

Dental Practice Review Regulations

made under Section 45 of the

Dental Act

S.N.S. 1992, c. 3

O.I.C. 2008-100, N.S. Reg. 102/2008

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S.N.S. 1992, c. 3
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Citation

1 These regulations may be cited as the *Dental Practice Review Regulations*.

Definitions

2 In these regulations,

- (a) “Act” means the *Dental Act*;
- (b) “Committee” means the Dental Practice Review Committee;
- (c) “Dental Practice Review Program” means the program established by these regulations for conducting practice reviews;
- (d) “practice review” means an on-site inspection and assessment of a licensee’s practice conducted in accordance with these regulations;
- (e) “self-assessment document” means a document that lists specific things to be checked in a practice review.

Dental Practice Review Committee

- 3** (1) The Committee must consist of 3 licensed dentists appointed by the Board, each of whom has practised dentistry for at least 5 years.
- (2) The Committee chair must be appointed by the Board from the Committee members.
- (3) The initial terms of the Committee members are as follows:
- (a) the initial chair and one member for 3 years;
 - (b) one member for 2 years.
- (4) Each subsequent member of the Committee must serve a term of 3 years and the first members and succeeding members may be reappointed for two additional 3-year terms.
- (5) Any vacancy on the Committee must be filled by a licensed dentist appointed by the Board for the unexpired term of the vacated position.
- (6) The Committee is responsible for administering the Dental Practice Review Program in accordance with these regulations.

Form of self-assessment document

- 4** A self-assessment document must be in a form approved by the Board in consultation with the Dental Association.

Licensed dentists randomly selected for self-assessment

- 5** (1) Once a year, the Committee, using a random sampling process that is approved by the Board and stratified by district, must select 15% of licensed dentists in private practice to complete a self-assessment document.
- (2) A licensed dentist selected to complete a self-assessment document must complete and return the self-assessment document to the Committee.
- (3) The Committee must review and evaluate all returned self-assessment documents.

Licensed dentists required to undergo practice review

- 6** (1) After reviewing and evaluating returned self-assessment documents under subsection 5(3), the Committee, using a random sampling process that is approved by the Board and stratified by district, must select 15% of the licensed dentists who returned self-assessment documents for a practice review.
- (2) A licensed dentist is required to undergo a practice review in any of the following circumstances:
- (a) the Board selects the licensed dentist at random under subsection (1);
 - (b) the licensed dentist is directed to the Committee by the Registrar or by the Complaints Committee;
 - (c) the Committee directs it after reviewing and evaluating a self-assessment document.
- (3) A licensed dentist who is required by clause (2)(b) to undergo a practice review as a result of being directed to the Committee by the Registrar or by the Complaints Committee is not required to complete a self-assessment document before undergoing the practice review.

Appointing assessors

- 7** The Committee must appoint assessors to conduct practice reviews on one or more licensed dentists who are required by Section 6 to undergo a practice review.

Practice review procedure

- 8** (1) After a practice review, the Committee must send a written report to the licensed dentist so that the licensed dentist may identify any omissions or errors of fact.
- (2) A licensed dentist who receives a written report under subsection (1) may make written submissions to the Committee no later than 30 days after the date the licensed dentist receives the report.
- (3) After considering a report on a practice review and any other information that the Committee considers relevant to the practice review, as well as the licensed

dentist's written submissions, if any, the Committee must decide whether there are deficiencies in the licensed dentist's practice.

- (4) If the Committee decides that there are no deficiencies in a licensed dentist's practice, the Committee must advise the licensed dentist of the decision, and no further action is required.
- (5) If the Committee decides that there are deficiencies in a licensed dentist's practice, the Committee must make written recommendations to the licensed dentist on ways to correct the deficiencies and give the licensed dentist an opportunity to correct them.

Further practice review

- 9 (1) In addition to making recommendations to a licensed dentist under subsection 8(5) respecting deficiencies in the licensed dentist's practice, the Committee may require the licensed dentist to undergo a further practice review to determine whether the deficiencies have been corrected.
- (2) Subsections 8(1) and (2) dealing with the written report and the licensed dentist's right to make written submissions to the Committee apply with the necessary modifications to a further practice review under subsection 9(1).
- (3) After considering a report on a further practice review and any other information that the Committee considers relevant to the further practice review, as well as the licensed dentist's written submissions, if any, the Committee must decide whether there are still deficiencies in the licensed dentist's practice.
- (4) If the Committee decides that there are no longer any deficiencies in a licensed dentist's practice, the Committee must advise the licensed dentist of the decision, and no further action is required.
- (5) If the Committee decides that there are still deficiencies in a licensed dentist's practice, the Committee must refer the matter to the Registrar and must include in the referral all of the Committee's practice review reports and all of the licensed dentist's submissions, if any, in response to the practice review reports.
- (6) If the Committee refers a matter to the Registrar under subsection (6), the Registrar may conduct an investigation of the matter in accordance with the Act and the *Discipline Regulations* made under the Act.