



EXEMPTION FROM THE SUPERVISION RATIO

N208 – 5811 Cooney Road
Vancouver, BC V6X 3M1

Phone: 604-278-8324

Fax: 604-278-8325

Toll Free: 1-877-666-8324

Website: www.cdt.bc.ca

Ronald Revell, RDT, Registrar
registrar@cdt.bc.ca

Doris Chan, Deputy Registrar
deputy@cdt.bc.ca

Technical Assistant/ Inspector
tech@cdt.bc.ca

Claire Sami, Receptionist/ Office Assistant
reception@cdt.bc.ca

***“IT IS THE DUTY OF THIS COLLEGE AT ALL TIMES
TO SERVE AND PROTECT THE PUBLIC,
AND TO EXERCISE ITS POWERS AND DISCHARGE ITS RESPONSIBILITIES
UNDER ALL ENACTMENTS IN THE PUBLIC INTEREST.”***

Section 42(4) allows the Board to exempt a registrant from the supervision ratio set out in Section 42(1)(2) and (3) in extraordinary circumstances and where no significant risk to the public would result.

EXEMPTION FROM THE SUPERVISION RATIO

The current bylaws permit the Board to apply discretion with respect to compliance with the current ratio. The Board is mindful of the need to respond to difficulties encountered by laboratories that lose employees and/or face significant changes on the demand for laboratory services. The waiver policy set out below takes into consideration the education and skills of many non-RDT registrants and is a response to current conditions in the professional community. The policy is subject to change if conditions vary.

Upon application and approval, the Board will permit one dental technician to supervise up to five others (registered as assistants/students) provided that two of those five others have documented **training and/or experience** as defined below:*

Training

- Formal education from a post-secondary dental technician program
- Formal training through a government approved apprenticeship program

Experience

- Six years (in the last 10) providing intermediate to advanced laboratory services in the technical area required by the current position

UNDER WHAT CIRCUMSTANCES CAN I APPLY FOR AN EXEMPTION?

The bylaws permit the Board to exempt a registrant from the ratio requirement in (1) extraordinary circumstances and (2) where there is no significant risk to the public.

[1] In Extraordinary circumstances

The Board takes the position that extraordinary circumstances include but are not limited to the following:

Circumstances that affect a supervising dental technician's ability to work:

- accident/death
- resignation/dismissal
- illness/disability
- pregnancy/maternity leave
- significant family events
- absence for education related to the practice of dental technology

Circumstances affecting the laboratory business:

- sudden increase in work load

Circumstances affecting the owner/manager's ability to obtain or retain an employee when required due to:

- shortage of dental technicians (shortage in required skill area)
- absence of applicants or suitable applicants for the position
- geographic location

[2] Where there is no Significant Risk To The Public

The Board considers that there would be no significant risk of harm to the public if:

- the supervising dental technician(s) is in good standing, makes supervisory arrangements approved by the Board and gives his or her written undertaking as required regarding terms and conditions related to the exemption.
- the registrant(s) who accept(s) the delegation has the skills and training set out above.

HOW DO I APPLY FOR AN EXEMPTION?

If possible, applicants should always contact the Registrar if they require an exemption BEFORE they are in breach of the supervision ratio. Applicants should contact the Registrar immediately if they suddenly lose RDT employees.

The board will require evidence that an applicant qualifies for the exemption and will ask the applicant to provide the following:

Documentation and/or information (if applicable) attesting to extraordinary circumstances, e.g.,

- the location/duration of specific training or education being undertaken
- the medical documentation providing details of accident, illness or disability
- circumstances regarding the dismissal/resignation of a supervising dental technician (in some circumstances the College may contact the former employee)

Documentation indicating that reasonable efforts have been made to find a replacement RDT (where applicable). Such documentation includes:

- evidence of advertisements for the vacant position on the College and CDLA web sites (minimum one month) and (1) local and (1) provincial paper (minimum four weekends)
- evidence that the position advertised offers a reasonable wage and benefit package in accordance with the industry standard

Documentation indicating the experience and training of the assistant; for example:

- copies of graduating certificates
- copies of apprenticeship contracts
- evidence of employment in a laboratory (T4s, employers' letter)
- evidence regarding skills (employers' letter). In some instances the College may wish to conduct an assessment of the skills of the Assistants identified in the waiver application

If applicants qualify for an exemption, the Registrar will provide the applicant with a certificate of exemption setting out the terms, conditions and duration of the exemption. The **Certificate of Exemption** should be displayed or readily available for production on request at the applicant's place of business.

HOW LONG CAN I HAVE AN EXEMPTION?

Exemptions will be given for the period required, but will not exceed one year. Registrants anticipating a further need for a waiver should ensure that they have re-applied, in the form required, with supporting information, documentation and/or undertakings at least one month before the end of the waiver.

WHAT IF A LABORATORY LOSES ITS ONLY DENTAL TECHNICIAN?

Laboratory owners/operators who are not RDTs are reminded that:

- Only RDTs can provide the services of a dental technician or delegate the provision of those services to other registrants.
- S13 (2)(b)] of the Health Professions Act states that only a registrant entitled to perform the services can recover a fee or remuneration in any court for dental technician services.
- Laboratory employees/owners who are not RDTs cannot continue providing services if there is no RDT in the laboratory (unless a specific waiver has been provided as set out below).
- If non-RDTs continue to provide services set out in the scope of practice they are committing an offence under the OFFENCE ACT and will be referred to Crown Counsel.

The College recognizes that in some instances a laboratory will lose the only RDT employed in a laboratory. The College will consider providing a short-term, emergency exemption in some circumstances to these laboratories if:

- the loss of the RDT was clearly beyond their control or the RDT was dismissed for cause;
- another RDT will undertake to supervise and sign off on work delivered from that laboratory;
- the supervising RDT can be reasonably seen to have adequate access for proper supervision and/or if the supervising RDT has adequate control/accountability for the quality of the delivered prosthesis (only in the case of satellite labs with a home office in BC);
- the supervising RDT has the current skills to supervise in the required situation; i.e., has current experience (within the last 6 years) in the type of service that will be provided by the laboratory they are supervising.

The College notes that there are essentially three environments to consider with respect to this type of application:

1. Two distinct laboratories that are physically and economically separated.
2. Satellite laboratories in BC with a managing laboratory located in BC. These laboratories are economically/administratively connected and physically separated.
3. Two distinct laboratories sharing space.

An applicant seeking this type of waiver will be required to provide evidence to support their application and verify the conditions set out above and will be required to provide undertakings as appropriate to the situation to ensure that the supervising dental technician is responsible and that there is no significant risk to the public during the term of the waiver.

A waiver provided in these circumstances will normally be provided for a maximum of four months.

CAN THE COLLEGE REVOKE AN EXEMPTION?

The Board may revoke any waiver provided at any time if there is reasonable evidence that:

- appropriate supervision is not being provided
- an undertaking is being breached
- the information provided to support the exemption was not accurate or was misleading
- circumstances have changed significantly

WHAT ARE THE CONSEQUENCES OF A BREACH OF THE TERMS OF EXEMPTION

Applicants who have intentionally provided inaccurate or misleading information, or who have breached any undertaking given, may be considered by the College to be conducting themselves unprofessionally and subject to investigation for professional misconduct.

* This new policy will not adversely affect any current waivers in effect. Current waivers will extend for the duration of the term.