



Provincial
Dental Board of
Nova Scotia

Chair:
Thomas H. Raddall III, DDS

Registrar:
Martin R. Gillis, DDS

Law Amendments Committee
Bill Number 88 – Dental Act (amended)
April 22, 2015

Dear Committee Members,

Thank you for allowing me the opportunity to provide support for Bill Number 88 to amend the *Dental Act*.

My name is Martin Gillis and I am the Registrar of the Provincial Dental Board of Nova Scotia.

I know you have heard the Minister's comments regarding the reason why the Provincial Dental Board approached the Department of Health and Wellness to amend the *Dental Act* and I would like for the Dental Board's voice to be heard in this matter. The Dental Board is very pleased that the Minister and his Department provided the opportunity to expedite the legislative change so that the Dental Board can execute its mandate of public protection.

The proposed legislation will allow the Dental Board to grant an initial license to a dentist with conditions and/or restrictions. This will give the Dental Board the same powers that the majority of dental regulators in Canada now have. Many of the other regulated health professions in Nova Scotia have this power. The proposed legislation will also enable the Dental Board to create a Registration Appeal Committee to address appeals of licensing decisions.

In the past year the Dental Board began the process of updating the *Dental Act* which was last performed twenty-three years ago. It is anticipated that next year the Dental Board will be presenting the new *Dental Act* to government. The legislative changes that are now being proposed are some of the many changes the Dental Board planned to submit in 2016. However, in light of the social media scandal at Dalhousie, the legislative changes are needed now.

The Dental Board has strengthened its application form as well. All dentists seeking an initial dental license in Nova Scotia will be required to answer questions regarding past academic conduct, a criminal record check and two

character references. In addition to the new licensing powers the Dental Board will use two new policy documents "Assessment of Good Character for Registration and Licensing of Dentists in Nova Scotia" and a "Criminal Record Check" policy.

After receiving an application form the Registrar will review the information contained in the application form and all required documents. The information the applicant discloses regarding past academic conduct, practice history, past judicial conduct and fitness to practice; as well as findings from the criminal record check and character references will serve as evidence for the licensing decision. The evidence will be evaluated on a case by case basis and in some circumstances the Registrar may obtain expert advice in the evaluation process. The priority in adjudicating any application for licensure will be to make a decision that protects the public interest.

Dentists who clearly do not meet the standard for licensure will be declined a license. Those who clearly meet the criteria will be licensed. If there is a particular concern following a review of the application information which does not clearly define a yes or no licensing status, then it is in this type of circumstance in which a license with conditions and/or restrictions would be granted.

An example of a condition could be the successful completion of an educational exercise followed by a period of supervision. A restriction could be the prohibition of performing one or more procedures for a specified period of time.

If an applicant is dissatisfied with the decision of the Registrar, the applicant will with the new legislative change, appeal the decision to the Registration Appeal Committee and not the Dental Board. Several health regulators in Nova Scotia, including the Nova Scotia Regulated Health Professions Network, utilize this approach. The individuals who serve on this Committee will have the requisite knowledge and training to deal with such matters. The decision of the Committee would be to: direct the Registrar to register an appellant, with or without conditions; direct the Registrar to issue a license to an appellant, with or without conditions; or dismiss the appeal.

The decision of the Committee is final and if appealed would have to proceed to the Supreme Court of Nova Scotia.

In closing, the Provincial Dental Board has undertaken this action in order to improve its ability to execute its mandate of public protection. This proposed legislation serves this purpose.

Thank you again for the opportunity to provide support for this Bill.

A handwritten signature in cursive script, appearing to read "Martin Gillis".

Dr. Martin Gillis, DDS
Registrar