

**Bylaws
of the College of
Registered Dental Hygienists of Alberta**

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Table of Contents

- Definitions1
- 1. Definitions1
- Council1
- 2. Council1
- Duties and Powers.....1
- Composition1
- Term of Office.....1
- Officers1
- Meetings.....2
- Quorum2
- Voting2
- 3. Council Members Ceasing to Hold Office.....2
- Complaints About Council Members.....2
- Appointment to Council3
- 4. Appointment of a regulated member to Council3
- Code of Ethics and Standards of Practice.....3
- 5. Procedure for adopting or amending a Code of Ethics or Standards of Practice.....3
- Registration3
- 6. Registration Committee3
- 7. Registration Applications.....3
- 8. Practice Permits.....4
- 9. Reinstatement Applications (Non-Disciplinary)4
- Non-Regulated Members4
- 10. Registers of Non-Regulated Members4
- Changes to Information.....5
- Continuing Competence.....5
- 11. Competence Committee5
- Professional Conduct.....5
- 12. Membership List.....5
- 13. Complaint Review Committee.....6
- 14. Hearing Tribunal6
- Committees6
- 15. Other Committees6
- 16. Terms of Reference for Committees6

Publication and Distribution of Information	6
17. Information under Section 119(1) of the Act	6
18. Additional Information that may be published on College Website	7
Administration	7
19. Forms and Documents.....	7
20. Reimbursement of Expenses	7
21. Fees and Levies for Applicants and Regulated Members.....	7
22. Head Office	8
23. Use of Funds	8
Notice Regarding Independent Dental Hygiene Practices	8
24. Notification	8
Bylaws.....	8
25. Enactment, Amendment, and Repeal of Bylaws	8

Definitions

1. Definitions

In these bylaws:

- (a) "Act" means the *Health Professions Act*;
- (b) "College" means the College of Registered Dental Hygienists of Alberta;
- (c) "Complaints Director" means the complaints director of the College appointed under section 15(3) of the Act;
- (d) "Council" means the council of the College established under section 5 of the Act;
- (e) "Chair" means the President of Council as appointed by Council referenced in section 4(3) of the Act;
- (f) "Hearings Director" means the hearings director of the College appointed under section 15(1) of the Act;
- (g) "Registrar" means the registrar of the College appointed under section 8 of the Act;
- (h) "Regulation" means the Dental Hygienists Profession Regulation;

Council

2. Council

Duties and Powers

- (1) The Council is the governing body of the College and may exercise all the powers and duties granted to a council under the Act.

Composition

- (2) Council shall consist of:
 - (a) six (6) regulated members appointed in accordance with bylaw 4;
 - (b) the number of public members required to be appointed by the Lieutenant Governor in Council in accordance with the Act; and
 - (c) any non-voting members appointed by Council.

Term of Office

- (3) Except as otherwise stated in these bylaws, the term of office for a regulated member of Council shall be three (3) years.
- (4) A regulated member of Council may not serve more than two (2) consecutive terms of office.

Officers

- (5) Council shall select a Chair and a Vice-Chair from among the members of Council, in accordance with Council policy.
- (6) The Chair shall hold office for a two (2) year term as Chair.
- (7) The Vice-Chair shall hold office for a two (2) year term as Vice-Chair.

- (8) The Chair shall chair meetings of Council.
- (9) If the Chair is temporarily absent or unable to act, the Vice-Chair shall perform the functions, duties, powers and responsibilities of the Chair.
- (10) If both the Chair and Vice-Chair are temporarily absent or unable to act, Council will determine who shall perform the functions, duties, powers and responsibilities of the Chair.
- (11) Council may remove a Council member from the position of Chair or Vice Chair upon a vote of two-thirds (2/3) of Council at a Council Meeting called specifically for that purpose.
- (12) If the office of Chair or Vice Chair becomes vacant before the Chair's or Vice Chair's term of office would normally end, a new Chair or Vice Chair shall be selected by Council from among the Council members, in accordance with Council policy.

Meetings

- (13) Except when Council otherwise directs, Council meetings are open to the regulated members and the public.

Quorum

- (14) A quorum in order to make a Council decision is a majority of the members of Council.
- (15) For the purposes of calculating whether a majority of the members of Council is present for a Council decision, public representative positions on Council to which the Lieutenant Governor in Council has not appointed an individual shall not be counted.

Voting

- (16) Except as otherwise stated in these bylaws and regardless of voting method, a decision shall be made by a majority vote of the Council members participating in the vote.
- (17) A resolution or matter shall be voted on by any means, electronic or otherwise, as determined by Council in its sole discretion.

3. Council Members Ceasing to Hold Office

- (1) A regulated member of Council automatically ceases to be a Council member if:
 - (a) the regulated member provides a letter of resignation to the Chair or the Vice Chair;
 - (b) the regulated member is suspended or ceases to be a regulated member;
 - (c) the regulated member is found guilty of unprofessional conduct under the Act or makes an admission of unprofessional conduct that is accepted by a hearing tribunal in accordance with the Act; or
 - (d) if the regulated member ceases to meet specified eligibility requirements for appointment to Council.

Complaints About Council Members

- (2) A person may make a written complaint to the Chair (or Vice-Chair if the complaint is against the Chair) regarding the conduct of a Council member in their capacity of that role. College policies will determine the process to manage and conclude on such complaints.
- (3) A regulated council member may be removed from Council where a motion to that effect is passed by two-thirds or more of the other members of Council, effective immediately.

- (4) The removal of a public member from Council may be recommended to the Lieutenant Governor in Council that their appointment be rescinded, upon discussion by the remaining Council members of the issue(s) leading to the recommendation.
- (5) If a regulated member of Council is unable to complete their term of office, Council may appoint a regulated member on the general register to serve the remainder of the term of office.

Appointment to Council

4. Appointment of a regulated member to Council

- (1) Council shall select regulated council members from among the regulated members in accordance with Council policies.

Code of Ethics and Standards of Practice

5. Procedure for adopting or amending a Code of Ethics or Standards of Practice

- (1) Council may adopt or amend a code of ethics or standards of practice in accordance with the consultation process set out at section 133 of the Act.
- (2) No fewer than fourteen (14) days before adopting a proposed code of ethics or standards of practice or amendment, Council shall provide a copy to regulated members or post a copy on the College's website for review and comment, and shall indicate a deadline for Council to receive written comments.
- (3) Council shall consider any written submissions received in accordance with subsection (2) before making a decision.

Registration

6. Registration Committee

- (1) A registration committee is hereby established and may carry out the powers and duties set out in the Act, the Regulations, and these bylaws.
- (2) Council shall appoint no fewer than three (3) members to the registration committee, a majority of whom must be regulated members, and shall appoint a member as chair.
- (3) Members shall be appointed to the registration committee for a term of three (3) years, unless Council specifies a different term at the time of appointment. Members may serve a maximum of two (2) consecutive terms on the registration committee.
- (4) A quorum of the registration committee is three members.
- (5) A decision of the registration committee shall be made by a majority vote of the members participating in the vote.
- (6) Subject to the Act, the Regulation, these bylaws, and any terms of reference approved by Council, the registration committee may determine its own procedures.

7. Registration Applications

- (1) The Registrar shall consider complete applications for registration as a regulated member.

- (2) The Registrar may, in their sole discretion, refer any application for registration to the Registration Committee.

8. Practice Permits

- (1) Regulated members must submit a complete application for a practice permit to the Registrar by October 31 each year.
- (2) Applications for practice permits shall be considered by the Registrar.
- (3) The Registrar may, in their sole discretion, refer any application for a practice permit to the Registration Committee or Competence Committee.

9. Reinstatement Applications (Non-Disciplinary)

- (1) A regulated member whose practice permit and registration are cancelled under the Act, except under Part 4 of the Act, may apply to the Registrar for reinstatement upon providing such documents, fees, assessments, levies and late payment fees as may be required by Council.
- (2) The Registrar may, in their sole discretion, refer any application for reinstatement to the Registration Committee.

Non-Regulated Members

10. Registers of Non-Regulated Members

- (1) The following registers of non-regulated members are hereby established by the College for persons not providing professional services of the profession of dental hygiene within the Province of Alberta:
 - (a) Non-Practicing Register
- (2) The Non-Practicing Register shall contain, with respect to each person entered on the register, the following information:
 - (a) name, address, telephone number, and email address;
 - (b) unique registration number
 - (c) gender
 - (d) date of birth
 - (e) home address, phone number and email address;
 - (f) academic and practical training qualifications, including the name of the institution and the year of graduation;
 - (g) employment history;
 - (h) languages spoken;
 - (i) other jurisdictions in which the member is registered to practice dental hygiene;
 - (j) other colleges of regulated health professions with which the member is registered; and
 - (k) any other information requested and provided by the person with their consent.
- (3) The criteria for persons to be on the Non-Practicing Register shall be as follows:
 - (a) A person who was previously a regulated member on the College's General Register;

- (b) is not currently engaged in active professional employment, or intending to provide services described in section 46(1)(b) of the Act, in Alberta;
 - (c) does not hold a practice permit in Alberta;
 - (d) pays an annual fee as determined by Council from time to time;
 - (e) all fees, dues or levies to the College are paid in full;
 - (f) is not under suspension or cancellation by the College or the governing body of a health professional in Alberta or in another jurisdiction for unprofessional conduct; and
 - (g) provides any evidence of good character as may be required by the Registrar or Registration Committee.
- (4) A person on the Non-Practicing Register is entitled to:
- (a) have access to the communications, newsletters and other services of the College, as may be determined by Council from time to time.

Changes to Information

- (5) The Registrar may enter, change, or remove information from the registers set out in subsection (1).

Continuing Competence

11. Competence Committee

- (1) A competence committee is hereby established and may carry out the powers and duties set out in the Act, the Regulations, and these bylaws.
- (2) Council shall appoint no fewer than four (4) members to the competence committee, a majority of whom must be regulated members, and shall appoint a member as chair.
- (3) Members shall be appointed to the competence committee for a term of three (3) years unless Council specifies a different term at the time of appointment. Members may serve a maximum of two (2) consecutive terms on the competence committee.
- (4) A quorum of the competence committee is three members.
- (5) A decision of the competence committee shall be made by a majority vote of the members participating in the vote.
- (6) Subject to the Act, the Regulation, these bylaws, and any terms of reference approved by Council, the competence committee may determine its own procedures.

Professional Conduct

12. Membership List

- (1) Council shall appoint no fewer than four (4) regulated members to the membership list referenced in section 15 of the Act. This list shall be used for appointing regulated members to both hearing tribunals and complaint review committees.
- (2) A person shall not sit on a complaint review committee and a hearing tribunal with respect to the same matter.

13. Complaint Review Committee

- (1) A complaint review committee consists of the regulated members and public members appointed to it by the hearings director.
- (2) The hearings director shall appoint a chair of each complaint review committee.
- (3) A quorum for a complaint review committee is two regulated members and the number of public members required by section 12(1) of the Act.
- (4) A decision of a complaint review committee shall be by majority vote. If a complaint review committee is sitting with an even number and there is a tie vote, then the chair shall cast a second and deciding vote.
- (5) Subject to the Act, the Regulation, these bylaws, and any terms of reference approved by Council, a complaint review committee may determine its own procedures.

14. Hearing Tribunal

- (1) A hearing tribunal consists of the regulated members and public members appointed to it by the hearings director.
- (2) The hearings director shall appoint a chair of each hearing tribunal.
- (3) A quorum for a hearing tribunal is two regulated members and the number of public members required by section 12(1) of the Act.
- (4) A decision of a hearing tribunal shall be by majority vote. If a hearing tribunal is sitting with an even number and there is a tie vote, then the chair shall cast a second and deciding vote.
- (5) Subject to the Act, the Regulation, these bylaws, and any terms of reference approved by Council, a hearing tribunal may determine its own procedures.

Committees

15. Other Committees

- (1) In addition to committees established in the Act or in these bylaws, Council may establish such committees as it considers necessary in carrying out its duties and responsibilities.
- (2) Council shall set out a process in policy for the appointment and removal of members of committees established under section (1).

16. Terms of Reference for Committees

- (1) Council shall approve terms of reference for all committees established in the Act, in these bylaws, and under bylaw 17(1).

Publication and Distribution of Information

17. Information under Section 119(1) of the Act

The Registrar has authority to publish or distribute information as permitted or required under the Act, the Regulation, the *Personal Information Protection Act*, SA 2003, c P-6.5, any other enactment that applies to the College, or as otherwise permitted or required by law.

18. Additional Information that may be published on College Website

In addition to the information required under the Act, the College may publish the following information on the College website:

- (a) General information about the College and its activities,
- (b) General information about the dental hygiene profession,
- (c) General information about the regulatory processes under the Act including applying for registration, applying for practice permits, the professional conduct process including complaints and concerns, continuing competence, and other matters covered in the Act,
- (d) Registration number,
- (e) Publications and reports,
- (f) Information about upcoming hearings or appeals,
- (g) Hearing Tribunal decisions and Orders, and appeal decisions by Council made under Part 4 of the Act, with or without disclosure of the regulated member's name,
- (h) Information referenced in Section 119(1) of the Act, and
- (i) Any other matter determined appropriate for publication on the College website, in the sole discretion of the Registrar.

Administration

19. Forms and Documents

The Registrar is authorized to prescribe such forms, certificates, permits or other documents that may be required for the purposes of the Act, the Regulation, or these bylaws.

20. Reimbursement of Expenses

- (1) The College shall reimburse expenses incurred by Council members and committee members in the course of carrying out their duties under the Act, the Regulation, and these bylaws, in accordance with policies made by Council.

21. Fees and Levies for Applicants and Regulated Members

- (1) Council may establish any of the following fees:

- (a) Application fees;
- (b) Registration fees;
- (c) Practice permit fees;
- (d) Late payment fees; and
- (e) Fees for reviews or appeals of any decisions under the Act
- (f) Reinstatement fees; and
- (g) Inspection fees.

- (2) Council may also establish any fees, costs, levies, or assessments to be paid by regulated members or applicants for any service or thing provided by the College under the Act, the Regulation, or these bylaws.

- (3) Before establishing a fee, cost, levy or assessment under subsection (1) or (2), or before making any changes to such fee, cost, levy or assessment, Council shall provide notice to the regulated members via the College website no fewer than 60 days before the fee, cost, levy, assessment, or change comes into effect.

22. Head Office

- (1) The head office of the College shall be located at Edmonton, Alberta, or such other location as may be determined by Council.

23. Use of Funds

- (1) The College may make use of all revenues received from fees and other sources of income to carry out the objectives of the College.
- (2) Financial policy pertaining to the College shall be determined by Council and the College shall publish annually a copy of its financial information in the form required by the Minister under section 4(1)(f) of the Act.

Notice Regarding Independent Dental Hygiene Practices

24. Notification

- (1) Any Member who opens, acquires, or moves an Independent Dental Hygiene Practice is required to provide to the College written notification of the name, phone number, fax number (if any), email address (if any), website address (if any) and complete mailing address of the Independent Dental Hygiene Practice along with complete and current contact information for any additional owners (the "Required Information"). The Required Information must be provided at least ninety (90) days prior to the date intended for the Independent Dental Hygiene Practice to open or move.
- (2) Upon receipt of the Required Information, and prior to an Independent Dental Hygiene Practice opening or moving, the College shall conduct an inspection of the Independent Dental Hygiene Practice in accordance with College policies.
- (3) Any Member who owns or operates an Independent Dental Hygiene Practice must provide written notification to the College of:
 - (a) any change in the ownership interests or name of the independent dental hygiene practice; and
 - (b) the closure of the independent dental hygiene practice.
- (4) Such written notification must be provided at least thirty (30) days prior to the date on which the change takes effect or the independent dental hygiene practice closes.

Bylaws

25. Enactment, Amendment, and Repeal of Bylaws

A bylaw or an amendment to a bylaw may be passed at any meeting of Council.



COLLEGE OF REGISTERED
DENTAL HYGIENISTS
OF ALBERTA