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ROBERTSON
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May 17, 2023

College of Physicians and Surgeons
101, 2174 Airport Drive
Saskatoon, SK S7L 6M6

VIA EMAIL: bryan.salte@cps.sk.ca

Attention: Bryan Salte, K.C.

Dear Sir:

RE: College of Dental Surgeons of Saskatchewan

The College of Dental Surgeons of Saskatchewan (“CDSS”) has provided me with correspondence from Dr. K. Shaw to Jamie Korczak dated April 28, 2023.

I understand that the College of Physicians and Surgeons (“CPSS”) does not agree that *The Dental Disciplines Act* authorizes dentists to use neuromodulators for cosmetic purposes. The rationale given was that subsection 23(1)(e) indicates that dentists are entitled to administer substances by injection or inhalation in the provision of dental treatment. I note that section 23 of *The Dental Disciplines Act* is not worded conjunctively. In other words, subsection 23(1)(b) is not limited by the provisions that follow it. Further, given that dentists across Western Canada are currently administering neuromodulators for cosmetic purposes, I believe that the injection of neuromodulators would be considered part of “dental treatment” as referenced in Section 23(1)(e) in any event.

I should also note that it is questionable whether the injection of neuromodulators for cosmetic purposes constitutes the practice of medicine as defined in *The Medical Profession Act, 1981*. I do not believe that such cosmetic injections are treating a human disease, pain, injury, disability or physical condition. At best, such position is debatable. As you are aware, where there is such ambiguity, the legislative monopoly in *The Medical Profession Act, 1981* is to be strictly construed as per *R v Windrum* (1994), 126 Sask. R. 15.

In any event, CDSS will be proceeding to set standards for its members to handle neuromodulators with the paramount consideration of the protection of the public.

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I trust the foregoing is satisfactory. If you have any questions or concerns, please feel free to contact me.

Yours truly,

Robertson Stromberg LLP
Barristers and Solicitors

Per:

Sean M. Sinclair
SMS Legal Prof. Corp.

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