

Saskatchewan Dental Therapist Association Bylaws



Regulatory Bylaws

Administrative Bylaws

SASKATCHEWAN DENTAL THERAPISTS ASSOCIATION

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■ PART 1 - REGULATORY BYLAWS

INTERPRETATION

- 1) These bylaws may be cited as the regulatory bylaws made pursuant to section 15(2) of the Dental Disciplines Act 1997;
- 2) Any term defined by the Dental Disciplines Act 1997 shall have the same meaning when used in these bylaws and, unless the context otherwise requires;
- 3) These bylaws replace all previously existing bylaws of the Association.

• BYLAW I - MEMBERSHIP

SECTION 1 - Categories of Membership

- (1) Membership in the association shall consist of the following categories:
 - a) Practicing Membership
 - b) Non-Practicing Membership

SECTION 2 - Practicing Membership

- 1) Practicing membership is granted to a licenced dental therapist to practice dental therapy in the province of Saskatchewan upon completion of registration and licencing requirements in accordance with the Act and these bylaws;
- 2) Practicing members are entitled to the following privileges:
 - a) may practice dental therapy;
 - b) are entitled to have voice, vote, be eligible to stand for and hold office in the association;
 - c) shall receive publications of the association;
 - d) shall receive all documents designed for distribution to practicing members;

SECTION 3 - Non-Practicing Membership

- 1) A non-practicing membership shall be granted to a dental therapist who has fulfilled the registration requirements in accordance with these bylaws but will not be practicing as a dental therapist in the province of Saskatchewan;
- 2) A dental therapist may be granted a non-practicing membership for no more than three consecutive licensing periods, after which the dental therapist must obtain a licence to remain registered;
 - a) Failure to comply with Section 3 - 2) of the non-practicing membership provisions will result in the name of the dental therapist being struck from the register.

- 3) Members with a non-practicing membership are entitled to the following privileges:
 - a) are entitled to have voice, vote and be eligible to stand for and hold elected office in the association;
 - b) shall receive publications of the association;
 - c) shall receive all documents designed for distribution to non-practicing members;

• BYLAW II - REGISTRATION AND LICENSING

SECTION 1 - Requirements for Registration

- 1) A person may be registered as a member of the association by completing the prescribed application form and:
 - a) providing evidence to the satisfaction of council that the applicant has successfully completed an educational program in dental therapy recognized by Council;
 - b) payment of the prescribed fees;
 - c) be of good character;
 - d) apply for registration:
 - i) within three (3) years of graduation; or
 - ii) have legally provided dental therapy services for at least 60 days in the last 5 year period;
- 2) Council may prescribe examinations for registration where the evidence provided is not adequate to the satisfaction of council to determine the eligibility of applicants for registration.

SECTION 2 - Maintaining Registration

- 1) To maintain registration members must either hold a current Saskatchewan licence or a non-practicing membership;
- 2) A dental therapist who has not maintained registration in accordance with Section 2 1) of these bylaws shall automatically have their registration revoked and have their name struck from the register.

SECTION 3 - Requirements for a Licence or Non-practicing Membership

- 1) All persons applying for a licence to practice dental therapy or a non-practicing membership must:
 - a) be registered in accordance with the Act and bylaws;
 - b) pay the prescribed fees;
 - c) fulfil continuing education requirements;

- 2) Council may prescribe examinations required where the evidence provided is not adequate to the satisfaction of council to determine the eligibility of applicants for licensure;
- 3) Any member applying for a license must provide evidence to the satisfaction of Council that the applicant is insured for professional liability to a minimum level of at least \$1,000,000/occurrence and at least \$1,000,000 in aggregate.
- 4) Licensed members must display their annual license certificates in a prominent place in each member's place of employment.

SECTION 4 - Categories of Licence

- 1) A registered member may be issued one of the following categories of licence:
 - a) Full licence
 - b) Restricted licence
 - c) Temporary Licence to Practice
- 2) Full Licence - shall be granted to members who have fulfilled all registration and licence requirements;
- 3) Restricted Licence - may be granted to members:
 - a) who have not completed to the satisfaction of council all the requirements for a full licence;
 - b) to restrict a member from providing specific services where the discipline committee has found a member guilty of professional misconduct or professional incompetence.
- 4) Temporary Licence to Practice - may be granted to a dental therapist to practice dental therapy for a specified period of time and purpose including but not limited to conducting a continuing education course or research project; who
 - a) fulfils the requirements for registration as defined in the bylaws; and
 - b) pays the prescribed fees;
 - c) A temporary licence to practice will specify the purpose, conditions and the period of time that the temporary licence to practice will be in effect for.

SECTION 5 - Reinstatement

- 1) A member whose licence to practice dental therapy has been suspended or restricted for disciplinary reasons or their registration has automatically ceased by reason of a deficiency of continuing education credits, or not paying annual licence or non-practicing membership fees, may apply to Council to have their status reviewed by submitting a written request including:
 - a) evidence that they meet the requirements for registration;
 - b) payment of the prescribed reinstatement, registration and licence or non-practicing membership fees;
 - c) any other evidence that the applicant desires the Council to review in support of the reinstatement request;
- 2) On receipt of the written request, council shall review the evidence submitted and exercise its discretion in the best interests of the public and profession and may impose or waive conditions for reinstatement.

SECTION 6 - Continuing Education Requirements

- 1) All practicing and non-practicing members must obtain a minimum number of 36 continuing education credits over a three year period to maintain registration and/or licence with the association.
- 2) Continuing education credits will be granted for continuing education courses or professional development activities according to policies set by the Credentials Committee and approved by council.
- 3) Members are responsible to provide evidence to the satisfaction of council that the member has obtained the required educational credits. This evidence must be filed with the Registrar;
- 4) The Registrar will provide all members with a yearly report of their continuing education credits with their annual licence or non-practicing membership renewal forms.
- 5) The accumulation period for continuing education credits will begin upon registration and/or licensure and end at the end of the third licencing period from which the member initially registered and/or licenced.

SECTION 7 - Licence and Non-practicing Membership Renewal

- 1) Council or its designate will provide by regular mail, annual licence and non-practicing membership renewal forms to all registered members of the association at least 45 days before the licences and non-practicing memberships expire.
- 2) Effective 2009 the Annual Membership year shall begin February 1 and shall end on January 31 of the following year.
- 3) Any person who is a member of the Saskatchewan Dental Therapists Association on the day before subsection 7(2) comes into force will have their membership extended to January 31 of 2010.

• BYLAW III - STATUTORY COMMITTEES

SECTION 1 - Professional Conduct Committee

- 1) the Professional Conduct Committee is responsible for carrying out the duties prescribed to it under the Act and these bylaws including investigation of incidents of professional misconduct and professional incompetence;
- 2) all matters referred to the Professional Conduct Committee must be in writing;
- 3) the Professional Conduct Committee shall:
 - a) notify, in writing, the person who is the subject of a report or allegation that a report or allegation has been received and request a written response;
 - b) notify, in writing, the person who made the report or allegation that the report or allegation will be reviewed;
 - c) subject to subsection 29 (5) of the Act, hold in confidence all sessions, documentation and information received.

SECTION 2 - Discipline Committee

- 1) The Discipline Committee shall carry out the duties prescribed to it under the Act and these bylaws including hearing and determination of formal complaints that are referred to it by the Professional Conduct Committee including, but not limited to;
 - a) All necessary actions including hearings to determine whether the subject of a complaint or allegation is guilty of professional misconduct and/or professional incompetence;
- 2) The Discipline Committee will provide a written decision respecting the determination of the Committee subsequent to any hearing to review a complaint to:
 - a) Council
 - b) the person who was the subject of the allegation or report; and
 - c) the person who initiated the allegation or report;
- 3) Subject to the Act, the Discipline Committee shall hold in confidence all documentation and information received except findings of guilt;
- 4) For the purposes of the Act and bylaws, professional misconduct includes but is not limited to the following:
 - a) violation of the Professional Code of Ethics of the association;
 - b) failure to maintain or falsifying a record with respect to the care and services to a client;
 - c) abusing a client physically, sexually, emotionally or verbally;
 - d) failure to inform an employer of the dental therapist's inability to accept specific responsibility in areas where they do not have the formal training as approved by Council;
 - e) failure to respond without reasonable cause to inquiries of the Professional Conduct Committee and/or the Discipline Committee regarding alleged professional misconduct and/or professional incompetence;
 - f) obtaining registration by misrepresentation or fraud;
 - g) contravening any provision of the Act or bylaws.

• BYLAW IV - CODE OF PROFESSIONAL ETHICS

SECTION 1 - Code of Professional Ethics

- 1) It is the duty of every dental therapist to uphold the honour and dignity of the profession and adhere to the principles hereinafter set forth;
- 2) A dental therapist must realize the preventive aspects of dental services and make use of every opportunity to promote the improvement of the health and well-being of the individual and the community;
- 3) A dental therapist shall not make any statement or declaration or sign any certificate or any other document which the therapist knows, or ought to know, to be untrue, misleading or otherwise improper;

- 4) A dental therapist shall only undertake the treatment of a patient when the therapist is qualified by training and experience to carry out the treatment plan;
- 5) It is unethical for any dental therapist to pass judgement to members of the public on the qualifications or procedures rendered by fellow dental therapists or members of the dental profession generally;
- 6) Information of a confidential nature acquired from a patient in the course of duty shall be kept in utmost confidence except as it may be necessary to divulge such information to protect the welfare of the individual or as may be required by law;
- 7) Every dental therapist shall give whole hearted support to the highest standards of integrity, honesty, competence and devotion to the common good of the profession;
- 8) A dental therapist, as a member of the health profession, does not lend testimonial or signature, whether for reward or not, to any product or material offered for sale to the public;
- 9) A dental therapist should expose to the Registrar and/or member of the Saskatchewan Dental Therapists Council without hesitation any illegal, unethical or unprofessional conduct of fellow therapists;

• BYLAW V - PROFESSIONAL CONFLICT OF INTEREST GUIDELINES

SECTION 1 - Professional Conflict of Interest Guidelines

- 1) All dental therapists shall conduct themselves so that their actions and conduct may not be interpreted as protecting self-interest. The interests of the public must always come first;
- 2) All elected members of Council and the association, appointed members, committee chairpersons, and employees of the association acting in an official capacity shall conduct themselves so that their actions and conduct may not be interpreted as self-serving; and
 - a) shall declare a conflict of interest in matters in which they have a vested interest;
 - b) remove themselves completely from the matters from which the conflict arises.
- 3) A conflict of interest may be defined as, but is not limited to the following:
 - a) where the member has a direct material interest;
 - b) where the member is involved in determining/reviewing credentials and registration/licencing eligibility for an applicant or another member who is an associate or related to that member;
 - c) where the member is involved in the investigation and/or discipline process affecting another member who is an associate or related to that member; and
 - d) any situation that a reasonable person would believe that a conflict of interest could occur.

■ PART 2 - ADMINISTRATIVE BYLAWS

INTERPRETATION

- 1) These bylaws may be cited as the administrative bylaws passed in accordance with section 15(1) of the Dental Disciplines Act - 1997.
- 2) Any term defined by the Dental Disciplines Act 1977 shall have the same meaning when used in these bylaws and, unless the context otherwise requires:

• BYLAW I - COUNCIL OF THE ASSOCIATION

SECTION 1 - Composition

- 1) The affairs and business of the association shall be managed and regulated by the Council which shall be composed of:
 - a) ten elected members who shall include the president, vice-president and eight members at large;
 - b) three (3) public representatives appointed by the minister pursuant to section 9(1) of the Act;
 - c) the Registrar who shall be a non-voting ex officio member;

SECTION 2 - Eligibility

- 1) All registered members of the Association may be elected to Council provided they:
 - a) are not employees of the Association;
 - b) have not previously held the same office on council for more than two consecutive two (2) year terms immediately preceding the election;
- 2) Efforts should be made to obtain representation from different geographic areas and fields of practice when making nominations to council.

SECTION 3 - Terms of Office

- 1) The term of office for elected members of Council shall be two (2) years and shall begin at the close of the annual meeting following the election process;
- 2) No member of council shall hold the same office on council for more than two consecutive two (2) year terms immediately preceding the election;
- 3) The initial terms of these members shall end so that four members complete their terms in two years and four members complete their terms in one year.

SECTION 4 - Powers and Functions of Council

- 1) The Council shall govern, manage and regulate the affairs of the association, including but not limited to the following:
 - a) establish and administer policy as necessary to further the objectives of the Association;
 - b) carrying out all duties and functions prescribed in the Act;
 - c) establishing and administration of policies governing the admission, registration, licencing, counselling and discipline of members;
 - d) establish policies governing examinations that may be prescribed by the bylaws;
 - e) review, evaluate and approve educational courses, professional development activities and schools of dental therapy that will be recognized by Council;
 - f) establish policies for the appropriation, investment and disbursement of association funds;
 - g) elect or appoint other members as it considers advisable or necessary;
 - h) conduct and encourage activities to promote the profession of Dental Therapy;
 - i) appoint a Registrar for the association;
 - j) establish policies to ensure reporting of association business to members.
- 2) Council may delegate all or part of it's duties to the Registrar.

SECTION 5 - Officers of Council

- 1) The officers of council shall consist of a President and Vice-president;
- 2) The president and vice-president shall be elected by majority vote at the annual meeting of the association for a term of two consecutive years.
- 3) The duties of the president of council shall include but are not limited to:
 - a) serve as the official representative of the association;
 - b) exercise general control and supervision over the affairs of the association and shall perform the duties and functions prescribed by council;
 - c) act as chairperson for council meetings, chair special and annual meetings or appoint a chairperson to preside over such meetings;
 - d) provide written reports of association business to the membership;
 - e) act as an ex officio member of all committees of the Association.

- 4) The duties of the vice-president of Council shall include but are not limited to:
 - a) assist the president in the discharge of their duties;
 - b) in the absence of the president be vested with all powers and perform all duties of the president until the president returns or a new president is elected;
 - c) review, update and propose revisions to policies, procedures and bylaws;
 - d) act as an ex officio member of all committees of the Association.

SECTION 6 - Executive Committee of Council

- 1) The executive committee of Council shall:
 - a) be comprised of the president, vice-president, one other council member to be elected by Council and the Registrar (non-voting);
 - b) have the authority to act in urgent matters of business as well as provide advise and direction to the president, committees and Registrar when Council is not in session.

SECTION 7 - Public Representatives

- 1) Public representatives in addition to duties prescribed in section 9 of the Act shall represent the public view and concern on all matters before council.

SECTION 8 - Registrar

- 1) The registrar shall be appointed by the council in accordance with Section 12 (2) of the Act;
- 2) The duties of the Registrar shall include but is not limited to the following:
 - a) perform those duties and functions prescribed in the Act and these bylaws;
 - b) evaluate applications for registration and licensure;
 - c) keep a register of all memberships;
 - d) collect required fees;
 - e) keep a record of all continuing education credits submitted by members;
 - f) act as secretary for the Association;
 - g) act as treasurer of the Association.

SECTION 9 - Council Meetings

- 1) Council meetings shall be held at least once every four (4) months at a time and location in the province of Saskatchewan to be determined by the president of the association;
- 2) Council business and meetings may occur in person, by telephone and/or by electronic means.

SECTION 10 - Committees of Council

- 1) Council shall establish the following committees to carry out its business:
 - a) a Professional Conduct Committee as prescribed in the regulatory bylaws and section 28(1) of the Act;
 - b) a Discipline Committee as prescribed in the regulatory bylaws and section 32(1) of the Act;
 - c) a Credentials Committee consisting of three registered members and the Registrar to:
 - i) make recommendations to Council and/or the Registrar about the suitability of an applicant for registration or licensure; and
 - ii) evaluate and determine credit allocation for courses and/or professional development activities of members that may be approved by council;
- 2) Council may establish any other committees it deems necessary to carry out its duties. All committees may be appointed or dissolved at any time by resolution of the council;
- 3) When establishing committees council will appoint a chairperson, determine membership and develop terms of reference for the committee.

SECTION 11 - Legal Counsel

- 1) Council may retain legal counsel for the purpose of assisting them in carrying out their duties or responsibilities under the Act or these bylaws;
- 2) The legal counsel will be appointed on a yearly basis by Council.

• BYLAW II - GENERAL

SECTION 1 - Annual Meetings

- 1) The annual meeting of the members of the association shall be held in the spring of each calendar year at a time, date and location to be determined by the Council;
- 2) Notice of the annual meeting shall be printed in the Association newsletter at least two (2) months prior to the date of the meeting.
- 3) The annual report of business of the Association shall be mailed to members of the Association at least fourteen (14) days prior to the date of the annual meeting.
- 4) Except as otherwise provided in the Act and these bylaws, Robert's Rules of Order, Revised govern the procedures of all in-person meetings.

SECTION 2 - Special Meetings

- 1) A special meeting of members of the Association shall be any meeting other than the annual meeting of members that may be called by the Executive Committee and/or Council to consider urgent or pressing business;
- 2) A special meeting of members shall be convened upon written request of at least 10% of the current registered members of the Association. The time and place of such meeting will be determined by the President of the Association.

SECTION 3 - Motions

- 1) All motions made in meetings of the Association or Council must be made in writing;
- 2) All motions that have been passed at meetings of the Association and/or Council are to be recorded in the "Book of Resolutions".

SECTION 4 - Nominations

- 1) Any registered member may nominate a member(s) for office either in person or by submitting a written nomination to the Registrar.

SECTION 5 - Voting

- 1) All registered members in good standing are eligible to vote at annual or special meetings of the Association;
- 2) Only elected council members and public representatives may vote at council meetings;
- 3) All questions or motions voted on at meetings of the Association shall be determined by the majority of the voting members present;
- 4) All voting for elections of the Association shall be conducted by secret ballot. In the event of a tie vote additional ballot(s) will be cast until a majority decides;
- 5) A special mail in vote may be conducted by Council on an issue of provincial importance when deemed necessary. A two-thirds majority vote of the ballots returned decides.

SECTION 6 - Quorum

- 1) A quorum shall consist of:
 - a) Those registered members present at any annual or special meeting of the Association;
 - b) Those elected members and consumer representatives present at any council or association meeting;

SECTION 7 - Vacancy

- 1) An elected member may resign from their position by giving written notice to the President of Council and/or the Registrar. The resignation is effective on the stated date on the written notice or on the date that the notice is received if it is not specified;
- 2) Where a vacancy occurs through resignation, death or otherwise, Council may choose to appoint a qualified member to fill the position on an interim basis until the election proceedings at the next annual meeting.

SECTION 8 - Finances

- 1) All revenues received by the Association shall be deposited in the general funds of the Association;
- 2) The Treasurer shall give an up-to-date report to the annual meeting and each council meeting stating the finances of the Association.

SECTION 9 - Remuneration of Officers

- 1) All reasonable expenses incurred by any member of the Council or its committees, while conducting the affairs of the Association shall be reimbursed by the treasurer upon receipt of an itemized statement of such expenses by the member claiming compensation;
- 2) Council may review any expense claim submitted to the treasurer and upon such review either allow or disallow the claim.

SECTION 10 - Fiscal Year

- 1) The fiscal year of the Association shall begin on July 1 and shall end on June 30 of the following year.

SECTION 11 - Audit

- 1) At each annual meeting members shall appoint an auditor to carry out the yearly audit;
- 2) The treasurer shall submit to the auditor all financial records necessary to conduct the audit within 60 days of the end of the fiscal year.

SECTION 12 - Signing Officers

- 1) Signing officers of the Association shall be the President or Vice-President or the Registrar.

SECTION 13 - Salaried Employees

- 1) Council may engage any salaried employees deemed necessary to carry out duties prescribed under the Act, these bylaws or association business.

SECTION 14 - Seal

- 1) Council may adopt a common seal on which the name of the association shall be engraved that may be affixed to documents or class of documents of the association.

• BYLAW III - FEES

SECTION 1 - Registration Fee

- 1) A non-refundable fee of \$50.00 shall accompany each application for registration;

SECTION 2 - Annual Licence Fee

- 1) The annual licensing fees for a full or restricted licence shall be \$450.00, payable at the time of registration or by January 31 in any year for the succeeding annual membership year. Applications must be postmarked on or before January 31 to be accepted.
- 2) Members who have not paid the annual licensing fee by January 31 will be stricken from the register and cease to be members of the association.

SECTION 3 - Non-practicing Membership Fee

- 1) Members who choose not to licence but wish to remain registered with the Association are required to submit a yearly non-practicing membership fee of \$100.00, payable at the time of registration or by January 31 in any year for the succeeding annual membership year. Applications must be postmarked on or before January 31 to be accepted.
- 2) Members who have not paid the non-practicing membership fee by January 31 will be stricken from the register and cease to be members of the association.
- 3) Non-practicing members who apply for a license at any time in the current licensing period will have the non-practicing membership fees credited towards the cost of the licence.

SECTION 4 - Temporary Licence to Practice Fee

- 1) The temporary licence to practice fee shall be one half of the annual license fee, payable when the temporary licence is sought.

SECTION 5 - Reinstatement Fee

- 1) The reinstatement fee to have Council review the status of a member shall be one half of the annual licence fee.