

College of Dental Surgeons of Saskatchewan Standard of Supervision of Allied Personnel

The ***Dental Discipline Act, 1997*** (The DDA) gives authority to Dentists, Denturists, Dental Technicians, Dental Assistants, Dental Hygienists, and Dental Therapists to structure their ‘associations’ and to create administrative and regulatory Bylaws independently of the other associations. The following sections of the DDA relate to scope of practice, employment and supervision of Allied personnel: Section 15(2) (e); Section 23; Section 24; Section 25.

The Bylaws developed to regulate Dentists, Therapists, Hygienists, Assistants, Dental Technicians, and Denturists under the ***Dental Disciplines Act, 1997***, are specific to each of these groups. Each group has administrative and regulatory Bylaws to regulate their association and their members.

The CDSS Bylaws are specific to members of CDSS. We can only enforce our member compliance to our Bylaws. The following Bylaws describe conditions for our members who employ allied personnel: Bylaw 9.1(n); 9.1(o); 9.1(p); 9.1(q); 9.1(s) and 9.3(2).

The CDSS standard of supervision would include the following:

1. Adequate supervision means general supervision of dental procedures based on a treatment plan prescribed by a CDSS licensed member but not requiring the physical presence of a supervising CDSS licensed member during the procedure or treatment. A CDSS licensed member shall be available for consultation or clinical evaluation within an appropriate time frame.
2. A patient being attended to by allied personnel in an employment or contractual relationship with a CDSS licensed member would be examined by a CDSS licensed member for an initial complete exam and subsequent complete exams at least every two years.
3. Where a patient has attended a member's office for the purpose of receiving a treatment from any allied personnel, such allied personnel should recommend a dental examination by a dentist at least every two years. The CDSS Licensed member shall ensure that such recommendation (and any refusal) shall be noted in the patient's records.

Principles:

1. The public is best served by having all the dental disciplines working in close collaboration to ensure a consistent high standard and efficient delivery of oral care services;
2. Comprehensive diagnosis and treatment planning should be done by the discipline with the broadest education, broadest scope, greatest ability and broadest experience;.
3. Scope of practice of each discipline should not be broadened to increase access;

Appendix I

Supervision of Allied Personnel - Authorized Practices

(Article reprinted from CDSS Newsletter)

The ***Dental Disciplines Act, 1997***. Article 23 articulates that Dentists have the broadest range of authorized practices, then each of the other disciplines are limited by exclusion of some of those authorized practices (see below). If certain authorized practices are not identified (listed) for a particular discipline, they are not to be performed by the members of that discipline. Furthermore the ***Dental Disciplines Act, 1997***, Article 24, Prohibitions, states that only members licensed by their respective licensing authority can perform the authorized practices of such discipline.

Of particular interest for this article are these authorized practices:

- 1) performing diagnosis;
 - 2) prescribing and dispensing medications;
 - 3) administering inhalation medications;
 - 4) injection of local anaesthetic;
 - 5) performing supragingival and subgingival debridement and;
 - 6) construction and delivery of oral appliances.
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- 1) Performing Diagnosis:
 - Dentists are allowed full range of diagnostic latitude for diseases, disorders, dysfunction of the oral-facial complex.
 - No diagnostic latitude is authorized for assistants.
 - Hygienists are limited to assessing and treatment planning periodontal health.
 - Therapists are limited to identifying dental caries or dental abscess as the cause of a person's symptoms.
 - 2) Prescribing and Dispensing Medications:
 - Technicians, denturists, assistants, hygienists and therapists aren't allowed to prescribe and dispense medications; Dentists are allowed such.
 - 3) Administration of Inhalation Medications:
 - Technicians, denturists, assistants, hygienists and therapists are not allowed to administer inhalation medications; dentists are allowed such.
 - 4) Injection of Local Anaesthetics:
 - Technicians, denturists and assistants are not allowed to inject local anaesthetics; dentists, hygienists and therapists are allowed such (with appropriate training).
 - 5) Performing Supragingival and Subgingival Debridement:
 - It is clear that this is not allowed for technicians, denturists, assistants and therapists. (However, it could be argued that if therapists are allowed to extract teeth and perform other irreversible procedures on teeth that, with appropriate training, they should be allowed to perform this practice.)
 - 6) Construction and Delivery of Oral Appliances:
 - This is allowed for technicians, on prescription from a dentist; for assistants in the process of assisting a dentist; for hygienists and therapists who have appropriate training in orthodontic and restorative procedures.

Now for the over-arching condition of the *Dental Disciplines Act, 1997*, Article 25, Limitations of Practice, which clearly states that assistants, hygienists and therapists must, to perform their authorized practices, be employed by or be under contract with a dentist or an agency listed. Members of any of the dental disciplines practicing outside the boundaries of these provincial laws should re-align their practice to be within the provisions of the *Dental Disciplines Act, 1997* or they may have an unpleasant surprise when a liability insurer refuses to cover illegal practice!

Appendix II

Relevant Sections of the Dental Disciplines Act Relating to Supervision of Allied Personnel

15(2) Subject to this Act, regulatory bylaws may be made by each council for that association's members pursuant to section 14 for the following purposes:

- (e) setting standards regarding the manner and method of practice of its members, including the supervision or direction of staff;

23(1) A dentist is authorized, subject to the terms, conditions and limitations of that person's licence:

- (a) to communicate a conclusion, identifying a disease, disorder or dysfunction of the oral-facial complex as the cause of a person's symptoms;
- (b) to perform a procedure on tissues of the oral-facial complex below the dermis, below the surface of a mucous membrane or in or below the surfaces of the teeth, including scaling of teeth;
- (c) to harvest tissue for the purpose of surgery on the oral-facial complex;
- (d) to correct a fracture of a bone of the oral-facial complex or correct a dislocation of a joint of the oral-facial complex;
- (e) to administer a substance by injection or inhalation in the provision of dental treatment;
- (f) to prescribe or dispense drugs in the provision of dental treatment;
- (g) to fit or dispense a dental prosthesis, or an orthodontic appliance or device used inside the mouth to protect teeth from abnormal functioning; and
- (h) to expose, process and mount dental radiographs in accordance with *The Radiation Health and Safety Act, 1985*.

(2) A dental technician is authorized, subject to terms, conditions and limitations of that person's licence:

(a) to make, produce, reproduce, construct, furnish, supply, alter and repair a denture, bridge or prosthetic appliance, or thing to be used in, on, in connection with, or in the treatment of a human tooth, jaw or associated structure or tissue for a person in accordance with a prescription of a dentist to perform any of these services for the person, if the practices can be performed without intraoral procedures or the taking of impressions;

(b) to make structural repairs to a removable dental prosthesis or replace teeth in a dental prosthesis, if these practices can be performed without intraoral procedures or the taking of impressions; and

(c) to take shades for proper colour, including performing necessary intraoral procedures.

(3) A denturist is authorized, subject to the terms, conditions and limitations of that person's licence, to make, repair, reline, alter, replace or furnish a removable dental prosthesis, and for that purpose carry out non-surgical intraoral procedures, including the taking of impressions that are necessary to make, repair, reline, alter replace or furnish a removable dental prosthesis.

(4) A dental assistant is authorized, subject to the terms, conditions and limitations of that person's licence, to assist and to perform intraoral assisting services that include:

(a) the introduction and manipulation of dental materials and devices in the mouth;

(b) orthodontic and restorative procedures consistent with an approved education program in dental assisting; and

(c) the exposure, processing and mounting of dental radiographs in accordance with

The Radiation Health and Safety Act, 1985.

(5) A dental hygienist is authorized, subject to the terms, conditions and limitations of that person's licence:

(a) to communicate an assessment and treatment plan regarding periodontal health;

(b) to perform supragingival and subgingival debridement;

(c) to perform orthodontic and restorative procedures consistent with an approved education program in dental hygiene;

(d) to administer local anaesthesia in the provision of dental treatment; and

(e) to expose, process and mount dental radiographs in accordance with

The Radiation Health and Safety Act, 1985.

(6) A dental therapist is authorized, subject to the terms, conditions and limitations of that person's licence:

- (a) to communicate a conclusion identifying dental caries or dental abscesses as the cause of a person's symptoms;
- (b) to perform a procedure in or below the surface of the teeth, conduct simple extractions of primary and permanent teeth and perform space maintenance on teeth;
- (c) to administer local anaesthesia in the provision of dental treatment; and
- (d) to expose, process and mount dental radiographs in accordance with *The Radiation Health and Safety Act, 1985*.

24 (1) No person shall perform an authorized practice unless:

- (a) the person is a member of an association whose members are authorized to perform the authorized practice and his or her licence does not prevent that member from performing that authorized practice;
- (b) the performance of the authorized practice has been delegated by a member mentioned in clause (a) to a person employed by that member, in accordance with the bylaws of his or her association; or
- (c) the authorized practice is carried out by a person who is authorized to perform those functions pursuant to the authority of any other Act.

(2) The performance of an authorized practice is not a contravention of subsection (1) if it is done in the course of:

- (a) rendering first aid or temporary assistance in an emergency; or
- (b) fulfilling the requirements to become a member of an association and the practice is performed under the direction or supervision of a member of the association who is authorized to perform the authorized practice.

25 (1) For the purpose of this section, “**employer**” means:

- (a) the Government of Saskatchewan;
- (b) the Government of Canada;
- (c) a regional health authority or an affiliate as the defined in *The Regional Health Services Act*;
- (d) an association incorporated pursuant to *The Mutual Medical and Hospital Benefit Associations Act*;

- (e) a municipality;
- (f) an Indian band within the meaning of the *Indian Act*(Canada);
- (g) an operator of a personal care home within the meaning of *The Personal Care Homes Act*, an non- profit corporation or a co-operative, that is approved by the minister;
- (h) a board of education, conseil scolaire or the conseil general within the meaning of *The Education Act, 1995*;
- (i) The University of Regina, the University of Saskatchewan, the Saskatchewan Indian Federated College and the Saskatchewan Institute of Applied Science and Technology.

(2) A dental assistant may only perform the practices that he or she is authorized by subsection 23(4) to perform where he or she is employed by or practices under a contact with:

- (a) an employer that employs or has established a formal referral or consultation process with a dentist; or
- (b) a dentist.

(3) A dental hygienist may only perform the practices that he or she is authorized by subsection 23(5) to perform where he or she is employed by or practices under contract with:

- (a) an employer that employs or has established a formal referral or consultation process with a dentist;
- (b) a dentist.

(4) A dental therapist may only perform the practices that he or she is authorized by subsection 23(6) to perform where he or she is employed by or practices under a contract with:

- (a) an employer that employs or has established a formal referral or consultation process with a dentist; or
- (b) a dentist.

Appendix III

Relevant CDSS Bylaws that Relate to Supervision of Allied Personnel

- 9.2 (1) Each member shall:
- n) endeavor to examine at least once in any given two-year period, those patients who are attending at the member's office for the purpose of receiving a treatment from allied personnel;
 - (o) ensure that all allied personnel who are delivering dental care to the member's patients at all times hold valid licences with each of their associations;
 - (p) ensure that all allied personnel employed by a member perform only those procedures which such allied personnel are authorized to perform under the Act and the terms of his or her licence;
 - (q) ensure that all allied personnel are adequately supervised in the delivery of any dental care to any patient of the member;
 - (s) ensure that at the time of giving any anesthetic or any other dental treatments by allied personnel which may give rise to a medical emergency, a qualified dentist or other person is on the premises who has been properly trained in the delivery of any anticipated emergency medical treatment which might arise in the course of, and as a result of, the delivery of the anesthetic or such other dental treatment.
- 9.3 (2) Where a patient has attended a member's office for the purpose of receiving a treatment from any allied personnel, and such allied personnel has recommended a dental examination by the dentist, the dentist shall ensure that such recommendation (and any refusal) shall be noted in the patient's records. No further action is required of the member once such notation has been made.