

No. 55

2nd Session, 14th Legislature, Alberta
9 Elizabeth II

BILL 55

A Bill respecting Dental Technicians

HON. DR. ROSS

Explanatory Note

General. This new Act will provide for the registration of dental technicians by a Board to be appointed under clause 3. Authority is given to prescribe technical qualifications and to establish standards.

2. Definitions.

3. Establishment of Dental Technicians Board.

BILL

No. 55 of 1961

An Act respecting Dental Technicians

(Assented to _____, 1961)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Dental Technicians Act*".

2. In this Act,

- (a) "Board" means the Dental Technicians Board established under section 3;
- (b) "dental technician" means any person who upon the prescriptions or orders of dentists or qualified medical practitioners makes, produces, reproduces, constructs, furnishes, supplies, alters or repairs any prosthetic denture, bridge, appliance or thing to be used in, upon or in connection with any human tooth or associated structure or tissue, or in the treatment of any condition thereof;
- (c) "dentist" means a person qualified and entitled under *The Dental Association Act* to practise dentistry;
- (d) "Minister" means the member of the Executive Council charged with the administration of this Act.

3. (1) There is hereby established a board to be known as the Dental Technicians Board which shall be composed of the Director of Dental Public Health of the Department of Public Health and four other members appointed by the Minister,

- (a) two of whom shall be dental technicians registered under this Act, and
- (b) one of whom shall be a member of the Alberta Dental Association chosen from a list of members nominated by the board of that Association.

(2) The appointed members of the Board shall hold office for a term of three years except that the Minister may appoint one of the first members for a term of one year and another for a term of two years.

(3) A member is eligible for re-appointment at the expiration of his term of office.

4. Powers of Board.

(4) The Minister may designate one of the members of the Board to be the first chairman and one to be the first secretary of the Board, and thereafter their successors in office shall be elected by the Board from amongst its members to hold office for a period of one year.

(5) Every vacancy on the Board caused by the death, resignation or incapacity of a member may be filled by the appointment, by the Minister from the group whom that member represented, of a person to hold office for the remainder of the term of office of that member.

4. Subject to the approval of the Lieutenant Governor in Council the Board may make regulations

- (a) providing for the registration of dental technicians, including the fees payable for registration not exceeding twenty-five dollars for each person registered,
- (b) prescribing the qualifications of persons to be registered and the proofs to be furnished as to technical qualifications, experience, education and good character,
- (c) providing for the examination of persons applying for registration and the setting of the fees payable for each such examination,
- (d) providing for the establishment of suitable training and apprenticeship programs and prescribing the qualifications required to be admitted to apprenticeship,
- (e) providing for maintaining a register of registered dental technicians and providing for the annual renewal of registration and prescribing the fees payable thereon not exceeding twenty-five dollars annually for each person registered,
- (f) prescribing the discipline and control of dental technicians, including the adoption and enforcement of any reasonable rules of conduct,
- (g) providing for the investigation of any complaint that a dental technician has been guilty of misconduct or displayed such incompetence as to render it desirable in the public interest that his registration should be cancelled or suspended,
- (h) providing for the cancellation or suspension of the registration of any person found by the Board to be guilty of misconduct or to have been incompetent,
- (i) defining "misconduct" for the purpose of this section and the regulations,
- (j) providing for the payment of reasonable fees and disbursements to members of the Board in respect of the discharge of the duties of the Board,
- (k) prescribing rules for the procedure at meetings of the Board, the constitution of a quorum, the duties of the chairman and of the secretary and such other matters of administration as may be found neces-

5. Right to use designation "Registered Dental Technician".

6. Performance of work by others.

7. A dental technician is not contravening The Dental Association Act in performing his usual functions.

8. Unregistered person may work for a dentist.

sary for the efficient carrying out of the duties and powers of the Board,

- (l) prescribing forms for use under this Act and fixing registration and other fees for services given by the Board, and
- (m) governing such other matters, not being inconsistent with the intent of this Act, as may be thought necessary to further the purposes and objects of the Act.

5. (1) A person registered under this Act may use the designation "Registered Dental Technician" and may describe his business as a dental laboratory.

(2) No person may use the designation "Dental Technician" or "Registered Dental Technician" or "Dental Mechanic" or any other name, title, initials or description implying that he is a dental technician, unless he is registered under this Act.

6. Nothing in this Act shall be deemed to prohibit

- (a) a dentist,
- (b) a hospital dispensary or a university or municipal clinic acting upon the prescription or order of a dentist,
- (c) an apprenticed dental technician or other person working as an employee of a registered dental technician,
- (d) a dental auxiliary within the meaning of *The Dental Auxiliaries Act*, or
- (e) a dental hygienist within the meaning of *The Dental Association Act*,

from performing work or services ordinarily performed by a dental technician.

7. Nothing in *The Dental Association Act* shall be construed as prohibiting a dental technician registered under this Act

- (a) from performing, on the prescription of a dentist, the services ordinarily performed by a dental technician, or
- (b) from performing without the prescription of a dentist the repair of any prosthetic denture, bridge, appliance or thing that does not require the alteration of any human tooth or tissue or the taking of an impression inside the mouth to effect such repair.

8. (1) Nothing in this Act shall be deemed to prohibit any person from working as an employee of a dentist, and in the course of or as the whole or a part of his duties as such employee, performing for his employer work or services of a kind ordinarily performed by a dental technician.

9. Corporations carrying on business as dental technicians.

10. Offence and penalty.

11. Proof of registration.

(2) Nothing in this section shall be deemed to permit any person who is not a registered dental technician to engage in the performance of the work of a dental technician generally in the service of two or more dentists unless

- (a) all such dentists are practising together in the same suite of offices in one building,
- (b) all such dentists are practising in association with one another and jointly sharing the general expenses of their practices,
- (c) no more than three dentists are so associated,
- (d) any such person is a salaried employee of such dentists and recorded as such with the Income Tax Department and the Unemployment Insurance Commission, and
- (e) no dental laboratory services are furnished by the association or by the employee for any person other than the members of the association.

9. Nothing in this Act shall be deemed to prohibit any registered dental technician from carrying on business as a dental technician through and in the name of a corporation where

- (a) the corporation has a registered dental technician in actual charge at all times of its operations,
- (b) at least one member of the board of directors of the corporation is a registered dental technician, and
- (c) the majority of the common shares of the corporation are held by a registered dental technician,

but each of such technicians is also guilty of any contravention by the corporation of this Act or *The Dental Association Act* unless he proves to the satisfaction of the convicting magistrate that he had no knowledge of the contravention or if he had knowledge that he had protested against the act that constituted the contravention.

10. Every person who, not being registered under this Act, carries on business or holds himself out as carrying on business as a dental technician or who advertises or affixes any prefix to his name signifying that he is qualified to carry on business as a dental technician is guilty of an offence and liable on summary conviction

- (a) for a first offence to a fine of not more than fifty dollars and in default of payment to imprisonment for not more than thirty days,
- (b) for a second offence to a fine of not more than one hundred dollars and in default of payment to imprisonment for not more than sixty days, and
- (c) for a third or subsequent offence to imprisonment for not less than sixty days and not more than six months.

11. In any action, proceeding or prosecution a certificate purporting to be signed by the secretary of the Board is

12. Registration of existing dental technicians.

13. Authority to establish an advisory committee.

admissible in evidence as prima facie proof of the registration or non-registration under this Act of any person, without proof of the office or signature of the person certifying.

12. Any person carrying on business as or practising as a dental technician on the effective date of this Act is entitled to register under this Act upon applying to and obtaining the approval of the Board for registration and paying the fee for registration prescribed by the regulations.

13. The Lieutenant Governor in Council shall appoint an advisory committee and may prescribe its duties and functions which shall include the study of matters relating to the need and demand for denture services, related fact finding and the planning and administration requirements of a dental health service in the Province.

14. This Act comes into force on the day upon which it is assented to.

No. 55

SECOND SESSION

FOURTEENTH LEGISLATURE

9 ELIZABETH II

1961

BILL

An Act respecting Dental
Technicians

Received and read the

First time.....

Second time.....

Third time.....

HON. DR. ROSS
