



MANITOBA DENTAL ASSOCIATION

**THE
BYLAW FOR
REGISTRATION
AND
LICENSURE
OF DENTISTS**

MANITOBA DENTAL ASSOCIATION
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Board Approval for Bylaw Distribution: 02 November 2013
Member Ratification of Bylaw:



MANITOBA DENTAL ASSOCIATION

TO: MDA Membership
DATE: 13 November 2013
SUBJECT: Bylaw for Registration and Licensure of Dentists

Please find included with this letter *The Bylaw for Registration and Licensure of Dentists (Bylaw)* of the Manitoba Dental Association (MDA). The Board has approved distribution of the bylaw to the members at its 02 November 2013 meeting. The bylaw updates and replaces the existing *Dental Corporations Bylaw 40-99* and *Annual Incorporation Fee Bylaw 31a-12*.

The *Bylaw* redraft was part of a comprehensive regulatory review by the MDA in preparation for *The Regulated Health Professions Act (The Act)*. The changes are intended to:

- standardize the format and structure of MDA bylaws;
- bring all dental corporation processes into one bylaw;
- assist in the transition to the upcoming legislation; and
- improve accessibility, clarity and transparency in the incorporation process

The *Bylaw* changes are primarily in format and structure. The *Bylaw* more clearly defines the conditions for naming dental corporations as well as member responsibilities in the MDA review processes for new permit applications and changes to existing permits.

A standardized appeal process has also been incorporated into the *Bylaw*.

Please contact the MDA office if you have any questions at 988-5300.

Yours sincerely,

Marcel Van Woensel
Registrar, Manitoba Dental Association

BYLAW FOR REGISTRATION AND LICENSURE OF DENTISTS

PREAMBLE

A bylaw pursuant to *The Dental Association Act (The Act)* to administer registration and licensure for dentists.

SECTION I - REGISTRANT CLASSES

1. The following classes of registrants are established:
 - a. General Practitioner;
 - b. Dental Specialist;
 - c. Academic;
 - d. Student;
 - e. Charitable Purpose;
 - f. Dental Educator;
 - g. Continuing Education Course Participant; and
 - h. Non-Practising.

SECTION II - USE OF TITLE

1. All classes of registrants may use the titles - or a variation, abbreviation or equivalent in another language - in connection with the practice of dentistry:
 - a. dentist.
 - b. surgeon.
 - c. doctor.
2. Only a member registered in the Dental Specialist class may use the titles - or a variation, abbreviation or equivalent in another language - with the practice of his or her dental specialty:
 - a. "specialist", "dental specialist", "specialist in [*name of applicable specialty*]" or "certified specialist in [*name of applicable specialty*]"; and
 - b. "endodontist" if he or she is a certified dental specialist in endodontics;
 - c. "oral radiologist" or "oral and maxillofacial radiologist" if he or she is a certified dental specialist in oral and maxillofacial radiology;
 - d. "oral surgeon" or "oral and maxillofacial surgeon" if he or she is a certified dental specialist in oral and maxillofacial surgery;
 - e. "oral pathologist" if he or she is a certified dental specialist in oral pathology or oral medicine;
 - f. "orthodontist" if he or she is a certified dental specialist in orthodontics;
 - g. "pediatric dentist" or "pedodontist" if he or she is a certified dental specialist in pediatric dentistry;
 - h. "periodontists" or "periodontal surgeon" if he or she is a certified dental specialist in periodontics;
 - i. "prosthodontist" if he or she is a certified dental specialist in prosthodontics; or
 - j. "public health dentist" if he or she is a certified dental specialist in dental public health.
3. A member registered in the Academic class shall use the title or an equivalent in another language in connection with the practice of dentistry:
 - a. "academic with an interest in general practice dentistry" until he or she receives a National Dental Examining Board (NDEB) certificate if he or she identifies in the general practice field; or
 - b. "academic with an interest in [*name of applicable specialty*]" until he or she receives a National Dental Specialty Examination (NDSE) certificate if he or she is identified in a dental specialty field.
4. A member registered in the Academic class with an NDSE certificate may use the title - or a variation, abbreviation or equivalent in another language - as allowed in subsection II(2).
5. A member registered in the Non-Practising class shall include a reference to non-practising status in any communication involving the practice of dentistry.

SECTION III - PRACTICE OF DENTISTRY RESTRICTIONS, CONDITIONS AND LIMITATIONS BY CLASS

1. A member registered in the General Practitioner class:
 - a. shall limit his or her practice of dentistry to areas where he or she has the requisite knowledge, skill and judgement of a reasonable and prudent General Practitioner member; and
 - b. shall not express or imply he or she is a specialist of any area of dentistry in his or her communications with patients or the public.
 - c. Nothing in this section shall be interpreted as in any way affecting the ability of the Registrar to include additional restrictions, conditions or limitations on a member registered in the General Practitioner class or as a condition for registration of an applicant to the General Practitioner class.

2. A member registered in the Dental Specialist class:
 - a. shall restrict his or her practice of dentistry to the scope of his or her dental specialty in Manitoba;
 - b. shall limit his or her practice of the dental specialty to areas where he or she has the requisite knowledge, skill and judgement of a reasonable and prudent Dental Specialist member of the same field; and
 - c. shall not express or imply he or she is a specialist of any area of dentistry outside of the field of dental specialty he or she is registered in his or her communications with patients or the public.
 - d. Nothing in this section shall be interpreted as in any way affecting the ability of the Registrar to include additional restrictions, conditions or limitations on a member registered in the Dental Specialist class or as a condition for registration of an applicant to the Dental Specialist class.

3. A member registered in the Academic class:
 - a. shall restrict his or her practice of dentistry to the scope of his or her identified field of dental practice;
 - b. shall limit his or her practice of dental specialty to areas where he or she has the requisite knowledge, skill and judgement of a reasonable and prudent member of his or her identified field of dental practice;
 - c. shall not express or imply he or she is a specialist of any area of dentistry except the field of dental specialty he or she is registered in his or her communications with patients or the public;
 - d. shall restrict his or her practice of dentistry outside of his or her Faculty appointment to a maximum of one day per week; and
 - e. shall automatically cease to be registered in the Academic class if he or she does not hold a full time appointment at the University of Manitoba Faculty of Dentistry.
 - f. Nothing in this section shall be interpreted as in any way affecting the ability of the Registrar to include additional restrictions, conditions or limitations on a member registered in the Academic class or as a condition for registration of an applicant to the Academic class.

4. In addition to the restrictions, conditions and limitations of subsection III(3), a member registered in the Academic class identifying in the general practice field without an NDEB certificate:
 - a. shall only practise dentistry under the supervision of a General Practitioner member approved by the Registrar until he or she receives an NDEB certificate; and
 - b. shall automatically cease to be registered in the Academic class if he or she does not receive an NDEB certificate within five years of registering in the Academic class.

5. In addition to the restrictions, conditions and limitations of subsection III(3), a member registered in the Academic class identifying in a dental specialty field without an NDSE certificate:
 - a. shall only practise dentistry under the supervision of an applicable Dental Specialist member approved by the Registrar until he or she receives an NDSE certificate; and
 - b. shall automatically cease to be registered in the Academic class if he or she does not receive an NDSE certificate within five years of registering in the Academic class.

- 6. A member registered in the Student class:**
- a. shall restrict his or her practice of dentistry as required for the internship or training programme he or she is enrolled;
 - b. shall only practise dentistry under the supervision of a member registered as a General Practitioner, Dental Specialist or Academic who is either:
 - i. a faculty member of the University of Manitoba Faculty of Dentistry; or
 - ii. a member of the dental staff of a facility formally associated with the University of Manitoba Faculty of Dentistry;
 - c. shall not collect a fee for services provided during the internship or training programme;
 - d. may prescribe medications under his or her authority subject to the following conditions:
 - i. he or she is allowed by the internship or training programme;
 - ii. prescriptions are restricted to the scope of the internship or training programme;
 - iii. he or she has:
 1. a NDEB certificate; or
 2. successfully passed a MDA approved pharmaceutical examination; and
 - iv. he or she is listed on the student prescribing roster.
 - e. shall automatically cease to be registered in the Student class:
 - i. when the programme of studies ends; or
 - ii. he or she ceases to be registered in the programme of studies the University of Manitoba Faculty of Dentistry.
 - f. Nothing in this section shall be interpreted as in any way affecting the University of Manitoba Faculty of Dentistry or a facility formally associated with it from charging a fee for the services it has provided.
 - g. Nothing in this section shall be interpreted as in any way affecting the ability of the Registrar to include additional restrictions, conditions or limitations on a member registered in the Student class or as a condition for registration of an applicant to the Student class.
- 7. A member registered in the Charitable Purpose class;**
- a. shall restrict his or her practice of dentistry to the duration, purposes and terms approved by the Registrar; and
 - b. shall not collect a fee for services in the scope of practice of dentistry provided while a member in the Charitable Purpose class.
 - c. Nothing in this section shall be interpreted as in any way affecting the charitable organization from compensating a member in the Charitable Purpose class for expenses of food, transportation and lodging directly associated with the volunteer services.
 - d. Nothing in this section shall be interpreted as in any way affecting the charitable organization from charging a fee for the services it has provided.
 - e. Nothing in this section shall be interpreted as in any way affecting the ability of the Registrar to include additional restrictions, conditions or limitations on a member registered in the Charitable Purpose class or as a condition for registration of an applicant to the Charitable Purpose class.
- 8. A member registered in the Dental Educator class:**
- a. shall restrict his or her practice of dentistry to the duration, facility or facilities; purposes and terms approved by the Board and subject to the following conditions:
 - i. the duration of registration shall not exceed three months and may be renewed by the Registrar if the member continues to meet all the applicable requirements;
 - ii. the purpose is for:
 1. conducting or engaging in a clinical presentation of an approved study club or sponsor;
 2. providing special assistance or training to MDA members; or
 3. presenting a continuing education programme recommended by the Dental Educator Subcommittee of the Continuing Competency Committee; and
 - b. shall not collect a fee for services provided during the internship or training programme.

- c. Nothing in this section shall be interpreted as in any way affecting the approved study club or sponsor from charging a fee for the services it has provided.
 - d. Nothing in this section shall be interpreted as in any way affecting the ability of the Registrar to include additional restrictions, conditions or limitations on a member registered in the Dental Educator class or as a condition for registration of an applicant to the Dental Educator class.
9. A member registered in the Continuing Education Course Participant class:
- a. shall restrict his or her practice of dentistry to the duration, facility or facilities; purposes and terms approved by the Board and subject to the following conditions:
 - i. the duration of registration shall not exceed a cumulative total of fourteen days of clinical practise;
 - ii. the purpose is for:
 - 1. conducting or engaging in a clinical presentation of an approved study club or sponsor;
 - 2. providing special assistance or training to MDA members; or
 - 3. presenting a continuing education programme recommended by the Dental Educator Subcommittee of the Continuing Competency Committee;
 - b. shall only practise dentistry under the direct supervision of a member registered in the General Practitioner or Dental Specialist class approved by the Registrar; and
 - c. shall not collect a fee for services provided during the internship or training programme.
 - d. Nothing in this section shall be interpreted as in any way affecting the approved study club or sponsor from charging a fee for the services it has provided.
 - e. Nothing in this section shall be interpreted as in any way affecting the ability of the Registrar to include additional restrictions, conditions or limitations on a member registered in the Continuing Education Course Participant class or as a condition for registration of an applicant to the Continuing Education Course Participant class.
10. A member registered in the Non-Practising class:
- a. shall not practise dentistry in Manitoba while registered as a non-practising member; and
 - b. shall not delegate, authorize or supervise the provision of any dental services by another person in Manitoba while registered as a non-practising member.

SECTION IV - GENERAL REGISTRATION AND INITIAL LICENSURE REQUIREMENTS FOR ALL CLASSES

1. An applicant is eligible to apply for registration and initial licensure if the applicant submits to the Registrar:
- a. completed and signed application in the form approved by the Board;
 - b. evidence satisfactory to the Registrar of legal entitlement to work in Canada;
 - c. evidence satisfactory to the Registrar of identity and current legal name;
 - d. evidence satisfactory to the Registrar of graduation from a university based dental training programme of a minimum four year duration;
 - e. evidence satisfactory to the Registrar of successful completion of a course in Canadian jurisprudence and ethics (SCHEDULE B - APPROVED JURISPRUDENCE AND ETHICS PROGRAMMES);
 - f. evidence satisfactory to the Registrar of a valid certificate from an appropriate resuscitation programme (SCHEDULE C - APPROPRIATE RESUSCITATION PROGRAMMES);
 - g. letter or certificate of standing from each governing body the applicant is or has been registered to practise a health profession. The letter must certify:
 - i. applicant is a member in good standing;
 - ii. applicant has complied with the continuing competency requirements;
 - iii. applicant is entitled to practise;
 - iv. applicant is not subject of any ongoing investigation, voluntary undertaking, discipline or fitness to practise order as a result of a complaint, investigation or proceeding; and
 - v. particulars of any cancellations, suspensions, restrictions, limitations or conditions on licence.

- h. completed and signed consent forms authorizing the release information for each governing body and applicable Canadian national examination administrators relevant for the applicant;
- i. demonstrates ability to speak and write in English with reasonable fluency to communicate with the MDA;
- j. payment of applicable registration and initial licensure fees (SCHEDULE A - FEES); and
- k. payment of any other outstanding fine, fee, debt or levy owed by the applicant to the MDA.

SECTION V - ADDITIONAL REGISTRATION AND INITIAL LICENSURE REQUIREMENTS BY CLASS

1. In addition to the requirements of section IV, an applicant for the General Practitioner class shall submit evidence satisfactory to the Registrar:
 - a. the applicant:
 - i. holds a Certificate from the National Dental Examining Board of Canada (NDEB certificate) issued before January 1, 1994;
 - ii. has successfully met a minimum test equated passing score on both the NDEB written and objective structured clinical examinations since those examinations were approved by the MDA; or
 - iii. was registered as a Practising Life Member prior to February 28th 2014;
 - b. the applicant since receiving the NDEB certificate or meeting the passing score, there has been no three year period during which the applicant did not practise dentistry on a continuous and regular basis in a jurisdiction where:
 - i. the Commission on Dental Accreditation of Canada (CDAC) accredits dental training programmes; or
 - ii. an equivalent national accreditation body with an approved reciprocity agreement with CDAC accredits dental training programmes.
 - c. the applicant carries professional liability insurance in an amount of not less than \$3,000,000.00 per claim under the malpractice plan administered by Canadian Dental Services Plans Inc. (CDSPI).
 - d. the requirement of paragraph V(1)(a) does not apply to an applicant if he or she had been registered with the MDA in the General Practitioner class at any time before submitting the current application.
 - e. the requirement of paragraph V(1)(b) does not apply to an applicant if the NDEB certificate is of such recent date as to indicate reasonable proof of the person's qualifications.
2. In addition to the requirements of section IV, an applicant for the Dental Specialist class shall submit evidence satisfactory to the Registrar:
 - a. identifying one or a combination of the following fields within the practice of dentistry recognized by the MDA as a specialty he or she wishes to be registered:
 - i. dental public health;
 - ii. endodontics;
 - iii. oral and maxillofacial radiology;
 - iv. oral and maxillofacial surgery;
 - v. oral medicine;
 - vi. oral pathology;
 - vii. orthodontics and dentofacial orthopedics;
 - viii. paediatric dentistry
 - ix. periodontics;
 - x. prosthodontics.
 - b. the applicant has:
 - i. graduated from a university based dental specialty training programme accredited by CDAC or an equivalent national accreditation body with an approved reciprocity agreement with CDAC; or
 - ii. graduated from a university based dental specialty training programme and holds a certificate of completion or its equivalent from an accredited Canadian dental specialty training programme;

- c. the applicant holds a Certificate from the Royal College of Dentists of Canada (NDSE certificate) demonstrating successful completion of its examination for the applicable dental specialty;
- d. the applicant since receiving the NDSE certificate, there has been no three year period during which the applicant did not practise their dental specialty on a continuous and regular basis in Canada or the United States of America; and
- e. the applicant carries professional liability insurance in an amount of not less than \$3,000,000.00 per claim under the malpractice plan administered by Canadian Dental Services Plans Inc. (CDSPI).
- f. the requirement of paragraphs V(2)(b) and (c) do not apply to an applicant if he or she had been registered with the MDA in the specific field or fields of the Dental Specialist class at any time before submitting the current application.
- g. the requirement of paragraph V(2)(d) does not apply to an applicant if the NDSE certificate is of such recent date as to indicate reasonable proof of the person's qualifications.

3. In addition to the requirements of section IV, an applicant for the Academic class shall submit evidence satisfactory to the Registrar:

- a. identifying one of the following fields within the practice of dentistry recognized by the MDA:
 - i. general practice;
 - ii. endodontics;
 - iii. dental public health;
 - iv. oral and maxillofacial radiology;
 - v. oral and maxillofacial surgery;
 - vi. oral medicine;
 - vii. oral pathology;
 - viii. orthodontics and dentofacial orthopedics;
 - ix. paediatric dentistry
 - x. periodontics;
 - xi. prosthodontics.
- b. the applicant has graduated from a university based dental specialty training programme if identifying in the fields noted in subparagraphs V(3)(b) - (xi);
- c. the applicant has a full time appointment at the University of Manitoba Faculty of Dentistry that:
 - i. the Registrar, or his/her designate, was a member of the Search Committee responsible for the selection; and
 - ii. an MDA representative was a member of the Search Committee responsible for the selection.
- d. the applicant's written confirmation in a form approved by the Board that he or she understands and accepts the restrictions, limitations and conditions of his or her academic registration and licence; and
- e. the applicant carries professional liability insurance in form and amount appropriate to Registrar.
- f. the requirement of paragraphs V(3)(b) and (c) do not apply to an applicant if he or she had been registered with the MDA in the General Practitioner or the Dental Specialist class at any time before submitting the current application.
- g. the requirement of paragraphs V(3)(c) do not apply to an applicant if he or she has an NDEB certificate.

4. In addition to the requirements of section IV, an applicant for the Student class shall submit evidence satisfactory to the Registrar:

- a. the applicant:
 - i. has been accepted for enrolment in an accredited dental specialty training programme at the University of Manitoba Faculty of Dentistry; or
 - ii. has a completed and signed internship agreement with a public hospital based dental internship programme in Manitoba accredited by CDAC in a form approved by the Board; and
- b. the applicant carries professional liability insurance in form and amount appropriate to Registrar.

5. In addition to the requirements of section IV, an applicant for the Charitable Purpose class shall submit evidence satisfactory to the Registrar:
 - a. the applicant:
 - i. has been registered with the MDA in the General Practitioner or Dental Specialist class at any time in the last three years; or
 - ii. is registered in an unrestricted licensure class and is practising dentistry on a continuous and regular basis in a jurisdiction where:
 1. CDAC accredits dental training programmes; or
 2. an equivalent national accreditation body with an approved reciprocity agreement with CDAC accredits dental training programmes.
 - b. the applicant has an agreement with a charitable organization in Manitoba for dental services;
 - c. the applicant submits a written overview which specifies:
 - i. charitable programmes involved;
 - ii. type of services planned to be provided;
 - iii. frequency of involvement; and
 - iv. duration of volunteer involvement; and
 - d. the applicant carries professional liability insurance in form and amount appropriate to Registrar.
 - e. the requirement of paragraphs IV(1)(e-g) may be altered or waived if in the opinion of the Registrar alternative evidence provided is sufficient.

6. In addition to the requirements of section IV, an applicant for the Dental Educator class shall:
 - a. submit evidence satisfactory to the Registrar the applicant has a written agreement with an approved study club or sponsor of continuing education programmes in Manitoba;
 - b. submit evidence the applicant carries professional liability insurance in form and amount appropriate to the Registrar; and
 - c. have a written recommendation for registration in the Dental Educator class from the Dental Educator Subcommittee of the Continuing Competency Committee.
 - d. the requirement of paragraphs IV(1)(e-g) may be waived if in the opinion of the Registrar alternative evidence provided is sufficient.

7. In addition to the requirements of section IV, an applicant for the Continuing Education Course Participant class shall submit evidence satisfactory to the Registrar:
 - a. the applicant has
 - i. graduated from a university based dental training programme accredited by CDAC or an equivalent national accreditation body with an approved reciprocity agreement with CDAC;
 - ii. graduated from a university based dental specialty training programme accredited by CDAC or an equivalent national accreditation body with an approved reciprocity agreement with CDAC: or
 - iii. graduated from a university based dental specialty training programme and holds a certificate of completion or its equivalent from an accredited Canadian dental specialty training programme;
 - b. the applicant is registered in an unrestricted licensure class and is practising dentistry on a continuous and regular basis in a jurisdiction where:
 1. CDAC accredits dental training programmes; or
 2. an equivalent national accreditation body with an approved reciprocity agreement with CDAC accredits dental training programmes
 - c. the applicant is enrolled with an approved study club or sponsor of continuing education programmes in Manitoba;
 - d. the applicant carries professional liability insurance in form and amount appropriate to Registrar;
 - e. the applicant has a written agreement with a currently licensed member in the General Practitioner or Dental Specialist class to provide any necessary patient follow up care required as a result of any treatment performed during the continuing education programme.

- f. the requirement of paragraphs IV(1)(e-g) may be altered or waived if in the opinion of the Registrar alternative evidence provided is sufficient.
8. In addition to the requirements of section IV, an applicant for the Non-Practising class shall submit evidence satisfactory to the Registrar:
- a. the applicant:
 - i. is or is eligible to be registered in the General Practitioner or Dental Specialist class; or
 - ii. was registered in the Associate or Non-Practising Life Member class prior to February 28th 2014; and
 - b. completed and signed declaration in the form approved by the Board that the applicant:
 - i. understands the conditions and limitations for non-practising members to change their registration status;
 - ii. shall not practise dentistry in Manitoba while registered as a non-practising member; and
 - iii. shall not delegate, authorize or supervise the provision of any dental services by another person in Manitoba while registered as a non-practising member.

SECTION VI - REGISTRATION AND INITIAL LICENSURE

1. If, in the opinion of the Registrar, an applicant has met the application requirements and qualifications for the practice of dentistry for the registration class, the Registrar shall:
 - a. include the applicant as a member on the appropriate registry;
 - b. issue a certificate of registration in a form approved by the Board; and
 - c. issue a licence in the applicable class in a form approved by the Board.
2. If, in the opinion of the Registrar, an applicant has not met the application requirements and qualifications for the practice of dentistry for the registration class, the Registrar may:
 - a. refuse to register the applicant as a member;
 - b. register the applicant with restrictions, conditions and limitations in addition to those provided in this bylaw on his or her licence; or
 - c. defer a registration decision until additional information is provided.
3. The Registrar may defer a registration decision under paragraph VI(2)(c) for a maximum of one year.
4. For any decision under subsection VI(2), the Registrar shall provide the applicant with a written decision, reasons for that decision and information on the right to appeal the Registrar decision to the Board.
5. Subject to subsection VI(6), a member may appeal a written decision under subsection VI(2) to the Board.
6. A restriction, condition, limitation or deferral under subsection VI(2) voluntarily agreed to in writing by the applicant cannot be appealed.
7. An applicant for any class shall be deemed not to have met the requirements and qualifications for the practice of dentistry if the applicant:
 - a. submits false, misleading or forged documents in respect of his or her application;
 - b. provides false or misleading statements or representations in respect of his or her application;
 - c. provides incomplete information in respect of his or her application that, in the opinion of the Registrar, was intended to mislead; or
 - d. fails to provide information in respect of his or her application that, in the opinion of the Registrar, was intended to mislead.
8. Any applicant refused registration under subsection VI(7) shall be ineligible to apply for registration with the MDA for one year.

9. A member shall have his or her registration cancelled if evidence arises after his or her registration that the member:
 - a. submitted false, misleading or forged documents in respect of his or her application;
 - b. provided false or misleading statements or representations in respect of his or her application;
 - c. provided incomplete information in respect of his or her application that, in the opinion of the Registrar, was intended to mislead;
 - d. failed to provide information in respect of his or her application that, in the opinion of the Registrar, was intended to mislead;
 - e. has been convicted of an offence that is relevant to his or her suitability to practise dentistry; or
 - f. any other error in the issuing of the registration.
10. Prior to any decision under subsection VI(7), the Board shall notify the member of the intention to cancel and provide an opportunity for him or her to make a written submission.
11. After considering the Registrar report and member submission, the Board may cancel the registration and direct the Registrar to:
 - a. remove the member name from the appropriate registry;
 - b. provide the person with a written decision and reasons for that decision;
 - c. advise the person he or she can no longer practise dentistry;
 - d. request the person surrender his or her licence; and
 - e. notify other members or organizations as necessary.

SECTION VIII - CERTIFICATE OF REGISTRATION

1. A certificate of registration shall be in a form approved by the Board; and
2. A certificate of registration shall include:
 - a. member name;
 - b. member registration class;
 - c. restrictions, conditions or limitations of the registration class;
 - d. restrictions, conditions or limitations specific to the member;
 - e. date issued;
 - f. name of regulatory body; and
 - g. statements that:
 - i. certificate of registration is issued pursuant to *The Dental Association Act*; and
 - ii. certificate of registration does not entitle a person to practise dentistry.
3. A member shall make his or her certificate of registration available to patients in any facility he or she practises dentistry.

SECTION IX - LICENCE

1. A licence shall be in a form approved by the Board; and
2. A licence shall include:
 - a. member name;
 - b. member registration class;
 - c. restrictions, conditions or limitations of the registration class;
 - d. restrictions, conditions or limitations specific to the member;
 - e. date issued;
 - f. expiry date;
 - g. name of regulatory body; and
 - h. statement that the licence is issued pursuant to *The Dental Association Act*.
3. A member shall make his or her licence available to patients in any facility he or she practises dentistry.

SECTION X - ANNUAL RENEWAL REQUIREMENTS

1. A member is eligible to renew his or her licence if the member submits to the Registrar on or before February 28 of each year:
 - a. complete, signed licence renewal application in the form approved by the Board;
 - b. evidence satisfactory to the Registrar of identity and current legal name;
 - c. evidence satisfactory to the Registrar of professional liability insurance in form and amount appropriate to the Registrar;
 - d. evidence satisfactory to the Registrar of a valid certificate from an appropriate resuscitation programme (SCHEDULE C - APPROPRIATE RESUSCITATION PROGRAMMES);
 - e. payment of applicable licence renewal fees (SCHEDULE A - FEES);
 - f. payment of any other outstanding fine, fee, debt or levy owed by the member to the MDA; and
 - g. any other information that in the opinion of the Registrar is required to review the licence renewal application of a member.
2. In addition to the requirements of subsection X(1), members licensed to practise dentistry in another jurisdiction or another health profession in any jurisdiction shall submit to the Registrar particulars of:
 - a. any ongoing investigation, voluntary undertaking, discipline or fitness to practice order as a result of a complaint, investigation or proceeding; and
 - b. any cancellations, suspensions, restrictions, limitations or conditions on his or her ability to practise a health profession.
3. A member shall not be eligible to renew his or her licence if the member:
 - a. registration or licence is suspended or cancelled for any reason; or
 - b. fails to comply with the requirements for continuing competence.

SECTION XI - LICENCE RENEWAL

1. Unless it is otherwise expressly specified on the licence, every licence shall expire on February 28th of each year.
2. If, in the opinion of the Registrar, an applicant has met the renewal requirements and qualifications for the practice of dentistry for the registration class, the Registrar shall issue a licence in the applicable class in a form approved by the Board.
3. If, in the opinion of the Registrar, an applicant has not met the renewal requirements and qualifications for the practice of dentistry for the registration class, the Registrar may:
 - a. refuse to renew the licence;
 - b. license the applicant with restrictions, conditions and limitations in addition to those provided in this bylaw on his or her registration; or
 - c. defer a renewal decision until additional information is provided.
4. The Registrar may defer a renewal decision under paragraph XI(3)(c) for a maximum of thirty days.
5. A member shall be charged a late fee (SCHEDULE A - FEES) for every day after February 28 of each year he or she does not complete the annual renewal requirements.
6. If a member does not complete the annual renewal requirements within thirty days after February 28 of the year, his or her licence to practise dentistry shall be cancelled.
7. For any decision under subsection XI(3), the Registrar shall provide the member with a written decision, reasons for that decision and information on the right to appeal the Registrar decision to the Board.
8. Subject to subsection XI(9), a member may appeal a written decision under subsection XI(3) to the Board.

9. A restriction, condition, limitation or deferral under subsection XI(3) voluntarily agreed to in writing by the member cannot be appealed.
10. A member for any class shall be deemed not to have met the requirements and qualifications for the practice of dentistry if the applicant:
 - a. submits false, misleading or forged documents in respect of his or her renewal application;
 - b. provides false or misleading statements or representations in respect of his or her renewal application;
 - c. provides incomplete information in respect of his or her a renewal application that, in the opinion of the Registrar, was intended to mislead; or
 - d. fails to provide information in respect of his or her renewal application that, in the opinion of the Registrar, was intended to mislead.
11. A member shall have his or her licence cancelled if evidence arises at any time that the member:
 - a. submitted false, misleading or forged documents in respect of his or her renewal application;
 - b. provided false or misleading statements or representations in respect of his or her renewal application;
 - c. provided incomplete information in respect of his or her renewal application that, in the opinion of the Registrar, was intended to mislead;
 - d. failed to provide information in respect of his or her renewal application that, in the opinion of the Registrar, was intended to mislead;
 - e. has been convicted of an offence that is relevant to his or her suitability to practise dentistry; or
 - f. any other error in the issuing of the renewal.
12. Prior to any decision under subsection XI(6) or XI(11), the Board shall notify the member of the intention to cancel and provide an opportunity for him or her to make a written submission.
13. After considering the Registrar report and member submission, the Board may cancel the licence and direct the Registrar to:
 - a. remove the member name from the appropriate registry;
 - b. provide the person with a written decision and reasons for that decision;
 - c. advise the person he or she can no longer practise dentistry;
 - d. request the person surrender his or her licence; and
 - e. notify other members or organizations as necessary.

SECTION XII - GENERAL CHANGE OF STATUS REQUIREMENTS

1. A member registered in a class may change his or her status to a different class if he or she submits to the Registrar:
 - a. completed and signed application in the form approved by the Board;
 - b. evidence satisfactory to the Registrar he or she meets the requirements for registration in the other class;
 - c. evidence satisfactory to the Registrar he or she has maintained the necessary continuing competency in the class requested;
 - d. payment of applicable change of status fees (SCHEDULE A - FEES); and
 - e. payment of any other outstanding fine, fee, debt or levy owed by the applicant to the MDA.

SECTION XIII - ADDITIONAL CHANGE OF STATUS REQUIREMENTS

- 1. In addition to the requirements of section XII, a member registered in the Dental Specialist class may change status to a General Practitioner member if he or she was registered in a class equivalent to the General Practitioner class in the previous three years in a jurisdiction where:**
 - a. CDAC accredits dental training programmes; or**
 - b. an equivalent national accreditation body with an approved reciprocity agreement with CDAC accredits dental training programmes.**

- 2. In addition to the requirements of section XII, a member registered in the Non-Practising class may change status if he or she:**
 - a. was registered in the requested class in any of the previous three years; or**
 - b. provides evidence satisfactory to the Registrar that he or she was in regular and continuous practice in an equivalent class in the previous three years in a jurisdiction where:**
 - i. CDAC accredits dental training programmes; or**
 - ii. an equivalent national accreditation body with an approved reciprocity agreement with CDAC accredits dental training programmes.**

SECTION XIV - CANCELLATION

- 1. A member shall cancel his or her registration by giving notice to the Registrar in a form approved by the Board.**

- 2. The notice is effective on the date the notice is received or a cancellation date specified on the form whichever is later.**

SECTION XV - REINSTATEMENT

- 1. A person may apply for reinstatement of his or her registration after cancellation if:**
 - a. submits completed and signed application in the form approved by the Board;**
 - b. the person:**
 - i. was registered in the requested class in any of the previous three years; or**
 - ii. provides evidence satisfactory to the Registrar that he or she was in regular and continuous practice in an equivalent class in the previous three years in a jurisdiction where:**
 - 1. CDAC accredits dental training programmes; or**
 - 2. an equivalent national accreditation body with an approved reciprocity agreement with CDAC accredits dental training programmes; and**
 - c. submits evidence satisfactory to the Registrar he or she meets the requirements for registration in the other class;**
 - d. submits evidence satisfactory to the Registrar he or she has maintained the necessary continuing competency in the class requested;**
 - e. payment of applicable reinstatement fees (SCHEDULE A - FEES); and**
 - f. payment of any other outstanding fine, fee, debt or levy owed by the applicant to the MDA.**

- 2. If, in the opinion of the Registrar, an applicant has met the reinstatement requirements and qualifications for the practice of dentistry for the registration class, the Registrar shall:**
 - a. reinstate the applicant as a member on the appropriate registry;**
 - b. issue a certificate of registration in a form approved by the Board; and**
 - c. issue a licence in the applicable class in a form approved by the Board.**

- 3. If, in the opinion of the Registrar, an applicant has not met the application requirements and qualifications for the practice of dentistry for the registration class, the Registrar may:**
 - a. refuse to reinstate the applicant as a member;**
 - b. register the applicant with restrictions, conditions and limitations in addition to those provided in this bylaw on his or her licence; or**
 - c. defer a registration decision until additional information is provided.**

4. The Registrar may defer a registration decision under paragraph XV(3)(c) for a maximum of one year.
5. For any decision under subsection XV(3), the Registrar shall provide the applicant with a written decision, reasons for that decision and information on the right to appeal the Registrar decision to the Board.
6. Subject to subsection XV(7), a member may appeal a written decision under subsection XV(3) to the Board.
7. A restriction, condition, limitation or deferral under subsection VI(2) voluntarily agreed to in writing by the applicant cannot be appealed.
8. A person shall complete the requirements as a new registration application if he or she is requesting reinstatement after:
 - a. not practising dentistry for three or more years;
 - b. voluntarily surrendering his or her licence to a complaints committee under the terms of section 25 and 25.2 of *The Dental Association Act*;
 - c. failure to comply with a decision of the Peer Review Committee including failing to attend to be cautioned;
 - d. resigning with restrictions, limitations or conditions on their licence; or
 - e. previously refused reinstatement.
9. An applicant under subsection XV(8), shall undergo a competency evaluation approved by the Board. The costs of any competency evaluation are the sole responsibility of the applicant.
10. If the Board reinstates an applicant under subsection XV(8), it may impose any restriction, condition or limitation on the practice of dentistry by the applicant that in the opinion of the Board is appropriate.

SECTION XVI - APPEAL OF A REGISTRATION, RENEWAL OR REINSTATEMENT DECISION BY THE REGISTRAR

1. An applicant or member may appeal a registration, renewal or reinstatement decision by the Registrar as allowed by *The Act* or this bylaw.
2. An applicant or member has thirty days after receiving written notification of the decision by the Registrar to submit a notice of appeal to the Board.
3. The Board shall select from amongst its voting directors three directors to compose an appeal committee by its own process. Depending on the application category, the appeal committee must have the following members:
 - a. for dentists - one public representative; one dentist;
 - b. for dental assistants - one public representative, one dental assistant.
4. The appeal committee shall hold the appeal hearing within ninety days of receiving a notice of appeal.
5. The appeal committee shall give the applicant or member thirty days written notice of the date, time and place of the hearing.
6. In addition to the written submissions of the applicant or member, he or she may appear before the appeal committee with or without counsel and make representations.
7. The appeal committee may make the following decisions after the hearing:
 - a. dismiss the appeal; or
 - b. vary the Registrar's decision as to the applicant or member requirements for registration, renewal or reinstatement.

8. A written decision and reasons for the decision shall be given to the Registrar and the applicant or member within thirty days of deciding the appeal committee decision.
9. The Registrar shall implement any decision of the Board within a reasonable time period dependent on the nature of the decision.

SECTION XVII - NOTIFICATION OF CHANGE

1. A member shall notify the Registrar of any change in name, address or telephone number previously provided to the Registrar within fifteen days of the change.

All bylaws with prefixes "03-", "17-", "17a-", "20-", "23-", "29-", "31-" or "33-" of the MDA are hereby repealed.

DONE and PASSED by the Board of Directors of the Manitoba Dental Association at Winnipeg, in Manitoba this 2nd day of November 2013.

President

Secretary

This by-law will become effective on the 17th day of December, 2013, unless 10 members request on or before the 16th day of December 2013 in writing, its ratification at a general meeting of the Association pursuant to ss. 43(2) of *The Dental Association Act*.

Attached: Schedules A, B and C.

THE MANITOBA DENTAL ASSOCIATION
Amendment to Schedule A of the Registration and Licensing Bylaw

The following amendment to Schedule A of the Registration and Licensing Bylaw is hereby requested by the MDA Board of Directors.

SCHEDULE A - FEES

Registration - application fee* \$ 200.00

* fee may be waived for applicant in the charitable purpose class

Licensure - initial application

- For registrant before 1st of September in year of application \$3250.00
- For registrant in the year of graduation from a dental training programme \$2250.00
- For registrant on or after 1st of September in year of application \$2250.00
- For registrant applying for academic class \$2250.00
- For registrant applying for student class \$ 200.00
- For registrant in the non-practising class \$ 100.00
- For registrants in charitable purpose, dental educator, course participant fees at discretion of Board

Licensure - annual renewal (single payment on or before 28th February in year of renewal)

- For members in the general practitioner and dental specialist class \$3250.00*
- For MDA Life Members recognized prior to 28th of February 2006 \$2250.00
- For members renewing in the academics class \$2250.00
- For members renewing in the student class \$ 200.00
- For members renewing in the non-practising class \$ 100.00
- For members in charitable purpose and dental educator fees at the discretion of the Board

Licensure - two payment option

- Members in the general practitioner and dental specialist class may pay renewal fees on the following terms:
 - include with application fee two payments of:
 - 28th February of year of renewal \$1675.00
 - 15th June of year of renewal \$1675.00
- \$3350.00 (total)

Late fees - annual renewal

- For all members, a fee of \$20.00 for every day after the 28th of February in the year of renewal that your annual renewal fees have not been received by the MDA at its 1735 Corydon office to a maximum of \$600.00. A member's licence to practice dentistry shall be suspended on 1st of March if payment is not received on or before the 28th of February in the year of renewal. A member's licence shall be cancelled on 30th March in the year of renewal if all fees owing are not paid.

Reinstatement - application fee

- For all members \$ 200.00

Change of Status - application fee

- For all members, except those applying for charitable purpose class \$ 200.00

Letters or Certificates of Standing

- Registered dental assistant letter of standing \$ 25.00
- Dental hygienist letter of standing \$ 50.00

- Dentist letter of standing \$ 50.00
- Dentist certificate of standing \$ 100.00

NOTE: ALL FEES ARE NON-REFUNDABLE.

Schedule A is hereby amended as above in the Registration and Licensing Bylaw.

DONE AND PASSED by the Board of Directors of the Manitoba Dental Association at Winnipeg, in Manitoba this 1st day of November A.D. 2014.

President

Secretary

Schedule A amendments of the Registration and Licensing Bylaw will become effective on the 12th of December 2014 unless ten (10) members request in writing, its ratification at a General Meeting of the Association on or before December 11th, 2014. [Section 43(2) of the Dental Association Act]

Secretary

Effective Date:

SCHEDULE C - APPROPRIATE CPR EDUCATIONAL PROGRAMMES

Programmes recognized by the MDA include those approved by Manitoba Health:

- **St. John Ambulance**
- **Canadian Red Cross**
- **Life Saving Society Standard First Aid**
- **Criti Care**
- **Emergency Rescue Response Service**
- **Southern Manitoba Academy of Response Training**
- **Heart & Stroke Foundation of Manitoba**
- **Life Line E.R.T**