

## What every member needs to know about the new legislation.

The Dental Hygienists Act of Nova Scotia and Regulation come into **effect** on **May 15, 2009**.



### Written Protocol

The Dental Hygiene Regulation **Section 27**, require authorization by a dentist in a written order for certain dental hygiene procedures (Section 27 see below) when the dental hygienists is **not** authorized by the College to **self initiate**. Please communicate with your dentist employers to ensure that a general protocol order is in place and is followed appropriately. This protocol was requested by the dental profession through their professional association NSDA. For many practice situations this will be the current office practice and require no change except in the record keeping.

Each practicing dental hygienists should keep a **copy** of the protocol as signed and dated by your employer and a copy should be on file in the office. If there is no change in the client's history the dental hygiene practitioner should record no changes in Health History and note the general order is in place. When a client discloses a change in their medical status the change should be recorded and a specific authorization for the dental hygienists proceed with dental hygiene care (see below) should be entered and signed in that specific patient's record.

You may obtain a copy of the protocol in the Dental Hygiene Regulations Schedule A - Suggested Protocol for Authorizing Dental Hygienist to Perform Procedures. You can find the regulations on our Web sites [www.nsdha.ns.ca](http://www.nsdha.ns.ca) or the College web site at [www.cdhsns.ca](http://www.cdhsns.ca) . You can find a copy of the Act at the [www.gov.ns.ca/legislature](http://www.gov.ns.ca/legislature)

#### Dental Hygienists Regulations Section 27

Protocol for authorizing dental hygienist to perform certain procedures

27 A dental hygienist who did not meet the licensing qualifications in clause 8(h) may perform the following procedures only if **authorized by a dentist in a written protocol**:

- (a) scaling teeth and root planing;
- (b) ordering, administering and interpreting radiographs for dental hygiene purposes;
- (c) ordering, administering or prescribing the drugs listed in clause 25(a).

## What every member needs to know about the new Regulations.

The following are **highlights** of the Act and Regulations of which practicing hygienists should be aware. Members are advised to familiarize themselves with the new legislation and contact the CDHNS if you have questions. Please read carefully and make inquires if things are not clear.

- **Continuation of Practicing License by CDHNS**

Dental Hygienists Act 17 (1) The Registrar shall issue a practising licence to every person who, immediately before the coming into force of this Act, is a registered dental hygienist pursuant to the Dental Act and is in possession of a valid annual licence.

This means that dental hygienists who held a valid, practising license under the Dental Act at the time of the Dental hygienists Act coming into effect May 15, 2009 will automatically be licensed by the CDHNS. In due course the College will issue a practicing license.

## **New!**

- **Self Initiation – contra indications to care**

**Self initiation** means dental hygienists can determine when it is appropriate to proceed with dental hygiene care. It is defined in the new Regulations as the “self directed clinical practice of dental hygiene by a dental hygienist in the absence of a written protocol as set out in Schedule “A”. In reality most dental hygienists **currently** *self initiate* dental hygiene care, the *former* legislation under did not acknowledge this common practice.

Dental Hygienists Act Section 23 (1) A dental hygienist may engage in the practice of dental hygiene subject to the conditions, limitations or restrictions imposed on the member's licence and in accordance with the regulations, and may perform the practice of dental hygiene

- (a) on the member's own initiative, if the practice does not involve the scaling of teeth and root planing, including curetting of surrounding tissue;
- (b) on the member's own initiative if the practice does involve the scaling of teeth and root planing, including curetting of surrounding tissue, if none of the contra-indications prescribed in the regulations to performing the procedure are present and if the member ceases the procedure when any of the prescribed contra-indications to continuing the procedure are present; or

The contra indications referred to in the above are listed in **Section 28(3) (a-1)** of the Dental Hygiene Regulations. Dental hygienists should be familiar with the conditions listed as possible contra-indications to dental hygiene care. Dental hygienists who are authorized to **self initiate** by the CDHNS must receive a "clearance" to do so. The contra indications are further explained in the Best Practices for Self Initiation document prepared by the CDHNS. (See below)

Remember until you have completed the self initiation module approved by the College you must work with a protocol/order signed by a dental practitioner in place. (See written protocol above)

In this case a “**clearance**” means a written authorization from a client's dentist, physician or a nurse practitioner providing authority to a dental hygienist to engage in scaling teeth and root planing, despite the presence of any of the conditions.....”

### **Best Practice Documents**

The College has developed documents for Best Practices for Self Initiation and Best Practices for Record Keeping. These documents support the Self Initiation Course for Nova Scotia and will be available on this web site following approval by the CDHNS Council at its inaugural meeting in June.

- **New! Self Initiation Course – mandatory within two years** for all currently licensed dental hygiene practitioners.

As previously described in the Information Brochure (purple and white booklet) mailed to all of the NSDHA in December of 2008, the Minister of health determined *all hygienists who hold a practicing license upon proclamation will have up to **two years** following the Dental Hygienists Act coming into effect to complete a Self Initiation Course*. This means that by the licensing renewal year of October 31, 2011 all hygienists will need to have show proof of completion of the Self Initiation course approved by the College in order to be relicensed. When you have completed the Self Initiation Course the CDHNS will issue an Authorization to Self Initiate Certificate.

Until a hygienist completes the Self Initiation course s/he is **prohibited** to self initiate **unless** a dentist has signed a **general written protocol**. (See above)

The successful completion of a self initiation course by all dental hygienists will support the CDHNS goals of whose main *public protection* and *improved access* to dental hygiene care.

**Self Initiation Course for Nova Scotia** will be offered online at CDHA with a target date of June 15, 2009. It will be similar to the Self Initiation Course developed for the College of Dental Hygienists of Ontario and currently offered online at CDHA. You may read that course description on the CDHA web site to get a general idea of course content and structure.

- **New CPR Certificates** for license renewal in **October, 2009**

On an annual basis each member who is applying for license renewal must submit a copy of a current and valid copy of their CPR certificate/card. Members are advised check the expiry dates on their cards and make plans to renew if that is required.

- Quality Assurance – **Continuing Competency/Education**

Continuing education requirements will remain similar to the previous system. There are 45 points in a three year cycle. The Continuing Education Committee is drafting appropriate guidelines for Council approval and these will be provided for the membership. However the administration of the program will require some adjustment for the first cycle so that not all members will have their cycles completing at the same time. Members will be notified of their specific cycles and are advised to continue to record all continuing education attended as you have in the past. The Self Initiation course will be credited 33 hours of Continuing Education and is the only course that can be carried over to another cycle if necessary. Contact the CDHNS if you have a specific question.

- **Change!** Lapse in Dental Hygiene practice  
Regulation 8(1)(f) for an applicant who has not practised dental hygiene for the **3 years** immediately before their application, they must have passed any examination or examinations approved by resolution of the Council;

To insure public safety and Standards of Care dental hygienists who have not practiced for **three** years or more will be asked to take any examination (s) or pass any requalifying courses as determined by the Council.

- CDHA membership/Liability Insurance

### **Dental Hygienists Regulation 10**

“Insurance coverage for members who hold practising licences 10 A member who holds a practising licence must have professional liability insurance coverage or similar malpractice protection coverage in the minimum aggregate amount of \$2 000 000.”

Liability insurance coverage was always recommended for dental hygiene practitioners. In Nova Scotia all persons who held a practicing license were required to be members of the NSDHA and therefore the CDHA. Membership in CDHA ensured liability coverage. During membership renewal the CDHNS will collect one fee and forward CDHA membership fees for each member who applies for a practising license renewal. The CDHA membership includes the appropriate insurance coverage under the Regulations.

- **Individual Scope of Practice**

According to the Section 23 (2) of the Act “A dental hygienists shall only engage in the practice of dental hygiene to the extent that the practice is within the member’s **individual** scope of practice.” This is meant to ensure that members who have not received education or training, in a procedure or who are unfamiliar with any procedure or aspect of dental hygiene care regardless of the defined scope of practice will not perform that skill until they have engaged in such continuing competency activities to upgrade their skill in that area.