

## College of Dental Technologists of Ontario

### Proposed Amendments to Quality Assurance Regulation, O. Reg. 604/98

#### Prepared for CDTO Registrants’ and Stakeholders’ Review

#### GENERAL

Current Regulation	Proposed Changes	Rationale
This Regulation is made in English only.	No change	
<b>PART I</b> <b>QUALITY ASSURANCE</b>  GENERAL	No change	
<b>1.</b> In this Part, “Committee” means the Quality Assurance Committee and includes a panel of the Committee. O. Reg. 604/98, s. 1.	No change	
<b>2.</b> (1) The Quality Assurance Committee shall administer a quality assurance program that includes the following components:	No change	
<b>1.</b> Continuing quality improvement measures. 1.1 Peer assessments.	<del>1. Continuing quality improvement measures.</del> <del>1.1 Peer assessments.</del> <b>(a) Continuing education or professional development designed to,</b> (i) promote continuing competence and continuing quality improvement among the members (ii) address changes in practice environments, and (iii) incorporate standards of practice, advances in	This amendment expands this section of the regulation to include specificity of what the QA program must entail; it is also consistent with language used in the Health Procedural Code.

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	<p>technology, changes made to advancement in core competencies and other relevant issues in the discretion of the Council;</p> <p>(b) self, peer and practice assessments; and,</p> <p>(c) a mechanism for the College to monitor member’s participation in, and compliance with, the Quality Assurance program. 2002,c. 10, Sched.M s.58.</p>	
<p>2. Remediation of behaviour and remarks of a sexual nature. O. Reg. 604/98, s. 2 (1); O. Reg. 321/00, s. 1.</p>	<p><del>2. Remediation of behaviour and remarks of a sexual nature. O. Reg. 604/98, s. 2 (1); O. Reg. 321/00, s. 1.</del></p>	<p>This section no longer applies to the Quality Assurance Committee; as it is now the purview of the Inquiries, Complaints and Reports Committee (ICRC).</p>
<p>(2) The business of the Committee may be conducted by a panel, selected by the chair from among the members of the Committee. O. Reg. 604/98, s. 2 (2).</p>	<p>No change</p>	
<p>(3) A panel shall be composed of at least three persons of whom one shall be a person appointed to the Council by the Lieutenant Governor in Council. O. Reg. 604/98, s. 2 (3).</p>	<p>No change</p>	
<p>(4) Any three members of a panel constitute a quorum. O. Reg. 604/98, s. 2 (4).</p>	<p>No change</p>	
<p>3. This Part does not apply to members holding an inactive certificate of registration. O. Reg. 604/98, s. 3.</p>	<p>No change</p>	

Current Regulation	Proposed Changes	Rationale
CONTINUING QUALITY IMPROVEMENT MEASURES	No change	
<p>4. (1) Each member shall develop and maintain a professional development profile in accordance with the Committee’s specifications that the College has published and distributed to the members. O. Reg. 604/98, s. 4 (1).</p>	No change	
<p>(2) A professional development profile shall include at least,</p>	No change	
<ul style="list-style-type: none"> <li>(a) the member’s full name and registration number;</li> <li>(b) the member’s residence and business addresses and telephone numbers and, where available, facsimile numbers and electronic mail addresses;</li> <li>(c) a self-assessment in each year of whether the member has the knowledge, skills and judgment required to practise dental technology in compliance with the College’s standards of practice and code of ethics;</li> <li>(d) a statement of the member’s planned continuing education and professional development goals for each year and the relationship of the goals to the member’s practice and the College’s quality assurance goals;</li> <li>(e) a description of the continuing education and professional development activities that the member has successfully completed and that qualify for continuing quality improvement credits in accordance with section 5; and</li> <li>(f) the results of all reviews that the Committee has made of the professional development profile under section 8 and the dates of the reviews. O. Reg. 604/98, s. 4 (2).</li> </ul>	No change	
<p>5. (1) The Committee shall evaluate each continuing education and professional development activity that a</p>	No change	

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<p>member successfully completes and shall assign a credit to the activity on the basis of the Committee’s evaluation of the usefulness of the activity to the practice of dental technology. O. Reg. 604/98, s. 5 (1).</p> <p>(2) The College shall publish and distribute to the members a list of the credits that the Committee assigns to the continuing education and professional development activities. O. Reg. 604/98, s. 5 (2).</p> <p>(3) Subject to subsection (4), starting on September 1 following the later of the time that a member obtains a general certificate of registration and the time that this section comes into force, the member shall obtain at least 90 continuing quality improvement credits in every three years. O. Reg. 604/98, s. 5 (3).</p> <p>(4) If a member obtains a general certificate of registration before May 1 in a year after having ceased to hold that class of certificate for any reason, the member shall obtain at least 90 continuing quality improvement credits in every three years starting on the September 1 immediately before the later of the time that the member obtains the certificate of registration and the time this section comes into force. O. Reg. 604/98, s. 5 (4).</p> <p>(5) In every year that a member participates in activities that have continuing quality improvement credits, the member shall accurately and completely document the activities in the member’s professional development profile. O. Reg. 604/98, s. 5 (5).</p>		
<p>6. (1) A member shall provide to the Committee,</p>	<p>No change</p>	
<p>(a) at each annual renewal of registration, evidence satisfactory to the Committee of having maintained a professional development profile in accordance with subsection 4 (1); and</p>	<p>No change</p>	
<p>(b) by August 31 in the third year of the three-year period mentioned in subsection 5 (3) or (4), as the case may be, evidence satisfactory to the Committee of having complied with that</p>	<p>(b) by August 31 in the third year of the three-year period mentioned in subsection 5 (3) or (4), as the case may be, evidence satisfactory to the Committee of having complied with that</p>	<p>This amendment clarifies the form in which QA compliance will be demonstrated. The signed</p>

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subsection. O. Reg. 604/98, s. 6 (1).	subsection <i>in the form of a signed declaration</i> . O. Reg. 604/98, s. 6 (1).	declaration puts the onus on the member to self report.
(2) If a member does not provide the evidence required by subsection (1), the Registrar shall refer the matter to the Committee and shall notify the member of the referral and of the member's right to make written submissions to the Committee within 15 days of receiving the notice. O. Reg. 604/98, s. 6 (2).	No change	
<b>7.</b> (1) The Committee shall select at least 5 per cent of the members at random in each year for a review of their professional development profiles. O. Reg. 604/98, s. 7 (1).	No change	
(2) The Committee shall review the professional development profile of a member if it selects the member under subsection (1) or if the Registrar refers the member to the Committee under section 6. O. Reg. 604/98, s. 7 (2).	No change	
(3) The Committee shall give notice to each member whose professional development profile it is required to review. O. Reg. 604/98, s. 7 (3).	No change	
(4) The member shall make the professional development profile available to the Committee within 15 days of receiving the notice. O. Reg. 604/98, s. 7 (4).	No change	
(5) Upon making the professional development profile available to the Committee, the member may make written submissions to the Committee. O. Reg. 604/98, s. 7 (5).	No change	
<b>8.</b> (1) If the Committee is required to review a member's professional development profile, the Committee shall review the profile to ascertain whether	No change	

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<p>the member’s knowledge, skills and judgment are adequate. O. Reg. 604/98, s. 8 (1).</p> <p>(2) The Committee shall do the review in accordance with the criteria that the Committee has set, the Council has approved and the College has published and distributed to the members. O. Reg. 604/98, s. 8 (2).</p> <p>(3) After reviewing a member’s professional development profile and considering the written submissions of the member, if any, the Committee may, subject to subsection (4),</p> <ul style="list-style-type: none"> <li>(a) grant the member an extension for a specified period of time to correct a deficiency in a record in the profile or in the continuing quality improvement credits that the member is required to obtain;</li> <li>(b) under extenuating circumstances such as extended leaves of absence for illness or maternity leave, grant the member an exemption from some or all of the requirements to obtain continuing quality improvement credits;</li> <li>(c) direct the member to complete specified continuing education or remedial programs within a specified period of time;</li> <li>(d) appoint an assessor under section 81 of the Health Professions Procedural Code to assess the member’s practice in accordance with the criteria that the Committee has set, the Council has approved and the College has published and distributed to the members; or</li> <li>(e) direct that no further action is required. O. Reg. 604/98, s. 8 (3).</li> </ul> <p>(4) The Committee shall not make an order under subsection (3) unless it,</p> <ul style="list-style-type: none"> <li>(a) gives the member written notice of its intention to make the order;</li> <li>(b) allows the member 15 days to request the Committee in writing to reconsider the order and to make written submissions to the Committee in support of the request; and</li> </ul>		

Current Regulation	Proposed Changes	Rationale
(c) considers the request and the submissions, if any, of the member. O. Reg. 604/98, s. 8 (4).		
PEER ASSESSMENTS	No change	
<p><b>8.1</b> (1) The Committee shall select at least 5 per cent of the members at random in each year to undergo a peer assessment under section 82 of the Health Professions Procedural Code. O. Reg. 321/00, s. 2.</p> <p>(2) A member shall undergo a peer assessment if he or she is selected at random under subsection (1) or referred for such an assessment under clause 8 (3) (d). O. Reg. 321/00, s. 2.</p> <p>(3) The Committee shall appoint a member under section 81 of the Code to conduct a peer assessment of another member’s practice. O. Reg. 321/00, s. 2.</p> <p>(4) The Committee shall give written notice to each member required to undergo a peer assessment. O. Reg. 321/00, s. 2.</p> <p>(5) The member shall make himself or herself available for a peer assessment which shall take place within 30 days of the member receiving notice. O. Reg. 321/00, s. 2.</p> <p>(6) The assessor shall submit a written report of the peer assessment to the Committee within seven days of completing the assessment and shall provide a copy to the member. O. Reg. 321/00, s. 2.</p> <p>(7) If the assessment reveals that the member has failed to comply with College standards, the assessor shall include in the report recommendations as to any remedial actions that should be completed by the member to correct these failures, together with recommendations as to the timeframe for completing these actions. O. Reg. 321/00, s. 2.</p> <p>(8) A member may make written submissions to the Committee within seven days of receiving the assessor’s report. O. Reg. 321/00, s. 2.</p> <p>(9) After reviewing the assessor’s report and</p>	No change	

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<p>considering the member’s written submission, if any, the Committee may, subject to subsection (10),</p> <ul style="list-style-type: none"> <li>(a) if the Committee is of the opinion that there is a deficiency in the member’s knowledge, skills or judgment,                             <ul style="list-style-type: none"> <li>(i) grant the member a specified period of time to correct the deficiency, or</li> <li>(ii) direct the member to take and complete specified educational programs within a specified period of time;</li> </ul> </li> <li>(b) if the Committee is of the opinion that the member may have committed an act of professional misconduct or may be incompetent or incapacitated, disclose the name of the member and allegations against the member to the Executive Committee; or</li> </ul> <p>(c)direct that no further action is required. O. Reg. 321/00, s. 2.</p> <p>(10) The Committee shall not make an order under subsection (9) unless it,</p> <ul style="list-style-type: none"> <li>(a) gives the member written notice of its intention to make the order;</li> <li>(b) allows the member 15 days from the date of receipt of a notice under clause (a) to submit to the Committee a written request that the Committee reconsider the order together with written submissions in support of the request; and</li> <li>(c) considers the request and submissions, if any, of the member. O. Reg. 321/00, s. 2.</li> </ul> <p>(11) If the Committee decides to take action under clause (9) (a), it may at the same time or at a later time require the member to undergo a second peer assessment, and subsections (3) to (10) apply to that assessment. O. Reg. 321/00, s. 2.</p> <p>(12) A member shall not be required to undergo more than one assessment under subsection (11).</p>	<p>(b)if the Committee is of the opinion that the member may have committed an act of professional misconduct or may be incompetent or incapacitated, disclose the name of the member and allegations against the member to the <del>Executive Committee</del>; <b>Inquires, Complaints and Reports Committee</b> (ICRC) or</p>	<p>This change is made to comply with amendments made to the RHPA.</p>

Current Regulation	Proposed Changes	Rationale
O. Reg. 321/00, s. 2.		
IMPOSITION OF TERMS, CONDITIONS OR LIMITATIONS	No change	
<p><b>9.</b> (1) If a member does not participate in or does not successfully complete a continuing education or remedial program specified by the Committee in an order under clause 8 (3) (c) or does not take or successfully complete educational programs specified by the Committee in an order under subclause 8.1 (9) (a) (ii), the Committee may direct the Registrar to impose terms, conditions or limitations on the member’s certificate of registration for a specified period of time not exceeding six months. O. Reg. 321/00, s. 3.</p> <p>(1.1) The Committee shall not direct the imposition of terms, conditions or limitations on a member’s certificate under subsection (1) unless,</p> <ul style="list-style-type: none"> <li>(a) it gives the member written notice of its intention to do so;</li> <li>(b) it allows the member 15 days from receipt of the notice under clause (a) to make written submissions to the Committee; and</li> <li>(c) it consider any submission that the member may make. O. Reg. 321/00, s. 3.</li> </ul> <p>(2) The terms, conditions or limitations may include the condition that the member shall not engage in the practice of dental technology unless supervised by another member for a specified period not exceeding six months. O. Reg. 604/98, s. 9 (2).</p> <p>(3) The Committee may direct the Registrar to remove the terms, conditions or limitations before the end of the specified period if the member provides the Registrar with satisfactory evidence of having obtained the required continuing quality improvement credits. O. Reg. 604/98, s. 9 (3).</p>	No change	

Current Regulation	Proposed Changes	Rationale
<p>Remediation of Behaviour and Remarks of a Sexual Nature</p>	<p><del>Remediation of Behaviour and Remarks of a Sexual Nature</del></p>	<p>This section is removed to comply with amendments made to the RHPA, as this is no longer the purview of the Quality Assurance Committee.</p>
<p><b>10.</b> (1) If a panel of the Complaints Committee under subsection 26 (3) of the Health Professions Procedural Code or the Executive Committee or the Board under section 79.1 of the Code refers a matter to the Committee involving alleged behaviour or remarks of a sexual nature by a member towards a patient, the Committee shall not take any action under subsection (2) or (3) unless,</p> <ul style="list-style-type: none"> <li>(a) the member admits to the alleged behaviour or remarks;</li> <li>(b) there is no pending allegation of sexual abuse against the member before the Discipline Committee and no finding of sexual abuse has been made against the member by the Discipline Committee;</li> <li>(c) there is no pending review by the Board of the referral to the Committee and no disposition by the Board inconsistent with the referral to the Committee; and</li> <li>(d) the Committee gives the member and the patient an opportunity to make written submissions to the Committee. O. Reg. 604/98, s. 10 (1).</li> </ul> <p>(2) Upon receiving a referral under subsection (1), the Committee may require the member to undergo a psychological assessment or another assessment specified by the Committee. O. Reg. 604/98, s. 10 (2).</p> <p>(3) Upon receiving the report of an assessment of a member under subsection (2), the Committee may require a member to undertake a measure specified by the Committee, such as education, therapy or counselling, if,</p> <ul style="list-style-type: none"> <li>(a) the report of the assessment indicates that the member has an emotional or personality</li> </ul>	<p><del><b>10.</b> (1) If a panel of the Complaints Committee under subsection 26 (3) of the Health Professions Procedural Code or the Executive Committee or the Board under section 79.1 of the Code refers a matter to the Committee involving alleged behaviour or remarks of a sexual nature by a member towards a patient, the Committee shall not take any action under subsection (2) or (3) unless,</del></p> <ul style="list-style-type: none"> <li><del>(a) the member admits to the alleged behaviour or remarks;</del></li> <li><del>(b) there is no pending allegation of sexual abuse against the member before the Discipline Committee and no finding of sexual abuse has been made against the member by the Discipline Committee;</del></li> <li><del>(c) there is no pending review by the Board of the referral to the Committee and no disposition by the Board inconsistent with the referral to the Committee; and</del></li> <li><del>(d) the Committee gives the member and the patient an opportunity to make written submissions to the Committee. O. Reg. 604/98, s. 10 (1).</del></li> </ul> <p><del>(2) Upon receiving a referral under subsection (1), the Committee may require the member to undergo a psychological assessment or another assessment specified by the Committee. O. Reg. 604/98, s. 10 (2).</del></p> <p><del>(3) Upon receiving the report of an assessment of a member under subsection (2), the Committee may require a member to undertake a measure specified by the Committee, such as education, therapy or counselling, if,</del></p> <ul style="list-style-type: none"> <li><del>(a) the report of the assessment indicates that the member has an emotional or personality</del></li> </ul>	<p>This section is removed as per RHPA amendments June 4, 2009.</p>

Current Regulation	Proposed Changes	Rationale
<p>condition that may adversely affect the member’s professional behaviour; and</p> <p>(b) the Committee is of the opinion that the condition may be remediable. O. Reg. 604/98, s. 10 (3).</p> <p>(4) Subject to subsections (5), (6) and (7), the Committee may direct the Registrar to impose terms, conditions or limitations on a member’s certificate of registration, for a specified period not exceeding the six months, if,</p> <p>(a) the member refuses to undergo an assessment under subsection (2); or</p> <p>(b) the Committee has required the member to undertake specified measures under subsection (3) and the member refuses to undertake them or abandons them before completing them. O. Reg. 604/98, s. 10 (4).</p> <p>(5) The Committee shall not give any direction to the Registrar under subsection (4) unless,</p> <p>(a) the Committee has given the member at least 30 days notice of its intention to give the direction; and</p> <p>(b) the Committee has considered the submissions that the member has made under subsection (7). O. Reg. 604/98, s. 10 (5).</p> <p>(6) The notice shall contain a copy of all reports and other documents that the Committee intends to consider when deciding whether to give a direction to the Registrar under subsection (4). O. Reg. 604/98, s. 10 (6).</p> <p>(7) On receiving the notice, the member may make written or oral submissions to the Committee. O. Reg. 604/98, s. 10 (7).</p> <p>(8) If the Registrar imposes terms, conditions or limitations on a member’s certificate of registration for a specified period in accordance with a direction mentioned in subsection (4), the Committee may direct the Registrar to remove the terms, conditions or limitations before the end of the specified period if it is satisfied that they are no longer needed. O. Reg.</p>	<p><del>condition that may adversely affect the member’s professional behaviour; and</del></p> <p><del>– (b) the Committee is of the opinion that the condition may be remediable. O. Reg. 604/98, s. 10 (3).</del></p> <p><del>– (4) Subject to subsections (5), (6) and (7), the Committee may direct the Registrar to impose terms, conditions or limitations on a member’s certificate of registration, for a specified period not exceeding the six months, if,</del></p> <p><del>– (a) the member refuses to undergo an assessment under subsection (2); or</del></p> <p><del>– (b) the Committee has required the member to undertake specified measures under subsection (3) and the member refuses to undertake them or abandons them before completing them. O. Reg. 604/98, s. 10 (4).</del></p> <p><del>– (5) The Committee shall not give any direction to the Registrar under subsection (4) unless,</del></p> <p><del>– (a) the Committee has given the member at least 30 days notice of its intention to give the direction; and</del></p> <p><del>– (b) the Committee has considered the submissions that the member has made under subsection (7). O. Reg. 604/98, s. 10 (5).</del></p> <p><del>– (6) The notice shall contain a copy of all reports and other documents that the Committee intends to consider when deciding whether to give a direction to the Registrar under subsection (4). O. Reg. 604/98, s. 10 (6).</del></p> <p><del>– (7) On receiving the notice, the member may make written or oral submissions to the Committee. O. Reg. 604/98, s. 10 (7).</del></p> <p><del>– (8) If the Registrar imposes terms, conditions or limitations on a member’s certificate of registration for a specified period in accordance with a direction mentioned in subsection (4), the Committee may direct the Registrar to remove the terms, conditions or limitations before the end of the specified period if it is satisfied that they are no longer needed. O. Reg.</del></p>	

Current Regulation	Proposed Changes	Rationale
<p>604/98, s. 10 (8).</p> <p>(9) A member’s admission to behaviour or remarks of a sexual nature towards a patient, the results of an assessment that a member has undergone under subsection (2) and measures that a member has undertaken under subsection (3) shall not be used as evidence that the member has committed an act of professional misconduct. O. Reg. 604/98, s. 10 (9).</p>	<p><del>604/98, s. 10 (8).</del></p> <p><del>(9) A member’s admission to behaviour or remarks of a sexual nature towards a patient, the results of an assessment that a member has undergone under subsection (2) and measures that a member has undertaken under subsection (3) shall not be used as evidence that the member has committed an act of professional misconduct. O. Reg. 604/98, s. 10 (9).</del></p>	
<p style="text-align: center;"><b>PART II ADVERTISING</b></p>	<p>No change</p>	
<p><b>11.</b> (1) An advertisement with respect to a member’s practice must not contain,</p> <ul style="list-style-type: none"> <li>(a) anything that is false or misleading;</li> <li>(b) anything that, because of its nature, cannot be verified;</li> <li>(c) an endorsement other than an endorsement by an organization that is known to have expertise relevant to the subject-matter of the endorsement; or</li> <li>(d) a testimonial by a client, patient or former client or patient or by a friend or relative of a client, patient or former client or patient. O. Reg. 604/98, s. 11 (1).</li> </ul> <p>(2) An advertisement must be readily comprehensible to the persons to whom it is directed. O. Reg. 604/98, s. 11 (2).</p>	<p>No change</p>	