

Gouvernement du Québec

O.C. 673-96, 5 June 1996

Professional Code
(R.S.Q., c. C-26)

Dentists — Code of ethics — Amendments

Regulation to amend the Code of ethics of dentists

WHEREAS under paragraphs 1 and 5 of section 87 of the Professional Code (R.S.Q., c. C-26; 1994, c. 40), the Bureau of the Ordre des dentistes du Québec must, by regulation, determine which acts are derogatory to the dignity of the profession and set out conditions in respect of advertising by its members;

WHEREAS under section 87 of the Code, that Bureau had made a Code of ethics of dentists (R.R.Q., 1981, c. D-3, r.4), amended by the Regulations approved by Orders in Council 279-93 dated 3 March 1993 and 1360-94 dated 7 September 1994;

WHEREAS it is expedient to further amend the Regulation;

WHEREAS under paragraphs 1 and 5 of that section of the Code, that Bureau made a Regulation to amend the Code of ethics of dentists;

WHEREAS in accordance with the third paragraph of section 95.3 of the Code, a draft of the Regulation has been sent to every member of the professional order at least thirty days before its making by the Bureau;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of that Regulation was published in Part 2 of the *Gazette officielle du Québec* of 29 November 1995 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Code, the Office des professions du Québec has made its recommendation;

WHEREAS it is expedient to approve the Regulation with an amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Code of ethics of dentists, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of dentists

Professional Code
(R.S.Q., c. C-26, s. 87, pars. 1 and 5)

1. The Code of ethics of dentists (R.R.Q., 1981, c. D-3, r. 4), amended by the Regulations approved by Orders in Council 279-93 dated 3 March 1993 and 1360-94 dated 7 September 1994, is further amended by adding the following after section 2.04:

“**2.05** A dentist may not refuse to provide professional services to a patient for reasons related to the nature of the disease or handicap affecting that patient.”.

2. The following is added after the first paragraph of section 3.09.05:

“A dentist may not advertise himself under titles other than those recognized by the Order, that is, “dentist” or “dental surgeon” and, if he holds a specialist’s certificate, his specialist’s titles. In addition, he may have his name followed only by university titles or other titles that are recognized by the Order.”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 674-96, 5 June 1996

Professional Code
(R.S.Q., c. C-26)

Dental hygienists — Standards for equivalence of diplomas or training for the issue of a permit by the Ordre

Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des hygiénistes dentaires du Québec

WHEREAS under paragraph c of section 93 of the Professional Code (R.S.Q., c. C-26; 1994, c. 40), the

Bureau of the Ordre des hygiénistes dentaires du Québec must, by regulation, prescribe standards for equivalence of diplomas or training for the issue of a permit by the Order;

WHEREAS under paragraph *c* of section 93 of the Code, the Bureau made the Regulation respecting the standards for equivalence of diplomas for the issue of a permit by the Ordre professionnel des hygiénistes dentaires du Québec, approved by Order in Council 759-92 dated 20 May 1992;

WHEREAS it is expedient to replace that Regulation;

WHEREAS under that section of the Code, the Bureau made the Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des hygiénistes dentaires du Québec;

WHEREAS a draft of the Regulation was sent to every member of the professional order at least thirty days before its adoption by the Bureau, in accordance with the third paragraph of section 95.3 of the Code;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 24 May 1995 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions du Québec has made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des hygiénistes dentaires du Québec, the text of which is attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des hygiénistes dentaires du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, par. *c*; 1994, c. 40, s. 80)

DIVISION I GENERAL PROVISIONS

1. The secretary of the Ordre des hygiénistes dentaires du Québec shall forward a copy of this Regulation to a candidate wishing to be granted a diploma equivalence or a training equivalence.

2. In this Regulation, “diploma equivalence” means the attestation by the Bureau that the level of knowledge attained by a candidate holding a diploma in dental hygiene issued by an educational establishment outside Québec is equivalent to the level attained by the holder of a diploma issued and recognized in Québec and meeting the permit requirements of the Order.

“Training equivalence” means the attestation by the Bureau that a candidate’s training is equivalent to the level of knowledge attained by the holder of a diploma issued and recognized in Québec and meeting the permit requirements of the Order.

DIVISION II STANDARDS FOR A DIPLOMA OR TRAINING EQUIVALENCE

3. A candidate holding a diploma in dental hygiene issued by an educational establishment outside Québec shall be granted a diploma equivalence if the diploma was issued upon completion of university or college studies or the equivalent comprising the equivalent of at least 1 800 hours of learning activities, of which 1 380 hours must be in the concentration, apportioned as follows:

(1) a minimum of 60 hours in each of the following subjects:

- (a) nutrition; and
- (b) pre-clinic in operative dentistry;

(2) a minimum of 75 hours in each of the following subjects:

- (a) dental materials; and
- (b) pre-clinic in dental hygiene;

(3) a minimum of 90 hours in dental and systemic pathology, including 15 hours in pharmacology;

(4) a minimum of 105 hours in dental radiology;

(5) a minimum of 120 hours in dental, head and neck anatomy;

(6) a minimum of 330 hours for all courses and training periods in the areas of prevention, community health and professional information; and

(7) a minimum of 465 hours of clinical training, including the operative dentistry component.

4. Notwithstanding section 3, where the diploma in respect of which an equivalence application has been filed was issued five or more years prior to the application, a diploma equivalence shall be denied if the candidate's knowledge, taking into account developments in the profession, no longer corresponds to the knowledge currently being taught.

Notwithstanding the foregoing, a diploma equivalence shall be granted if the candidate's relevant work experience and training since being awarded the diploma have enabled him to acquire the required level of knowledge.

5. A candidate shall be granted a training equivalence if he demonstrates that his level of knowledge is equivalent to the level of knowledge acquired upon completion of university or college studies in dental hygiene comprising the learning activities listed in section 3 and carried out in an establishment recognized under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26).

To determine whether a candidate has attained the level of knowledge required in the first paragraph, the Bureau shall take all the following factors into account:

(1) the fact that the candidate holds a diploma issued in the field of oral hygiene;

(2) training periods completed;

(3) total years of schooling; and

(4) the nature and duration of the candidate's experience.

DIVISION III EQUIVALENCE RECOGNITION PROCEDURE

6. A candidate applying for a diploma equivalence or a training equivalence shall provide the secretary, or the person designated by the Bureau for that purpose, with

the following supporting documents and with the dues required for the examination of the application:

(1) the candidate's academic record and a description of all courses taken;

(2) proof that the diploma was issued, where applicable;

(3) a document attesting to the candidate's participation in a training period or attendance at relevant courses, where applicable; and

(4) a document attesting to the candidate's relevant work experience.

Where the documents forwarded in support of an equivalence application are written in a language other than French or English, they must be accompanied by a translation in French or in English attested to by a sworn declaration or solemn affirmation from the person who did the translation.

7. The secretary or the person designated for that purpose shall forward the documents prescribed in section 6 to the committee set up by the Bureau to examine equivalence applications and to make appropriate recommendations to the Bureau.

At its first meeting following receipt of a committee's recommendation, the Bureau shall decide whether to grant the equivalence. It shall notify the candidate in writing within 15 days following the date of its decision.

8. Within 15 days following the decision not to recognize the diploma equivalence or the training equivalence, the Bureau shall inform the candidate thereof in writing and shall indicate to him the number of hours and the learning activities that are missing and that do not conform to the requirements established in section 3 and shall indicate the programs of study, the training periods or the examinations that must be successfully completed for the equivalence to be granted.

9. A candidate who is informed of the Bureau's decision not to grant the equivalence applied for may apply to the Bureau for a hearing, provided that the candidate applies therefor in writing to the secretary within 30 days following the date on which the decision is mailed.

The Bureau shall hear the candidate at the next regular meeting following the date of receipt of the application. To that end, the Bureau shall convene the candidate by means of a notice in writing sent by registered mail not less than 10 days before the date of the hearing.

The Bureau's decision is final and shall be forwarded to the candidate by registered mail within 30 days following the date of the hearing.

DIVISION IV FINAL PROVISIONS

10. This Regulation replaces the Regulation respecting the standards for equivalence of diplomas for the issue of a permit by the Ordre professionnel des hygiénistes dentaires du Québec, approved by Order in Council 759-92 dated 20 May 1992.

11. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 675-96, 5 June 1996

Professional Code
(R.S.Q., c. C-26)

Dental hygienists — Conciliation and arbitration procedure of accounts

Regulation respecting the procedure for the conciliation and arbitration of accounts of members of the Ordre des hygiénistes dentaires du Québec

WHEREAS under section 88 of the Professional Code (R.S.Q., c. C-26; 1994, c. 40), the Bureau of the Ordre des hygiénistes dentaires du Québec must establish, by regulation, a conciliation and arbitration procedure for the accounts of the members of the Order which may be used by persons having recourse to the services of the members;

WHEREAS under section 88 of the Code, the Bureau made the Regulation respecting the procedure for conciliation and arbitration of accounts of dental hygienists (R.R.Q., 1981, c. C-26, r. 105);

WHEREAS it is expedient to replace that Regulation;

WHEREAS under that section of the Code, the Bureau made the Regulation respecting the procedure for the conciliation and arbitration of accounts of members of the Ordre des hygiénistes dentaires du Québec;

WHEREAS a draft of the Regulation was sent to every member of the professional order at least 30 days before its adoption by the Bureau, in accordance with section 95.3 of the Code;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of that Regulation was published in Part 2 of the *Gazette officielle du Québec* of 2 August 1995 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Code, the Office des professions du Québec has made its recommendations;

WHEREAS it is expedient to approve that Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting the procedure for the conciliation and arbitration of accounts of members of the Ordre des hygiénistes dentaires du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the procedure for the conciliation and arbitration of accounts of members of the Ordre des hygiénistes dentaires du Québec

Professional Code
(R.S.Q., c. C-26, s. 88; 1994, c. 40, s. 76)

DIVISION I CONCILIATION

1. A client who has a dispute with a member of the Ordre des hygiénistes dentaires du Québec concerning the amount of an unpaid account for professional services may file a written application for conciliation with the syndic within a 45-day period from the date of receipt of the account, provided that the member has not instituted proceedings to recover the account.

2. A client who has already paid the account for professional services in whole or in part may file a written application for conciliation on the portion that has been paid, within a 45-day period from the date of receipt of the account.