

Denturism Act, 1991
Loi de 1991 sur les denturologistes

ONTARIO REGULATION 206/94

Amended to O. Reg. 188/99

GENERAL

This Regulation is made in English only.

PART III
QUALITY ASSURANCE

General

9. In this Part,

"assessor" means an assessor appointed under section 81 of the Health Professions Procedural Code;

"Committee" means the Quality Assurance Committee;

"enhancement program" means an education program, whether delivered by lecture, mentoring, self-study with examination or other similar means, designed to improve a member's knowledge, skills or judgment as exhibited by clinical performance. O. Reg. 555/98, s. 1.

10. (1) The Committee shall administer the quality assurance program, which shall include the following components:

1. Self-evaluation.
2. Standards and guidelines.
3. Practice assessment and enhancement.
4. Remediation of behaviour and remarks of a sexual nature. O. Reg. 555/98, s. 1.

(2) Every member shall comply with the requirements of the quality assurance program. O. Reg. 555/98, s. 1.

(3) A decision under this Part made by two members of the Committee, one of whom is a person appointed to the Council by the Lieutenant Governor in Council, binds the Committee. O. Reg. 555/98, s. 1.

Self-evaluation

11. (1) Every member shall complete annually a self-evaluation document issued by the Committee, including a description of the member's training, educational and other quality improvement activities, and submit it to the Committee or an assessor on request. O. Reg. 555/98, s. 1.

(2) Every member shall keep his or her completed self-evaluation documents and included descriptions of training, educational and other quality improvement activities for a period of five years. O. Reg. 555/98, s. 1.

(3) The Committee may appoint an assessor or assessors to assess whether the member's self-evaluation document has been properly completed and to verify that the member has carried out training, educational and other quality improvement activities to a level sufficient to ensure that the member's knowledge, skills and judgment are satisfactory. O. Reg. 555/98, s. 1.

(4) The assessor may recommend to the Committee that the member undergo a practice assessment if he or she concludes that the member has failed to comply with any of the requirements of this section. O. Reg. 555/98, s. 1.

Standards and Guidelines

12. (1) The Committee shall systematically collect and analyze information about the nature and quality of the practice of denturism to identify issues on which the development of written standards of practice or clinical practice guidelines would enhance the quality of practice. O. Reg. 555/98, s. 1.

(2) The Committee shall propose written standards of practice or clinical practice guidelines to the Council if it is satisfied on the basis of information collected and analysed under subsection (1) that it is appropriate to do so. O. Reg. 555/98, s. 1.

(3) The College shall disseminate any such standards and guidelines that are approved by the Council to the members. O. Reg. 555/98, s. 1.

Practice Assessment and Enhancement

13. (1) Each year the College shall select at random the names of members required to undergo a practice assessment. O. Reg. 555/98, s. 1.

(2) A member is required to undergo a practice assessment to assess the member's knowledge, skills and judgment as exhibited through clinical performance if his or her name is selected at random or the member is referred to the Committee by the Registrar, the Complaints Committee, Discipline Committee or Executive Committee or by the Board; a member may be required to undergo a practice assessment if an assessor recommends such a course of action under subsection 11 (4). O. Reg. 555/98, s. 1.

(3) The assessment may include,

(a) inspecting and reviewing the member's premises and records, including self-evaluations;

(b) interviewing the member and his or her staff;

(c) requiring the member to answer, orally or in writing, questions that relate to the member's type of practice; and

(d) requiring the member to examine simulations that relate to the member's type of practice. O. Reg. 555/98, s. 1.

(4) The Committee shall appoint an assessor to carry out the assessment but the assessor may obtain the assistance he or she considers appropriate in carrying out the assessment. O. Reg. 555/98, s. 1.

(5) The assessor shall prepare a written report on the assessment and submit it to the Committee, with a copy to the member. O. Reg. 555/98, s. 1.

(6) After considering the report, the Committee may decide not to take further action or,

(a) to give the member an opportunity to enhance his or her knowledge, skills or judgment as exhibited by clinical performance, as specified by the Committee;

(b) subject to section 15, to require the member to participate in an enhancement program specified by the Committee if the Committee finds the member's knowledge, skills or judgment to be unsatisfactory; or

(c) subject to section 15, to direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a period not exceeding six months if the Committee finds the member's knowledge, skills or judgment to be unsatisfactory and that requiring the member to participate in an enhancement program under clause (b) will not adequately address the concerns raised by the report. O. Reg. 555/98, s. 1.

(7) Where the Committee decides to take action under clause (6) (a), (b) or (c), it may appoint, at that time or at a later time, an assessor to conduct a follow-up assessment within a reasonable time to determine whether the member's knowledge, skills or judgment are now satisfactory, and subsections (3) to (6) apply to a follow-up assessment. O. Reg. 555/98, s. 1.

14. (1) If the Committee requires a member to participate in an enhancement program and the member either fails to do so or fails to successfully complete the program, as demonstrated by a follow-up assessment, the Committee may, subject to section 15, direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months. O. Reg. 555/98, s. 1.

(2) The Committee may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration no more than twice with respect to any one assessment. O. Reg. 555/98, s. 1.

(3) If the Registrar imposes terms, conditions or limitations on a member's certificate of registration under clause 13 (6) (c) or subsection (1), the Committee may direct the Registrar to remove them before the end of the specified period if the Committee is satisfied that the member's knowledge, skills and judgment are now satisfactory. O. Reg. 555/98, s. 1.

15. (1) If the Committee intends to take action under clause 13 (6) (b) or (c) or subsection 14 (1), the member shall be given written notice of the Committee's intention and at least 15 days to make written submissions to the Committee. O. Reg. 555/98, s. 1.

(2) The Committee shall take the submissions, if any, into account. O. Reg. 555/98, s. 1.

Remediation of Behaviour and Remarks of a Sexual Nature

16. (1) This section applies to matters referred to the Committee by,

(a) a panel of the Complaints Committee under subsection 26 (3) of the Health Professions Procedural Code; and

(b) by the Executive Committee, Complaints Committee or Board under section 79.1 of the Health Professions Procedural Code. O. Reg. 555/98, s. 1.

(2) The Committee may require a member to undergo a psychological assessment or another assessment specified by the Committee if a matter respecting the member is referred as provided in subsection (1). O. Reg. 555/98, s. 1.

(3) After receiving the report of an assessment under subsection (2), the Committee may require the member to undertake specified measures, such as education, therapy or counselling, if,

(a) the Committee is of the opinion that the measures will help the member to refrain from such behaviour or remarks; and

(b) the member has been given written notice of the Committee's intention to require the member to undertake measures, a written summary of the concerns of the Committee and at least 15 days to make written submissions. O. Reg. 555/98, s. 1.

(4) If the member refuses to undergo an assessment under subsection (2) or to undertake measures specified by the Committee under subsection (3), or fails to complete those measures, the Committee may direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months. O. Reg. 555/98, s. 1.

(5) The Committee shall not give a direction under subsection (4) unless the member has been given written notice of the Committee's intention to do so and at least 15 days to make written submissions to the Committee. O. Reg. 555/98, s. 1.

(6) If the Registrar imposes terms, conditions or limitations on a member's certificate of registration under subsection (4), the Committee may direct the Registrar to remove them before the end of the specified period if the Committee is satisfied that they are no longer needed. O. Reg. 555/98, s. 1.

PART IV INSPECTION

17. (1) A member shall permit an inspector properly appointed under the by-laws to enter the premises used by the member in connection with his or her practice for the purpose of inspecting and examining the premises and the equipment, reports and records relating to the member's practice, and shall cooperate with the inspector. O. Reg. 555/98, s. 1.

(2) A member is entitled to reasonable notice of the approximate time of an inspection and examination and, if reasonable notice has not been given, the member may refuse entry to an inspector without being in contravention of subsection (1). O. Reg. 555/98, s. 1.