

REGULATORY BYLAWS

**Pursuant to
The Dental Disciplines Act**

**SASKATCHEWAN
DENTAL
ASSISTANTS'
ASSOCIATION**



**Approved: January, 1998
Amended: May 10, 2002, September 6, 2006, January 31, 2009, March 18, 2010**

The Regulatory Bylaws of the Saskatchewan Dental Assistants' Association (September 6, 2006) as cited are repealed and replaced by the following certified true copy of the bylaws finalized by the Council of the Saskatchewan Dental Assistants' Association on January 31, 2009.

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Regulatory Bylaws
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SASKATCHEWAN DENTAL ASSISTANTS' ASSOCIATION
REGULATORY BYLAWS

REGISTRATION

1. Eligibility for Registration

- 1.1. A person may be registered as a member if the person:
 - 1.1.1. provides evidence of successful completion of a dental assisting program accredited by the Commission on Dental Accreditation of Canada and approved or deemed equivalent by the council; and
 - 1.1.2. provides evidence of successful completion of the Level II National Board Examination or the National Dental Assisting Examining Board Examination or examinations deemed equivalent by the council; and
 - 1.1.3. demonstrates competency as prescribed in subsection 3.1.; or
 - 1.1.4. if registered in any province or territory of Canada, provides evidence of intra oral dental assisting qualifications, holding licensure in that jurisdiction within the preceding three years and provides evidence that the person is a member in good standing; and
 - 1.1.5. completes the prescribed application forms and pays the fees set by the council; and
 - 1.1.6. provides references as required by the council.
- 1.2. A person may be registered as a member if the person:
 - 1.2.1. provides evidence of successful completion of an intraoral dental assisting program or a chairside dental assisting program and post-basic courses in intraoral dental assisting approved or deemed equivalent by the council; and
 - 1.2.2. provides evidence of successful completion of the Level II National Board Examination, or the National Dental Assisting Examining Board Examination and Clinical Practice Evaluation or examinations deemed equivalent by the council; and
 - 1.2.3. demonstrates competency as prescribed in subsection 3.1.; or
 - 1.2.4. if registered in any province or territory of Canada, provides evidence of intra oral dental assisting qualifications, holding licensure in that jurisdiction within the preceding three years and provides evidence that the person is a member in good standing; and
 - 1.2.5. completes the prescribed application forms and pays the fees set by the council; and
 - 1.2.6. provides references as required by the council.
- 1.3. A person who does not meet the requirements of subsection 1.1. or 1.2. may be considered for registration as a restricted practising member as prescribed in section 4.

2. Categories of Membership

- 2.1. Membership in the association shall consist of the following categories:
 - 2.1.1. full practising membership;
 - 2.1.2. restricted practising membership;
 - 2.1.3. non-practising membership;
 - 2.1.4. honorary life membership.

3. Licensing as a Full Practising Member

- 3.1. A member is eligible for full practising licensure if the member:
 - 3.1.1. has met the requirements of section 1, subsection 1.1. or 1.2.;
 - 3.1.2. has been registered and licensed in good standing in Saskatchewan within three years preceding the date of application; or
 - 3.1.3. has held a licence to practise in good standing in another province or territory of Canada or other country, within the three years preceding the date of application for a licence; or

- 3.1.4. has worked in an unregulated Canadian jurisdiction and met the requirements of clause 1.1.1. and 1.1.2. or 1.2.1. and 1.2.2. and can demonstrate current clinical practice in the field of dental assisting; or
 - 3.1.5. has successfully completed an education program or re-entry program in dental assisting approved by the council within three years preceding the date of application for a licence; and
 - 3.1.6. has completed the prescribed application forms and pays the fees set by the council; and
 - 3.1.7. provides references as required by the council.
- 3.2. Full Practising membership entitles a person to the following privileges:
- 3.2.1. to receive a licence to practise dental assisting;
 - 3.2.2. to receive professional liability protection;
 - 3.2.3. to vote and hold office at the district and provincial levels;
 - 3.2.4. to have voice and vote at the annual and special meetings of the association;
 - 3.2.5. to be appointed to committees at the district and provincial levels;
 - 3.2.6. to use all services provided by the association;
 - 3.2.7. to receive a copy of association documents designed for distribution to practising members;
 - 3.2.8. to receive all publications of the association; and
 - 3.2.9. to exercise all privileges of membership in affiliated national and international associations.
- 3.3. To maintain eligibility for renewal of licensure as a full practising member, a dental assistant must:
- 3.3.1. have met the professional development requirements prescribed in section 11;
 - 3.3.2. complete the renewal forms and submit fees as prescribed by the council;
 - 3.3.3. acquire ten (10) professional development credits on an annual basis according to association policy; and
 - 3.3.4. notify the business office of all changes in name and mailing address.
- 3.4. Full Practising membership carries obligations including but not limited to the following:
- 3.4.1. to adhere to terms and conditions specific to that licence;
 - 3.4.2. to adhere to section 15; the association's code of ethics and section 16; standards of practise; and
 - 3.4.3. to use established dental assistant "competency list" description as a guide for the practice of dental assisting.

4. Licensing as a Restricted Practising Member

- 4.1. A member is eligible for restricted practising licensure if the member:
- 4.1.1. is a graduate of a dental assisting program prescribed in clause 1.1.1. or 1.2.1. but has not yet successfully completed the written examination prescribed in 1.1.2. or 1.2.2.; or
 - 4.1.2. is a graduate of an approved correspondence course in dental assisting and is in the process of completing intra oral training; or
 - 4.1.3. is an applicant who does not provide evidence of sufficient training to qualify as a full practising member but is undergoing a prescribed training program or examination; or
 - 4.1.4. is a member who does not provide evidence of sufficient training to qualify as a full practising member but is continued as a member in accordance with *The Dental Disciplines Act*; or
 - 4.1.5. is a member required to practice only under conditions specified in an order of the discipline committee as per subsection 34(1) of *The Dental Disciplines Act*; and
 - 4.1.6. has met competency requirements as prescribed in clause 3.1.2., 3.1.3., 3.1.4., or 3.1.5. and
 - 4.1.7. has completed the prescribed application forms and pays the fees set by the council; and
 - 4.1.8. provides references as required by the council.
- 4.2. In the case of clause 4.1.1., 4.1.2., and 4.1.3. restricted practising licensure may be granted for up to two years and may be extended due to extenuating circumstances by permission of the council.
- 4.3. Restricted Practising membership entitles a person to the following privileges:
- 4.3.1. to receive a restricted licence to practise dental assisting;
 - 4.3.2. to receive professional liability protection;
 - 4.3.3. to vote and hold office at the district and provincial levels;
 - 4.3.4. to have voice and vote at the annual and special meetings of the association;
 - 4.3.5. to be appointed to committees at the district and provincial levels;

- 4.3.6. to use all services provided by the association;
- 4.3.7. to receive a copy of association documents designed for distribution to restricted practising members;
- 4.3.8. to receive all publications of the association; and
- 4.3.9. to exercise all privileges of membership in affiliated national and international associations.
- 4.4. To maintain eligibility for renewal of licensure as a restricted practising member, a dental assistant must:
 - 4.4.1. complete the renewal forms and submit fees as prescribed by the council;
 - 4.4.2. acquire ten (10) professional development credits on an annual basis according to association policy; and
 - 4.4.3. notify the business office of all changes in name and mailing address.
- 4.5. Restricted practising membership carries obligations including but not limited to the following:
 - 4.5.1. to adhere to terms and restrictions specified to that licence;
 - 4.5.2. to practice dental assisting procedures under the supervision of a dentist, licenced full practising dental assistant, registered dental hygienist, or dental therapist who is on site and able to assist.
 - 4.5.3. to only perform skills for which they have successfully completed formal training and are recorded with the SDAA;
 - 4.5.4. to adhere to section 15; the association's code of ethics and section 16; standards of practise; and
 - 4.5.5. to use established dental assistant "competency list" description as a guide for the practice of dental assisting.
- 4.6. A change of status from restricted practising licence to full practising licence may be acquired through:
 - 4.6.1. providing evidence of successful completion of an examination or a training program approved by the council; and
 - 4.6.2. completion of the required forms and payment of the fees as prescribed by the council.

5. Listing as a Non-practising Member

- 5.1. Non-practising membership in the association shall be limited to the person who:
 - 5.1.1. has been registered as a member in accordance with section 1;
 - 5.1.2. has held a practising licence and was in good standing when last licenced with the association;
 - 5.1.3. does not intend to practise dental assisting in Saskatchewan;
 - 5.1.4. is granted upon completion of the prescribed application form and payment of the fees set by the council.
- 5.2. Non-practising membership entitles a person to the following privileges:
 - 5.2.1. to vote and hold office at the district and provincial levels;
 - 5.2.2. to have voice and vote at the annual and special meetings of the association;
 - 5.2.3. to be appointed to committees at the district and provincial levels;
 - 5.2.4. to use all services provided by the association;
 - 5.2.5. to receive all publications of the association; and
 - 5.2.6. to exercise all privileges of membership in affiliated national and international associations.
- 5.3. Persons who are licenced as non-practising members may not practice or hold themselves out as being entitled to practice dental assisting.
- 5.4. A non-practising member seeking a full or restricted practising licence, who has not practiced for three to five continuous years prior to applying for a license shall provide proof of ten (10) professional development credit hours satisfactory to the council acquired during the twelve month period immediately preceding the filing of application for change of status.
- 5.5. A non-practising member seeking a full or restricted practising license, who has not practiced for more than five continuous years prior to applying for a license shall be required to complete retraining programs as prescribed by the council.
- 5.6. A non-practising member seeking a full or restricted license during the membership year shall be required to pay the fee discrepancy and a change of status fee.

6. Listing as an Honorary Life Member

- 6.1. Honorary life membership in the association may be:

- 6.1.1. conferred on any member meeting the qualifications of section 1, who has provided meritorious service to the association and has made an outstanding contribution to the association;
- 6.1.2. granted through a majority vote of the council of the association; and
- 6.1.3. conferred on a member licenced as a full practising, restricted practising, or non-practising member, according to their annual application.
- 6.2. Honorary Life membership entitles a person to the following privileges:
 - 6.2.1. to receive a certificate of honorary life membership and an annual membership card; and
 - 6.2.2. to be exempt from the payment of all dues to the association.
- 6.3. To maintain eligibility to practise as a dental assistant, an honorary life member must:
 - 6.3.1. complete the prescribed renewal forms;
 - 6.3.2. acquire ten (10) professional development credits on an annual basis according to association policy; and
 - 6.3.3. notify the business office of all changes in name and mailing address.
- 6.4. Honorary life membership carries obligations including but not limited to the following:
 - 6.4.1. to adhere to terms and restrictions specified to the category in which they are licenced; and
 - 6.4.2. to adhere to the association's code of ethics, standards of practice, and to use established dental assistant "competency list" description as a guide for the practice of dental assisting.
- 6.5. An Honorary Life member seeking a change in membership status must meet the requirements as specified in the bylaws.

7. Reinstatement

- 7.1. A person who has been expelled or suspended in accordance with *The Dental Disciplines Act* will have no membership privileges in the association during the period when the person is expelled or suspended.
- 7.2. Reinstatement shall be in accordance with section 41 of *The Dental Disciplines Act*.
- 7.3. A person whose licensure has been revoked by the council, or has automatically ceased by reason of a deficiency in professional development credits or non payment of annual licence fees may make application to be reinstated by submitting the applicable form, duly completed and accompanied by:
 - 7.3.1. documentation of having met the requirements of section 1;
 - 7.3.2. the applicable reinstatement fee as determined by the council;
 - 7.3.3. the applicable annual licence fee; and
 - 7.3.4. proof of retraining or professional development credit hours satisfactory to the council, according to association policy.
- 7.4. Where a member's licensure has been suspended for more than a year, this member shall be required to make application to be reinstated as a practising member before being eligible to apply for non-practising membership.
- 7.5. Upon an application for reinstatement being submitted the council shall review the evidence submitted and exercise its discretion in the best interest of the public and may impose or waive conditions for reinstatement including examinations, payment of fees and penalties for late payment of fees.

8. Courtesy Licence

- 8.1. The council will establish and maintain a register to be known as the courtesy register.
- 8.2. The registrar may register any person who is the holder of a current license in dental assisting and is entitled to practise as a dental assistant in a jurisdiction outside Saskatchewan, and desires registration solely for the purpose of:
 - 8.2.1. presenting a training course; or
 - 8.2.2. conducting or engaging in a clinical presentation or research program under the sponsorship of an educational facility recognized by the council; or
 - 8.2.3. providing emergency services in the province of Saskatchewan during a public emergency.
- 8.3. The registrar shall in registering a person in the courtesy register show the purpose for which the person is registered and the period of duration of that person's licence, and may from time to time on application, extend the period of duration of the person's licence and amend the courtesy register accordingly.

APPROVAL OF EDUCATION PROGRAMS

9. Process for Approval

- 9.1. The council shall determine the criteria and procedure for the approval of dental assisting education programs.
- 9.2. The council shall ensure that the approval process is carried out not less than once every seven years.

EXAMINATIONS

10. Approved Examinations

- 10.1. The National Dental Assisting Board Examination offered by the National Dental Assisting Examining Board;
- 10.2. The National Board Examination offered by the Canadian Dental Assistants' Association up to and including November 1, 1997;
- 10.3. The Clinical Practice Evaluation offered by the National Dental Assisting Examining Board; or
- 10.4. Retraining programs approved by the council may be accepted as an alternative to the Clinical Practice Evaluation.

PROFESSIONAL DEVELOPMENT

11. Requirement for Professional Development

- 11.1. All members licensed to practice shall participate in professional development programs approved by the council.
- 11.2. Members licensed to practice shall acquire ten (10) credit hours minimum per annum in accordance with association policy.
- 11.3. Evidence, to be submitted annually to the association as to the completion of required training or attainment of education requirements is the responsibility of individual members.
- 11.4. Members licensed to practice registering after June 15th require professional development credits equalling 60% of the annual requirement as determined by the council.
- 11.5. Non practising members seeking practising status after four continuous years of non practising status shall be required to take an approved course in infection control.

STATUTORY COMMITTEES

12. Statutory Committees

- 12.1. The statutory committees of the association shall be the Professional Conduct Committee; and the Discipline Committee.
- 12.2. Subject to subsection 28(2) and 32(4) of the *Dental Disciplines Act*, no appointee shall serve on both the Professional Conduct Committee and the Discipline Committee concurrently.

13. Professional Conduct Committee

- 13.1. The membership of the professional conduct committee shall consist of two full practising members; and one member at large.
- 13.2. The Professional Conduct Committee shall be appointed by the council.
- 13.3. The committee shall keep in confidence, all documentation and information received.

14. Discipline Committee

- 14.1. The membership of the discipline committee shall consist of two full practising members; and one public member.

- 14.2. The Discipline Committee shall be appointed by the council.
- 14.3. Subject to subsections 9(1) and 32(3) of *The Dental Disciplines Act*, the public member shall be one of the councillors appointed by the Lieutenant Governor in Council.
- 14.4. The chairperson of the discipline committee shall be appointed by the council.
- 14.5. The discipline committee shall review each complaint referred by the Professional Conduct Committee.
- 14.6. The committee may find a registered dental assistant guilty of professional incompetence and/or professional misconduct, which may include, but is not limited to the following:
 - 14.6.1. contravention of any provisions of *The Dental Disciplines Act* or these Bylaws;
 - 14.6.2. failure by a dental assistant to abide by the terms, conditions or limitation of their licence;
 - 14.6.3. directly charging fees for services performed;
 - 14.6.4. announcing or holding out to the public that one is specially qualified in a branch of dental assisting, where the dental assistant is not so qualified;
 - 14.6.5. engaging in the practice of dental assisting under employment of any person or corporation other than as provided for in *The Dental Disciplines Act*, subsection 25 (2);
 - 14.6.6. conviction of an offence that, affects the person's ability to engage in the practise of dental assisting;
 - 14.6.7. the selling or supplying of a drug or falsifying a record in respect of a prescription or the sale of a drug;
 - 14.6.8. engaging in the practice of dental assisting while the ability to perform any professional service usually performed by a dental assistant is impaired by alcohol or drugs;
 - 14.6.9. permitting, counselling or assisting any person who is not registered or licensed under *The Dental Disciplines Act* to engage in the practice of dental assisting except as provided for in *The Dental Disciplines Act* and these Bylaws;
 - 14.6.10. making a misrepresentation respecting a remedy, treatment or device;
 - 14.6.11. giving information concerning a clients dental condition or any professional services performed for a client to any person other than the client without consent of the client unless required to do so by law;
 - 14.6.12. sexual impropriety with a client;
 - 14.6.13. abusing a client physically, sexually, verbally or psychologically;
 - 14.6.14. contravening while engaged in the practice of dental assisting any federal, provincial or municipal law, passed for the purpose of regulating the provision of dental care to the public; and
 - 14.6.15. failure to meet any professional development requirements as approved by the council.
- 14.7. Where the committee determines that the person is not guilty of professional incompetence and/or professional misconduct, written notice that the complaint has been dismissed shall be provided to:
 - 14.7.1. the person who was the subject of the report; and
 - 14.7.2. the person who made the report.
- 14.8. The committee shall hold all hearings in Saskatoon unless directed by the council.
- 14.9. Subject to subsection 33(14) and section 36 of *The Dental Disciplines Act*, the committee shall hold in confidence, all sessions, documentation and information received, save and except findings of guilt.
- 14.10. Findings of guilt shall be matters of public interest and be reported in accordance with association policy.

CODE OF ETHICS AND PRACTICE STANDARDS

15. Code of Ethics

The Code of Ethics for dental assistants prescribed by the council shall be adopted from the policy of the Canadian Dental Assistants' Association June 2007 attached as Appendix I.

16. Standards of Practice

- 16.1. All members shall display their diploma of qualification with the association in a conspicuous place on the premises of their employment.
- 16.2. All members shall use established dental assistant "competency list" description as a guide for the practice of dental assisting.
- 16.3. All members shall abide by the Code of Ethics and shall hold responsibility for their ethical practise and procedures.

- 16.4. Individual dental assistants should not perform any skills for which they do not feel competent.
- 16.5. All members shall work in co-operation with colleagues and other health care disciplines.
- 16.6. All members shall advise the council of any incompetent, illegal or unethical conduct by colleagues or others who work in the health care professions.
- 16.7. All members shall respect privacy and confidentiality, except as is required in the performance of professional duties, of all privileged or personal information about clients, colleagues and other health care personnel.

SPECIAL MEETINGS

17. Special Meetings

The council shall call a special meeting of the association on the written request of at least 10% of the members of the association.

APPENDIX I - CDAA CODE OF ETHICS

PREAMBLE

The Code of Ethics of the Canadian Dental Assistants' Association is intended for use in the practice of dental assisting as a guide for professional conduct and for ethical decisions.

The Code of Ethics reflects the values of the profession of dental assisting based on the principles of veracity, integrity and respect. The Code is intended for application in all clinical, educational, administrative and institutional settings. It is the obligation of all dental assistants to be familiar with the Code and incorporate its guidelines and obligations in their practice. Adherence to the Code will maintain public trust in our profession.

By endorsing and complying with the Code of Ethics, dental assistants will ensure that ethical commitments to patients, the public, community and the profession are fulfilled. The Code shall be a guideline to augment the licensing / certifying and regulating policies within each federal, provincial and territorial jurisdiction.

PRACTICE OF A DENTAL ASSISTANT

As multi-skilled professionals, dental assistants possess a diverse knowledge base and apply clinical skills, administrative principles and practitioner autonomy through assignment and delegation of duties within provincial legislation. Dental assistants communicate effectively and collaborate with all members of the oral health care team in the delivery of patient-centred care. Dental assistants are educated professionals who maintain technical competence through advanced or continuing education.

RESPONSIBILITIES TO PATIENTS

Confidentiality

The dental assistant shall protect and maintain the confidentiality of all patient records and respect a patient's right to privacy and dignity within legal limits and professional responsibilities. Further, they will ensure that all confidential and proprietary information acquired in the course of duty is used solely in the patient's best interests.

Informed Consent

The primary health care provider may delegate to the assistant the responsibility to explain treatment recommendations to the patient. The dental assistant will provide information to the extent of their knowledge to assist the patient in understanding the proposed treatment options. The dental assistant will obtain informed consent, respect the patient's autonomy and their right of choice.

Dental Jurisprudence

Dental assistants shall endorse and uphold their legal obligations (local, provincial, territorial and federal) as they pertain to dentistry and the laws of Canada.

The relationship between the dental patient and the dental assistant is one of trust, morality and responsibility. The dental assistant will uphold these fiduciary responsibilities and protect the best interests of the patient at all times.

In all clinical, educational, institutional and emergency situations, the dental assistant shall maintain the standards of care in a reasonable, prudent, and professional manner.

Acts of omission and commission that cause injury or harm to a patient will be considered professional negligence.

Accountability

The dental assistant has an ethical responsibility for all procedures they perform during the delivery of patient care. Full disclosure to the proper authorities of any problems arising during the provision of care is required.

Comfort and Welfare

The dental assistant will provide optimum oral health care to all patients with a focus on the health, welfare and security of the person.

RESPONSIBILITIES TO THE PUBLIC AND COMMUNITY

Human Rights

The dental assistant will uphold the principles of dignity, equity, fairness and respect for all individuals.

Environmental Protection

The dental assistant will take every measure in the fulfillment of their duties to minimize their impact on the environment and to promote environmentally friendly practices.

Community Participation

The dental assistant will contribute, through education and service, to promotional activities and initiatives designed to advance oral and general health care knowledge and service.

RESPONSIBILITIES TO THE PROFESSION

Equality Among Professionals

The dental assistant shall assume the responsibilities and ethical obligations required to provide and promote quality oral health care and service.

The dental assistant shall be open and honest in all relationships with members of the oral health care team and the public.

Representation

Dental assistants are recognized by the public as a distinct health care profession. Therefore the dental assistant has a responsibility to uphold the highest principles and standards of the profession, promoting the profession in the advancement of quality oral health care and service.

Professional Conduct

The dental assistant will perform, to the highest standards, only those duties within assigned authority as outlined in licensing / certifying and regulating legislation within the provincial, territorial or federal jurisdictions governing professionals.

Dental assistants will endeavour to protect the profession, the oral health care team and the public by reporting to regulatory authorities all actions that contravene provincial, territorial or federal jurisdictions.

The dental assistant has an obligation to maintain membership, to support and participate in the initiatives of the local, provincial and national professional associations. The dental assistant will maintain and comply with legislation / regulation and relevant continuing education requirements to remain in good standing with their representative professional bodies and regulatory authorities.

The dental assistant shall not compromise the reputation of the profession by dishonest or illegal behaviour and shall not misrepresent qualifications or abilities in the fulfillment of their duties and obligations.

Independent Functioning and Autonomy

The dental assistant shall assume all responsibility for functions legally delegated to dental assistants within their respective provincial, territorial and federal jurisdictions. The dental assistant will promote a scope of practice suited to the knowledge and experience attained or attainable by members of the profession and always in the interest of patient welfare.

Collaborative Relationships

The dental assistant will co-operate with all members of the oral health care team in the best interests of patient health and welfare.

Contributions

The dental assistant will support the mission, goals and objectives of their local provincial and national associations. Dental assistants will contribute time, skill, talent and expertise to these associations throughout their careers, for the betterment of successive generations of professional dental assistants.

Technological Advances and Continuing Education

The dental assistant will maintain continued competence, theoretical knowledge and awareness of technological advancements through education programs, professional literature and peer associations.

The dental assistant will maintain and practice the highest standards of competence and proficiency in the performance of their duties and will encourage the sharing of new methods, education and knowledge.

Research

The dental assistant will support and pursue legitimate research as it pertains to the profession of dental assisting, and the advancement of oral health.

Certified True Copy: 
Registrar

Date: March 18, 2010

Approved: _____
Minister of Health

Date: