



Royal College of
Dental Surgeons of Ontario

Ensuring Continued Trust

MEMO

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**TO: ONTARIO DENTISTS AND
KEY STAKEHOLDERS**
FROM: IRWIN FEFERGRAD, REGISTRAR

DATE: NOVEMBER 15, 2013

REGARDING: PROPOSED REGULATION AMENDMENT

On November 14, 2013, RCDSO Council passed, in principle, a regulation change that once passed into law would allow dentists to treat their spouses. As you know, the College has been actively involved in advocating to the Ministry to allow this exemption for spouses.

This proposed regulation change must now be circulated for a period of 60 days to members and stakeholders to allow an opportunity for feedback and comment. This is a requirement of the *Regulated Health Professions Act*.

Following the 60-day circulation period, Council will meet in a special session to consider all the submissions and, if warranted, give final approval to the regulation.

Once the regulation is approved by Council, it will be immediately delivered to the Minister of Health and Long-Term Care. She is then required to have the regulation sealed before being brought forward for approval by Cabinet. Only at that point, once the regulation is approved by Cabinet, will dentists be legally allowed to treat their spouses.

Typically this is not a fast process but the College will continue to urge government to expedite the approval of the regulation.

**PLEASE SEND YOUR COMMENTS AND FEEDBACK ON THE PROPOSED REGULATION
CHANGE TO:**

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**ALL RESPONSES MUST BE RECEIVED BY THE COLLEGE ON OR BEFORE MONDAY,
JANUARY 20, 2014.**

Proposed Regulation Amendment

The following proposed regulation was passed, in principle, by Council at its November 14, 2013 meeting:

“Conduct, behaviour or remarks that would otherwise constitute sexual abuse of a patient by a member under the definition of “sexual abuse” in subsection 3(1) of the Health Professions Procedural Code of the *Regulated Health Professions Act, 1991*, shall not constitute sexual abuse, if

- (a) the patient is the member’s spouse; and**
- (b) the member is not engaged in the practice of dentistry at the time the conduct, behaviour or remarks occur.”**