



## **Policy: Assessment of Good Character for Registration and Licensing of Dentists in Nova Scotia**

### **Introduction**

The Provincial Dental Board of Nova Scotia is established by the *Dental Act* to represent and protect the interests of the public in the practice of dentistry. The mandate of the Dental Board is fulfilled by ensuring that only properly trained, qualified and licensed personnel render treatment that is of a reasonable standard. Individuals licensed to practice dentistry must do so in a manner which is expected to uphold the public's trust in the profession. They must demonstrate professional behaviour that is ethical, supersedes self-interest, strives for excellence, is committed to continual professional development, and is accountable to individual patients, society and the profession.

### **Purpose**

The Qualifications for Registration and Licensing of Dentists Regulations made under Section 45 of the *Dental Act* states in Section 4 (1) that:

*The Registrar shall enter the name of a person in the Dentists' Register who:*

*(c) is of good moral character and a fit and proper person to be registered as a dentist;*

The Provincial Dental Board's application process is designed to provide the Registrar with the necessary information to license those individuals who are suitable to practice.

### **Procedures**

#### **Application form**

The application process for licensure involves the completion by the applicant of an application form which examines their past academic conduct, their past practice conduct (for dentists

previously licensed in another jurisdiction), their fitness to practice and their past judicial history. Additional documents which must be provided by the applicant to assist in the evaluation of their character are a criminal record check, two written character references from non-family members who have known the applicant for at least four years, and a certificate of good standing if engaged in practice in another jurisdiction. Individuals who indicate a history of prior misconduct or fitness to practice concerns must consent to allow the Registrar to investigate the matter further and obtain additional documentation as needed. The Registrar may request additional support from legal counsel or an external investigator to obtain the information required to render a licensing decision.

If an applicant is unable or unwilling to provide evidence or documentation to the Registrar to properly investigate an application, the applicant will be denied licensure.

If an applicant provides incorrect, untruthful or misleading answers that would have been material to the applicant's licensure, the applicant will be denied licensure.

### **Evidence of Good Moral Character and that Applicant is a Fit and Proper Person to be Registered as a Dentist**

A non-exhaustive list of evidence of good moral character and evidence that the applicant is a fit and proper person to be registered as a dentist includes the following:

- trustworthiness
- integrity
- honesty
- reliability
- respect for others
- taking responsibility for one's actions
- not engaging in discriminatory conduct against others

A non-exhaustive list of evidence of lack of good moral character and evidence that the applicant is not a fit and proper person to be registered as a dentist includes the following:

- criminal conviction
- convictions under the *Controlled Drugs and Substances Act* (Canada)
- academic penalties, findings or actions of any kind made by an academic institution arising from academic misconduct or unprofessional behaviour

- conduct which demonstrates disregard for honesty, integrity and trustworthiness, including providing inaccurate, untruthful or misleading information in the application for registration;
- behaviour which demonstrates lack of respect for others, including conduct which demeans others based upon sex, race or colour, religious belief, or any other prohibited ground of discrimination pursuant to the Nova Scotia *Human Rights Act*;
- disciplinary findings made by a regulatory authority in another jurisdiction based upon incompetence, unprofessional or unethical behaviour;
- physical or mental disability, condition or disorder which would impair the applicant's ability to practice dentistry safely and competently, or which, if left untreated, would impair the applicant's ability to practice dentistry safely and competently

### **Licensing Decision**

Evidence of lack of good character or that the applicant is not a fit and proper person to be registered as a dentist may result in the applicant being:

- licensed with conditions or restrictions; or
- denied licensure.

In determining whether to license the applicant with or without conditions or restrictions, or whether to deny licensure, the Registrar will assess the following, non-exhaustive factors:

- the nature of the behaviour, including its seriousness, when it occurred and its relevance to the safe and ethical practice of dentistry;
- whether the applicant engaged in remediation, rehabilitation or education concerning the behaviour in order to limit future risk to the public;
- the applicant, because of physical or mental disability, condition or disorder is completely impaired in the ability to practice dentistry safely and competently, or, whether with treatment, supports or accommodations will be able to practice dentistry safely and competently

A non-exhaustive list of license conditions or restrictions include the following:

- restriction from administering or prescribing narcotics for a specified period of time
- restriction from administering or prescribing sedation for a specified period of time
- practice under supervision for a specified period of time
- successful completion of educational course(s) or programs, including courses or programs on ethics in the practice of dentistry

### **Appeal Process**

An applicant who is dissatisfied with a decision of the Registrar respecting registration, licensing or otherwise relating to entries into the Dentists' Register may appeal the decision to the Registration Appeal Committee (See *Policy on Licensing and Licensing Appeals for Dentists*).

*Approved by the Board: March 31, 2015*