

From: [Song, Ya-Hong HE0](#)
To: [Jaime Korczak](#)
Subject: RE: CDSS Regulatory Bylaws inquiry
Date: March 14, 2023 2:27:27 PM
Attachments: [image002.png](#)
[image006.png](#)
[RE REVISED DRAFT Proposed CDSS Regulatory Bylaws .msg](#)
[Bylaw process for distribution to regulatory bodies.doc](#)

Good afternoon Jaime

Thank you for your email.

Attached is the last email response to the CDSS bylaws with the concerns/comments from the Ministry.

Also attached for your information is an information sheet (developed by the Ministry) regarding bylaw process.

Dr. Gerry Uswak and I met online on Oct 18, 2022 to discuss the major concerns about the bylaws. Dr. Uswak indicated at the meeting that the College will be working on the revision of the bylaws to address the comments/concerns raised by the Ministry. When finalized, the bylaws will be taken to the CDSS council for approval before submitting to the Ministry.

I am not sure if the above work has been complete by the CDSS. Also, I would appreciate an opportunity to review the final version of your bylaws before you submit certified copies of the bylaws to the Ministry.

Looking forward to working with you on the CDSS bylaws. Feel free to contact me if you have questions or need further information.

Ya-Hong

Ya-Hong Song

Government of Saskatchewan

Senior Policy Analyst

Governance, Regulatory and Legislative Services Unit

Partnerships, Privacy and Legislative Services Branch, Ministry of Health

2nd Floor, 3475 Albert Street

Regina, Canada S4S 6X6

Phone: (306) 798-3188



CONFIDENTIALITY NOTICE:

This email (and any attachment) was intended for a specific recipient(s). It may contain information that is privileged, confidential or exempt from disclosure. Any privilege that exists is not waived. If you are not the intended recipient, do not copy or distribute it to another person or use it for any other purpose. Please delete it and advise me by return email or telephone. Thank you.

From: Jaime Korczak <jaime@saskdentists.com>
Sent: Friday, March 10, 2023 1:09 PM
To: Song, Ya-Hong HE0 <Ya-Hong.Song@health.gov.sk.ca>
Subject: CDSS Regulatory Bylaws inquiry

Good afternoon Ya-Hong,

By way of a brief introduction, my name is Jaime Korczak, and I am the Executive Director at the College of Dental Surgeons of Saskatchewan. In confidence, Dr. Gerry Uswak is no longer with the CDSS. Therefore, on behalf of the CDSS Council, I am inquiring as to the status of the Regulatory Bylaw revisions that were submitted to you by Dr. Uswak.

Sincerely,

Jaime Korczak
Executive Director
College of Dental Surgeons of Saskatchewan
201 1st Ave S - 1202 The Tower at Midtown
Saskatoon, SK S7K 1J5
Ph: 306-244-5072 ext.222 Web: saskdentists.com
jaime@saskdentists.com

-



From: [Song, Ya-Hong HE0](#)
To: [Marion Lafreniere](#)
Subject: RE: REVISED DRAFT Proposed CDSS Regulatory Bylaws
Attachments: [Comments onCDSS bylaws Oct 2022.docx](#)
[COMMENTS 20220919 Revised Proposed CDSS Regulatory Bylaws.docx](#)

Hi Marion

Hope you had a nice long weekend.

Attached are comments on the CDSS proposed bylaws. More comments may follow if our legal counsel raises concerns (Some provisions of the proposed bylaws have been shared with our legal counsel; I am still waiting for her response).

From several conversations with Dr. White, my understanding is that the proposed CDSS bylaws, to a certain extent, were based on the format/model of the regulations of the former BC Dentists' Regulator (Note: health professions' regulations in BC/other jurisdictions are similar to our regulatory bylaws). As you may be aware, last month (September 2022) the former BC Dentists' Regulatory body was amalgamated into the BC College of Oral Health Professionals, with a goal to promote team-based collaborative oral health care that improves health outcomes for patients and the public. The new model/language of BC dentists' regulation will serve this purpose and it is quite different from that of the old regulations for dentists.

I am not sure if the change in BC would have any impact on how the CDSS regulates your members.

Please let me know if you/CDSS have questions or wants to discuss.

Thank you.

Ya-Hong

From: Marion Lafreniere <marion@saskdentists.com>
Sent: Monday, September 19, 2022 11:39 AM
To: Song, Ya-Hong HE0 <Ya-Hong.Song@health.gov.sk.ca>
Subject: RE: REVISED DRAFT Proposed CDSS Regulatory Bylaws

Hi Ya-Hong,

Attached are the 2 documents reconciled.
Sorry about the confusion and for any inconvenience this may have caused.

Marion

From: Song, Ya-Hong HE0 <Ya-Hong.Song@health.gov.sk.ca>
Sent: September 14, 2022 4:08 PM
To: Marion Lafreniere <marion@saskdentists.com>

Subject: RE: REVISED DRAFT Proposed CDSS Regulatory Bylaws

Thank you Marion for the documents. Ya-Hong

From: Marion Lafreniere <marion@saskdentists.com>
Sent: Wednesday, September 14, 2022 3:57 PM
To: Song, Ya-Hong HE0 <Ya-Hong.Song@health.gov.sk.ca>
Subject: RE: REVISED DRAFT Proposed CDSS Regulatory Bylaws

Hi Ya-Hong,

Attached are the side by side explanatory document and the proposed Regulatory Bylaws in a booklet format (a few small edits have been made in the booklet document, since you received the last draft version September 7, 2022) as I was reconciling the 2 documents).

We look forward to hearing your feedback regarding these proposed Regulatory Bylaw documents.

Sincerely,
Marion

From: Song, Ya-Hong HE0 <Ya-Hong.Song@health.gov.sk.ca>
Sent: September 12, 2022 9:08 AM
To: Marion Lafreniere <marion@saskdentists.com>
Subject: RE: REVISED DRAFT Proposed CDSS Regulatory Bylaws

Good morning Marion

Hope you had a nice weekend.

Can you send me the side by side (explanatory document) for the proposed bylaws? Thank you.

Ya-Hong

From: Marion Lafreniere <marion@saskdentists.com>
Sent: Wednesday, September 7, 2022 10:03 AM
To: Song, Ya-Hong HE0 <Ya-Hong.Song@health.gov.sk.ca>
Cc: Gerry Uswak <gerry@saskdentists.com>
Subject: REVISED DRAFT Proposed CDSS Regulatory Bylaws

Hello Ya-Hong,

Thank you for your email of August 25, 2022.

The CDSS request for review by our stakeholders with the PRP program and the Sask Oral Health Professions has now closed (September 1, 2022)

Comments and recommendation have been received and the following changes have been made to the draft Proposed CDSS Regulatory Bylaws.

4.2 (1) addition of
‘CDSS Registrant owned’ Clarifies the Quality Assurance
Committee only has jurisdiction
over clinics owned by CDSS Registrants

4.2 (4) addition of:

‘When a member practices in a facility or is in contract with an owner or a manager of a facility, who is not a CDSS member the Quality Assurance Committee will request written approval before entering the facility to perform the registrants’ obligations in 4.2 (1) (2) and (3).’ Clarifies that the QAC would only be able to attend a clinic or a facility that is not owned by a CDSS Registrant with written permission of the facility.

Member obligation is a government clinic/facility (Provincial or Federal) is the same unless the clinic owner has different established policies.

We believe the above changes to 4.2(1) and 4.2(4) address the concern for including all stakeholders who won clinics/facilities where dentists perform their authorized practices in Saskatchewan.

4.6 (3) addition of
‘their salts and/or enantiomers, in all dosage forms, as a single active ingredient or as a combination product.’
Recommended by Bryan Salte SCPP

4.6 (3) (b) Deleted ‘secure email’
Recommended by CRNS – email is not an acceptable means of transmitting an electronic prescription

4.6(4) change from ‘Saskatchewan Registered Nures Association’ to ‘College of Registered Nurses of Saskatchewan’
Recommended by Bryan Salte SCPP re: name change

4.6 (6)(e)(iii) changed wording from ‘any knowledge which the member may have about other Drugs being taken by the patient’ to ‘any knowledge which the member may have about other narcotics or controlled medications being taken by the patient’

Recommended by Bryan Salte SCPP

4.6 (g) deleted ‘Saskatchewan Registered Nures Association’
Recommended by Cheryl Hamilton CRNS

Please find attached for your review the CDSS Proposed Regulatory Bylaws with the amendments as suggested by our stakeholders.

Looking forward to your feedback and comments.

Marion

From: Song, Ya-Hong HE0 <Ya-Hong.Song@health.gov.sk.ca>
Sent: August 25, 2022 11:05 AM
To: Marion Lafreniere <marion@saskdentists.com>
Subject: RE: CDSS PRP Proposed Amended Bylaws 4.6

Hi Marion

It was nice to talk to you.

As discussed, CDSS may want to consider including more stakeholders in your consultation, since the proposed bylaws contain provisions (Part IV) that require registrants/members to co-operate fully allowing the Quality Assurance Committee/its assessor to **attend any clinics** and assess their practices. **The term 'clinic' is defined in Part I Interpretation as facility/any site where any authorized practice is performed by the member.**

Given the above, CDSS may need to include all the stakeholders (e.g., SaskPoly, U of S, Health Canada, maybe SHA) who own clinics/facilities where dentists perform their authorized practices, since these stakeholders' interest might be affected if the bylaws were approved.

Hope the above is clear. Let me know if you have any questions.

Thank you.

Ya-Hong

Ya-Hong Song
Government of Saskatchewan
Senior Policy Analyst
Partnerships and Workforce Planning, Ministry of Health

3rd Floor, 3475 Albert Street
Regina, Canada S4S 6X6
Phone: (306) 798-3188

From: Marion Lafreniere <marion@saskdentists.com>
Sent: Friday, August 19, 2022 8:54 AM
To: chamilton@crns.ca
Cc: Song, Ya-Hong HE0 <Ya-Hong.Song@health.gov.sk.ca>; Gerry Uswak <gerry@saskdentists.com>
Subject: FW: CDSS PRP Proposed Amended Bylaws 4.6

Good morning Cheryl,

The email below was sent out yesterday to our PRP stakeholders, unfortunately the email was

undeliverable to the CRNS due to incorrect contact information.

We appreciate you taking the opportunity to review and respond on or before the September 1, 2022 deadline.

Warm regards,

Marion

From: Marion Lafreniere

Sent: August 18, 2022 3:08 PM

To: karen.shaw@cps.sk.ca; bryan.salte@cps.sk.ca; jnaylenhorbach@srna.org; Jeana Wendel <jeana.wendel@saskpharm.ca>

Cc: Ya-Hong Song (ysong@health.gov.sk.ca) <ysong@health.gov.sk.ca>; Gerry Uswak <gerry@saskdentists.com>

Subject: CDSS PRP Proposed Amended Bylaws 4.6

Dear Colleagues,

Re: CDSS PRP Proposed Amended Bylaws 4.6 (pages 11, 12 and 13 highlighted in yellow)

Attachments:

Draft Revised Proposed CDSS Regulatory Bylaws (booklet form)

The CDSS rationale for the changes relating to the PRP

The CDSS Administrative and Regulatory Bylaws have been in one document since the Dental Disciplines Act was proclaimed in 1997. The Ministry indicated that this document should be divided into separate, distinct documents. Furthermore, this became an opportunity to reformat and modernize the Administrative and Regulatory Bylaws to enhance their understandability and utility. The Administrative Bylaws have been passed by Council and filed pursuant to the Act. The Regulatory Bylaws are in draft form for stakeholders to provide comment. The CDSS requests that your organization, as a partner in the Prescription Review Program (PRP) provide comment on the previous CDSS Bylaw Part 13 to which we have drafted minor amendments to be consistent with the draft bylaws in general. The CDSS rationale for the changes is attached

We respectfully request that you provide comment by September 1, 2022. We believe that the minor changes to the structure and wording will not be problematic for the program or the partners in the program.

Thank you for your assistance in this matter.

Sincerely,

Marion Lafreniere/

On behalf of Dr. Gerry Uswak, Registrar CDSS

Comments/ feedback on CDSS bylaws submitted September 2022

General Comments:

- Stronger rationales are needed for some proposed amendments/newly added sections

The side by side does not seem to provide strong/detailed rationales for some amendments/newly added bylaws. (e.g., more detailed/stronger rationales are needed for **sections 3.6 and 4.2 (specifically, 4.2(2))**). These rationales need to be included in the side-by-side document.

The rationale may need to include any public safety issues or complaints related to what are proposed in these new sections to illustrate these sections are needed. The rationale may also provide examples of dental regulators in other jurisdictions and/or other health professions in Sask that have similar kind of bylaws/regulations (e.g., physicians and pharmacists, the professions that have quality/competency assurance programs and have employment and business relationships with other stakeholders).

- The License, Professional Corporations and Permit Policy

This document is referenced throughout the entire set of the proposed bylaws. It should be attached to the bylaws to provide background information.

Other Observations: See attached document

The College of Dental Surgeons of Saskatchewan

REGULATORY BYLAWS 2022

Contents

PART I - INTERPRETATION.....	2
PART II - REGISTRATION, LICENSURE, PROFESSIONAL CORPORATIONS, PERMITS	2
PART III - PROFESSIONAL PRACTICE STANDARDS.....	7
PART IV - QUALITY ASSURANCE	9
PART V – COMPLAINT RESOLUTION PROCESS.....	13

PART I - INTERPRETATION

Definitions

1.1 In these bylaws:

- (1) “Certificate of Standing” means the document in the License, Professional Corporations and Permit Policy that each provincial regulator completes and provides or receives on behalf of a member or former member to support that member’s or former member’s licensure process in another jurisdiction;
- (2) “comprehensive authorized practice” means the full scope of practice for dentists
- (3) “Consent to Release of Information” means the document in the License, Professional Corporations and Permit Policy that a member or former member completes and provides to support that member’s or former member’s licensure process in another jurisdiction;
- (4) “clinic” and “facility” mean any site where any authorized practice is performed pursuant to The Act;
- (5) “dental professions” mean those professionals regulated by the Dental Disciplines Act;
- (6) “good character” means compliance with the legislation, bylaws and standards, including the “Good Character Standard”;
- (7) “good standing” means:
 - (a) that the College has assessed an applicant’s ‘Certificate of Standing’ and has determined that the information in it would not preclude registration or licensure as a member; or
 - (b) that a current member continues to meet the conditions of registration and licensure in Saskatchewan.
- (8) “MCPPS” means Member Competence Professional Practice Standard.

PART II - REGISTRATION, LICENSURE, PROFESSIONAL CORPORATIONS, PERMITS

Registers and Fees, General

- 2.1 (1) Each person seeking to:
- (a) receive registration and a license to practice dentistry; or
 - (b) receive registration and a permit for a professional corporation; or
 - (c) receive any other required permit;
- shall pay to the College the required fees.
- (2) No person shall be registered under these bylaws until evidence satisfactory to the Registrar, and with the knowledge that the Registrar may ask for clarification of any information provided by an applicant for a license and may withhold the grant of a license until that information has been provided. Applicants **are** also required to provide evidence that they:
- (a) are an individual of good character pursuant to the CDSS Good Character Standard; and
 - (b) provide a Certificate of Standing and a Consent to Release of Information from each jurisdiction in which the person has been previously licensed; and
 - (c) have completed and forwarded all documents and proof of a \$5 million dollar malpractice insurance policy required;
 - (d) provide a current criminal and vulnerable sector check from the jurisdiction most recently resided in the previous 12 months prior to licensure;
 - (e) receive a passing grade on the CDSS Jurisprudence and Ethics Exam;
 - (f) provide evidence that they have accrued 60 continuing education hours over the last 2 years, prior to licensure. Certificates and/or letters of successful

- completion are required. Continuing Education transcripts not accepted; and
- (g) provide completion of a professionally appropriate, nationally recognized CPR program, prior to licensure.
- (3) The College will establish and maintain a Licensed Member Register that records:
- (a) contact information; and
 - (b) the category of licensure and any specialty described in sections 2.2, 2.3, 2.4, and 2.5 of these bylaws.
- (4) The College will establish and maintain a corporate register that records:
- (a) contact information of each professional corporation that is registered by the College pursuant to section 2.7; and
 - (b) the name of each director and each voting shareholder of each professional corporation.
- (5) The College will establish and maintain a Facility Register that records:
- (a) contact information, including address, of each facility where any authorized practices are performed pursuant to The Act; and
 - (b) the contact information of the Comprehensive Authorized Practice Director; and
 - (c) required sedation and other permits,
- to facilitate communicating standards and for quality assurance purposes, in the public interest, particularly relating to emergency situations.
- (6) To be entered into any of the registers mentioned in (3), (4) and (5), each member and each professional corporation must supply to the College their current contact information for service of any communications and documents.

Full Practicing License - Generalist Members

- 2.2**
- (1) Subject to other provisions in Part II of these bylaws and the License, Professional Corporation and Permit Policy a person may apply to be registered and licensed to practice general dentistry.
 - (2) Generalist dentist members must have:
 - (a) successfully completed an education program that is accredited by the Commission on Dental Accreditation of Canada, or
 - (b) successfully completed an education program and the National Dental Examining Board Equivalency Examination process; and
 - (c) must successfully complete the National Dental Examining Board Examination for general dentists.
 - (3) A person who has been approved for registration by the registrar will be registered and licensed as a generalist member entitled to practice general dentistry in Saskatchewan.

Full Practicing License - Specialist Members

- 2.3**
- (1) Subject to other provisions in Part II of these bylaws and the License, Professional Corporation and Permit Policy, a person may apply to be registered and licensed to practice a recognized specialty listed in section 2.3(3) below.
 - (2) Specialist dentist members must have:
 - (a) successfully completed a specialist dentist education program that is accredited by the Commission on Dental Accreditation of Canada, or
 - (b) successfully completed a non-accredited specialist dentist education program, the Dental Specialty Core Knowledge Examination and required Gap

- Training; and
- (c) must successfully complete the National Dental Specialty Examination in a specialty, pursuant to applicable agreements.
- (3) A person who has been approved for registration by the registrar will be registered and licensed as a specialist member entitled to practice solely within the specialties noted on his or her issued license.
- (4) For the purposes of these bylaws the following definitions apply for each of the following College recognized specialties:
- (a) “endodontist”: a certified specialist and only a certified specialist in the specialty of “endodontics”;
 - (b) “oral and maxillofacial surgeon”: a certified specialist and only a certified specialist in the specialty of “oral and maxillofacial surgery”;
 - (c) “orthodontist” or “dentofacial orthopedics specialist”: a certified specialist and only a certified specialist in the specialty of “orthodontics” or “dentofacial orthopedics”;
 - (d) “pediatric dentist” or “pedodontist”: a certified specialist and only a certified specialist in the specialty of “pediatric dentistry”;
 - (e) “periodontist”: a certified specialist and only a certified specialist in the specialty of “periodontics”;
 - (f) “prosthodontist”: a certified specialist and only a certified specialist in the specialty of “prosthodontics”;
 - (g) “oral radiologist”: a certified specialist and only a certified specialist in the specialty of “oral radiology”;
 - (h) “dental public health specialist”: a certified specialist and only a certified specialist in the specialty of “dental public health”;
 - (i) “oral medicine and pathology specialist”: a certified specialist and only a certified specialist in the specialty of “oral medicine and oral pathology”.

Restricted License – Academic Members

- 2.4** (1) Subject to other provisions in Part II of these bylaws and the restrictions in the License, Professional Corporation and Permit Policy a person may apply to be registered and licensed to teach as a restricted academic member.
- (2) Academic members must have successfully completed a university based general dentist or specialist dentist education program and must be employed by a post-secondary educational institution, as confirmed by the dean.
- (3) A person who has been approved for registration by the registrar will be registered and licensed as a restricted academic member entitled to practice in accordance with the License, Professional Corporation and Permit Policy.

Restricted License – Student Members

- 2.5** (1) Subject to other provisions in Part II of these bylaws and the License, Professional Corporation and Permit Policy, a person may apply to be registered and licensed as an undergraduate, penultimate or intern student member.
- (2) Student members must be enrolled in an education program at the University of Saskatchewan College of Dentistry.

- (3) A person who has been approved for registration by the registrar will be registered as a an undergraduate, penultimate or intern student member entitled to practice in accordance with the License, Professional Corporation and Permit Policy.
- (4) The membership and license of a student member shall be of such duration as set out in the license and is subject to annual renewal as further set out in the License, Professional Corporations and Permit Policy.

Professional Corporations

- 2.6**
- (1) Subject to other provisions in these bylaws and the License, Professional Corporation and Permit Policy, a corporation may apply to be registered as a professional corporation and receive a permit for the practice of dentistry.
 - (2) A corporation that has otherwise been approved by the registrar for registration as a professional corporation in accordance with the License, Professional Corporation and Permit Policy will be registered and receive a permit for the practice of dentistry.

Renewal of Licenses and Permits

- 2.7**
- (1) The required licenses and permits of all members, permits of all dental professional corporations and other required permits are subject to annual renewal as further set out in Part II of these bylaws and the License, Professional Corporations and Permit Policy.
 - (2) To be eligible for the annual renewal of licensure, each member must:
 - (a) maintain their competence;
 - (b) meet the continuing education requirements as stated in the current CDSS Continuing Education Policy;
 - (c) be of good character;
 - (d) be in good standing, and where they are also licensed in other jurisdictions, provide a letter from each jurisdiction confirming continued good standing in each jurisdiction;
 - (e) provide proof of required insurance;
 - (f) complete the annual license renewal form; and
 - (g) pay the required fee by December 31 of the year prior.
 - (3) Where a member is suspended at the time of annual renewal, the member may apply for renewal at the end of the term of his or her suspension by complying with the above subsection (1) and (2), or section 2.6 if applicable.
 - (4) To be eligible for the annual renewal of its registration and permit, each professional corporation must:
 - (a) continue to meet the criteria set out in *The Professional Corporations Act*, Part II of these bylaws and the License, Professional Corporation and Permit Policy;
 - (b) complete the required forms; and
 - (c) pay the required fee by December 31 of the year prior.
 - (5) Where a member or a professional corporation has been in arrears in the payment of annual fees, the registrar may renew the license or the permit upon payment of the annual fee and any late payment fees pursuant to the License, Professional Corporation and Permit Policy.
 - (6) Where a member who is suspended, is the sole person carrying on the business of providing dental services in the name of a professional corporation, that professional corporation may also apply for its re-registration and permit at the end of the term of the member's suspension by complying with subsection (4) above and by paying the required

- fee on the date of application.
- (7) An expelled member may apply for reinstatement pursuant to section 41 of The Act, and under section 41(3)(a) where the Council is satisfied that the person's subsequent conduct and any other facts warrant reinstatement, the council may order that the person be reinstated as a member on any terms and conditions that the Council considers appropriate including payment of the prescribed and other associated fees.

Application after Not Practicing

- (8) Subject to other provisions in these bylaws and the License, Professional Corporation and Permit Policy, where a person applying for registration and licensure:
- (a) has not been fully licensed to practice as a general dentist or a specialist dentist in Saskatchewan or any other jurisdiction; or
 - (b) was not a student in a CDSS recognized college, school or faculty of dentistry, during the last two years immediately preceding the date of application for licensure, that person may be registered and licensed in the appropriate category if he/she:
 - (i) has applied for licensure under bylaw 2.2, 2.3 or 2.4 above; and
 - (ii) has provided an explanation of their absence from practice; and
 - (iii) has provided a detailed return to work plan that would identify and disclose any limitations in treatment, training, conditions or other limitations recognized by the member as necessary for their licensure; and
 - (iv) has successfully completed all assessments, examinations and courses prescribed by the Council following their review of the application; and

has been approved for registration and licensure by the registrar.

Notice of Non-Renewal

- (9) The registrar shall provide notice of intension of non-renewal and the reason for such.

Appeal

- 2.8 Any person who is aggrieved by a decision of the registrar with respect to registration, renewal, licensure, and issuance of any required permits may:
- (a) for member matters, apply to the council pursuant to section 21(4) of The Act; or
 - (b) for professional corporation matters, apply to council for a review of such decision as permitted by the Professional Corporations Act.

PART III - PROFESSIONAL PRACTICE STANDARDS

Laws, Professionalism, Fitness to Practice

- 3.1** (1) Every member must abide by the terms, restrictions and conditions or limitations of the member's license.
- (2) Every professional corporation having a permit and every member:
- (a) must not contravene, while engaged in the practice of dentistry:
 - (i) any federal, provincial, municipal, health region laws, regulations or rules; or
 - (ii) any College bylaw, regulatory rule or policy;
 - (b) must not permit, counsel or assist any person who is not licensed under The Act
 - (c) must not knowingly do anything false, misleading, improper, disgraceful, dishonorable or unprofessional while engaged in the practice of dentistry;
 - (d) must be of good character and always uphold the honor, dignity and ethics of the profession;
 - (e) must not commit or permit a member to permit any sexual impropriety with a patient;
 - (f) must not engage, or permit a member to engage, in the practice of dentistry when they are not fit, or do not have the capacity, to do so for any reason including impairment by health matters, conflict of interest, emotional attachment or other, such that they are unable to give full force to his or her training, experience and judgment.
 - (g) must report, to the registrar, any injury, dependency, infection, disorder or other fitness condition that could impair a member's ability to practice safely and competently; and
 - (h) must report to the registrar, unprofessional conduct or failure to provide treatment in accordance with currently accepted professional standards.

Service of License and Regulatory Documents

- 3.2** (1) Service of documents may be made by any method prescribed pursuant to The Act, including personal service and service by registered mail.
- (2) In addition to the methods of personal service described in The Act, service of documents may be affected by an alternate mode, including but not limited to:
- (a) courier;
 - (b) ordinary mail;
 - (c) electronic transmission or fax.
- (3) Details of service of documents of any method may be outlined in the License, Professional Corporations and Permit Policy.

Members' Obligations to the Council, College Committees and College Officers

- 3.3** Every member must:
- (a) respond to requests and orders of the Council, committees and officers of the College or their delegates within the time specified in the request or order; and
 - (b) fulfill the recommendations of, and agreements with, the Council and committees and officers of the College or their delegates by the time specified in the recommendations and agreements.

Professional Practice Standards

- 3.4 A Professional Practice Standards Committee may develop standards pursuant to The Act and the bylaws, for approval by council and for inclusion in the Member Competence and Professional Practice Standard (MCPPTS).
- 3.5 All professional corporations having permits and all members must practice per the Member Competence and Professional Practice Standard, which provides guidance for:
- (a) competence regarding the provision of authorized practices in the oral facial complex, pursuant to section 23 of The Act; and
 - (b) conduct, including good character, professional advertising, management of facilities and professional conduct in general.

Employment and Business Relationships

- 3.6 A member shall not engage in the practice of dentistry in such a way that would allow a person who is not a member to:
- (a) influence or control provision of comprehensive authorized practices, patient care or benefit; or
 - (b) profit or gain reward from the member's services, unless provision is otherwise expressly permitted by:
 - (1) federal legislation;
 - (2) provincial legislation; or
 - (3) the employer is a legal entity referred to in the Act, or; the member is employed or otherwise engaged in the practice of dentistry:
 - (i) in association with another member;
 - (ii) a College of Physicians and Surgeons of Saskatchewan duly licensed physician;
 - (iii) a dental or medical professional corporation having a valid practice permit;
- 3.7 Pursuant to section 46 of The Act, any employer who terminates for cause the employment, or a contract for services, of a member shall report the termination to the registrar where the employer reasonably believes the cause is professional incompetence or professional misconduct.

Agreements and Leases

- 3.8 Without limiting the generality of paragraph 3.7 herein, a member must not directly or indirectly share, split or divide his or her fees including:
- (a) a lease of premises; or
 - (b) a lease of equipment; or
 - (c) agreements for other items or services,
- with any person who is not a member, except under a contract for services with:
- (i) a College of Physicians and Surgeons of Saskatchewan duly licensed physician; or
 - (ii) a dental assistant; or
 - (iii) a dental hygienist; or
 - (iv) a dental therapist; or
 - (v) a dental or medical professional corporation having a valid practice permit.

Advertising

- 3.9** (1) Full Practicing Members are permitted to advertise dental services in the manner provided for in these bylaws and the Advertising Standard.
- (2) Any conduct, either directly or indirectly, or through any medium or agent, categorized as misleading in the following section (3) or categorized as unprofessional, unethical or undignified in the following section (4), is to be strictly avoided as such conduct is contrary to the interests of the public and the profession.
- (3) Advertising, promotion and all other marketing activities:
- (a) must be accurate and not misrepresent the facts;
 - (b) must be truthful;
 - (c) must not be misleading, deceptive or fraudulent;
 - (d) must be objectively verifiable;
 - (e) must not include subjective personal feelings, beliefs, interpretation, opinions or testimonials; and
 - (f) must not imply a specialty where none exists or is obtained.
- (4) Advertising, promotion and all other marketing activities must be professional and observe the dignity and ethics of the dental profession and therefore must not include:
- (a) statements of uniqueness or comparisons to other providers;
 - (b) undignified statements;
 - (c) deprecating statements about other members as to service, ability, fees;
 - (d) statements in bad taste that could harm the dental profession;
 - (e) promises or statements that could create unjustified expectations;
 - (f) coercion, duress or harassment to take advantage of physical, emotional or financial duress;
 - (g) incentive programs, coupons, or giveaways; or
 - (h) references to materials, techniques, equipment and services.
- (5) Determinations under this section 3.10 lie within the authority of the Quality Assurance Committee.

PART IV - QUALITY ASSURANCE

Quality Assurance

- 4.1** (1) “Quality Assurance” means initiatives that improve the quality of care based on principles of best practice and standardization of care, appropriateness of care and access to care.

Quality Assurance Committee

- (2) The Quality Assurance Committee shall be composed of a minimum of three persons, a majority being practicing members, one of whom shall be a member of the Council and one of whom shall be a public member of council.
- (3) The Quality Assurance Committee shall carry out quality improvement activity for the provision of comprehensive authorized practices to the public, which meet the Member Competence and Professional Practice Standard.
- (4) The Quality Assurance Committee may appoint any one or more of its members or other persons as examiners, evaluators or assessors and delegate to those persons the authority to examine, evaluate or assess any aspect of a members practice and, following such, to report to the Quality Assurance Committee.

Registrant Obligations

- 4.2 (1) Each registrant practicing in any CDSS Registrant owned clinic must co-operate fully in allowing the Quality Assurance Committee and its assessors to:
- (a) attend the clinic and assess the members comprehensive authorized practices, relative to the Member Competence and Professional Practice Standard, pursuant to section 15(2)(j),(w) of The Act;
 - (b) and under the CDSS authority and as a custodian and trustee listed in patient files (HIPA 2014), have access to assess patient records, correspondence and other documents or electronic data related to a member's practice within a dental clinic, including the right to make copies.
- (2) Each Registrant must assure that any third-party contracts (including, without limitation, a contract with an owner or manager of the clinic) contain provisions that will expressly enable a member to cooperate fully with the Quality Assurance Committee by allowing the Quality Assurance Committee and its assessors to:
- (a) attend the clinic and assess the members comprehensive authorized practices relative to the Member Competence and Professional Practice Standard pursuant to section 15(2)(j), (w) of The Act; and
 - (b) and under the CDSS authority and as a custodian of patient files under HIPA, the QAC has access to assess patient records, correspondence and other documents or electronic data related to a member's practice within the dental clinic, including the right to make copies.
- (3) A member must:
- (a) provide all information requested by the Quality Assurance Committee or an assessor by a specified time;
 - (b) appear before or confer with the Quality Assurance Committee or any of its assessors when requested to do so and by a specified time; and
 - (c) fulfill all requirements and follow all recommendations of the Quality Assurance Committee, which may include:
 - (i) making changes to his or her practice by a specified time;
 - (ii) attending specified courses by a specified time;
 - (iii) successfully completing specified examinations by a specified time;
 - or
 - (iv) any combination of clauses (i) through (iii).
- (4) When a member practices in a facility or is in contract with an owner or a manager of a facility who is not a CDSS Registrant the Quality Assurance Committee will request written approval before entering the facility to perform the registrants' obligations in 4.2 (1) (2) and (3).

Referral to Professional Conduct Committee

- 4.3 Following a Quality Assurance Committee assessment, the Quality Assurance Committee may refer to the registrar or the Professional Conduct Committee any matter that has come to the attention of the Quality Assurance Committee or to the attention of an assessor appointed by it, including perceived professional incompetence or perceived professional misconduct of a member including, but not limited to, the following:
- (a) a member's refusal or failure to co-operate with any request of the Quality Assurance Committee or any assessor appointed by it by a specified time; or
 - (b) a member's failure to fulfill the requirements, recommendations or conditions of the Quality Assurance Committee as prescribed pursuant to subsection 4.2(4)(c);

Assessments for Professional Conduct Committee Investigations

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

Critical Incidents

- 4.5** (1) All members practicing in a facility, or in contract with an owner or a manager of a facility, for the provision of comprehensive authorized practices must identify and mitigate potential patient risks and/or harms.
- (2) Where a member practicing in a facility, or in contract with an owner or manager of a facility, experiences a critical incident during the provision of any authorized practices, the member must file a critical incident report with the CDSS Registrar following appropriate management of the incident indicating:
- (a) the details and circumstances of the incident; and
 - (b) any action taken to mitigate the repetition of such incidents; and
 - (c) the final resolution of the matter.
- (3) The Quality Assurance Committee will review the incident, maintain a register of critical incidents reported, act as deemed necessary and provide a report of such annually to council.

Prescription Review Program

- 4.6** (1) The College may participate in the Prescription Review Program established in Saskatchewan. For the purposes of this section, "Drugs" mean the drugs listed in the Panel of Monitored Drugs under the Prescription Review Program bylaw of the College of Physicians and Surgeons of Saskatchewan.
- (2) The Prescription Review Program shall apply to all dosage forms of "Drugs", their salts and/or enantiomers, in all dosage forms, as a single active ingredient or as a combination product.
- (3) Prescriptions for "Drugs" shall be prescribed and dispensed by a member according to the policies and procedures agreed to by the College of Dental Surgeons of Saskatchewan, the College of Physicians and Surgeons of Saskatchewan, the College of Registered Nurses of Saskatchewan and the Saskatchewan College of Pharmacy Professionals;
- (a) In order to prescribe "Drugs" a member shall complete a written prescription which meets federal and provincial legal requirements and includes the following:
 - (i) the patient's date of birth;
 - (ii) the patient's address;
 - (iii) the total quantity of medication prescribed, both numerically and in written form;
 - (iv) the patient's health services number; and
 - (v) the prescriber's name and address.
 - (b) For the purpose of this bylaw, "written prescriptions" include secure electronic prescriptions including secure fax protocols or other secure electronic methods that meet the requirements for security pursuant to the Health Information Protection Act (HIPA).
 - (c) A member who prescribes "Drugs" and who provides the prescription directly to a pharmacy by secure electronic prescribing, or who transmits a prescription in accordance with the policies and protocols of the Pharmaceutical Information Program, need not include both the

- quantity numerically and in written form.
- (d) Notwithstanding paragraphs (a) (b) and (c) a dentist can provide a verbal prescription for a drug to which the PRP applies if the dentist concludes that it isn't reasonably possible to provide a written prescription or an electronic prescription. The dentist must provide the information required by paragraph (a) in the verbal prescription.
 - (e) Members shall only prescribe part-fills of "Drugs" if the following information is specified in the prescription:
 - (i) the total quantity;
 - (ii) the amount to be dispensed each time; and
 - (iii) the time interval between fills.
 - (f) Members shall keep a record of all "Drugs" that are purchased or obtained for the member's practice and that are dispensed, administered or furnished to a patient in or out of the member's office. That record, kept separate from the patient's oral health record, must show:
 - (i) the name, strength and quantity of the "Drug" purchased or obtained;
 - (ii) the name, strength, dose and quantity of the "Drug" administered or furnished;
 - (iii) the name and address of the person to whom the "Drug" was administered or furnished, and, if applicable, the name and address of the person who took delivery of the "Drug"; and
 - (iv) the date on which the "Drug" was purchased or obtained and the otherwise disposed of.
- (4) The office of the registrar may gather and analyze information pertaining to the prescribing and dispensing of "Drugs" for the purpose of limiting the inappropriate prescribing or dispensing of "Drugs" or the inappropriate use of "Drugs".
- (5) The office of the registrar may, among other activities:
- (a) provide education for members regarding appropriate prescribing and dispensing practices;
 - (b) alert members to possible inappropriate use of "Drugs" by patients to whom they have prescribed or dispensed those "Drugs";
 - (c) alert members to possible inappropriate prescribing or dispensing of "Drugs";
 - (d) make recommendations to members with respect to their prescribing and "dispensing practices for "Drugs";
 - (e) require a member to provide explanations, within 14 days of receipt of such a request for information, of his or her prescribing and dispensing of "Drugs" and in making requests for explanations, the registrar or designate may require the member to provide:
 - (i) information about the patient;
 - (ii) the reasons for prescribing and/or dispensing to the patient; and
 - (iii) any knowledge which the member may have about other narcotics or controlled medications being taken by the patient;
 - (f) cause information, concerns or opinions of general application to the dental profession to be communicated to members without identifying any member to whom that information relates; and
 - (g) provide information gathered within the Prescription Review Program to another health professional regulatory body, including the Saskatchewan College of Pharmacy Professionals, the College of Registered Nurses of Saskatchewan, or the College of Physicians and Surgeons of Saskatchewan, provided that the information to be gathered is required by that body to perform and carry out the

- duties of that body pursuant to an act with respect to regulating that profession.
- (6) Where the personal health information gathered under clause (5)(g) relates to a member of the health professional body that is seeking disclosure, disclosure by the office of the registrar of that information may only be made in accordance with The Health Information Protection Act, subsection 27(5).
 - (7) The College may enter an agreement with a person or organization to do any or all of the following:
 - (a) access and analyze information in the Prescription Review Program database pertaining to members' prescribing and dispensing of "Drugs";
 - (b) advise the College of concerns pertaining to members' prescribing and dispensing of "Drugs";
 - (c) advise the College of possible inappropriate use of "Drugs" by patients to whom members have prescribed and dispensed those "Drugs";
 - (d) provide general education to the College and its members pertaining to prescribing and dispensing of "Drugs"; and
 - (e) alert the College to possible inappropriate use of "Drugs" by patients to whom a member has prescribed or dispensed those "Drugs".

PART V – COMPLAINT RESOLUTION PROCESS

- 5.1** Pursuant to section 29 of The Act, these bylaws and the Professional Conduct Committee Policy:
- (1) The Professional Conduct Committee shall consider: 12
 - (a) concerns regarding a member's competence or conduct, identified by council, one of its committees or the office of the registrar or a member of the public that wishes not to be identified; or
 - (b) written complaints from the public, members or an agency relating to a member's competence or conduct.
 - (2) The Professional Conduct Committee, upon receiving a complaint or concern regarding a member's competence or conduct shall, with the assistance of the office of the registrar, review and investigate the complaint or concern using any steps necessary, including but not limited to:
 - (a) comparing the behavior to the MCPPS and where appropriate, other standards;
 - (b) obtaining the assistance of third parties;
 - (c) assessing the risk to the public;
 - (d) mitigating immediate risks to the public, including suspension pursuant to section 31 of The Act;
 - (3) The Professional Conduct Committee, following investigation, must make a report to the Discipline Committee recommending:
 - (a) The Discipline Committee hear and determine the Formal Complaint as set out in the written report; or
 - (b) No further action be taken with respect to the matter because, in the opinion of the Professional Conduct Committee:
 - (i) The facts of the matter do not warrant the matter proceeding; or
 - (ii) The member has agreed to a confidential Consent to Conditions agreement to adequately address the matter.
 - (4) The confidential Consent to Conditions agreement may include, but is not limited to:
 - (a) fines or charitable donations;

- (b) specified assessments and required remediation;
 - (c) refunding of payments for products and/or services;
 - (d) assessments and required treatment regarding fitness to practice;
 - (e) voluntary suspension of the members license;
 - (f) release of necessary information to any facility in which the member practices and to any organization in which the member holds office, to facilitate:
 - (i) logistics;
 - (ii) scheduling of practice activity;
 - (iii) monitoring of the member's performance regarding conditions.
 - (g) specified audits for a specified time;
 - (h) advertising content previews for a specified time;
 - (i) appropriate written apologies;
 - (j) publication of some or all of the conditions;
 - (k) administrative suspension of license if conditions are not fulfilled.
- (5) A Consent to Conditions agreement will include a review process.
- (6) The Professional Conduct Committee may determine that a signed Consent to Conditions agreement has not been fulfilled and that the member's name may be published on the College's public website under 'not in good standing, suspended'.
- (7) The Professional Conduct Committee may develop policy to conduct its operations.
- (8) The Professional Conduct Committee must annually report to council as to the complaints received and the disposition of such.