

MANDATORY DUTY TO REPORT A COLLEAGUE

Standard

Regulated members follow all mandatory reporting requirements under existing legislation and comply with all mandatory reporting responsibilities.

Expectations

1) Duty to Report a Colleague

A regulated member **must**:

- a) Report to the **College** when they become aware that someone, who meets the requirements for mandatory registration and is not registered with the College, is or potentially has practiced the profession of dental technology.
- b) Report to the College when they become aware that someone is or potentially used **protected titles**, without the College's authorization.
- c) Report to the appropriate **Regulatory College** when they become aware that someone, who meets the requirements for mandatory registration and is not registered with the appropriate College, is or potentially has practiced a regulated health profession.
- d) Report to their employers and the College, in a timely manner, if they feel that another **regulated health professional** or a colleague's fitness to practice is or may be compromised because of a medical, physical, cognitive, mental, or emotional condition(s) or because of an addiction, a communicable disease, drug/alcohol impairment or any other condition and/or the behaviour places the public at risk or constitutes unprofessional conduct,
- e) Report to the College a breach of the College's, other professional regulatory agency or administrative authority's-imposed practice restrictions, limitations, or conditions.
- f) Report to the College, in a timely manner, any circumstances where a dental technologist or technician has demonstrated that they are or may be unable to provide competent and safe patient/client services and/or care.
 - i. In these circumstances, the reporting person must believe that the services and/or care falls below professionally expected standards and benchmarks and could reasonably be considered unprofessional practice or conduct.

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- g) If a regulated member of the College, in acting in their professional capacity, has reasonable grounds to believe that the conduct of another regulated member of any college constitutes the procurement or performance of **female genital mutilation** or constitutes **sexual abuse or sexual misconduct**, the regulated member must report that conduct to the **Complaints Director** for the applicable college.

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GLOSSARY

College: The College of Dental Technologists of Alberta

Complaints Director: the complaints director of a college, appointed under the Health Professions Act.

Female Genital Mutilation: means the excision, infibulation or mutilation, in whole or in part, of the labia majora, labia minora, clitoral hood or clitoris of a person, except where valid consent is given, and

- (i) a surgical or other procedure is performed by a regulated member under this Act for the benefit of the physical health of the person or for the purpose of that person having normal reproductive functions or normal sexual appearance or function, or
- (ii) the person is at least 18 years of age and there is no resulting bodily harm;

Must: is used where the duty is compulsory.

Protected title: a protected title is part of the agreement between the province and the regulated profession. This indicates anyone using the title is appropriately trained and registered with the appropriate regulatory body. A person not trained and/or registered cannot use the protected titles listed in the *Health Professions Act*.

Sexual abuse: means the threatened, attempted or actual conduct of a regulated member towards a patient that is of a sexual nature and includes any of the following conduct:

- (i) sexual intercourse between a regulated member and a patient of that regulated member;
- (ii) genital to genital, genital to anal, oral to genital, or oral to anal contact between a regulated member and a patient of that regulated member;
- (iii) masturbation of a regulated member by, or in the presence of, a patient of that regulated member;
- (iv) masturbation of a regulated member's patient by that regulated member;
- (v) encouraging a regulated member's patient to masturbate in the presence of that regulated member;
- (vi) touching of a sexual nature of a patient's genitals, anus, breasts or buttocks by a regulated member;

A regulated member found guilty of sexual abuse will have their registration and practice permit permanently cancelled. Other penalties in s.82 of the Health Professions Act may also apply.

Sexual misconduct: means any incident or repeated incidents of objectionable or unwelcome conduct, behaviour or remarks of a sexual nature by a regulated member towards a patient that

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the regulated member knows or ought reasonably to know will or would cause offence or humiliation to the patient or adversely affect the patient's health and well-being but does not include sexual abuse;

A regulated member found guilty of sexual misconduct must have their practice permit suspended and may have their registration and practice permit cancelled at the discretion of the Hearing Tribunal. A regulated member whose registration and practice permit is cancelled due to sexual misconduct may apply for reinstatement after 5 years. Other penalties in s.82 of the Health Professions Act may also apply.

Regulatory College: Any College, excluding the College of Dental Technologists of Alberta, established under the *Health Professions Act*.

Regulated health professional(s): is a person registered with a professional health regulatory professional college, agency and/or authority, in Alberta or any other jurisdiction, as a regulated.

Regulated member(s): a person who is granted registration as a member of the CDTA in accordance with the HPA and the Regulation.

This term includes a previously regulated member whose last day of registration with the College is within the immediately preceding two years.