



MANITOBA DENTAL ASSOCIATION

**THE
BYLAW FOR
REGISTRATION
AND
CERTIFICATION
OF DENTAL ASSISTANTS**

MANITOBA DENTAL ASSOCIATION
202-1735 Corydon Avenue, Winnipeg, MB, R3N 0K4
www.manitobadentist.ca

Board Approval for Bylaw Distribution: 04 November
Member Ratification of Bylaw:

BYLAW FOR REGISTRATION AND CERTIFICATION OF DENTAL ASSISTANTS

PREAMBLE

A bylaw pursuant to *The Dental Association Act (The Act)* to administer registration and certification for dental assistants.

SECTION I - DEFINITIONS

1. In this bylaw,
 - a. Authorized activity means an activity reserved for regulated health professionals in section 4 of *The Regulated Health Professions Act*.
 - b. Dental assisting activity means an activity enumerated in schedule B, D or E.
 - c. Non-regulated activity means an activity not reserved for regulated health professionals in section 4 of *The Regulated Health Professions Act*.

SECTION II - REGISTRANT CLASSES

1. The following classes of registrants are established:
 - a. Registered Dental Assistant;
 - b. Provisional Dental Assistant;
 - c. Student; and
 - d. Non-Practising.

SECTION III - USE OF TITLE

1. Only a dental assistant registered in the Registered Dental Assistant class may use the title "registered dental assistant" - or a variation, abbreviation or equivalent in another language - in connection with the performing dental assisting activities.
2. Only a member registered in the Registered Dental Assistant or Provisional Dental Assistant class may use the title "dental assistant" - or a variation, abbreviation or equivalent in another language - in connection with performing dental assisting activities.
3. A member registered in the Non-Practising class shall include a reference to non-practising status in any communication involving dental assisting.

SECTION IV - DENTAL ASSISTANTS RESTRICTIONS, CONDITIONS AND LIMITATIONS BY CLASS

1. A member registered in the Registered Dental Assistant class:
 - a. except as provided for in sections XIV-XVII, shall limit his or her dental assisting activities to those enumerated in SCHEDULE B - AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT;
 - b. shall limit his or her dental assisting activities to those delegated by a dentist licensed with the MDA;
 - c. shall limit his or her dental assisting activities to situations under the effective supervision and control of a dentist licensed with the MDA; and
 - d. shall limit his or her dental assisting activities to areas where he or she has the requisite knowledge, skill and judgement of a reasonable and prudent Registered Dental Assistant.
 - e. Nothing in this section shall be interpreted as preventing a Registered Dental Assistant from performing non-regulated activities.
 - 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 Registered Dental Assistant class or as a condition for registration of an applicant to the Registered Dental Assistant class.

2. A member registered in the Provisional Dental Assistant class:
 - a. shall limit his or her dental assisting activities to those enumerated in SCHEDULE B - AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT;
 - b. shall limit his or her dental assisting activities to those delegated by a dentist licensed with the MDA;
 - c. shall limit his or her dental assisting activities to situations under the effective supervision and control of a dentist licensed with the MDA; and
 - d. shall limit his or her dental assisting activities to areas where he or she has the requisite knowledge, skill and judgement of a reasonable and prudent Provisional Dental Assistant.
 - e. The duration of registration shall not exceed nine months from the date of graduation from an accredited dental assisting training programme.
 - f. Nothing in this section shall be interpreted as preventing a Provisional Dental Assistant from performing non-regulated activities.
 - 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 Provisional Dental Assistant class or as a condition for registration of an applicant to the Provisional dental Assistant class.

3. A member registered in the Student class:
 - a. shall restrict his or her dental assisting activities to those required for the dental assisting training programme;
 - b. shall restrict his or her dental assisting activities to a facility or facilities operated by the dental assistant training programme or a facility or facilities that the dental assistant training programme has a written agreement in a form approved by the Registrar;
 - c. shall limit his or her dental assisting activities to those delegated by a dentist licensed with the MDA;
 - d. shall limit his or her dental assisting activities to situations under the effective supervision and control of a dentist licensed with the MDA
 - 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 dental assistant training programme.
 - f. Nothing in this section shall be interpreted as preventing a Student from performing non-regulated activities.
 - 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.

4. A member registered in the Non-Practising class:
 - a. shall not perform dental assistant activities in Manitoba while registered as non-practising.

SECTION V - GENERAL REGISTRATION AND INITIAL CERTIFICATION 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 a valid certificate from an appropriate resuscitation programme (SCHEDULE C - APPROPRIATE RESUSCITATION PROGRAMMES);
 - e. 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 certificate.
- f. completed and signed consent forms authorizing the release information for each governing body relevant for the applicant;
 - g. demonstrates ability to speak and write in English with reasonable fluency to communicate with the MDA;
 - h. payment of applicable registration and initial certification fees (SCHEDULE A - FEES); and
 - i. payment of any other outstanding fine, fee, debt or levy owed by the applicant to the MDA.

SECTION VI - ADDITIONAL REGISTRATION AND INITIAL CERTIFICATION REQUIREMENTS BY CLASS

1. In addition to the requirements of section V, an applicant for the Registered Dental Assistant class shall submit evidence satisfactory to the Registrar:
 - a. the applicant:
 - i. holds a Certificate from the National Dental Assistant Examining Board of Canada (NDAEB certificate); and
 - ii. graduated from a Commission on Dental Accreditation of Canada (CDAC) accredited dental assistant training programme; or
 - iii. has successfully completed all the skills required in the Clinical Practice Evaluation administered by the National Dental Assisting Examination Board (NDAEB).
 - b. the applicant since receiving the NDAEB certificate or meeting the passing score, there has been no three year period during which the applicant did not perform dental assisting activities on a continuous and regular basis in a jurisdiction where the CDAC accredits dental assistant training programmes.
 - c. the applicant carries professional liability insurance in an amount of not less than \$1,000,000.00 per claim under the malpractice plan provided through the Canadian Dental Assistants Association (CDAA).
 - d. the requirement of paragraph VI(1)(b) does not apply to an applicant if the NDAEB certificate is of such recent date as to indicate reasonable proof of the person's qualifications.
2. In addition to the requirements of section V, an applicant for the Provisional Dental Assistant class shall submit evidence satisfactory to the Registrar:
 - a. the applicant graduated from a CDAC accredited dental assistant training programme in Manitoba; and
 - b. the applicant carries professional liability insurance in an amount of not less than \$1,000,000.00 per claim under the malpractice plan provided through the Canadian Dental Assistants Association (CDAA).
3. In addition to the requirements of section V, an applicant for the Student class shall submit evidence satisfactory to the Registrar the applicant:
 - a. has been accepted for enrolment in an accredited dental assistant training programme in Manitoba; and
 - b. carries professional liability insurance in a form and amount appropriate to Registrar.
4. In addition to the requirements of section V, an applicant for the Non-Practising class shall submit evidence satisfactory to the Registrar:
 - a. the applicant is or is eligible to be registered in the Registered Dental Assistant class; and
 - b. completed and signed a declaration in the form approved by the Registrar that the applicant:
 - i. understands the conditions and limitations for non-practising members to change their registration status;
 - ii. shall not perform dental assisting activities in Manitoba while registered as non-practising.

SECTION VII - REGISTRATION AND INITIAL CERTIFICATION

- 1. If, in the opinion of the Registrar, an applicant has met the application requirements and qualifications for performing dental assisting activities for the registration class, the Registrar shall:**
 - a. include the applicant as a dental assistant on the appropriate registry;**
 - b. issue a certificate of registration in a form approved by the Board; and**
 - c. issue a certificate 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 performing dental assisting activities for the registration class, the Registrar may:**
 - a. refuse to register the applicant as a dental assistant;**
 - b. register the applicant with restrictions, conditions and limitations in addition to those provided in this bylaw on his or her certificate; or**
 - c. defer a registration decision until additional information is provided.**

- 3. The Registrar may defer a registration decision under paragraph VII(2)(c) for a maximum of one year.**

- 4. For any decision under subsection VII(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 VII(6), a dental assistant may appeal a written decision under subsection VII(2) to the Board.**

- 6. A restriction, condition, limitation or deferral under subsection VII(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 performing dental assistant activities 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 VII(7) shall be ineligible to apply for registration with the MDA for one year.**

- 9. A dental assistant 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 perform dental assisting activities; or**
 - f. any other error in the issuing of the registration.**

- 10. Prior to any decision under subsection VII(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 dental assistant 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 perform dental assisting activities;
 - d. request the person surrender his or her certificate; 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 Registrar; and
2. A certificate of registration shall include:
 - a. dental assistant name;
 - b. dental assistant registration class;
 - c. restrictions, conditions or limitations of the registration class;
 - d. restrictions, conditions or limitations specific to the dental assistant;
 - 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 perform dental assisting activities.
3. A dental assistant shall make his or her certificate of registration available to patients in any facility he or she performs dental assisting activities.

SECTION IX - CERTIFICATE

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

SECTION X - ANNUAL RENEWAL REQUIREMENTS

1. A dental assistant is eligible to renew his or her certificate if the member submits to the Registrar on or before April 30 of each year:
 - a. complete, signed certificate renewal application in the form approved by the Registrar;
 - 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 certificate 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 certificate renewal application of a member.
2. In addition to the requirements of subsection X(1), dental assistants licensed to perform dental assisting activities 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 dental assistant shall not be eligible to renew his or her certificate if the dental assistant:
 - a. registration or certificate is suspended or cancelled for any reason; or
 - b. fails to comply with the requirements for continuing competence.

SECTION XI - CERTIFICATE RENEWAL

1. Unless it is otherwise expressly specified on the certificate, every certificate shall expire on April 30th of each year.
2. If, in the opinion of the Registrar, an applicant has met the renewal requirements and qualifications for performing dental assisting activities for the registration class, the Registrar shall issue a certificate 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 performing dental assisting activities for the registration class, the Registrar may:
 - a. refuse to renew the certificate;
 - 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 April 30 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 April 30 of the year, his or her certificate to perform dental assisting activities 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 performing dental assisting activities 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 certificate 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 certificate and direct the Registrar to:
- a. remove the dental assistant 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 certificate; 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 Registrar;
 - 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 Non-Practising class may change status to the Registered Dental Assistant class if he or she:
- a. was registered in the Registered Dental Assistant 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 CDAC accredits dental assistant training programmes.

SECTION XIV - ROSTERS

1. The Board may approve rosters identifying Registered Dental Assistants authorized to perform additional dental assisting activities.
2. If the Board establishes a roster, the Board shall:
- a. enumerate the additional activities that a Registered Dental Assistant may perform if listed on the roster; and
 - b. determine the eligibility requirements for a Registered Dental Assistant to be listed on the roster.

- 3. The Registrar shall include on the public registry of a Registered Dental Assistant if he or she is authorized to provide additional dental assisting activities in a format approved by the Registrar.**

SECTION XV - APPROVED ROSTERS

1. The Board approves the following rosters of additional activities:
 - a. orthodontic assisting roster;
 - b. preventative scaling roster.

SECTION XVI - ORTHODONTIC ASSISTING ROSTER

1. In addition to the dental assisting activities enumerated in SCHEDULE B - AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT, a Registered Dental Assistant on the orthodontic assisting roster may perform those activities enumerated in SCHEDULE D - ADDITIONAL AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT ON THE ORTHODONTIC ROSTER.
2. A Registered Dental Assistant on the orthodontic assisting roster:
 - a. shall limit his or her dental assisting activities to those delegated by a dentist licensed with the MDA;
 - b. shall limit his or her dental assisting activities to situations under the effective supervision and control of a dentist licensed with the MDA; and
 - c. shall limit his or her dental assisting activities to areas where he or she has the requisite knowledge, skill and judgement of a reasonable and prudent Registered Dental Assistant.
 - d. Nothing in this section shall be interpreted as preventing a Registered Dental Assistant from performing non-regulated activities.
 - 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 Registered Dental Assistant class or as a condition for listing on the orthodontic assisting roster.
3. A Registered Dental Assistant shall be listed on the orthodontic assisting roster if:
 - a. is on the current orthodontic assisting roster; or
 - b. evidence satisfactory to the Registrar of identity and current legal name;
 - c. evidence satisfactory to the Registrar the member has successfully completed an MDA recognized orthodontic assisting training programme;
 - d. payment of any other outstanding fine, fee, debt or levy owed by the applicant to the MDA; and
 - e. any other information that in the opinion of the Registrar is required to review the application of a Registered Dental Assistant.

SECTION XVII - PREVENTATIVE SCALING ROSTER

1. In addition to the dental assisting activities enumerated in SCHEDULE B - AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT, a Registered Dental Assistant on the preventative scaling roster may perform those activities enumerated in SCHEDULE E - ADDITIONAL AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT ON THE PREVENTATIVE SCALING ROSTER.
2. A Registered Dental Assistant on the preventative scaling roster:
 - a. shall limit his or her dental assisting activities to those delegated by a dentist licensed with the MDA;
 - b. shall limit his or her dental assisting activities to situations under the effective supervision and control of a dentist licensed with the MDA; and
 - c. shall limit his or her dental assisting activities to areas where he or she has the requisite knowledge, skill and judgement of a reasonable and prudent Registered Dental Assistant.
 - d. Nothing in this section shall be interpreted as preventing a Registered Dental Assistant from performing non-regulated activities.
 - 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 Registered Dental Assistant class or as a condition for listing on the preventative scaling roster.

3. A Registered Dental Assistant shall be listed on the preventative scaling roster if:
 - a. is on the current preventative scaling roster; or
 - b. evidence satisfactory to the Registrar of identity and current legal name;
 - c. evidence satisfactory to the Registrar the member has successfully completed an MDA recognized preventative scaling training programme;
 - d. payment of any other outstanding fine, fee, debt or levy owed by the applicant to the MDA; and
 - e. any other information that in the opinion of the Registrar is required to review the application of a Registered Dental Assistant.

SECTION XVIII - CANCELLATION

1. A dental assistant shall cancel his or her registration by giving notice to the Registrar in a form approved by the Registrar.
2. The notice is effective on the date the notice is received or a cancellation date specified on the form whichever is later.

SECTION XIX - 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 Registrar;
 - 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 assistant training programmes; or
 2. an equivalent national accreditation body with an approved reciprocity agreement with CDAC accredits dental assistant 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 performing dental assisting activities for the registration class, the Registrar shall:
 - a. reinstate the applicant as a dental assistant on the appropriate registry;
 - b. issue a certificate of registration in a form approved by the Board; and
 - c. issue a certificate 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 performing dental assisting activities for the registration class, the Registrar may:
 - a. refuse to reinstate the applicant as a dental assistant;
 - b. register the applicant with restrictions, conditions and limitations in addition to those provided in this bylaw on his or her certificate; or
 - c. defer a registration decision until additional information is provided.
4. The Registrar may defer a registration decision under paragraph XIX(3)(c) for a maximum of one year.
5. For any decision under subsection XIX(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 XIX(7), an applicant may appeal a written decision under subsection XIX(3) to the Board.

7. A restriction, condition, limitation or deferral under subsection XIX(3) 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 performing dental assisting activities for three or more years;
 - b. voluntarily surrendering his or her certificate 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 certificate; or
 - e. previously refused reinstatement.
9. An applicant under subsection XIX(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 XIX(8), it may impose any restriction, condition or limitation on performing dental assisting activities by the applicant that in the opinion of the Board is appropriate.

SECTION XX - 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. The appeal committee must have the following: at least one public representative and one registered 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 XXI - NOTIFICATION OF CHANGE

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

Bylaws A-07, A-10, A-12, B-10, B-13 AND D-07 of the MDA are hereby repealed.

DONE and PASSED by the Board of Directors of the Manitoba Dental Association at Winnipeg, in Manitoba this 04th day of November 2016.

President

Secretary

This by-law will become effective on the 15th day of December, 2016, unless 10 members request on or before the 14th day of December 2016 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, C and D.

SCHEDULE A - FEES

Registration - application fee \$ 25.00

Certification - initial application

- For registrant in the registered dental assistant class before 1st of September in year of application \$ 240.00
- For registrant in the registered dental assistant class after 1st of September in year of application \$ 120.00
- For registrant in the provisional dental assistant class \$ 120.00
- For registrant in the student class \$ 00.00

Certification - annual renewal (single payment on or before 30th April in year of renewal)

- For the registered dental assistant class \$ 240.00
- For members renewing in the non-practising class \$ 50.00

Certification - two payment option

- Members in the registered dental assistant class may pay renewal fees on the following terms:
 - include with application fee two payments of:
 - 30th April of year of renewal \$ 130.00
 - 15th September of year of renewal \$ 130.00
- \$ 260.00

Late fees - annual renewal

- For all members, a fee of \$2.50 for every day after the 30th of April 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 \$ 75.00. A member's certificate to perform dental assisting activities shall be suspended on 1st of May if payment is not received on or before the 30th of April in the year of renewal. A member's certificate shall be cancelled on 30th May in the year of renewal if all fees owing are not paid.

Reinstatement - application fee

- For all dental assistants \$ 240.00

Change of Status - application fee

- For all dental assistants \$ 25.00

Letters or Certificates of Standing

- Registered dental assistant letter of standing \$ 25.00
- Registered dental assistant certificate of standing \$ 50.00

NOTE: ALL FEES ARE NON-REFUNDABLE.

SCHEDULE B - AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT

A registered dental assistant is authorized to be delegated only those restricted activities listed in this schedule regardless of training for other activities:

1. place and remove dental dams including clasp manipulation;
2. apply topical anaesthetic agents;
3. apply topical anti-cariogenic or antimicrobial agents including fluoride;
4. apply topical desensitizing agents;
5. place restorative matrices and wedges;
6. remove restorative matrices and wedges;
7. clean tooth surfaces in preparation for application of dental materials;
8. etch tooth surfaces with acid in preparation for sealant of pits and fissures;
9. apply sealant for pits and fissures;
10. etch tooth surfaces with acid in preparation for restorative bonding;
11. place restorative bases, bonding agents and liners;
12. impressions for:
 - a. study models;
 - b. custom trays;
 - c. whitening trays;
 - d. mouthguards;
 - e. periodontal appliances;
 - f. temporomandibular disorder appliances;
 - g. myofascial dysfunction syndrome appliances;
 - h. medically diagnosed sleep apnea appliances;
 - i. snoring appliance; and
 - j. surgical stents; and
 - k. fixed and removable orthodontic appliances.
13. insert whitening trays;
14. insert mouthguards;
15. remove sutures;
16. polish using rotary instrument selectively to remove coronal plaque and extrinsic stain;
17. radiography;
18. scan digitally the oral cavity and teeth;
19. observe, report and record primary and secondary teeth in oral cavity;
20. observe, report and record abnormalities in tooth development and tissues;
21. observe, report and record plaque, stain and supra-gingival calculus;
22. observe and record patient vital signs; and
23. public health screening in educational and long term care facilities without effective supervision using mirror, tongue depressor and light to observe report and record.

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**

SCHEDULE D - ADDITIONAL AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT ON THE ORTHODONTIC ROSTER

In addition to the activities enumerated in SCHEDULE -B for a registered dental assistant, a registered dental assistant on the orthodontic assisting roster may be delegated only the following restricted activities listed in this schedule:

1. apply x-ray or ionizing radiation for the purpose of producing a cephalometric image;
2. place orthodontic separators;
3. remove orthodontic separators;
4. fit orthodontic bands;
5. place orthodontic bands with self curing cement;
6. place orthodontic bands with light curing cement;
7. remove excess cement with hand instruments after cementing orthodontic bands;
8. fit orthodontic brackets and bondable attachments - direct technique;
9. fit orthodontic brackets and bondable attachments - indirect technique;
10. prepare teeth for bonding orthodontic brackets and bondable attachments;
11. place orthodontic brackets and bonded attachments with light cured bonding agent;
12. place orthodontic brackets and bonded attachments with self curing bonding agent;
13. remove excess bonding agent with hand instruments after bonding of brackets;
14. ligate orthodontic archwires with separate elastomeric ligature;
15. ligate orthodontic archwires with chain elastomeric ligatures;
16. ligate orthodontic archwires using self-ligating brackets;
17. ligate orthodontic archwires with metal wire ligatures (separate or continuous);
18. remove orthodontic elastomeric ligatures;
19. remove metal wire ligatures;
20. remove orthodontic archwires;
21. remove orthodontic bands with hand instruments;
22. remove orthodontic brackets and bondable attachments with hand instruments;
23. remove excess cement with hand instruments after removal of orthodontic bands; and
24. remove excess bonding agent with hand instruments following de-bonding of brackets.

SCHEDULE E - ADDITIONAL AUTHORIZED ACTIVITIES FOR A REGISTERED DENTAL ASSISTANT ON THE PREVENTATIVE SCALING ROSTER

In addition to the activities enumerated in SCHEDULE - B for a registered dental assistant, a registered dental assistant on the preventative scaling roster may be delegated only the following restricted activities listed in this schedule:

1. probe and record periodontal pocket depth;
2. evaluate and record gingival bleeding; and
3. remove calculus to a maximum depth of 2 mm sub-gingival with hand instrumentation.