



# *DENTAL HYGIENIST PROFESSION REGULATIONS*

**PROPOSED KEY ELEMENTS**

September 2024

English

French

Cree

Tłchq

Chipewyan

## South Slavey

## North Slavey

Gwich'in

Inuvialuktun

## Inuktitut

Inuinnaqtun

French:

867-767-9348

866-561-1664 Toll Free

## OVERVIEW

### Objective:

The Department of Health and Social Services (Department) is seeking feedback on the proposed key elements for the regulation of dental hygienists under the *Health and Social Services Professions Act* (HSSPA).

The following key elements table outlines the proposed provisions for the new *Dental Hygienist Profession Regulations* under HSSPA that will differ from what is currently set out for dental hygienists under the *Dental Auxiliaries Act*. The proposed key elements consider the current regulatory framework and best practices for the regulation of dental hygienists across Canada, and the unique geography and small population of the Northwest Territories (NWT).

The Department encourages you to review the proposed key elements. We welcome all comments and suggestions on the proposed key elements by October 14, 2024. Let us know what you think and if you have any questions.

### Contact:

Attn: Comments on Proposed Dental Hygienist Profession Regulations  
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## INTRODUCTION

The proposed *Dental Hygienist Profession Regulations* will modernize the regulatory framework for dental hygienists consistent with other professions regulated under the HSSPA and will ensure the NWT's dental hygienist legislation is aligned with dental hygienist practice across Canada.

The Department worked closely with an Advisory Committee, including NWT dental hygienists, to develop the key elements. The proposed key elements are based on the regulation of dental hygienists in other Canadian jurisdictions and the regulation capacity of the Department.

It is anticipated that fees, license expiry, and renewal requirements currently set out in the DAA will remain the same in the proposed *Dental Hygienist Profession Regulations*.

The most significant change being proposed from the current regulatory framework is the addition of an expanded scope category for registration. This will allow NWT dental hygienists to practice their full skill set, improve recruitment and retention of dental hygienists in the NWT, and align with the scope of practice of dental hygienists across Canada.

The current regulatory framework requires dental hygienists to work under the direction and control of a dentist. This outdated requirement will be removed, allowing dental hygienists to practice independently and provide dental hygiene services in communities where there is no dentist. This will reduce barriers for the provision of oral health services in NWT communities.

Dental hygienists in the NWT currently cannot practice an expanded scope, while expanded scope activities are permitted in every other Canadian jurisdiction, with the exception of Nunavut. The proposed *Dental Hygienist Profession Regulations* will enable dental hygienists with the appropriate competencies to practice at an expanded scope. It is being proposed that expanded scope activities would include:

- Administering Local Anesthesia
- Prescribing drugs as set out in a schedule
- Orthodontic Procedures
- Restorative Procedures
- Orofacial Myofunctional Therapy (OMT)

As of July 31, 2024, there were 29 dental hygienists actively licensed to practice in the NWT.

## BACKGROUND

NWT dental hygienists and dental therapists are currently regulated under the *Dental Auxiliaries Act* (DAA), which came into force in 1988 with only minor amendments since.

In March 2023, Member of the Legislative Assembly for Kam Lake introduced the *Dental Hygienists Profession Statutes Amendment Act* to move the regulation of dental hygienist to new regulations under the HSSPA by December 1, 2025. The Bill received assent and came into force on October 6, 2023, with the exception of the provision designating dental hygienists as a profession to which the HSSPA applies (s.2), which comes into force December 1, 2025. Dental therapists will continue to be regulated under the DAA, which will be renamed as the *Dental Therapists Act* on December 1, 2025.

The HSSPA is an ‘umbrella’ Act that regulates several different health and social services professions. It sets the general requirements that apply to each profession regulated under the Act, such as the responsibilities of the Registrar of Health and Social Services Professions (Registrar), registration and renewal procedures, appeal processes, and the handling of complaints/discipline.

The HSSPA’s profession-specific regulations cover all specific requirements related to each profession. For example, protected titles, training, education, and continuing competency. Together, the HSSPA and profession-specific regulations address the details associated with licensing health and social services professionals.

There are currently two professions regulated under the HSSPA: the profession of psychology and the naturopathic profession. In addition to dental hygienists, work is underway to bring midwives and pharmacists under the HSSPA within the life of the 20<sup>th</sup> Legislative Assembly. The Department’s intention is to work towards bringing all currently regulated health and social services professions under the HSSPA, with the exception of nursing professionals.

## WHAT WE ARE PROPOSING

KEY ELEMENT	PROPOSAL	ADDITIONAL INFORMATION
Removing the Dentist Supervision Requirement	It is proposed that the current requirement in the DAA that require dental hygienists to practice under the direction and control of a dentist be excluded from the regulations.	<ul style="list-style-type: none"> <li>Section 6 of the DAA states that “No dental hygienist shall practise dental hygiene except under the direction and control of a dentist who assumes direct professional responsibility for the patients in respect of whom the services are being provided.”</li> <li>No other jurisdiction in Canada has this requirement. Dental hygienists have the skill set to practice dental hygiene independently within their scope without the direction and control of a dentist.</li> <li>Excluding this provision will allow dental hygienists to practice independently and provide dental hygiene services in communities where there is no dentist.</li> <li>Allowing dental hygienists to practice their full skill set may help with recruitment and retention, as it is preferred to practice their full extent of knowledge.</li> </ul>
Protected Titles	It is proposed that the following titles be protected: <ul style="list-style-type: none"> <li>Dental hygienist</li> <li>Registered dental hygienist</li> <li>D.H. or DH</li> <li>R.D.H. or RDH</li> </ul>	<ul style="list-style-type: none"> <li>Title protection reserves certain titles and words for individuals who meet the established registration and licensing requirements. This ensures only those who hold a valid NWT licence can present themselves as a dental hygienist to both employers, patients, and the public.</li> <li>These protected titles are consistent with other jurisdictions across Canada.</li> <li>These titles are in addition to the prohibited activities covered under the HSSPA, including:               <p><i>S.7(1) No person, other than a registered member of a designated profession, shall:</i></p> <p><i>(a) Hold him/herself out as, or imply or represent that s/he is a registered member of that profession;</i></p> <p><i>(b) Use a sign, symbol or title reserved in the Regulations for member of the designated profession or imply that s/he is a registered member of that profession; or</i></p> <p><i>(c) Use any sign, symbol, or title similar to one referred to in paragraph (b), or use any other word or designation, abbreviated or otherwise, to imply that they are a registered member of the profession.</i></p> </li> </ul>
Registration and Licensing	It is proposed that the Register be divided into the following categories: <ul style="list-style-type: none"> <li>General Register</li> <li>Expanded Register</li> </ul>	<ul style="list-style-type: none"> <li>Some professional regulations have different categories of registration and licensing to help differentiate between levels of education, training, and scope of practice. For example, some professions have a category specific to students, retired members, or expanded scopes of practice.</li> <li>There is currently only one registration and licensing category for dental hygienists.</li> <li>The new expanded scope category would allow for modernization of the regulation of dental hygienists in the NWT and allow dental hygienists in the NWT to practice their full skill set.</li> <li>All jurisdictions in Canada have expanded scope activities trained dental hygienists can perform. Being on par with the rest of Canada may be attractive to dental hygienists in other jurisdictions, as it is preferred to practice their full extent of knowledge.</li> </ul>

Eligibility Requirements – General Register	<p>It is proposed that a person is eligible to be on the general register if they:</p> <ul style="list-style-type: none"><li>(a) Meet one or more of the following:<ul style="list-style-type: none"><li>a. They have:<ul style="list-style-type: none"><li>i. graduated from a college, university, or post-secondary institution in a program of dental hygiene accredited by the Commission Dental Accreditation of Canada; and</li><li>ii. Have successfully completed the National Dental Hygiene Certification Examination set by the National Dental Hygiene Certification Board; or</li></ul></li><li>b. They are registered in good standing on the equivalent of the general register in a province or another territory and is licensed to practice dental hygiene, without conditions, in that jurisdiction,</li></ul></li><li>(b) Hold professional liability insurance, issued by a company authorized to carry on business in Canada, in at least the minimum amount approved by the Minister; and</li><li>(c) Are authorized to work in Canada.</li></ul> <p>Additionally, all dental hygienists must also pay the prescribed registration fee upon entry to the general register and the annual licence fee each year to be eligible for registration.</p> <p><b>Practical Experience Requirement:</b> A person who has graduated from a college, university, or post-secondary institution in a program of dental hygiene more than three years before applying to be on the Dental Hygienists Register is not entitled to be registered unless that person satisfies the Registrar that they are competent to practice.</p> <p><b>Disqualification:</b> A person is not entitled to be registered in the Dental Hygienists Register if his or her name has been struck off the dental</p>	<ul style="list-style-type: none"><li>• This is consistent with other professions under the HSSPA.</li></ul>
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	hygienists register in any province or territory or during the period of any suspension of that registration.	
Eligibility Requirements – Expanded Register	Please see <a href="#">Appendix A</a>	<ul style="list-style-type: none"> <li>• Having an expanded register would allow dental hygienists who have further education and training to practice their full scope of practice.</li> <li>• This may help with recruitment and retention of dental hygienists in the NWT, as it is preferred to practice their full extent of knowledge.</li> </ul>
Scope of Practice – General Register	<p>It is proposed that a registered member on the general register may, in accordance with their registration and license and subject to any conditions imposed on that license, apply their particular knowledge, skills, and judgment in</p> <ul style="list-style-type: none"> <li>(i) promoting oral health,</li> <li>(ii) assessing teeth and adjacent tissues,</li> <li>(iii) providing preventative and therapeutic treatment for teeth and adjacent tissues,</li> <li>(iv) conducting research, education, management or administrative activities incidental to those described in (i) to (iii).</li> </ul> <p>A dental hygienist shall only engage in the practice of dental hygiene to the extent that the practice is within the member's individual scope of practice.</p>	<ul style="list-style-type: none"> <li>• The current scope of practice listed in the <i>DAA</i> is currently short and restrictive. Trusting dental hygienists to work within their own knowledge and their own scope of practice allows them to perform a wide range of tasks to best serve the population of the NWT.</li> </ul>
Scope of Practice – Expanded Register	<p>It is proposed that a member on the expanded register may, in addition to those activities listed in the general register and in accordance with their registration and licence and subject to any conditions imposed on that licence, do one or more of the following:</p> <ul style="list-style-type: none"> <li>(a) Administer Local Anesthesia</li> <li>(b) Prescribe drugs set out in a Schedule</li> <li>(c) Orthodontic Procedures</li> <li>(d) Restorative Procedures</li> <li>(e) Orofacial Myofunctional Therapy (OMT)</li> </ul>	<ul style="list-style-type: none"> <li>• Having an expanded register would allow dental hygienists who have further education/training to practice their full scope of practice.</li> <li>• This may help with recruitment and retention of dental hygienists in the NWT, as it is preferred to practice their full extent of knowledge.</li> </ul>



## **APPENDIX A**

### **Expanded Register Requirements**

Below is a summary of the proposed expanded scope activities and the requirements dental hygienists would have to meet to be eligible for registration on the expanded register. A dental hygienist would apply to the expanded register for one or multiple expanded scope activities based on their education and training.

#### **Local Anesthesia:**

Administering local anesthesia allows dental hygienists to offer more comfortable care during periodontal debridement, root planing, and clinical services where root and gingival sensitivity are present. Dentists may also delegate to dental hygienists the responsibility of anesthetizing restorative patients.

Proposed eligibility requirements:

- To be on the expanded register and administer local anesthesia, dental hygienists would be required to successfully complete a course in local anesthesia approved by the Minister and/or demonstrate their competence to administer local anesthesia in the jurisdiction of practice.

#### **Prescribing:**

Allowing dental hygienists with the proper training to prescribe certain drugs can limit visits to a dentist and allow patients to get treatment in communities where there are no dentists residing, resulting in greater access to services. Issuing prescriptions requires an understanding of the processes that contribute to drug use as well as the acquisition of the essential competencies that are necessary for safe and effective prescribing.

It is proposed that dental hygienists on the expanded register would be able to prescribe the following drugs, which would be set out in a Schedule:

1. Antibiotics
2. Antifungal agents
3. Anti-infective agents
4. Antiviral agents
5. Bronchodilators
6. Epinephrine
7. Fluoride
8. Pilocarpine
9. Topical corticosteroids

Proposed eligibility requirements:

- To be on the expanded register and prescribe, dental hygienists would be required to successfully complete a course in prescribing approved by the Minister.

### **Orthodontic Procedures:**

Orthodontics is a dentistry specialty that addresses the diagnosis, prevention, management, and correction of mal-positioned teeth and jaws, as well as misaligned bite patterns and facial structures. Independent dental hygienist practices must have a dentist on sight to oversee orthodontic dental hygiene practices.

Proposed eligibility requirements:

- To be on the expanded register and perform orthodontic procedures, dental hygienists would be required to successfully complete a course in orthodontic procedures approved by the Minister and/or demonstrate their competence to perform orthodontic procedures in the jurisdiction of practice.

### **Restorative Procedures:**

The main purpose of restorative dentistry is to repair damaged teeth or replace missing teeth so that you can maintain a healthy functioning smile. It involves procedures such as fillings, crowns, bridges, dentures, and implants. Individuals who have a permanent adult tooth that is damaged, decayed, or missing are great candidates for restorative dentistry. Independent dental hygienist practices must have a dentist on sight to oversee restorative dental hygiene practices.

Proposed eligibility requirements:

- To be on the expanded register and perform restorative procedures, dental hygienists would be required to successfully complete a course in restorative procedures approved by the Minister and/or demonstrate their competence to perform restorative procedures in the jurisdiction of practice.

### **Orofacial Myofunctional Therapy (OMT):**

OMT is an interdisciplinary practice working with the muscles of the lips, tongue, cheeks and face, and their related functions. The fundamental goals of OMT are to encourage nasal breathing by promoting lip seal, establishing proper rest posture of the tongue, normalizing chewing and swallowing patterns, and eliminating maladaptive oral habits. Therapy may include the use of therapeutic tools, exercises, posture modification or muscle stimulation, and behavioral modification techniques to normalize orofacial muscle function to promote positive craniofacial growth.

Proposed eligibility requirements:

- To be on the expanded register and perform OMT, dental hygienists would be required to successfully complete a course in OMT approved by the Minister and/or demonstrate their competence to perform OMT in the jurisdiction of practice.

**Thank you for your interest in this work. Your feedback is valuable.**

**Please submit comments and suggestions by October 14, 2024**

Your contributions will be considered in the development of the proposed *Dental Hygienist Profession Regulations* and included in a summary of *What We Heard*, which will be publicly available on the Government of the Northwest Territories' Have Your Say webpage.