The RCDC shall consult with the DRA prior to any change in fees.

12. The RCDC shall publish changes to fees for an upcoming certification process 90 days prior to the application deadline.

13. No fees other than those published by the RCDC on its website shall be charged in the certification process.

SECTION X - JURISDICTION

This Agreement is governed by and will be construed in accordance with the laws of the Province of Ontario and the laws of Canada, applicable therein. The Parties attorn to the exclusive venue and jurisdiction of the Courts of Ontario, and waive any arguments under the conflict of laws removing such exclusive venue, jurisdiction or governing law.

SECTION XI - TERM

1. The Agreement will come into full force and effect on the day first written above.

2. The Agreement is ongoing and subject to amendments, modifications or termination by the Parties.

3. Either Party may terminate this agreement by providing the other party 60 days written notice.

SECTION XII - REVIEW

1. The Agreement shall be reviewed by representatives of the Parties on an annual basis.

2. The Agreement may be reviewed at any time at the request of either Party.

SECTION XIII - AMENDMENT or MODIFICATIONS

1. This Agreement or any provision may be modified, altered, amended or waived:

    a. except in writing and signed by the Parties; or
    b. to comply with legislative changes in the Province.

SECTION XIV - AUTHORITY TO BIND

1. The Parties affirm that the individual(s) executing this Agreement has the authority to bind the Party to the terms of the Agreement.

2. An electronic copy or facsimile of a Party's signature shall be binding upon the signatory with the same force and effect as an original signature.

SECTION XV - SEVERABILITY

If any provision of this Agreement, or any application thereof to any circumstances, is invalid, in whole or in part, such provision or application shall to that extent be severable and shall not affect other provisions or applications of this Agreement.

SECTION XVI – ENTIRE AGREEMENT

This Agreement sets forth the entire understanding of the Parties with respect to the subject matter and supersedes all prior agreements, written or oral, between them as to such subject matter.

SECTION XVII - TENSE AND HEADINGS

Whenever any words used herein are in the singular form, they shall be construed as though they were also used in the plural form in all cases where they would so apply. The headings contained herein are solely for the purposes of reference and are not part of this Agreement and shall not in any way affect the meaning or interpretation of this Agreement.

SECTION XVIII - NOTICES

1. Notices from the DRA to the RCDC shall be sent either electronically to the Executive Director of the RCDC or delivered by registered mail to:

   180 Dundas Street West, Suite 2404
   Toronto, Ontario
   M5G 1Z8 (Canada)

2. Notices from the RCDC to the DRA shall be sent either electronically to the Registrar of the DRA or delivered by registered mail to:

   Address
   City, Province
   Postal Code (Canada)

SECTION XIX - COUNTERPARTS

1. This Agreement may be executed in two or more counterparts; each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument.

Name of DRA

Per: _____

Print Name:_____

Title:_____

Royal College of Dentists of Canada

Per:_____

Print Name:_____

Title:_____

This Credential Verification and Repository Service Agreement is dated , 2017 (hereinafter referred to as the "**Agreement**").

BETWEEN:

Name of Provincial Dental Regulatory Authority, whose principal place of business is located at the City of , Canada, (hereinafter referred to as "DRA").

AND

National Dental Examining Board of Canada, whose principal place of business is located at the City of Ottawa, Canada (hereinafter referred to as the "**NDEB**").

(each a "**Party**" and collectively, the "**Parties**")

RECITALS

WHEREAS the Parties wish to enter into an Agreement where the NDEB agrees to verify and retain documents that are common to the NDEB and the DRA;

AND WHEREAS the NDEB agrees to verify documents of participants applying to the NDEB Equivalency Process and of candidates applying to the NDEB Certification Process;

AND WHEREAS upon completion of the verification process, the NDEB will digitally store the aforesaid documents;

AND WHEREAS the Parties wish to define herein the obligations of the Parties with respect to the handling and disclosure of confidential information that may be disclosed to each other in connection with the NDEB Certification Process or the NDEB Equivalency Process.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties, intend to be legally bound, and agree as follows:

SECTION I - CREDENTIAL VERIFICATION

1. The NDEB shall establish, administer and maintain a credential verification process that includes the following:

    a. a consistent fair registration practice that is impartial, objective, accountable and transparent;
    b. the consistent application of DRA standards;
    c. the publication of the credential verification process on the NDEB Website, in English and French;
    d. policies for alternative documentation in circumstances where an applicant is not able to access required documents; and
    e. retention of relevant records for each individual applying or participating in the NDEB Certification Process or the NDEB Equivalency Process.

2. The NDEB shall collect and verify the authenticity, in an appropriate format, of the following documents:

    a. confirmation of degree completion from the dental program;
    b. academic record from the undergraduate dental program;
    c. government issued photo identification supplied at the time of application;
    d. proof of name change/difference in name, if applicable;
    e. final dental diploma/degree;
    f. internship completion certificate, if applicable;
    g. translation of any document, if applicable; and
    h. any additional documents the NDEB requires for the purpose of verifying credentials of an applicant.

3. The NDEB shall retain a true copy, in an electronic format, of all documents collected in the credential verification process stated in Subsection I(2) of this Agreement. The NDEB also ensures that the documents will be kept in a secure database for a period of 60 years and will be accessible to the DRA if it meets and complies with NDEB security protocols.

SECTION II - CENTRAL DOCUMENT REPOSITORY

1. The NDEB shall establish, administer and maintain a repository for documents collected in the credential verification process.

2. The DRA shall recognize certification by the NDEB from DAY MONTH YEAR forward as evidence of submission and verification of the documents listed in Subsection I(2) satisfactory evidence for the registration process in the Province.

3. The NDEB shall make certificate numbers and date of issue accessible to the DRA through a secure online portal.

4. The DRA shall obtain necessary consents from applicants to request and receive information or documents from the NDEB and shall provide a true digital copy of the consent to the NDEB when requesting information or documents about the applicant.

5. The DRA shall not hold the NDEB liable, directly or indirectly, to the applicant if the consent obtained by the DRA is not valid.

6. The DRA shall hold the NDEB harmless and indemnify the NDEB for any and all actions or claims against the NDEB arising out of an improper or invalid consent obtained by the DRA from the applicant.

7. The DRA requests for information or documents may be submitted electronically to the DRA by the NDEB in a format agreed to by the Parties.

8. The NDEB may submit requested information or document electronically to the DRA unless an alternate format is specified.

SECTION III – CONFIDENTIALITY

1. The NDEB shall keep information obtained in the credential verification process confidential except:

    a. where the individual consents to release of the information or documents;
    b. as provided for by provincial fair registration practices or health professional regulatory legislation;
    c. as provided for by federal and provincial privacy legislation;
    d. for de-identified information used for NDEB research, analysis or reporting; or
    e. where required by law.

SECTION IV - PERIODIC REVIEW, OBSERVATION AND REPORTS

1. The NDEB shall review the credential verification process, policies and published information annually.

2. The NDEB shall consult with the DRA on any proposed changes in the credential verification process or policies prior to a decision.

3. The DRA may request a review of the credential verification process, policies or published information by the NDEB.

4. The DRA may request an onsite review of the credential verification process with thirty days written notice to the NDEB.

5. The NDEB shall submit an annual report to the DRA containing:

    a. the number of applications received:
        i. in total;
        ii. from Canadian accredited dental training programs;
        iii. from non-Canadian accredited training programs;
        iv. from non-accredited dental training programs; and
        v. from non-accredited dental training programs with an address in the Province;
    b. the number of applications approved:
        i. in total;
        ii. from Canadian accredited dental training programs;
        iii. from non-Canadian accredited training programs;
        iv. from non-accredited dental training programs; and
        v. from non-accredited dental training programs with an address in the Province;
    c. the number of approved applications:
        i. minimum, maximum and average processing time;
    d. number of alternative document requests received;
    e. number of alternative document requests approved; and
    f. number and results of appeals of rejected application.

2. Any and all reports prepared by the DRA about the NDEB credential verification process shall be provided to the NDEB within a reasonable time of completion of the report.

SECTION V - FUNDING MECHANISM

1. The NDEB shall remain a not for profit corporation for the term of this Agreement.

2. The NDEB shall establish, administer and maintain the credential verification and repository on a cost recovery basis.

3. Nothing in this section limits the NDEB from entering into funding arrangements with regulatory authorities, government or governmental agencies to support the credential verification process or repository initiatives.

4. The NDEB shall not enter into funding arrangements with for profit corporations or membership services organizations to support the credential verification process or repository.

5. The NDEB shall consult with the DRA prior to any proposed change in fees.

6. No application fees, other than those published by the NDEB on its website, shall be charged to the applicant.

SECTION VI – JURISDICTION

This Agreement is governed by and will be construed in accordance with the laws of the Province of Ontario and the laws of Canada, applicable therein. The Parties attorn to the exclusive venue and jurisdiction of the Courts of Ontario, and waive any arguments under the conflict of laws removing such exclusive venue, jurisdiction or governing law.

SECTION VII – TERM

1. The Agreement will come into full force and affect on the day first written above.

2. The Agreement is ongoing and subject to amendments, modifications or termination by the Parties.

3. Either Party may terminate this agreement by providing the other party 60 days written notice.

SECTION VIII – REVIEW

1. The Agreement shall be reviewed by representatives of the Parties on an annual basis.

2. The Agreement may be reviewed at any time at the request of either Party.

SECTION IX – AMENDMENT or MODIFICATIONS

1. This Agreement or any provision may be modified, altered, amended or waived:

    a. except in writing and signed by the Parties; or
    b. to comply with legislative changes in the Province.

SECTION X - AUTHORITY TO BIND

1. The Parties affirm that the individual(s) executing this Agreement has the authority to bind the Party to the terms of the Agreement.

2. An electronic copy or facsimile of a Party's signature shall be binding upon the signatory with the same force and effect as an original signature.

SECTION XI - SEVERABILITY

If any provision of this Agreement, or any application thereof to any circumstances, is invalid, in whole or in part, such provision or application shall to that extent be severable and shall not affect other provisions or applications of this Agreement.

SECTION XII - ENTIRE AGREEMENT

This Agreement sets forth the entire understanding of the Parties hereto with respect to the subject matter and supersedes all prior agreements, written or oral, between them as to such subject matter.

SECTION XIII - TENSE AND HEADINGS

Whenever any words used herein are in the singular form, they shall be construed as though they were also used in the plural form in all cases where they would so apply. The headings contained herein are solely for the purposes of reference and are not part of this Agreement and shall not in any way affect the meaning or interpretation of this Agreement.

SECTION XIV - NOTICES

1. Notices from the DRA to the NDEB shall be sent either electronically to the Registrar of the NDEB or delivered by registered mail to:

   80 Elgin Street 2nd Floor
   Ottawa, Ontario
   K1P 6R2 (Canada)

2. Notices from the NDEB to the DRA shall be sent either electronically to the Registrar of the DRA or delivered by registered mail to:

   Address
   City, Province
   Postal Code (Canada)

SECTION XV - COUNTERPARTS

This Agreement may be executed in two or more counterparts; each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument.

Name of DRA

Per: _____

Print Name:_____

Title:_____

The National Dental Examining Board of Canada

Per:_____

Print Name:_____

Title:_____

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CANADIAN DENTAL
REGULATORY AUTHORITIES
FEDERATION

FÉDÉRATION CANADIENNE
DES ORGANISMES DE
RÉGLEMENTATION DENTAIRE

REPORT OF THE REGISTRARS RESPONSIBLE FOR FILE OF THE ROYAL COLLEGE OF DENTISTS OF CANADA

CDRAF/FCORD
6 Crescent Road, Toronto, ON, M4W 1T1
http://www.cdraf.org

PREPARED FOR: **Me. CAROLINE DAOUST**
Chair, RCDC File
DATE: **08 April 2015**

PREAMBLE

On 13 December 2014, the Canadian Dental Regulatory Authorities Federation Management Group (the Management Group) approved the allocation of the Canadian Dental Regulatory Federation (CDRAF) administrative files to individual and groups of registrars.

Responsibility for the administrative file related to third party assessment of individuals seeking dental specialty status (RCDC file) was provided to a collective of registrars - Mme. Caroline Daoust, Dr. Gordon Thompson and Dr. Marcel Van Woensel. Mme. Daoust was appointed chairperson of the collective by the Management Group.

The Royal College of Dentists of Canada (RCDC) was created by an Act of Parliament in 1965 with a mandate to establish qualifying examinations for fellowships in each of the nationally recognized dental specialties. The RCDC develops and produces ten examinations (9 nationally recognized dental specialties and dental science) in both official languages. Successful completion of the RCDC National Dental Specialty examinations (NDSE) is a prerequisite to registration and licensure for all provincial dental regulators in Canada as evidence of having met national standards.

The mandate of the registrars responsible for the RCDC file (R^3) is to communicate and work with the RCDC on issues and opportunities of interprovincial interest in the third party assessment of individuals seeking dental specialty status. The intent is to enhance and build on previous efforts by CDRAF and individual provincial regulatory authorities to ensure the appropriateness of the NDSE as an assessment tool for registration of dental specialists. R^3 recognizes its role is not exclusive and that each provincial regulatory authority may need to pursue individual issues.

The Management Group approved a survey of provincial regulatory bodies to identify issues, concerns and opportunities in the relationship with RCDC. This report shall analyze the issues identified in the survey for the purpose of developing recommendations to the CDRAF Board for an action plan for R^3 interactions with RCDC. The recommendations will include identification of priority issues.

THE SURVEY

The survey questionnaire is included in Appendix One for information purposes.

The survey was sent to the registrars and CDRAF representatives of each provincial regulatory authority electronically on 12 March 2015. Eight regulatory authorities provided a written response and one regulatory authority provided an oral response by telephone by 30 March 2015.

THE ISSUES

R^3 appreciates the efforts and timeliness of the responses. Of the submitted responses, the survey provided the following information:

- four identified no issues or concerns with the relationship or function of RCDC;
- two articulated the benefit of developing written agreements with third party assessors to clarify rights and responsibilities in the relationship;
- two expressed concerns with the current RCDC governance model;
- one concern related to the volunteer relationship of examiners developing and presenting the NDSE;
- one identified an opportunity to develop a blueprint of the characteristics of a dental specialist necessary for regulatory purposes;
- one identified concerns with the NDSE Component I; and
- two identified concerns with the NDSE Component II.

Each issue shall be analyzed based on the information provided; the nature of the issue and information available to R^3.

THE ANALYSIS: ISSUE ONE - WRITTEN AGREEMENTS

This report shall consider three aspects to written agreements between RCDC and dental regulatory authorities to clarify the relationship, roles and responsibilities in the registration process:

1. the need for written agreements;
2. the appropriate parties for written agreements; and
3. the content for a written agreement.

For organizational ease of use, recommendations specific to the aspects of a written agreement shall be included after the analysis of each aspect.

1. THE NEED FOR WRITTEN AGREEMENTS

No written agreements are in place between provincial regulatory authorities and RCDC. The lack of a written agreement has not precluded dental regulatory authorities from exercising their obligations to ensure fair regulation practices are observed. The roles, responsibilities and obligations in this third party assessment relationship have developed through a mutual evolving history, shared interests, accepted practices, oral arrangements, common understandings and informal requests.

A written agreement does have clear benefits for dental regulatory authorities, third party assessors and the public. A written agreement provides clarity and certainty to the parties and the public as to the expectations, roles and responsibilities necessary to ensure fair registration practices. A properly designed agreement would allow for similar flexibility and opportunity for innovation as exists under the current unwritten arrangements.

The recommendation of a written agreement has developed as a current issue, but it is not new. While focused on the appeal and internal review processes, the 2005 Report to the Ontario Minister of Citizenship and Immigration by Mr. George Thomson, *Review of Appeal Processes from Registration Decisions in Ontario's Regulated Professions* (The Thomson Report) provides the preliminary insights into the role of third party assessors and responsibilities of regulatory authorities in their use of third party assessors in the registration process.

The Thomson report identifies a "*basic principle is that ultimate responsibility for registration decisions rests with the regulatory body*" (page 48). This would require that for processes where an individual must successfully complete a series of third party assessments before application for registration that there is a responsibility on regulatory authorities to ensure the use of third party assessors does not eliminate procedural protections like the right of review or appeal (page 27, 28).

The Thomson report does not preclude the use of third party assessors in the registration process. It recommends for fair registration practice, "*regulators should make expectations clear and reach agreements with third party assessment bodies*" (page 49) when they rely on third party assessments. On pages 48 and 49, it identifies a realistic and practical approach:

> *Regulatory bodies who rely on third party assessments to assure themselves that basic procedural protections are in place, as applicable, within the third party:*
>
> - *published criteria for decision-making*
> - *written decisions*
> - *reasons indicating the basis for unsuccessful assessments*
> - *right of internal review or appeal*
> - *the opportunity for the candidate to retake tests and exams*

It is a valuable document as its recommendations appear as elements of fair registration legislation. It is the first document to recommend clear agreements between regulatory authorities and third party assessors.

The *Professional Code* in Québec established the Commissioner for Complaints concerning the Recognition of Professional Competence (Commissioner) within the Office des Professions du Québec in 2009. A role of the Commissioner is to monitor the functions of the various professional orders in Québec similar to a fairness commission in some other provinces.

Recent interest in written agreements has occurred with the Commissioner's investigative monitoring report, *Parameters agreed between professional orders and third parties respecting the involvement of third parties in the processing of applications for equivalence (2014)*, (The Report). The Report identifies the following issue related to accountability of regulatory authorities with recommendations for the management:

> "*The absence of parameters weakens the protection of the public - for which professional orders are responsible - and the governance of the system for regulating professions in Québec… centralizations should not be in detriment to the legal obligations of professional orders in carrying out their functions and responsibilities, hence the importance of properly defining the parameters for the third party's involvement."* (page 2).

The Report views the relationship between regulatory authority and third parties as a delegation of activities with increased necessity to report on those activities. In jurisdictions where delegation by regulatory authorities is not legislated, the relationship between regulatory authority and third party assessor may be more appropriately described as that of recognition. Regardless of the relationship being of delegation or recognition, a written agreement would be important for demonstrating a third party assessor is compliant with fair registration practices.

The Commissioner's mandate is to monitor, investigate and report on issues in the public interest relevant to registration. While the Commissioner reports are limited to recommendations, they influence government policy.

Current legislation in Québec does not require or preclude written agreements between regulatory authorities and third party assessors. Communications with the Registrar for the ODQ indicates that legislative changes are being developed in consideration of the recommendations from the Commissioner in this report.

There are no current statutory requirements for provincial dental regulatory authorities to have a written agreement with its third party assessors.

An analysis of guidelines and criteria for health regulatory authorities produced by the fairness commissioners in Manitoba, Nova Scotia and Ontario does not identify a written agreement as a requirement or recommendation.

A study on third party assessors produced by the Ontario fairness commissioner produced in 2009. This study emphasizes the importance of the role of third party assessors in the registration process and the necessity of a relationship between the third party assessor and regulatory authorities that allow regulatory authorities to ensure assessment processes meet the required standards of fairness, objectivity, accountability and transparency. The study does not make recommendation on formalism or establishing written agreements.

Actual fair registration practice reviews of the Manitoba Dental Association, Provincial Dental Board of Nova Scotia and the Royal College of Dental Surgeons of Ontario did not identify a written agreement as a recommendation or requirement.

RECOMMENDATIONS ON NEED FOR A WRITTEN AGREEMENT

While there is no current statutory requirement for a written agreement, it is a reasonable expectation for a dental regulatory authority to develop a written agreement with its third party assessors as they carry out essential functions for our registration responsibilities.

R^3 recommends all dental regulatory authorities develop written agreements with third party assessors. The benefits of providing clarity and certainty to the relationship outweigh the inconvenience of establishing a document. Provinces with fair registration practice commissions should anticipate written agreements shall become criteria of future reviews.

2. APPROPRIATE PARTIES FOR WRITTEN AGREEMENTS

Dental regulatory authorities have achieved much through interprovincial cooperation. The efforts to establish uniform practices have allowed for the effective use of resources regardless of organization size. On issues of importance to regulation of the profession for public protection, a single voice has been influential.

Third party assessors benefit from the ability to engage one organization to establish a standard agreement to address issues on interprovincial concerns. A single agreement would minimize duplication, costs and uncertainty of responsibilities to any particular provincial dental regulatory authority.

Balancing the benefits of a Pan-Canadian agreement is the reality that each provincial authority may have different needs from an agreement. This is emphasized in the Québec Commissioner's investigative report. The Report placed some emphasis on concerns about a regulatory authority adopting standards established by another body or jointly among regulatory bodies. The concern extends to any appearance that professional regulation is a federal responsibility:

> *Professional orders may find it helpful and beneficial for their profession to adopt standards established by another body or jointly with other bodies. However, it is the most delicate aspect of third-party involvement, because it affects a normative responsibility that, in the Québec professional system, is shared between the professional order and the public authority—which must approve these standards as part of the regulation process.*
>
> *On a related subject, a pan-Canadian logo, as well as a pan-Canadian portal or single window can lead to think that a profession is regulated federally. Québec professional orders must make sure that they and the pan-Canadian organization associated with the profession correctly communicate their respective responsibilities, as well as the seat of decision-making power with respect to recognition of professional competence and regulation of the profession.*
>
> *In short, Québec professional orders (and the regulatory bodies of the other jurisdictions) should pay attention to risks in the way they delegate functions or activities to a Canadian or foreign body, particularly in the event of pressure to centralize operations and harmonize standards.* (page 9).

Professional regulation is a provincial matter. The provincial dental regulatory authority is responsible for registration and delegation or recognition of third party assessors or assessments.

RECOMMENDATIONS FOR PARTIES TO THE AGREEMENT

R^3 recommends the agreement should be between each dental regulatory authority and the third party assessor. R^3 encourages the development of a standardized template agreement with RCDC that a regulatory authority may use with preferably minimal modifications to avoid duplication and costs to regulators and third party assessors.

3. AGREEMENT CONTENT

While there are no statutorily established requirements for the terms of a written agreement, the Thomson Report, the Ontario study of third party assessments and Québec investigative report provide some direction on the content of an agreement. The Thomson report provides:

> *Regulatory bodies who rely on third party assessments to assure themselves that basic procedural protections are in place, as applicable, within the third party:*
>
> - *published criteria for decision-making*
> - *written decisions*
> - *reasons indicating the basis for unsuccessful assessments*
> - *right of internal review or appeal*
> - *the opportunity for the candidate to retake tests and exams*

The Ontario study did not consider the need for a written agreement but did make recommendations to regulators on their responsibilities with regards to the use of third party assessors in their registration activities. Study provides:

> *It is incumbent upon the regulatory bodies to ensure that the practices of their external partners are in keeping with the fair registration practices that they themselves are working toward.*
>
> *As a first step, regulators should engage directly with the qualifications assessment agencies that they rely on. Regulators should ask whether the agencies participated in this study and ask participating agencies to share their responses. Second, regulators and assessment agencies must endeavour to establish an ongoing dialogue about how their processes can align most effectively. Every effort should be made to streamline processes and eliminate duplication so that the costs borne by applicants and the time needed to complete assessments can be reduced.* (page 24).

The investigative report provides the most specific recommendations:

> *That the subjects to be dealt with in agreements be prescribed by the Professional Code. Depending on the type of activity concerned and on whether the third party has a direct or indirect role with candidates, agreements should include the following subjects:*
>
> - *nature of the tasks the third party is entrusted with, and role of each party to the agreement,*
> - *results expected in terms of goods and services, and in terms of the objectives to be achieved,*
> - *commitment by the third party to apply the standards established under the Professional Code, the act constituting the professional order (if applicable) and the regulations made under these,*
> - *commitment by the third party to apply the generally accepted principles for admission to a professional practice, particularly with respect to recognition of professional competence,*
> - *methodology and criteria used,*
> - *terms and conditions for processing candidates' files or sharing information or expertise,*
> - *periods of time for performing various tasks,*
> - *fees payable by candidates or portion of the costs beared by the professional order,*
> - *terms and conditions for an unbiased and objective review of the recommendations made or decisions rendered by the third party,*
> - *nature and scope of information to be shared,*
> - *protection of personal information,*
> - *terms and conditions for reporting to the professional order on all aspects of the agreement,*
> - *term, renewal, amendment and periodic review of the agreement.* (page 13, 14).

RECOMMENDATIONS FOR CONTENT OF THE AGREEMENT

Based on the recommendations in the identified three reports, a standardized template should be developed in cooperation with RCDC addressing the following issues in the following context:

1. Written agreement between the third party assessor and regulatory authority establishing the relationship, responsibilities, processes and standards of assessment;
2. Written agreement shall facilitate recognition of competence from candidate's perspective:
    a. avoid duplication and unnecessary additional costs;
    b. third party assessor involvement should simplify process and not increase burden on candidate as compared to assessment by the regulatory authority;
    c. third party assessor involvement should be cost neutral or reduce costs to candidate as compared if assessment performed by regulatory authority.
3. Written agreements should be directly with the third party assessor and not through an interprovincial organization.
4. Written agreement separate from being a member of a Canadian or interprovincial body is necessary where a professional order delegates functions or activities no matter how sophisticated the body's internal policies, procedures and methods;
5. Effective written agreement are:
    a. well structured facilitating readability through organization and presentation;
    b. degree of formalism;

c. ensure adequate supervision of third party assessments;

6. The written agreement should contain:
    a. objective criteria for eligibility for third party assessment;
    b. assessment methodology and criteria for determining equivalence outcomes:
        i. beyond listing of fields, areas or subjects;
        ii. append referenced existing standards and grids.
    c. policy and terms of appeals/reviews by third party assessors
        i. clear accessible information available to candidate;
        ii. impartial, objective review at candidate request;
        iii. reviewers different than initial assessors.
    d. distinguish costs, fees and responsibilities for costs;
    e. identify status of third party assessor - not-for -profit;
    f. clear, publicly accessible information on role of regulatory authority and third party assessor;
    g. clear information to candidate on role of regulatory authority and third party assessor;
    h. regulatory authority oversight process for information in 3(d)(vi, vii);
    i. agreement on collection, use and disclosure of personal and information;
    j. agreement on collection, use and disclosure of specified statistical information for regulatory reporting purposes;
    k. periodic review provisions for the agreement:
        i. operational - policies and procedures for assessments; and
        ii. methodological - manner assessment tasks performed.
    l. agreement amendment provision if legislative or regulatory change;
    m. third party assessor reporting to regulatory authority provisions:
        i. number of applications received;
        ii. number of applications processed;
        iii. processing time;
        iv. number of appeal/review applications;
        v. provide commentaries explaining nature of tasks and challenges;
        vi. third party assessor recommendations to assist regulatory authority in exercising its functions.

THE ANALYSIS: ISSUE TWO - GOVERNANCE

In the surveys, the suggested positions on governance ranged from inclusion of the two CDRAF representatives as voting members of Council and the current Council being appointed similar to the NDEB. A summary of the two models and relevant legislation is provided in the appendices.

In her study on third party assessments, the Ontario fairness commissioner confirmed the appropriateness for the use of third party assessors expressed in the Thomson report. She explained:

> *Regulatory bodies may rely on agencies to assess qualifications for a number of reasons. These organizations may offer expertise in assessments that the regulator lacks. A regulator may rely upon a national agency that provides services to provincial regulators. Agencies may also offer qualifying or bridging programs that candidates are required to take in order to enter a profession.*

Outside of dentistry, there are a myriad of qualification assessment agencies used by regulatory authorities. These assessment agencies or third party assessors include post-secondary educational institutions, credentials assessment agencies and profession-related assessment agencies. As described in her study

> *"Credentials assessment agencies" are services that provide credentials evaluation to individuals. The organizations referred to in this report as "profession-related assessment agencies" include a range of entities such as professional associations and examining or certification boards established by the professions. These organizations perform assessments as part of their mandate to advance their professions, and most also perform other tasks.*

The agencies used outside of dentistry have a variety of governance models. Many are private organizations (usually not-for-profit). Some are consortiums of regulatory authorities or membership services organizations. A few have federal charters which determine their governance. There does not seem to be any limitation on the type of governance model acceptable for use by a third party assessor delegated or recognized in registration assessments.

The limited time provide to produce this report has restricted detailed reviews of the variety of governance models used by third party assessors and accepted by other health regulatory authorities. As medicine is similar in the nature or their practice and recognition of specialties, the governance for the Royal College of Physicians and Surgeons of Canada (RCPSC) has been summarized for comparison purposes in the appendices along with a summary of the governance model for NDEB and RCDC.

The statutory established governance model for RCDC and RCPSC is substantially similar. The Council and executive committee are similarly composed with the majority of councillors elected by the membership of identified specialty divisions. The NDEB legislation established a different governance model for that Board. A NDEB model would require legislative action by Parliament which would focus resources away from examination development and delivery.

A review of fairness commission reports for medical regulatory authorities did not identify any issues with the governance or activities of RCPSC as a third party assessor.

In dentistry, there are a limited number of recognized third party assessors beyond the dental and dental specialty training programmes - the Commission on Dental Accreditation of Canada, NDEB and RCDC. All are profession-related assessment agencies. The mandate of each of these assessors is narrowly focused on a particular activity requiring the development of particular expertise. The expertise for the roles these assessors play is undeveloped or unobtainable for many dental regulatory authorities in Canada.

The issue of RCDC governance has been before the CDRAF Board in the past. A significant issue is the current governance structure is - similar to RCPSC and NDEB - based on federal statute. Beginning in 2009 a series of discussions of the issue at the CDRAF Board led to the CDRAF executive negotiating with RCDC executive an arrangement to allow two CDRAF representatives and a public representative to be members of the examinations committee. The changes to the committee were approved by RCDC Council at their September 2011 meeting. Reports in the minutes of the CDRAF Board by Council observers and Examination committee members have been positive about the relationship.

Third party assessor governance has not been specifically identified by fairness commissioners in their guidelines or studies. Actual reviews of registration practices by dental regulatory authorities do not discuss concerns with governance of third party assessors. Oral communications between a fairness commissioner and a regulatory authority did express a concern with the potential for conflicts of interest or bias.

The Québec monitoring report identified the need for written agreements between provincial professional orders and third party assessors. The report stated that the involvement of a professional order whether directly or indirectly in the governance of a federal, interprovincial or Pan-Canadian third party assessor is not sufficient to preclude direct written agreements. Moreover, the report recommended that agreements between interprovincial regulatory authority organizations and third party assessors would also not be sufficient to preclude a direct written agreement. The report was silent on the nature of governance of a third party assessor. It did not provide a specific recommendation for professional orders to control governance of a third party assessor.

> *Professional orders may find it helpful and beneficial for their profession to adopt standards established by another body or jointly with other bodies. However, it is the most delicate aspect of third-party involvement, because it affects a normative responsibility that, in the Québec professional system, is shared between the professional order and the public authority—which must approve these standards as part of the regulation process.*

On a related subject, a pan-Canadian logo, as well as a pan-Canadian portal or single window can lead to think that a profession is regulated federally. Québec professional orders must make sure that they and the pan-Canadian organization associated with the profession correctly communicate their respective responsibilities, as well as the seat of decision-making power with respect to recognition of professional competence and regulation of the profession.

In short, Québec professional orders (and the regulatory bodies of the other jurisdictions) should pay attention to risks in the way they delegate functions or activities to a Canadian or foreign body, particularly in the event of pressure to centralize operations and harmonize standards. (page 9).

A review of available reports on RCDC examination practices does not identify issues of bias or conflict involving the governance of the organization.

RECOMMENDATIONS FOR GOVERNANCE

R^3 recommends a cautious approach to advocating for changes to RCDC governance. Current involvement at the Council and examination committee level allows for a direct regulatory voice on issues as well as oversight opportunities to ensure bias and conflicts of interests do not impact on the fairness, objectivity, accountability and transparency of the assessments.

Potential issues may be managed through the development of written agreements including direct province specific oversight.

An opportunity may be to engage RCDC on changing its bylaws to allow nomination of examiners by dental regulatory authorities. This would allow opportunities for increased diversity of examiners and reduction of potential for conflicts of interest.

THE ANALYSIS: ISSUE THREE - VOLUNTEER EXAMINERS

Examiners for RCDC volunteer to develop, review, deliver and evaluate the written and oral examinations. RCDC develops, forty distinct examinations (a written and oral examination for nine dental specialties and dental science in two official languages) to meet psychometric expectations and accuracy. The annual candidate numbers have increased but are still less than 200.

The volunteer examiner model is substantially similar to the model used by RCPSC.

The potential issues related to a lack of remuneration are that it may limit qualified individuals from participating or raise concerns that individuals are participating for non-altruistic reasons.

Available reports reviewing the examination process suggest the administrative processes and monitoring by chief examiners and calibrated, independent observers would identify unqualified individuals participating. There does not seem to be any particular self interests for an individual that would impact fair registration practices especially considering the large collection of individuals form a variety of backgrounds that participate in the process.

The cost of compensating to attract a dental specialist would be significant. It would raise similar issues as to the reason for participating in the process. The additional costs would be directly borne by the small number of candidates.

RECOMMENDATION FOR VOLUNTEER EXAMINERS

R^3 recommends the issue not be a priority for discussion with RCDC at this time.

THE ANALYSIS: ISSUE FOUR - REGULATORY BLUEPRINT

At the October 2013 CDRAF Board meeting, the CDRAF executive was requested to establish a Working Group on reciprocity, relationship between CDAC and regulatory authorities and other relevant issues. One relevant issue was responsibility for setting the standards regulatory authorities rely on for determining the necessary

competencies or characteristics of a new dentist or dental specialist. The Management Group approved in December 2014 that a group of registrars responsible for the file with Mssrs. Fefergrad and Marburg acting as co-chairpersons continue with this file.

In dentistry, third party assessors have developed their blueprints for their assessments which guide training programmes, accreditation reviews and examination development. The role of regulators has been to observe, participate and recognize at varying degrees the blueprint development of third party assessors. Regulatory authorities in most jurisdictions have not developed a clearly documented blueprint.

Interprovincial regulatory issues related to certification standards or blueprints for dentists and dental specialists are being managed by another group or registrars. The relevance to the RCDC file is the opportunity to utilize the expertise of RCDC in the development of a regulatory blueprint and the need to avoid unnecessary disruption to current registration criteria.

RECOMMENDATIONS FOR REGULATORY BLUEPRINT

R^3 requests the co-chairs provide a timeline for the development and presentation an action plan at the CDRAF Board meeting. Based on the information at the Board meeting, R^3 shall provide information to RCDC on the opportunity to work with CDRAF on this project and that further information shall follow as it becomes available.

R^3 recommends that information about this opportunity be coordinated through R^3 until an action plan for the blueprint is approved by the CDRAF Board.

THE ANALYSIS: ISSUE FIVE - NDSE COMPONENT ONE

RCDC has been developing technologies to support the NDSE process. The intent is to improve documentation storage and analysis; reduce timelines for the marking of Component One; allow for the eventual use of multiple locations for Component One while maintain security and transition to an examination experience more familiar to candidates.

Last year was the first year of the new online delivery system. External issues disrupted the examination for a few candidates. All candidates who experienced the disruption were provided an opportunity to re-write the Component One.

This year there were fewer challenges, but still some issues for candidates occurred mostly related to the incompatibility of the computers that the candidates brought. RCDC was prepared with contingencies and issues were addressed quickly. RCDC is having an external audit to evaluate the process and options to further avoid issues for candidates

A review of the information provided for candidates is clear as to the technology requirements.

RECOMMENDATIONS FOR NDSE COMPONENT ONE

R^3 recommends ongoing follow up on this issue. As RCDC completes its external review and considers the causes and alternatives to managing the problem, R^3 shall update CDRAF and seek guidance as appropriate.

THE ANALYSIS: ISSUE SIX - NDSE COMPONENT TWO

As with many regulatory authorities, the Manitoba Dental Association regularly sends observers to third party assessments to monitor and report on those activities. The reports form the basis of discussions on expectations and opportunities with the third party assessor. The nature of the RCDC appeal processes is an ongoing discussion.

In 2013, Office of the Manitoba Fairness Commissioner reviewed the registration practices of the Manitoba Dental Association. While recognizing the efforts to ensure fair assessment, the limited nature of the RCDC appeal process was identified as an issue.

The Royal College of Dentists of Canada (RCDC), the national body responsible for specialist exams, offers a $500.00 appeal process that is restricted to matters of procedure; the content of its exams is not subject to appeal.

Although mitigated to some extent by the extensive psychometric work invested in the development and execution of these exams, restricting appeal opportunities to rescoring or more broadly to matters of procedure ,risks denying appeals of merit from being heard.

In her 2013 review of third party assessor, the Ontario fairness commissioner stated:

While there are agencies whose practices are open and timely, others have practices that are costly and lengthy and leave candidates without reasons for decisions made in their case and without opportunities to challenge those decisions.
These qualifications assessment agencies must improve their practices. (page 21).

Based on her review of third party assessors, she recommended:

Provide Opportunities for Appeal
As established by Judge George M. Thomson in Review of Appeal Processes from Registration Decisions in Ontario's Regulated Professions, the opportunity to appeal decisions is an important aspect of fair registration practices. All qualifications assessment agencies should have an appeal process so that candidates may challenge decisions made in their case.

The NDSE Component Two is an oral examination. Oral examinations are common practice for evaluation of competency for specialists in dentistry and medicine in North America. A significant challenge with oral examinations in meeting fair registration practice expectations is the limited documentation of candidate responses. Without documentation, there are limits on the ability to appeal results on the facts.

The need for appropriate review mechanisms in registration decisions underlies the Thomson report. It is a criterion of review for all fair registration practice commissioners. There are a variety of opportunities to address this issue - many relatively simple changes to the existing process. A more detailed discussion is available in an excerpt from an MDA report in the appendices.

RECOMMENDATION NDESE COMPONENT TWO
R^3 recommends ongoing follow up on this issue. There are some legitimate practical limitations to change. Unintended consequences and costs associated with changes must be considered. R^3 shall update CDRAF and seek guidance as appropriate.

FINAL COMMENT
R^3 would like to express its appreciation to everyone for their support. The success of any efforts by R^3 will be affected by the consensual support of each dental regulatory authority.

Respectfully submitted,

Maître Caroline Daoust
Directrice générale et secrétaire, Ordre des dentists du Québec

Dr. Gordon Thompson
Registrar and Executive Director, Alberta Dental Association and College

Marcel Van Woensel
Registrar, Manitoba Dental Association

APPENDIX I - DENTAL REGULATORY AUTHORITY SURVEY

Please submit your responses electronically (mvanwoe@mts.net) or on a separate piece of paper (Manitoba Dental Association, 202-1735 Corydon Avenue, WINNIPEG, MB, R3N 0K4)

1. **Based on your organizations reviews of the National Dental Specialty Examination (NDSE), does your organization have issues or concerns with:**
    a. **NDSE Component I (written)**
    b. **NDSE Component II (oral)**
    c. **administration of the NDSE**
    d. **underlying processes related to the NDSE**

Please provide any relevant documentation, including:
    a. **observation reports**
    b. **correspondence with RCDC**
    c. **written analysis of specific or general issues**
    d. **governmental, registration practices or other third party reports**
    e. **relevant proposed or current provincial legislation (please identify material sections of any statutes)**

2. **Are there opportunities for change that your organization would like R^3 to engage with the RCDC?**
    a. **have these issues been discussed by your organization with RCDC?**
        i. **if yes, please provide a copy of correspondence.**
    b. **is there a specific basis for your organizations interest in engaging for this change (please provide any relevant legislation, reports (internal or external) and examples of models that would assist in clarifying the opportunity.**

3. **Are their funding resources in your province to support changes?**

APPENDIX II - **ROYAL COLLEGE OF DENTISTS OF CANADA GOVERNANCE STRUCTURE**

CONSITITUTING LEGISLATION

Enabling Legislation - Federal - *An Act to incorporate The Royal College of Dentists of Canada*, 1965.

Relevant legislated objects - *3(a) to set up qualifications for and provide for the recognition and designation of properly trained dental specialists;*

Relevant legislated governance - *8(a) the Council may, by by-law, provide for the organization of the College into divisions representing the dental specialties recognized…*
10(1) the business and affairs of the College shall be administered by a committee of the Fellows to be known as the Council.
10(2) the Council shall include Fellows from all divisions…
10(3) the Council shall have the power to hold special examinations for candidates and may make such by-laws, rules and regulations concerning such examinations…as the Council may deem expedient
11 the Council shall make such by-laws, rules and regulations, consistent with the provisions of this Act as it may deem necessary or advisable for the government, and management of the business and affairs of the College…number of members of the Council, their qualifications and mode of election; powers and duties of the Council, of any subcommittees thereof and the officers of the College

COUNCIL

Policy making body with duties including:

- conduct of the affairs of RCDC;
- bylaw enactment, amendment and repeal;
- appointment of committees as specified in the bylaws;
- establishment and collection of fees;
- establishment and collection of dues;
- management of funds; and
- appointment of auditor.

Membership - voting:

- one representative of each dental specialty division elected by Fellows in division
- one representative for the Dental Sciences Group elected by Fellow in this division
- president elected by Council from Council members
- vice-president elected by Council from Council members
- the immediate past-president
- examiner-in-chief elected by Council from former and current chief examiners

Membership - non-voting:

- secretary-treasurer appointed by Council
- registrar appointed by Council
- public representative elected by Council from list of nominees

Observers - non-voting:

- two each from CDRAF, CDAC, ACFD and NDEB.

Formal meetings: annual

EXECUTIVE COMMITTEE

Acts on behalf of Council as assigned and between meetings.

Membership - voting:

- president elected by Council from Council members
- vice-president elected by Council from Council members
- the immediate past-president
- examiner-in-chief elected by Council from former and current chief examiners
- council representative elected by Council from Council members

Membership - non-voting:

- secretary-treasurer appointed by Council
- registrar appointed by Council

Formal meetings: quarterly

EXAMINATIONS COMMITTEE

Examination oversight body with duties that include:

- develops examinations structures and processes for approval by Council;
- training and standardization of examiners for all division examinations;
- recommends future examination development from received psychometric data.

Membership - voting:

- president elected by Council from Council members
- examiner-in-chief elected by Council from former and current chief examiners
- chief examiners for each specialty division and Dental Science Group
- two representatives from the Canadian Dental Regulatory Authority Federation
- public representative elected by Council from list of nominees
- executive director of RCDC

SPECIALTY EXAMINATIONS COMMITTEES

A committee for each dental specialty division and the Dental Science Group (10). Each committee is responsible for the development, production and delivery of the NDSE Component One and Two for the division in both official languages.

Membership - voting:

- chief examiner for dental specialty division;
- senior examiners for specific sections of the NDSE designated by chief examiner from amongst the group of examiners composing the committee;
- examiners for the division selected to be representative of dental specialty in training (different schools); language (English and/or French); region and focus (teaching, research, and clinical practice).

Examiners:

- selected from applications by Fellows with a minimum three years experience.
- must agree to time, training, contribution and confidentiality requirements.

APPENDIX III - NATIONAL DENTAL EXAMINING BOARD OF CANADA GOVERNANCE STRUCTURE

CONSITITUTING LEGISLATION

Enabling Legislation - Federal - *An Act respecting the National Dental Examining Board of Canada*, 1952, amended 1973.

Relevant legislated objects - *6(a) to establish qualifying conditions for a single national standard certificate of qualification for general practitioner dentists;*
6(c) to ensure that the rules and regulations governing examinations will be acceptable to all participating licensing bodies and provide for the conducting of examinations in a manner fair and equitable for all concerned;
6(d) to promote enactment, with the consent and at the instance of the provincial licensing bodies, of provincial legislation necessary or desirable to supplement provisions of this Act.

Relevant legislated governance - *4(1)(a) The Board shall be composed of one member appointed as its representative by the appropriate licensing body of each province in Canada*
7(a) The Board shall have the power to establish qualifications for general practitioner dentists to ensure that the qualifications may be recognized by the appropriate licensing bodies in all provinces of Canada
7(c) establish the conditions under which a general practitioner dentist may obtain and hold a certificate of qualification; 10(2) the Council shall include Fellows from all divisions…
7(g) establish and maintain a body of examiners to hold examinations and to recommend the granting of certificates.
8(1) the Board may make such by-laws and regulations, not contrary to the law or the provisions of this Act as it may deem necessary or advisable for the government, and management of the business and affairs; the selection, election or appointment and remuneration of officers and employees; imposition and collection of dues or fees.

BOARD

Policy making body with duties including:

- conduct of the affairs of NDEB;
- bylaw enactment, amendment and repeal;
- appointment of committees as specified in the bylaws;
- establishment and collection of fees;
- establishment and collection of dues;
- management of funds; and
- appointment of auditor.

Membership - voting:

- one representative appointed by each provincial dental regulatory authority
- two representatives appointed by Commission on Dental accreditation of Canada

Membership - non-voting:

- public representative appointed by Board
- registrar appointed by Board

Formal meetings: annual

EXECUTIVE COMMITTEE

Acts on behalf of Boardl as assigned and between meetings.

Membership - voting:

- president appointed by Board from president-elect members
- president-elect elected by Board from Board members
- the immediate past-president
- two other Board members appointed by the Board

Membership - non-voting:

- registrar appointed by Board

Formal meetings: two or three times per year

APPENDIX IV - ROYAL COLLEGE OF PHYSICIANS AND SURGEONS OF CANADA GOVERNANCE STRUCTURE

CONSITITUTING LEGISLATION

Enabling Legislation - Federal - *An Act to incorporate The Royal College of Physicians and Surgeons of Canada*, 1929, amended 1939 and 1945.

Relevant objectives - *Prescribes the requirements for specialty education in 80 areas of medical, surgical and laboratory medicine plus three special programs,*
Accredits specialty residency programs,
Assesses the acceptability of residents' education,
Conducts certifying examinations,
Administers the Maintenance of Certification Program, a mandatory continuing professional development program for all members,
Sets standards for professional and ethical conduct among its member

Relevant legislated governance - *8(a) the Council may, by by-law, provide for the organization of the College into medical and surgical divisions……*
10(1) the business and affairs of the College shall be administered by a committee of the Fellows to be known as the Council.
10(2) the Council shall include Fellows from all divisions…
10(3) the Council shall have the power to hold special examinations for candidates and may make such by-laws, rules and regulations concerning such examinations…as the Council may deem expedient
11 the Council may make such by-laws, rules and regulations, not inconsistent with the provisions of this Act as it may deem necessary or advisable for the government, and management of the business and affairs of the College…number of members of the Council, their qualifications and mode of election; powers and duties of the Council, of any subcommittees thereof and the officers of the College

COUNCIL

Policy making body with duties including:

- conduct and management of the affairs of RCPSC;
- bylaw enactment, amendment and repeal;
- appointment of committees as specified in the bylaws;
- receipt of reports of committees
- ratification of the annual budget;
- discretionary delegation or withdrawal of authority to Executive Committee, standing committees or CEO;
- appointment of auditor and approval of audited statements;
- to ensure legal and ethical integrity;
- to define the values, mission, vision, goals, objectives and strategic direction to formulate and approve general policies;
- to monitor and support Implementation of policies, directives and general functions.

Membership - voting:

- 24 to 32 members depending on appointments by elected councillors
- four to six representatives (divided equally between the medicine and surgical divisions) from each of five geographic regions elected by Fellows in division in that geographic region (total 24 elected councilors)
- up to two members at large appointed by elected councillors
- up to five public representatives appointed by elected councilors

- up to one resident member registered in a specialty training programme appointed by elected councillors

Participants - non-voting:

- president appointed by Council from president-elect
- president-elect elected by Council from current or past councillors alternating between the medical and surgical divisions
- the immediate past-president appointed by Council from president
- CEO appointed by Council from among members of College

Formal meetings: minimum three times per year

EXECUTIVE COMMITTEE

Acts on behalf of Council as assigned and between meetings in the administration of College activities and affairs..

Membership - voting:

- five councillors appointed by Council with a minimum of four also being standing committee chairs
- vice-president elected by Council from Council members
- the immediate past-president
- examiner-in-chief elected by Council from former and current chief examiners
- council representative elected by Council from Council members

Participants - non-voting:

- president appointed by Council from president-elect
- president-elect elected by Council from current or past councillors alternating between the medical and surgical divisions
- the immediate past-president appointed by Council from president
- CEO appointed by Council from among members of College

Formal meetings: as necessary

Remuneration and Payment of Expenses

- councillors and the members of Executive Committee shall serve as such without remuneration and no such person shall directly or indirectly receive any profit from such position.
- the Council may by resolution fix a reasonable remuneration for the President, from time to time
- councillors, members of the Executive Committee and officers of the Royal College shall be entitled to reimbursement for out-of-pocket expenses incurred on behalf of the Royal College or when engaged in Royal College activities and affairs.

ASSESSMENT COMMITTEE

Examination advisory body with duties that include:

- develop standards and policies governing the conduct and quality of specialty and sub-specialty examiniations;
- perform annual reviews of the content and administration of all specialty and subspecialty examinations and provide feedback to chairs of examination boards;
- review and approve requests from Specialty Committees for changes to examination formats, and
- participate on Formal Review panels (appeals) for examinations when required.

Membership - voting:

- 18 voting members including chair and vice-chair
- chairperson, a member of College education committee
- vice-chairperson
- college fellows in good standing appointed by council
- two specialty residents appointed by council

Membership - non-voting:

- two non-voting members, one each from CAIR and FMRQ
- one ex-officio non-voting Postgraduate Dean from the Association of Faculties of Medicine of Canada (AFMC)
- one non-voting member from the Collège des médecins du Québec (CMQ)
- one non-voting members from the Medical Council of Canada (MCC).

Formal meetings: bi-annually

SPECIALTY EXAMINATIONS BOARDS

The College Examination Boards are empowered by the Assessment Committee and by the Council to make final decisions on the examinations of all candidates, following procedures approved by the Assessment Committee and Council.

A Board exists for each specialty and subspecialty division. Each Board is responsible for the development, production and delivery of the RCPSC written and oral component examinations in both official languages.

APPENDIX V - OTHER RELEVANT LEGISLATION AND GUIDELINES

Provincial legislation enabling dental regulatory authorities and dental regulatory authority regulations or bylaws require successful completion of the NDSE for registration as a dental specialist with limited exception.

The Fair Registration Practices of Regulated Professions Act in Manitoba enables the use of third parties in the assessment process with similar provisions to Ontario:

> ***Reliance on third party to assess***
> *8(3) If a regulated profession relies on a third party to assess qualifications, it must take reasonable measures to ensure that the third party makes the assessment in a way that is transparent, objective, impartial and fair.*

The Office of the Manitoba Fairness Commissioner has identified three criteria in its reviews for determining if third party assessments in the registration process are transparent, impartial, objective and fair:

> *1. Applicants are provided clear, complete and accurate information about the role of third party assessments in the registration process.*
> *2. Measures are in place to ensure third party assessment policy and practice is fair.*
> *3. Third party assessment decisions are subject to appeal.*

The *Fair Registration Practices Act* in Nova Scotia does not have similar provisions as Ontario and Manitoba, but does define the term; require an outline of third party assessor roles and internal review mechanism and has general obligations on the regulatory body that would reasonably apply to third party assessors:

> *2(k) "third-party assessor" means a body external to a regulating body relied on by the regulating body to assess the equivalence of the qualifications of an applicant for registration;*
>
> *6 A regulating body has a duty to carry out registration practices that are transparent, objective, impartial and procedurally fair.*
>
> *16(3) The report required under subsection (2) must include all of the following information respecting the registration practices of the regulating body:*
> *(i) an outline of the role of third-party assessors;*

The Regulated Health Professions Act in Ontario has provisions for use of third parties in the assessment process:

> ***Qualifications***
> ***22.4****(2) If the College makes its own assessment of qualifications, it shall do so in a way that is transparent, objective, impartial and fair and, if it relies on a third party to assess qualifications, it shall take reasonable measures to ensure that the third party makes the assessment in a way that is transparent, objective, impartial and fair. 2006, c. 31, s. 35 (3).*

The Office of the Ontario Fairness Commissioner has identified ten criteria relevant to this section of the legislation in their 2013 document, *Registration Practices Assessment Guideline - For Health regulatory Colleges*. The Guidelines distinguish the criteria for third party assessors from that of regulatory authorities:

> *1. Qualifications assessments are based on transparent criteria. [Transparency]*
> *2. Qualifications assessment criteria are directly linked to the requirements/standards for entry to the profession.[Transparency]*
> *3. Qualifications assessment criteria are applied consistently to all applicants. [Objectivity]*
> *4. Information about educational programs used in qualifications assessment is current and accurate. [Fairness, Objectivity, Transparency]*
> *5. Assessment methods are reviewed for objectivity, validity and reliability. [Objectivity]*
> *6. The results of qualifications assessment are communicated to the applicant in writing (electronically or in*

hardcopy). [Fairness, Transparency]

7. Applicants have an opportunity to appeal the results of a qualifications assessment or to have the results reviewed. [Fairness]

8. On its website, the regulatory body informs applicants about the following items related to assessment of qualifications:

- *a. the criteria that qualifications assessments are based on*
- *b. how those criteria are linked to the requirements/standards for entering the profession*
- *c. the costs*
- *d. opportunities to appeal the results of a qualifications assessment or have the results reviewed*
- *e. any policies and procedures relating to special considerations [Transparency, Fairness]*

9. The regulatory body ensures that the following are done within a reasonable amount of time:

- *a. assessing the qualifications*
- *b. communicating the results to applicants*
- *c. providing reasons in writing for unsuccessful applications.[Fairness, Transparency]*

10. Regulatory bodies that rely on third-party assessments take measures to ensure that the third-party assessments are transparent, objective, impartial and fair. [Fairness, Transparency, Objectivity, Impartiality]

Practices 1–9 refer to qualifications assessments that are conducted by the regulatory body itself. Only practice 10 refers to assessments conducted by third parties. Qualifications assessment includes assessment of the following: academic credential/educational programs, work experience, language, exams, prior learning assessment, and (in some cases) currency of qualifications.

In 2009, the Office of the Ontario Fairness Commissioner was the first to review third party qualification assessment agencies. The report, *Study of Qualifications Assessment Agencies*

The assessment of qualifications is the most critical part of the registration process. Decisions about qualifications determine whether an individual may enter the profession, how quickly that entry can occur and what additional steps, if any, must be taken in advance of registration.

Regulatory bodies may rely on agencies to assess qualifications for a number of reasons. These organizations may offer expertise in assessments that the regulator lacks. A regulator may rely upon a national agency that provides services to provincial regulators. Agencies may also offer qualifying or bridging programs that candidates are required to take in order to enter a profession.

Qualifications assessment agencies that participated in the study are of three types: post-secondary educational institutions, credentials assessment agencies and profession-related assessment agencies. "Credentials assessment agencies" are services that provide credentials evaluation to individuals. The organizations referred to in this report as "profession-related assessment agencies" include a range of entities such as professional associations and examining or certification boards established by the professions. These organizations perform assessments as part of their mandate to advance their professions, and most also perform other tasks. (page 4).

Key observations for third party assessors providing examinations were:

All examination organizations ensure that knowledge and skills being tested reflect the current state of the professions by utilizing practice or content experts to validate exam questions, basing questions on a competency profile or conducting a practice analysis.

Most examinations must be written in Canada, although the application process can be initiated abroad. Several examining agencies reported that internationally trained candidates may have difficulty obtaining visas to enter Canada to write exams. (page 17).

The Report identified the following potential issues for regulatory authorities to consider in reviewing third party assessors:

Training
13 qualifications assessment agencies provide no training to individuals on making internal review or appeal decisions.

FARPA and the RHPA require regulated professions to ensure that decision-makers receive training. Results of this study show that there are inconsistencies with regard to training in two areas: the conduct of assessments, and internal review or appeal decisions.

Assessment Decisions
Candidates are not always provided with the rationale for decisions made in their case. These decisions are not transparent and are therefore inconsistent with the concept of fair access. (page 20).

Qualifications assessment agencies have their own processes, costs and timelines that shape the experience of candidates who must undergo assessment in order to practise in their professions. While there are agencies whose practices are open and timely, others have practices that are costly and lengthy and leave candidates without reasons for decisions made in their case and without opportunities to challenge those decisions.
These qualifications assessment agencies must improve their practices. (page 21).

Recommendations to Qualifications Assessment Agencies

Streamline Overlapping Processes
Regulatory bodies and qualifications assessment agencies should take every opportunity to streamline overlapping processes so that candidates do not have to go through costly and lengthy duplicate verification processes.

Provide Clear Assessment Criteria
Respondents often stated that internationally trained applicants face challenges in satisfying assessment criteria. Qualifications assessment agencies can enhance information provided to candidates by including clear assessment criteria. Internationally trained candidates may begin the assessment process from overseas; providing information about language requirements and assessment online may enable individuals to prepare in advance of their arrival in Canada.

Candidates may have gaps in their training that make it difficult for them to meet assessment criteria. Providing information about assessment criteria at the outset would help candidates to fill those gaps before applying for registration. Qualifications assessment agencies can play an important role by clearly communicating the criteria required in order for a candidate's credentials to be deemed equivalent to Canadian credentials, and the level of knowledge required to pass a particular assessment. Some qualifications assessment agencies offer self-assessment tools (such as online questions, quizzes and checklists) that allow candidates to determine their own likelihood of being successful in the actual assessment. This is a promising practice that helps candidates prepare adequately for the assessment process.

Provide Opportunities for Appeal
As established by Judge George M. Thomson in Review of Appeal Processes from Registration Decisions in Ontario's Regulated Professions, the opportunity to appeal decisions is an important aspect of fair registration practices. All qualifications assessment agencies should have an appeal process so that candidates may challenge decisions made in their case.

Clarify Requisite Language Skills
Qualifications assessment agencies reported that internationally trained candidates often face language difficulties. If language testing is required, agencies should publish the language test scores that are required for candidates to advance in the assessment process.

Even when language testing is not part of the process, qualifications assessment agencies stated that internationally trained candidates may be unable to meet other assessment criteria because of language barriers. By clarifying the level of language proficiency that is necessary to be successful in the assessment, agencies can play a helpful role in enabling candidates to prepare. One approach would be to identify language test scores associated with the level of ability necessary to be successful. (page 23).

Recommendation to Regulatory Bodies
Engage with Qualifications Assessment Agencies
Whenever a regulatory body relies on an external agency to make qualifications assessments, it is the responsibility of the regulator to ensure that the practices of the agency are consistent with the principles of fairness outlined in the legislation to which the regulatory body is subject.

Regulatory bodies must take this responsibility seriously not only because it is the law, but also because of the impact that qualifications assessment agencies have on applicants and the professions that they regulate. As noted in Ontario's Regulated Professions: Report on the 2007 Study of Registration Practices, most regulatory bodies are moving toward registration practices that are transparent, objective, impartial and fair. It is incumbent upon the regulatory bodies to ensure that the practices of their external partners are in keeping with the fair registration practices that they themselves are working toward.

As a first step, regulators should engage directly with the qualifications assessment agencies that they rely on. Regulators should ask whether the agencies participated in this study and ask participating agencies to share their responses. Second, regulators and assessment agencies must endeavour to establish an ongoing dialogue about how their processes can align most effectively. Every effort should be made to streamline processes and eliminate duplication so that the costs borne by applicants and the time needed to complete assessments can be reduced. (page 24).

This study emphasizes the importance of the role of third party assessors in the registration process and the necessity of a relationship between the third party assessor and regulatory authorities that allow regulatory authorities to ensure assessment processes meet the required standards of fairness, objectivity, accountability and transparency. The study does not make recommendation of formalism or establishing written agreements.

APPENDIX VI - RELEVANT INFORMATION FROM INVESTIGATIVE MONITORING REPORT

The *Professional Code* in Québec established the Commissioner for Complaints concerning the Recognition of Professional Competence (Commissioner) within the Office des professions du Québec in 2009. A role of the Commissioner is to monitor the functions of the various professional orders in Québec similar to a fairness commission in some other provinces.

The Commissioner has produced guidelines for review of registration practices in *Principes et bonnes pratiques guidant l'analyse critique faite par le Bureau du Commissaire*, (2014). For accountability, the principle requires:

> *In matters of recognition of professional competence, professional orders are accountable for compliance with standards of competence and for the operation of recognition mechanisms, even when they entrust third parties with some activities. There are issues surrounding the delegation of functions or activities to third parties, and surrounding the influence of other parties involved in the recognition of competence.*(page 3).

The investigative monitoring report, *Parameters agreed between professional orders and third parties respecting the involvement of third parties In the processing of applications for equivalence (2014)*, (The Report) identifies the following issue with recommendations for the management:

> "*The absence of parameters weakens the protection of the public - for which professional orders are responsible - and the governance of the system for regulating professions in Québec… centralizations should not be in detriment to the legal obligations of professional orders in carrying out their functions and responsibilities, hence the importance of properly defining the parameters for the third party's involvement."* (page 2).

The Report views the relationship between regulatory authority and third parties as a delegation of activities with increased necessity to report on those activities.

The report provides the following recommendations:

1. Written agreement between the third party assessor and regulatory authority establishing the relationship, responsibilities, processes and standards of assessment;
2. Written agreement shall facilitate recognition of competence from candidate's perspective:
    a. avoid duplication and unnecessary additional costs;
    b. third party assessor involvement should simplify process and not increase burden on candidate as compared to assessment by the regulatory authority;
    c. third party assessor involvement should be cost neutral or reduce costs to candidate as compared if assessment performed by regulatory authority.
3. Written agreements should be directly with the third party assessor and not through an interprovincial organization.
4. Written agreement separate from being a member of a Canadian or interprovincial body is necessary where a professional order delegates functions or activities no matter how sophisticated the body's internal policies, procedures and methods;
5. Effective written agreement are:
    a. well structured facilitating readability through organization and presentation;
    b. degree of formalism;
    c. ensure adequate supervision of third party assessments;
    d. contain:
        i. objective criteria for eligibility for third party assessment;
        ii. assessment methodology and criteria for determining equivalence outcomes:
            1. beyond listing of fields, areas or subjects;
            2. append referenced existing standards and grids.
        iii. policy and terms of appeals/reviews by third party assessors
            1. clear accessible information available to candidate;
            2. impartial, objective review at candidate request;

3. reviewers different than initial assessors.

iv. distinguish costs, fees and responsibilities for costs;
v. identify status of third party assessor - not-for -profit;
vi. clear, publicly accessible information on role of regulatory authority and third party assessor;
vii. clear information to candidate on role of regulatory authority and third party assessor;
viii. regulatory authority oversight process for information in 3(d)(vi, vii);
ix. agreement on collection, use and disclosure of personal and information;
x. agreement on collection, use and disclosure of specified statistical information for regulatory reporting purposes;
xi. periodic review provisions for the agreement:
    1. operational - policies and procedures for assessments; and
    2. methodological - manner assessment tasks performed.
xii. agreement amendment provision if legislative or regulatory change;
xiii. third party assessor reporting to regulatory authority provisions:
    1. number of applications received;
    2. number of applications processed;
    3. processing time;
    4. number of appeal/review applications;
    5. provide commentaries explaining nature of tasks and challenges;
    6. third party assessor recommendations to assist regulatory authority in exercising its functions;

The Report placed some emphasis on concerns about a regulatory authority adopting standards established by another body or jointly among regulatory bodies. The concern extends to any appearance that professional regulation is a federal responsibility:

> *Professional orders may find it helpful and beneficial for their profession to adopt standards established by another body or jointly with other bodies. However, it is the most delicate aspect of third-party involvement, because it affects a normative responsibility that, in the Québec professional system, is shared between the professional order and the public authority—which must approve these standards as part of the regulation process.*
>
> *On a related subject, a pan-Canadian logo, as well as a pan-Canadian portal or single window can lead to think that a profession is regulated federally. Québec professional orders must make sure that they and the pan-Canadian organization associated with the profession correctly communicate their respective responsibilities, as well as the seat of decision-making power with respect to recognition of professional competence and regulation of the profession.*
>
> *In short, Québec professional orders (and the regulatory bodies of the other jurisdictions) should pay attention to risks in the way they delegate functions or activities to a Canadian or foreign body, particularly in the event of pressure to centralize operations and harmonize standards.* (page 9).

Current legislation in Québec does not require or preclude written agreements between regulatory authorities and third party assessors. Communications with the Registrar for the ODQ indicates that legislative changes are being developed in consideration of the recommendations from the Commissioner in this report. One recommendation is to prescribe the form of the agreement specifying subject matter:

> *That the subjects to be dealt with in agreements be prescribed by the Professional Code. Depending on the type of activity concerned and on whether the third party has a direct or indirect role with candidates, agreements should include the following subjects:*
>
> - *nature of the tasks the third party is entrusted with, and role of each party to the agreement,*

- *results expected in terms of goods and services, and in terms of the objectives to be achieved,*
- *commitment by the third party to apply the standards established under the Professional Code, the act constituting the professional order (if applicable) and the regulations made under these,*
- *commitment by the third party to apply the generally accepted principles for admission to a professional practice, particularly with respect to recognition of professional competence,*
- *methodology and criteria used,*
- *terms and conditions for processing candidates' files or sharing information or expertise,*
- *periods of time for performing various tasks,*
- *fees payable by candidates or portion of the costs beared by the professional order,*
- *terms and conditions for an unbiased and objective review of the recommendations made or decisions rendered by the third party,*
- *nature and scope of information to be shared,*
- *protection of personal information,*
- *terms and conditions for reporting to the professional order on all aspects of the agreement,*
- *term, renewal, amendment and periodic review of the agreement.* (page 13, 14).

APPENDIX VII - EXTERNAL COMMENTS RELEVANT TO CERTIFICATION STANDARDS (BLUEPRINTS)

The Office of the Ontario Fairness Commissioner had identified ten criteria in their 2013 document, *Registration Practices Assessment Guideline - for Health Regulatory Colleges*. The relevant criteria for standard setting are:

> *1. Qualifications assessments are based on transparent criteria. [Transparency]*
> *2. Qualifications assessment criteria are directly linked to the requirements/standards for entry to the profession. [Transparency]*
> *6. The results of qualifications assessment are communicated to the applicant in writing (electronically or in hardcopy). [Fairness, Transparency]*
> *8. On its website, the regulatory body informs applicants about the following items related to assessment of qualifications:*
> *a. the criteria that qualifications assessments are based on*
> *b. how those criteria are linked to the requirements/standards for entering the profession*
> *10. Regulatory bodies that rely on third-party assessments take measures to ensure that the third-party assessments are transparent, objective, impartial and fair. [Fairness, Transparency, Objectivity, Impartiality]*

Practices 1–9 refer to qualifications assessments that are conducted by the regulatory body itself. Only practice 10 refers to assessments conducted by third parties.

The guideline distinguishes the criteria for third party assessors from that of regulatory authorities.

The responsibility of regulatory authorities to establish the standards that third party assessors rely on is more clearly identified in the Québec commissioner's investigative monitoring report:

> *In matters of recognition of professional competence, professional orders are accountable for compliance with standards of competence and for the operation of recognition mechanisms, even when they entrust third parties with some activities. There are issues surrounding the delegation of functions or activities to third parties, and surrounding the influence of other parties involved in the recognition of competence.*(page 3).
>
> *Professional orders may find it helpful and beneficial for their profession to adopt standards established by another body or jointly with other bodies. However, it is the most delicate aspect of third-party involvement, because it affects a normative responsibility that, in the Québec professional system, is shared between the professional order and the public authority—which must approve these standards as part of the regulation process.*
>
> *On a related subject, a pan-Canadian logo, as well as a pan-Canadian portal or single window can lead to think that a profession is regulated federally. Québec professional orders must make sure that they and the pan-Canadian organization associated with the profession correctly communicate their respective responsibilities, as well as the seat of decision-making power with respect to recognition of professional competence and regulation of the profession.*
>
> *In short, Québec professional orders (and the regulatory bodies of the other jurisdictions) should pay attention to risks in the way they delegate functions or activities to a Canadian or foreign body, particularly in the event of pressure to centralize operations and harmonize standards.* (page 9).

In *BC College of Optics, Inc*. v. *College of Opticians of British Columbia*, the British Columbia Supreme Court identified "delegation and fettered discretion" outside of statutory authority as issues in the case(para. 24, available at: http://www.courts.gov.bc.ca/jdb-txt/SC/14/18/2014BCSC1853.htm). The decision suggests that unless a regulatory authority has a clear statutory authority, it should not delegate its responsibilities.

APPENDIX VIII - NDSE COMPONENT TWO, EXCERPT FROM MDA REPORT

The RCDC observers and examiners are well prepared. Observers monitor the entire examination process while the candidate is in the room with the examiners. Examiner methodology for asking candidate questions is reasonably consistent amongst all the teams.

One issue that may be a concern relates to examiner communication after the candidate and RCDC observer have left. While most teams do not speak during this period, a few teams do discuss the candidate and their marks. There is no suggestion the conversations have directly lead to marks being changed or are intended to impact any candidate - either positively or negatively. A review of the discussion guides for examiner training videos (see Document 5 commentaries for video 13 and 14), provides that examiners can discuss candidates after grading to assist in calibrating and review differences in marking.

Oral examinations have benefits - especially in assessing the depth of a candidate's knowledge - but also difficulties - it is an increasingly uncommon examination environment for many candidates which may affect the candidates success rate and equally challenging there is no objective record of the candidate response to review for marking errors which precludes any appeal on the facts. RCDC is continuing to improve the environment for candidates as well as the online resources so candidates can prepare for this type of examination.

The MDA understanding is RCDC has designed the NDSE to address concerns with validity of results by the use of examination by different teams each with two examiners as well as a process of key validation to identify anomalies or deviations in marking by the two examiners. This process requires two calibrated examiners to mark each candidate on their response to the questions presented independent of each other. Key validation can only effectively identify issues with examination questions or examiner marking if the examiners mark independently. It is a primary feature the MDA has relied on with the provincial fairness commissioner to justify this type of examination and the lack of any ability to appeal on the facts. It is critical for the fairness and validity of the examination results and any appearance it may be undermined is a concern.

The examination and the marking template should be well developed and clear. The MDA preference is that examiner calibration occurs as a group and before the examination begins. Effective calibration should avoid differences in marking between examiners. Re-calibration between team members between candidates should not be necessary. If there is a need to identify why examiners have different marks for a candidate response, written notes that can be submitted with the marks to key validation may be a option.

As stated previously, there is no indication that marks were changed for a candidate based on a conversation. However in listening to the conversations, the nature of them may impact the marking for subsequent candidates. For two individuals initially calibrated together, the suggestion that one is an "easy marker" may lead to the examiner marking harder than his group training prepared him to do. Please note most groups observed do not have any conversation about the candidate or their marking.

As an external observer these communications may affect the utility of key validation to identify issues. If team members re-calibrate to each other, any potential for differences is reduced. The appearance of these communications undermines the examination process at a time when fairness commissioners. human rights tribunals and governments are demanding increased objectivity and demonstrations of fairness. The fairness commissioner report to the MDA raised the lack of an appeal process based on the record in the NDSE as a key concern.

There are a variety of solutions to address the concern. A simple short term solution would be to review the parameters of what and when examiners can discuss between candidates; establish clear written protocols and have observers remain to monitor the conversations between candidates to verify that are within the established protocols. In my observations the conversations were different when examiners were aware they were being observed.

The planned electronic marking system should be initiated. With it, the use of new analytical software would

greatly improve the ability to evaluate the examination validity. The MDA appreciates the growing pains with this year's component I, but understood the issue was external to the system.

A more long term solution would be to continue to evolve the structure of the NDSE. It has changed significantly over the last decade with the introduction of standardized cases and an increasing structured approach. A potential next stage would be to convert it to a objective structured clinical examination. this type of examination would re-focus RCDC resources and its examiners to question development from examination delivery. It would be challenging to develop the necessary database but would allow for a more objective process and long term a reduction in the intensive human resource needs for the component II examination.

APPENDIX C

RED RIVER COLLEGE

Best Practices: Occupation-Specific Language Assessment, Benchmarking and Training - Community of Practice Event: May 21, 2015

Presented by: Catherine Lewis & Blanche Kingdon, Red River College

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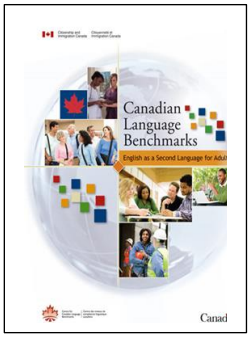
Best Practices:

A. "Benchmarking" - Analyzing the English language demands of occupations/professions and post- secondary programs



- **'Benchmarking'** is analyzing the English language demands of a task, process, occupation/profession, examination, or program using the ***Canadian Language Benchmarks (CLB)*** *2012*

  5 CLB competency areas (within each language skill):

  - *Interacting with others (L/S/R/W)*
  - *Comprehending/Giving Instructions (L/R/S)*
  - *Reproducing Information (W)*
  - *Getting Things Done (L/S/R/W)*
  - *Comprehending/Sharing information (L/R/S/W)*

  5 components of 'communicative language ability':

  1. *Grammatical*
  2. *Textual*
  3. *Functional*
  4. *Sociolinguistic*
  5. *Strategic*

- **Best Practices for Benchmarking:**

  1. **Considerations:**
     - i. Rationale for benchmarking
     - ii. Criteria for selection
     - iii. Stakeholder involvement
     - iv. Qualified researchers

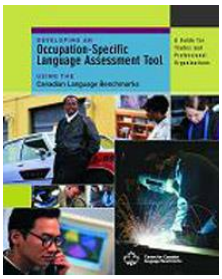
  2. **Methodology:**
     - ➢ Based on global best practices (Douglas, 2000)
     - ➢ Carried out by qualified and trained researchers
     - ➢ Uses a rigorous and comprehensive mixed methods approach

     Six Steps in Methodology:

     Step One: Set up the Process
     Step Two: Gather Data
     Step Three: Analyze the Data
     Step Four: Assign CLB Levels
     Step Five: Report & Discuss Findings
     Step Six: Write Final Report

- Challenges of Benchmarking: 1. Stakeholder buy-in; 2. Process; 3. Outcomes/Implications
- Benefits of Benchmarking: Findings can be used to:
  1. to inform guidelines for entry to practice/entry to programs;
  2. to create new polices or change existing ones;
  3. to meet labour market shortages/enrollment shortages by accessing human capital (IEPs);
  4. to develop comprehensive assessment strategies

B. Developing occupation-specific language proficiency assessment tools:



Four Steps (each with 'best practices'):

1. **A Feasibility study:** Explore/determine interest in developing an occupation-specific assessment tool
2. **Analysis of the language demands of the profession** (Benchmarking)

****

3. **Development of a Language Assessment Tool**
   - A rigorous and comprehensive process

   Best practices during the process include:

   1) involvement of stakeholders
   2) involvement of a wide range of expert consultants
   3) analysis of target language use
   4) pilot testing with target population
   5) rigorous measures of reliability
   6) rigorous measures of validity

   Setting up the process includes:

   - Engage stakeholders and expert consultants
     - Minimum of two test developers with expertise in ESL and CLB
     - Professionals from occupation/profession– to ensure authenticity of content
     - Consultants – applied linguistics, item writing, test review, and statistics
   - Obtain research ethics approval (Tri-Council Policy Statement)
   - Establish a reasonable timeline for components of the process (6-12 months)

   Development is a multi-step process based on global best practices in language proficiency test development (McNamara, 2000):
   Stage One: Planning
   Stage Two: Development of the first draft of the assessment tool
   Stage Three: Piloting Draft One
   Stage Four: Revisions to Draft One and development of Draft Two
   Stage Five: Development of the Final version; writing final report

4. **Implementation of the Language Assessment Tool**

   Issues/concerns:

   - clearly defined purpose of the tool
   - administration and development of systems, processes
   - scores/feedback reports and follow up
   - quality control
   - cost and accessibility
   - information and publicity
   - long-term buy-in from stakeholders (e.g. regulators)
   - development of related products, supports, and other tests
   - ownership and copyright

C. Developing occupation-specific language programming:

Why is it needed?

"Newcomers to Canada often encounter barriers to employment. These barriers are well documented and include ***lack of Canadian work experience,*** *language barriers,* ***differences in workplace culture,*** *difficulties in obtaining recognition for foreign qualifications and international experience, discrimination, and* ***lack of workplace integration and diversity programs"*** (Kukushkin & Watt, 2009).

A. Set up the process:

1. Determine the purpose and need (research studies)
2. Secure funding partners
3. Engage a range of stakeholders with clearly defined roles *(experts from the profession, ESL specialists, curriculum developers, employers)*

B. Develop Curriculum:

4. Design a curriculum framework *(outcomes, tasks, assessment plan)* with stakeholders
5. Determine delivery format *(online, F2F, blended)*
6. Use data from occupation/profession benchmarking *(re: workplace language and socio-cultural communication skills, plus an orientation to the labour market)*
7. Taught by ESL specialist using *Communicative Language Teaching* methodology *(ESL learners)*

C. Deliver Pilot Program:

8. Deliver program *as a pilot* and collect feedback from participants (and other stakeholders)
9. Revise program based on feedback obtained in pilot
10. Formalize final program for ongoing delivery

D. Deliver/Launch Official Program:

11. Deliver program (and conduct periodic review, and update as needed)

D. <u>An overview of how language proficiency requirements are established for</u>:

- post-secondary programs (for entry into programs)
- regulatory bodies (for license to practice)

1. **<u>Post-secondary institutions</u>** establish English language proficiency requirements for entry into programs by **<u>various</u> processes** (some more rigorous than others):
   - *committee of stakeholders*
   - *applied research methodology (task force)*
   - *environmental scan re: compatibility with markets, goals, trends*
   - *comparative analysis (similar institutions)*

2. **<u>Regulatory bodies</u>** establish English language proficiency requirements for license to practice but this is more complicated than for post-secondary programs: it is a regulatory responsibility based on *The Fair Registration Practices in Regulated Professions Act (The Act)*

   OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER

   The Fair Registration Practices in Regulated Professions Act (The Act) is to help ensure regulated professions and individuals applying for registration by regulated professions are governed by registration practices that are transparent, objective, impartial and fair.

   NB: To be registered to practice, IEPS may need to provide regulators with "proof of English language proficiency"

   <u>Regulators</u> establish English language proficiency requirements for license to practice by **<u>various</u> processes** (some more rigorous than others):
   - *comparative analysis with other provinces or regions*
   - *Pan-Canadian approach for the profession*
   - *policy analysts' research and recommendations*
   - *formal working groups with language proficiency policy mandates*
   - *other*

If proof of language proficiency is required by regulators, then regulators must:

- *select specific language proficiency tests*
- *determine appropriate pass scores*
- *be able to defend their choices to the Fairness Commissioner (as part of regulatory review)*

Decisions/Outcomes and must be objective, impartial, transparent and fair, and defensible.

Best Practices: Assessment Use Argument (AUA) *(Bachman & Palmer, 2010):*

- **Claim 1: Consequences** *(beneficial)*
- **Claim 2: Decisions** *(valuable, legal, equitable)*
- **Claim 3: Interpretations** *(meaningful, impartial, generalizable, relevant, sufficient)*
- **Claim 4: Assessment Records** *(consistent – 'reliability')*

Conclusion

***Best practices and processes need to be rigorous and comprehensive* for:**

A. "Benchmarking" - Analyzing the English language demands of occupations/professions and post-secondary programs
B. Developing occupation-specific language proficiency assessment tools
C. Developing occupation-specific language programming

Post-secondary institutions and regulators need to make challenging, high-stakes decisions which are objective, impartial, transparent, fair and defensible for:

D. Establishing language proficiency requirements for entry into programs OR license to practice

Common theme: *In all aspects of any benchmarking initiative and decision-making process (i.e., planning, analysis, development, implementation, reporting, review, etc.), engage a wide range of stakeholders*

Stakeholders include: professionals in the field, regulators, employers, ESL specialists (applied linguistics), curriculum developers, teachers, and statistics consultants, IEPs, funders, etc.

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APPENDIX D

Joint Statement of Action to Address the Opioid Crisis
November 19, 2016

The Royal College of Dental Surgeons of Ontario commits to:

- **By December 2017:** Requesting and reviewing Narcotics Monitoring System data for opioid prescriptions by dentists and dental specialists for the calendar year 2016 and comparing this data to that received for the calendar year 2014 to assess the impact of the Guidelines on the Role of Opioids in the Management of Acute and Chronic Pain in Dental Practice (published in 2015).

David Mock, Professor
for
Irwin Fefergrad, Registrar

RCDC

THE ROYAL COLLEGE OF DENTISTS OF CANADA

January 30, 2017

Dr. James Taylor
Chief Dental Officer of Canada
Public Health Agency of Canada
Government of Canada

Re: Joint Statement of Action to Address the Opioid Crisis

Dear Dr. Taylor,

The Royal College of Dentist of Canada Commits to:

- Engage all chief examiners and examination teams, in all disciplines, to ensure that candidates for examination possess knowledge of current best practices of safe opioid prescribing.

- The development and implementation of a communication plan to disseminate knowledge of current best practices for safe opioid prescribing to Members and Fellows of The Royal College.

Sincerely,

Dr. Christopher Robinson
President

Peter McCucheon
Executive Director

2404 - 180 Dundas St. W., Toronto, Ontario, Canada, M5G 1Z8 | tel 416.512.6571 | fax 416.512.6468 | www.rcdc.ca

Canadian Dental Association
Association dentaire canadienne
www.cda-adc.ca
1815 Alta Vista Drive
Ottawa ON K1G 3Y6
613-523-1770
info@cda-adc.ca

February 24, 2017

Dr. James Taylor
Chief Dental Officer of Canada
Public Health Agency of Canada
785 Carling Ave
Ottawa, ON K1A 0K9

Dear Colleague:

As a follow-up to the work initiated at the National Opioid Summit last November, The Canadian Dental Association is proud to make the following commitment:

The Canadian Dental Association commits to

Continuing to create and disseminate educational tools, through both its electronic and paper vehicles, that inform dentists of the dangers related to opioid abuse as well as best practices for pain control in their patients.

We thank you for your support in this matter,

Sincerely,

Dr. Larry Levin
President-Elect

APPENDIX E

Updated to February 1 2017
This document has official status.

chapter D-3, r. 5

Regulation respecting the committee on training of dentists

Dental Act
(chapter D-3, s. 3)

Professional Code
(chapter C-26, s. 184, 2nd par.)

TABLE OF CONTENTS

1. A committee on training shall be set up within the Ordre professionnel des dentistes du Québec.

O.C. 1032-97, s. 1.

2. The Committee shall be an advisory committee whose mandate is to examine, in concordance with the respective and complementary jurisdictions of the Order, the university educational institutions and the Minister of Higher Education, Research, Science and Technology, matters relating to the quality of the training of dentists.

Quality of training means the adequacy of the training for the acquisition of the professional skills required for the practice of the profession of dentist.

In respect of training, the Committee shall consider

(1) the objectives of the training programs offered by educational institutions leading to a diploma that gives access to a permit or specialist's certificate;

(2) the objectives of the other conditions and procedures for the issue of permits or specialist's certificates that may be imposed by a regulation of the board of directors, such as professional training periods or professional examinations; and

(3) the diploma or training equivalency standards, prescribed by regulation of the board of directors, that give access to a permit or specialist's certificate.

O.C. 1032-97, s. 2; S.Q. 2013, c. 28, s. 204.

3. The Committee shall be composed of 5 members chosen for their knowledge and the responsibilities they have exercised in respect of the matters referred to in section 2.

The Conference of Rectors and Principals of Québec Universities shall appoint 2 members to the Committee.

The Minister of Higher Education, Research, Science and Technology or his representative, the Deputy Minister or the Assistant Deputy Minister for Higher Education, shall appoint 1 member to the Committee and, if necessary, 1 alternate.

The board of directors shall appoint 2 members of the Order to the Committee, and the Committee shall select one of those 2 members as its chair.

The Committee may also authorise persons concerned or representatives of organizations concerned to participate in its meetings.

O.C. 1032-97, s. 3; S.Q. 2013, c. 28, s. 204.

4. The members of the Committee shall be appointed for a term of 3 years.

The members shall remain in office until they are reappointed or replaced.

O.C. 1032-97, s. 4.

5. The duties of the Committee shall be

(1) to review each year, in light of developments in knowledge and practice and particularly in respect of protection of the public, the quality of training and, where appropriate, it shall report its observations to the board of directors;

(2) to provide its opinion to the board of directors, in respect of the quality of training,

(a) on projects involving the revision or the preparation of the objectives or standards referred to in the third paragraph of section 2;

(b) on ways to improve the quality of training, in particular by proposing solutions to the problems observed.

The Committee shall indicate in its report, if any, and in its opinion the viewpoint of each of its members.

O.C. 1032-97, s. 5.

6. The members of the Committee shall strive to gather information relevant to the exercise of the Committee's duties from the organizations that appointed them and from any other organization or person concerned.

O.C. 1032-97, s. 6.

7. The chair shall fix the date, time and place of the Committee's meetings.

Notwithstanding the foregoing, the chair shall convene a meeting of the Committee whenever at least 3 of its members so request.

O.C. 1032-97, s. 7.

8. The Committee shall hold at least 2 meetings per year.

O.C. 1032-97, s. 8.

9. The quorum of the Committee shall be 3 members, including 1 member appointed by the board of directors, 1 by the Conference and 1 by the Minister.

O.C. 1032-97, s. 9.

10. Clerical support for the Committee shall be the responsibility of the Order.

The secretary designated by the Order shall see to drawing up and conserving the minutes, reports and opinions of the Committee.

O.C. 1032-97, s. 10.

11. The board of directors shall transmit a copy of the Committee's report, if any, and a copy of the Committee's opinion to the Conference, to the Minister of Higher Education, Research, Science and Technology and to the Office des professions du Québec.

O.C. 1032-97, s. 11; S.Q. 2013, c. 28, s. 204.

12. The annual report of the Order shall contain the conclusions of the Committee's report, if any, and of its opinions.

O.C. 1032-97, s. 12.

13. Notwithstanding the first paragraph of section 4, for the first committee set up after 13 September 1997, one of the members appointed by the board of directors and one of the members appointed by the Conference shall be appointed for a term of 2 years.

O.C. 1032-97, s. 13.

14. *(Omitted).*

O.C. 1032-97, s. 14.

15. *(Omitted).*

O.C. 1032-97, s. 15.

UPDATES
O.C. 1032-97, 1997 G.O. 2, 4486
S.Q. 2008, c. 11, ss. 212 and 213
S.Q. 2013, c. 28, s. 204

APPENDIX F

CDRAF
Canadian Dental Regulatory Authorities Federation

FCORD
Fédération canadienne des organismes de réglementation dentaire

WELLNESS CONFERENCE 2.0

BRIEFING NOTE
March 1, 2017

BACKGROUND

At the December 2016, CEO/Registrars meeting the idea of updating from the 2012 WELLNESS CONFERENCE (CDRAF/CDA joint effort) was brought forward and aroused enthusiasm amongst the attendees.

Immediately following the meeting, a consultation with the DRA's registrars resulted in the following:

Generally in favor of moving forward if the workshop is built on progress of the key points set out in the 2012 report; increases collaboration for those who wish to collaborate and enhance programs already in place; aims on best practices; tackle approaches and techniques to deal with other emerging health issues such as diminishing cognitive capacity (ageing populations etc.); deals with the issue of Practice support (locums, business interruption, etc.) for practitioners in "recovery".

This feedback was brought to the attention of MGT group members at their January 6th, 2017 meeting and direction was given to Dr. Legault to send a positive signal to CDA and gather more information to present to CDRAF Board in April.

UPDATE

The CDA member associations would be happy to delay the symposium until April 2018 in Ottawa, immediately following the CDA annual meetings.

There is a strong preference expressed by CDA to have CDRAF as a co-host of the symposium. The symposium would be co-organized by CDA, CDRAF and CDSPI.

Given that the symposium would be held in conjunction with the CDA and CDRAF April 2018 meetings, the costs of the event would be considerably less than holding the symposium at another time.

CDSPI has agreed to sponsor the symposium and cover the related costs (speakers costs, meeting room, resources, meals, etc.). Consequently, as a co-host with CDA, CDRAF would not be required to make any financial commitment.

The cost of the participation of symposium attendees would be covered by the different organizations represented at the symposium.

In terms of the program, it would be developed collaboratively by CDA, CDRAF and CDSPI.

Of course, if CDRAF elects not to co-host the symposium, CDRAF and the provincial regulators would be welcome as full participants at the symposium.

NEXT STEPS
Obtain Registrars feedback on the latest development.
Board's response in April to CDA and CDSPI.

Diane Legault, DMD, MBA

AMS:714118

APPENDIX G

From:	Fefergrad, Irwin
To:	Diane Legault
Cc:	Sherban, Angie
Subject:	Registrar Meeting Topic
Date:	February 16, 2017 9:24:38 AM

Good morning,
A company called Smile Direct is coming to Canada. Essentially it's a bigger use of Invisalign – no patient exam, patient apply the appliance themselves.
In Ontario, "fitting and dispensing an orthodontic appliance" is a controlled act reserved to dentists. It is also a controlled act to "communicate a diagnosis, identify a disease or disorder of the oral-facial complex".
So the Direct Smile system does not create a patient/dentist relationship and raises all kinds of concerns.
Wonder what registrars think around the country.
Thanks
Irwin

Irwin Fefergrad, *C.S., B.A., B.C.L., LL.B*
Registrar
(Certified as a Specialist by the Law Society of Upper Canada in Civil Litigation and Health Law)

Royal College of Dental Surgeons of Ontario
6 Crescent Road, Toronto, ON M4W 1T1
direct line: 416-934-5625
toll-free: 1-800-565-4591
ifefergrad@rcdso.org www.rcdso.org

APPENDIX H

CDRAF
Canadian Dental Regulatory Authorities Federation

FCORD
Fédération canadienne des organismes de réglementation dentaire

PGY 1 JOINT INITIATIVE

BRIEFING NOTES

March 1, 2017

BACKGROUND

At its October 2016 meeting, CDRAF approved to participate in the project based on the confirmation of its partners' commitment (CDAC and NDEB) to join the project. A decision was made to allocate a sum of $5,000 to the project and in absence of Dr. Bernie White, refer to Management Group the nomination of CDRAF's representative to the joint initiative.

At its January 2017 meeting, Management nominated Dr. Bernie White and asked for a written confirmation of NDEB's financial support which was obtained rapidly afterwards.

UPDATE

To date, all 4 organizations have nominated their representatives. They are:
For NDEB: Dr. Martin Gillis
For CDAC: Dr. Amarjit Rihal
For ACFD: Dr. Shahrokh Esfandiari (McGill)
For CDRAF: Dr. Bernie White

The Committee is set and ready to go.

The latest terms of reference proposed by ACFD are the following:

Mandate:

- *Prepare a literature review of the subject investigating models for PGY1 training in dentistry elsewhere in the world and in other professions in Canada and elsewhere. The review should focus on how these models work and how they are funded, plus any outcomes data that are available*

- *Investigate sources of the resources necessary to have a widespread PGY1 program in dentistry in Canada:*
    - *Financial resources*
    - *Staffing resources, including teachers and administrative staff*
    - *Physical facilities, including dental operatories and other equipment*

Mandate period:

- *In the first instance the Working Group will be mandated for a one-year period at the end of which it must submit a report with recommendations to the ACFD, CDRAF, CDAC and NDEB addressing the above points.*

Membership:

- *One representative of each of the partner organizations (the ACFD, CDRAF, CDAC and NDEB), for a total of 4 people.*

Funding:

- *The Working Group will be funded through the ACFD, CDRAF, CDAC and NDEB each providing $5000, for a total of $20,000.*
- *It is expected that funds will be required to do the following work:*
    - *Two one-day, face-to-face meetings of the members of the Working Group*
    - *Several teleconference calls among members.*
    - *A graduate student, research assistant or other person with the necessary skills to perform the necessary scoping review and draft of the report.*

NEXT STEPS

1. Develop an Agreement (Paul Allison) document that would be signed by the Presidents/Directors of each of the 4 organizations. The document would refer to the proposal as an appendix and stating that each organization commits to providing 25% of costs up to a maximum of $5,000 per organization for a period of 18 months e.g. April 1st 2017 to Sept 30th 2018. That agreement document should also provide a clear mandate and timeline to the Working Group.

2. Approval of the Agreement by CDRAF Management Group (April 6 2017)

Diane Legault, DMD, MBA

APPENDIX I

Council adopts a new position on the use of botulinum toxin and dermal fillers by Ontario dentists

In May of this year, Council approved a new position on the use of botolinum toxin and dermal fillers by Ontario dentists. The position can be summarized as follows: Ontario dentists may inject botulinum toxin and dermal fillers, but only for procedures that are within the scope of practice of dentistry.

The key points are the College's position on this issue are:

- Members who wish to use botulinum toxin and dermal fillers may do so, but only for procedures that are within the scope of practice of dentistry.
- Members may inject botulinum toxin and/or dermal fillers intra-orally for either therapeutic or cosmetic purposes, or botulinum toxin extra-orally for therapeutic purposes, but in either case only if they are appropriately trained and competent to perform the procedure/s.
- It is not within the scope of practice of dentistry and members are not authorized in Ontario to inject botulinum toxin or dermal fillers extra-orally for cosmetic purposes.

> THE ACT STATES THAT THE SCOPE OF PRACTICE OF DENTISTRY "IS THE ASSESSMENT OF THE PHYSICAL CONDITION OF THE ORAL-FACIAL COMPLEX AND THE DIAGNOSIS, TREATMENT AND PREVENTION OF ANY DISEASE, DISORDER OR DYSFUNCTION OF THE ORAL-FACIAL COMPLEX."

Members who wish to use these substances are expected to successfully complete a course of instruction that includes pharmacological and physiological characteristics of these substances, as well as possible adverse reactions and their management.

In addition, members who wish to use botulinum toxin extra-orally for therapeutic purposes, such as for the management of certain temporomandibular disorders and other oral-facial conditions, are expected to pursue more extensive training, especially where this involves deep injections and/or injections below the inferior border of the mandible. This is due to the potential for serious and even life-threatening adverse reactions to this neurotoxin.

In making its decision, Council took into consideration a number of factors. There was an expert report of an ad hoc committee with membership of specialists from across Canada. This committee examined questions about safety and education related to the use of these substances. Council also considered the scope of practice of dentistry in Ontario, as defined by the Dentistry Act, 1991 and the phrase, oral-facial complex, as it has been historically interpreted by Council. The Act states that the scope of practice of dentistry "is the assessment of the physical condition of the oral-facial complex and the diagnosis, treatment and prevention of any disease, disorder or dysfunction of the oral-facial complex." In addition, in the course of engaging in the practice of dentistry, Ontario dentists are authorized to administer a substance by injection.

COLLEGE CONTACT **Dr. Michael Gardner –** Manager, Quality Assurance
416-934-5611 1-800-565-4591
mgardner@rcdso.org

Educational requirements for the use of botulinum toxin and dermal fillers by Ontario dentists

As reported in the last issue of Dispatch, Council has approved a new College position on the use of botolinum toxin and dermal fillers by Ontario dentists:

> **Members who wish to use botulinum toxin and dermal fillers may do so, but only for procedures that are within the scope of practice of dentistry.**
>
> **Members may inject botulinum toxin and/or dermal fillers intra-orally for either therapeutic or cosmetic purposes, or botulinum toxin extra-orally for therapeutic purposes, but in either case only if they are appropriately trained and competent to perform the procedures.**
>
> **It is not within the scope of practice of dentistry and members are not authorized in Ontario to inject botulinum toxin or dermal fillers extra-orally for cosmetic purposes.**

Members who wish to use these substances as described are expected to successfully complete a course of instruction that adheres closely to the following criteria. The course should:

- be conducted by persons who have had recognized education and training, preferably university-based, and significant experience in the parenteral administration of these substances.
- include a didactic component with formal evaluation that addresses:
  - pharmacology of these substances;
  - physiological activity of these substances;
  - diagnosis of relevant conditions;
  - indications for the use of these substances, as well as other first-line treatment modalities;
  - contraindications for the use of these substances;
  - related head and neck anatomy;
  - adverse reactions and their management;
- include a hands-on clinical or clinical simulation component with formal evaluation;
- promote the critical evaluation of research and literature on related topics.

Due to the potential for serious and even life-threatening adverse reactions to this neurotoxin, members who wish to use botulinum toxin extra-orally for therapeutic purposes, such as for the management of certain temporomandibular disorders and other oral-facial conditions, and especially where this involves deep injections and/or injections below the inferior border of the mandible, are expected to pursue more extensive training.

COLLEGE CONTACT **Dr. Michael Gardner –** Manager, Quality Assurance
416-934-5611 1-800-565-4591
mgardner@rcdso.org