



OMFC REGISTRATION REVIEW

**College of Dental Hygienists of Manitoba
Final Registration Review Report (2012)**

OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER

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Introduction

This Final Registration Review Report presents the results of the Office of the Manitoba Fairness Commissioner's (OMFC) registration review with the College of Dental Hygienists of Manitoba (CDHM) as of July 2012.

Registration reviews are conducted as part of the Fairness Commissioner's mandate to review the registration practices of regulatory bodies subject to *The Fair Registration Practices in Regulated Professions Act* (Act).

The purpose of a registration review is to enable the Fairness Commissioner to determine a regulator's compliance to the Act and to make recommendations to improve compliance. Two senses of compliance are at work in the legislation. First and foremost, it refers to the fairness of assessment and registration practice, with particular attention drawn to the need for the fair consideration of internationally educated applicants. Secondly, it refers to the co-operation of the regulator with the Fairness Commissioner.

The Act stipulates that a registration review for any given regulator is to be undertaken at times specified by the Fairness Commissioner. It also stipulates that the content of a registration review is to include an analysis of the relevance and necessity of registration requirements, the timeliness of decision making, the reasonableness of fees and the registration of internationally educated individuals. This may involve the review of any third parties employed in the assessment and registration process.

The OMFC's review process culminates in a Final Registration Review Report, complete with an Action Plan from the regulator. This report is a public document submitted to the Province's Minister of Immigration and Multiculturalism and posted on the OMFC's website.






The OMFC undertook a registration review with the CDHM between April and July of 2012 (see appendices A & B). Several meetings were involved, documentation was gathered and reviewed, field work was conducted and the CDHM provided an Action Plan in response to the Fairness Commissioner's recommendations. The CDHM's Action Plan, as well as the OMFC'S review findings and the Fairness Commissioner's recommendations follow throughout this report.

Registration Review Process

The OMFC's multi-step review process has several key phases: agreeing to a review schedule, documenting and understanding, evaluating and drafting the findings and recommendations, achieving an action plan to move things forward. The process is designed to support meaningful reviews that concretely identify fairness issues and lead to progressive change.

The Fairness Standard and Criteria Document

For the purposes of the 2012 registration review cycle, regulatory practice is evaluated against a single, broad fairness standard: ***Dedicated and fair practices are applied for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure their effectiveness.*** In the Fairness Standard and Criteria Document, this fairness standard is defined by 14 elements, each further differentiated into one or more criteria.

For each criterion in the 'Fairness Standard and Criteria Document', green, yellow, and red check marks --    -- designate whether evidence is found indicating compliance, needs improvement, or non-compliance. Practices identified as needing improvement or non-compliant --  or  -- are followed by an analysis that explains the finding.

Recommendations, Action Plan & Compliance Statement

The Fairness Commissioner makes recommendations based on a consideration of the issues of non-compliance and areas that show opportunity for improvement. These are identified and explained in the 'Fairness Standard and Criteria Document' completed for the regulator.

The action plan, in turn, is drafted by regulators to respond to Fairness Commissioner's recommendations. For each of the Fairness Commissioner's recommendations, regulators reply with a plan to address the concern as well as a timeline for the execution of the plan. Regulators are given opportunity to remark upon any recommendation made by the Fairness Commissioner.

Finally, the Fairness Commissioner's Compliance Statement provides comment on the suitability of the regulator's Action Plan and the overall compliance of the regulator's registration practice.

OMFC Support

Addressing problematic practice can pose considerable challenges for regulators. No remedy may be readily at hand; third parties may be involved; resources and expertise may be wanting. In these circumstances, the OMFC is committed to working with regulators to support and assist the development of innovative solutions and better practice.

The Profession of Dental Hygienists in Manitoba

Dental hygienists provide dental hygiene treatment and information related to the promotion of oral health and health education. Working with patients in dental offices, health care facilities and personal care homes, dental hygienists specialize in the assessment and treatment of teeth and mouth using preventative and therapeutic measures.

In Manitoba, all dental hygienists practicing and using the title of Dental Hygienist must be registered with the College of Dental Hygienists of Manitoba (CDHM or College). The College's mandate is to ensure safe, competent dental hygiene care that contributes to improved oral and overall health for the public.

Dental Hygienists have only recently become regulated in Manitoba. Instituted in 2008, this distinguishes the profession as the Province's latest occupation to become regulated.

While dental hygiene is practiced in various forms throughout the world, as a dedicated profession, with a well-defined scope of practice and technical competencies, it is predominantly a North American phenomenon.

Overview of CDHM's Assessment and Registration Process

The College currently operates under the authority of The Dental Hygienists Act (S.M. 2005, c. 51) and the Dental Hygienist Regulation (Regulation 80/2008). In Manitoba, all dental hygienists practicing and using the title of Dental Hygienist must be registered with the College of Dental Hygienists of Manitoba (CDHM or College).

Qualifications

The substantive qualifications needed for registration as a dental hygienist include the completion of an approved two year dental hygiene program and passing the National Dental Hygiene Certification Exam (National Exam). Internationally Educated Dental Hygienists (Internationally Educated DHs) with academic training unaccredited by either the Commission on Dental Accreditation of Canada or the American Dental Association Commission on Dental Accreditation must also successfully complete the College's Competency Assessment.

Assessment and Registration Process

There are two chief steps in the registration process:

- 1) First, applicants apply to the National Dental Hygiene Certification Board (National Body) to write the National Exam. For Internationally Educated DHs, this step involves completing a signed application form, paying a \$499.00 application fee and supplying the following documentation:
 - A basic credential assessment directly submitted from WES, ICES or IQAs;
 - A notarized copy of Dental Hygiene diploma/certificate(s) and an original transcript of grades, submitted directly by the educational institution;
 - An official statement of course description submitted directly by the educational institution;
 - Proof of previous registration or a letter of eligibility for dental hygiene registration submitted directly by the regulatory authority;
 - A legal description of dental hygiene practice directly submitted by previous regulating authority;
 - If necessary, a notarized copy of legal name change documents.

All documents must be in French or English. If not, applicants must arrange for certified translations.

Upon completed application, the National Body assesses the applicant's educational credentials for their substantive equivalence to the Canadian Standard. Within two months, applicants are informed in writing whether they are eligible to write the National Exam. Applicants must submit a completed exam application and a \$604.00 exam fee.

The National Exam is a 4-hour, 200-question, multiple choice format test that assesses knowledge of entry-level dental hygiene practice standards. The exam is offered three times annually, in Winnipeg and at other major centres throughout the country. Applicants are informed in writing of their exam results within 6 weeks.

2) Upon successfully challenging the National Exam, applicants must then apply to the College. Those with accredited academic training must provide a completed application form, pay a \$175.00 application fee, a \$400.00 pro-rated, registration fee and supply the following documents:

- Proof of identification;
- Notarized copy of Dental Hygiene diploma/certificate(s), submitted directly by the educational institution;
- Proof of previous registration and evidence of good standing, directly submitted by the regulating authority;
- If applicable, evidence of additional dental hygiene practice modules;
- A certificate from the National Body indicating successful completion of the National Exam;
- Evidence of completion of a CPR – Level C course in the last 12 months;
- Evidence of possession of a minimum \$3 million liability insurance coverage.

Upon completed application, the College informs applicants in writing within 4 weeks.

Internationally Educated DHs from unaccredited academic programs must, in addition to the above, apply to the College to undergo the Competency Assessment. Applicants must submit a completed Competency Assessment Form and submit a fee of \$2,000.00. The Competency Assessment will likely take the College 3 to 5 months to arrange. Applicants must arrange for a suitable patient, supply their own tools and dental hygienist clothing and shoes.

The Competency Assessment is a 2-day, 3-part evaluation run through the University of Manitoba's Faculty of Dentistry. The evaluation involves a jurisprudence exam, and two clinical assessments (radiography and clinical therapy). Candidates must successfully complete all parts of the assessment to pass.

Appeal Process

The Dental Hygienists Act stipulates a right of appeal for any registration application that is denied or subject to condition. According to the legislation, appeals are to be heard by the College's Council. Council members must be independent of the College's Board of Assessors and timelines for appeal notification, hearing and written results are identified.

The National Body also provides opportunity to appeal eligibility assessments for the National Exam and the Exam itself. The review committee is also independent.

Timelines for the appeal process are identified.

Time and Cost

The time and cost to register will vary depending on the circumstance of the applicant. Those who are able to collect and provide the required documents, those who do not require multiple writings of the National Exam or a Competency Assessment -- in other words, those most fortunate of applicants – face a 6 to 10 month registration process. This minimum time range involves 5 to 9 months with the National Body and 1 month with the College. The College’s Competency Assessment adds 3 to 5 months to the process.

With regard to fees, the minimum, direct registration costs amount to approximately \$2,000.00. The Competency Assessments adds an additional \$2,000.00 + fees for clothes and tools.

There will be associated fees and time delays securing the required documentation. Exam re-writes will also be expensive and add several months to the process.

Registration Review Findings

Summary of Findings

The College is committed to the fair assessment and recognition of Internationally Educated DHs. With only two registered to date, the College has little experience with international applicants. In part, this speaks to recent professionalization of this occupation in Manitoba and the largely North American home of the profession. With the introduction of its Competency Assessment, the College provides Internationally Educated DHs a dedicated, multi-dimensional assessment strategy to recognize their qualifications.

Following the Fairness Standard and Criteria document that articulates a broad fairness standard broken down into multiple elements and criteria (see pp. 10-24 below), the key findings for the College's assessment and registration process are listed below:

- The College's website provides applicants almost no guidance as to the registration process and its requirements. There is no dedicated landing page for Internationally Educated DHs. Critical information is either missing or only available upon request. To mention some significant examples: nothing is present that indicates the full picture of the time and costs, or that details assessment timelines and appeal information. Applicants must approach the College for application forms and particulars about the Competency Assessment.
- The College meets with each of its applicants, providing one-on-one personal assistance. This support goes some distance to mitigate deficiencies in the publicly available registration information.
- Over the course of the OMFC's registration review, it became apparent that the College is prepared to be considerably more flexible and supportive with Internationally Educated DHs than is suggested by official policy. In particular, critical support is offered to applicants securing tools and a suitable patient for the Competency Assessment.
- The National Body provides a well organized and clear 'Competencies and Entry-to-Practice Document' (2010). Technical skills, knowledge, and model of care are identified in a manner that supports the Canadian educational standard, National Exam and the College's Competency Assessment.
- Several of the required documents may pose a significant challenge for Internationally Educated DHs to supply: directly submitted course/grade transcripts; directly submitted official program/course descriptions; 'legal description' of licensure from previous regulatory authority. Applicants are responsible to provide certified translations and in the case of direct submissions, this will occur after the College or

National Body has received them directly and then sent to the applicant to re-submit.

- Applicants must arrange for the direct submission of education credentials and previous registration verification twice: once to the National Body for eligibility to write the National Exam and once again to the College to be eligible for the Competency Assessment.
- The College's official policy is to allow applicants, upon receipt of initial documents, no more than a 4-month window to provide any remaining documents necessary to complete an application – after which documents will be returned and applicants must re-apply, re-submit and repay the \$175.00 application fee. If applicants have good reason for delay, the College reports that it would extend or waive this requirement.
- Although without a policy, the College reports a willingness to consider alternative documentation on a case-by-case basis. We note, however, that this accommodation is not offered by the National Body; the first step in the registration process.
- There is no English language proficiency requirement for registration. Little information is presented about the proficiency demands of either the profession or the assessment process.
- For recent graduates who immigrate without previous registration, requiring they demonstrate 'previous registration eligibility' makes little sense. The type of credential assessment required with the application already provides this type of information. In other words, the credential assessment agencies report sent to the National Body already contains information that identifies the status of the education program with respect to the government, regulating authorities and education system in that jurisdiction.
- The National Body has taken several measures to ensure the validity and reliability for the assessment of academic credentials: a detailed Canadian academic standard with criteria is employed; staff have expertise and training in credential assessment; member organizations of the Canadian Alliance of Credential Assessment Agencies are employed to verify credentials.
- Extensive information is provided by the National Body about the national exam: a "Candidate Guide" describes the format, content and grading of the exam; timelines and key dates are clearly articulated.
- No information is present about the College's assessment timelines -- either the time involved to have the College assess an application or the timelines involved in the Competency Assessment.
- The National Body has several measures in place to ensure the validity and reliability of the National Exam: exam questions are directly linked to practice standards and are subject to regular review.
- The College employs reasonable measure to ensure the validity and reliability of the Competency Assessment. Well-defined assessment

rubrics and evaluation criteria suggest strong face validity and support reliable assessments. Quality assurance protocols are in place, assessors are trained and a team model approach is employed where critical assessment decisions are subject to peer review.

- Detailed written reasons are provided for the assessment of academic credentials, the National Exam results and the Competency Assessment.
- Both the College and the National Body allow all registration decisions to be subject to appeal. Neither the College nor the National Body provides sufficient information about right of appeal and the appeal process. To learn about the College's appeal process, applicants must consult the legislation. The National Body makes clear the re-scoring opportunity for the National Exam, but information about their formal appeal process is not easily seen on their website. Both organizations fail to have appeal information accompany registration decisions.
- Both the College and National Body are not-for-profit organizations. Fees appear reasonable and set only for cost recovery. Without multiple participants, the current Competency Assessment fee structure does not allow the College to fully recover its cost. Assessment timelines appear prompt.

Commendable Practices

A number of the College's assessment and registration practices deserve to be recognized as exemplary, fair practices. Most of these will have already been described above or in other areas of this report, but the most significant bear repeating.

- **College staff meet with each applicant and provide one-on-one assistance.**
- **The National Body's well-defined standards and competency documents support rational regulation.**
- **The College's Competency Assessment allows Internationally Educated DHs the opportunity to have prior learning recognized and to demonstrate what they can do.**
- **Reasonable measures are taken to ensure valid and reliable assessments for the eligibility assessment, the National Exam and the Competency Assessment.**
- **Detailed written reasons accompany all of the assessments. Consequently when applicants fail to meet standard, they are given clear indication of their gaps.**

Fairness Standard & Criteria Document – CDHM Review Findings

Standard: <i>Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.</i>					
Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
<p>1. Applicants are provided clear, complete and accurate information about assessment and registration process.</p>	<p>1. Qualification requirements and the criteria used to assess qualifications.</p>	<p></p>	<p></p>	<p style="color: red; font-size: 2em;">v</p>	<p>Two points.</p> <p>1. The CDHM's 'Competency Assessment Information Guide", is the College's only available document which provides extensive information about their Competency Assessment, including the evaluation criteria employed. It is no longer available off CDHM's website. The CDHM provides applicants the guide upon request. In their experience, applicants often failed to properly understand the process for application without first talking with CDHM staff. While removing access to the guide from the website in this circumstance is understandable, there are significant reasons why it needs to be available on-line. Without the guide, the College's assessment process appears a 'black hole' and fails to be transparent. The guide is also critical for Internationally Educated DHs to learn about, plan and prepare for the Competency Assessment. Moreover, the registration information does not clearly indicate the existence of the guide or that applicants need to contact the CDHM to acquire it. The difficulties applicants have had understanding the application process without CDHM assistance, suggests the guide needs to be revised to support its intended use.</p>

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	1. Qualification requirements and the criteria used to assess qualifications.				2. Information presented about previous registration requirement is confusing. Recent graduates (within 12 months) do not need to have been registered previously, but are required to supply documentation from the regulating authority in their original jurisdiction stating that the applicant's education program <i>would make them eligible or qualify them for registration</i> . Either, then, a directly submitted statement of registration or a statement of eligibility for registration is mandatory. The meaning of 'eligibility for registration' needs to be made clear in the registration material. Moreover, the OMFC's understanding is that the 12 month time window may be waived by the College in circumstances where the applicant is delayed as a result of immigrating to Canada. This information needs to be present in the College's registration information.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	2. A realistic sense and time range of how long the entire process often takes.		✓		No information provided approximating the full length of time registration may take, including any associated third-party delays in the process.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	3. Documentation requirements.		✓		Detailed documentation requirements for the College's Competency Assessment are only found in CDHM's Competency Assessment Information Guide. The guide needs to be made available on-line.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	4. Fees and fee payment options.	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	5. A realistic sense and range of the full costs involved in the process, including common associated costs.		✓		No information provided approximating the full costs, including associated costs in the process.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	6. Financial support opportunities.		✓		No information provided about financial support opportunities. Initial registration fee is pro-rated. CDHM's website should provide a link to the Provincial Government's Immigration and Multiculturalism website where financial support opportunities are identified for IEAs.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	7. Timelines and key dates.		✓		No information is present on CDHM website about assessment timelines -- either the time involved to have CDHM assess an application or the timelines involved in the Competency Assessment. Applicants must contact the College for this information.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	8. Step-by-step, easy-to-navigate path of the registration process.		✓		CDHM's 'Registration Information for New Applicants' provides some step-by-step navigation of the registration process, but it is not sufficient. There is no dedicated landing page for Internationally Educated DHs and critical information is missing such as CDHM's assessment timeline information and details about their Competency Assessment.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	9. Information provided about opportunities for general and occupation-specific upgrading.		✓		No information provided on the CDHM's website for Internationally Educated DHs with regard to gap training opportunities or language training. Gap training and refresher programs are available in some provinces (SK., AB., ON.).

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
2. Standards of practice are identified and periodically reviewed.		✓			
3. Required qualifications are relevant and necessary for competent professional practice.			✓		Previous registration or previous registration eligibility is a mandatory requirement for eligibility to write the National Exam. For recent graduates without previous registration, requiring they demonstrate 'previous registration eligibility' makes little sense given the type of credential assessment already required with the application. In other words, the credential assessment agencies report sent to the National Body already contains information that identifies the status of the education program with respect to the government, regulating authorities and education system in that jurisdiction.

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	1. Difficult-to-provide documents – e.g. originals, syllabus – are warranted.			V	<p>Three points.</p> <p>1. Several of the required documents may pose a significant challenge for IEAs to supply: directly submitted course/grade transcripts; directly submitted official program/course descriptions; 'legal description' of licensure from previous registration authority. Applicants are responsible to provide certified translations and in the case of direct submissions, this will occur after the CDHM or National Body has received them directly and then sent to the applicant to re-submit. The need for these documentation requirements need to be considered in the context of a rigorous assessment process that includes both a written exam and competency assessment.</p> <p>2. CDHM's registration information states that applicants are only allowed a 4 month window upon receipt of initial documents to complete the application – after which their documents will be returned and applicants must re-apply, paying a new 175.00 application fee. The OFMC's understanding is that the College is in fact more flexible: if the applicants had good reason for any delay, they would not close their file.</p> <p>3. Finally and most significantly, applicants must twice arrange for the direct submission of education credentials and previous registration verification: once to the National Body for eligibility to write the exam and once again to be eligible for the CDHM's Competency Assessment. The CDHM and the National Body need to synchronize their documentation requirements so that IEAs do not face unnecessary difficulties, costs and delays.</p>

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	2. Alternative documentation opportunities are available and clearly explained.		✓		The possibility of alternative documentation is not mentioned in CDHM's registration material nor in the National Body's material. The OMFC's understanding is that alternative documentation is not an option accommodated by the National Body. The CDHM has no alternative documentation policy and has not been confronted with a request for alternative documentation. The College does, however, acknowledge the need for accommodation and reports a willingness to be reasonable with applicants in this circumstance. Given the extensive character of documentation required, particularly for the National Body, the need for an alternative documentation possibility is pressing.
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	3. Criminal records policy is warranted and clearly explained.				Not applicable: the CDHM has no criminal record check requirement.
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	1. Applicants are provided clear, complete and accurate information about the role of third party assessments in the registration process.		✓		The National Body has a page on its website that well explains its mandate and role with respect to the provincial regulatory bodies it serves. CDHM's registration information clearly links to the National Body and the National Exam, but provides little explanation and contextual information about the role of the National Body in its assessment process.
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	2. Measures are in place to ensure third party assessment policy and practice is fair.	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	3. Third party assessment decisions are subject to appeal.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	1. Valid and reliable methods of assessment are employed for internationally educated applicants.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	2. Assessment methods and tools are subject to psychometric scrutiny and cultural review.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	3. Multiple assessment methods are available. Applicants have the opportunity to demonstrate competence.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	4. Knowledge and skills acquired through work experience are assessed, including international work experience.	✓			

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
6. Assessment of qualifications is transparent, objective, impartial and fair.	5. International educational credentials are subject to a reasonable, valid equivalency assessment: reasonable measure has been taken to acquire an informed understanding of the content of international educational programs and their equivalence to Canadian programs.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	6. The regulator has objective standards and criteria to assess knowledge and competencies acquired through work experience.	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	1. Training for the assessment academic qualifications.	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	2. Training for the assessment of work experience	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	3. Appeal training	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	4. Cross-cultural training.	✓			
8. English and French language proficiency requirements for registration and professional practice are reasonable.	1. French or English language proficiency levels are identified and based on the language demands of the profession.				Although a reasonable level of English language proficiency is identified in CDHM's regulation as required, it is left to the discretion of the council and as yet no requirement has been put in place. Currently, there is no French or English language proficiency requirement for registration with the CDHM.
8. English and French language proficiency requirements for registration and professional practice are reasonable.	2. Level of language proficiency identified at key points in the registration process – e.g., entry to practice vs. application or entry to gap training.		✓		The assessment and registration process has not been benchmarked or assessed in terms of its English language proficiency demands.

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
8. English and French language proficiency requirements for registration and professional practice are reasonable.	3. The identification of the nature and type of communicative demands for professional practice and the assessment process		✓		The occupation has not been benchmarked.
8. English and French language proficiency requirements for registration and professional practice are reasonable.	4. The appropriate use of language proficiency tests, expiration dating and test-scores.				Not applicable.
8. English and French language proficiency requirements for registration and professional practice are reasonable.	5. A variety of English language test are recognized				Not applicable.
9. Assessment and registration process is relationally fair.	1. Written reasons accompany assessment results.	✓			
9. Assessment and registration process is relationally fair.	2. Detailed feedback is provided about qualification gaps.	✓			

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
9. Assessment and registration process is relationally fair.	3. Applicants have the opportunity to discuss assessment and registration decisions of concern.	✓			
9. Assessment and registration process is relationally fair.	4. Applicants without appropriate qualifications receive advice and information about alternative careers.	✓			
10. Registration process allows for different levels of recognition.	1. Opportunity for restricted or conditional license and supervised practice.	✓			

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
10. Registration process allows for different levels of recognition.	2. Re-assessment only required in areas where competence has not been demonstrated.		✓		There are no formal policies that allow partial credit for CDHM's Competency Assessment. The College, however, recognizes that the 3-part Competency Assessment is structured in such a way that lends itself to partial credit and that flexibility is reasonable practice for this type of high-stakes, high-cost assessment. The jurisprudence exam could easily be re-written and perhaps supported by an allied health, professional practice seminar. Partial credit could also be given for either of the two clinical elements of the program. Applicants could take refresher programs and upgrading courses and then be recognized or at least allowed to re-challenge the clinical element where they failed to demonstrate competence. The current policies in the College's Competency Assessment Guide are inflexible: fail any of the 3 elements of the assessment and applicants are immediately disqualified and must re-apply, re-pay and re-do the entire assessment. We note that the Competency Assessment has only recently been introduced: one IEA applied and successfully completed the program. Policy in the Competency Assessment Guide notwithstanding, this individual met with considerable flexibility and support completing the assessment.
10. Registration process allows for different levels of recognition.	3. Time-frames for re-assessment are consistent with currency of practice standards.		✓		One of the College's currency policies states that applicants who are recent graduates and have not been previously registered, must have graduated no more than a year prior. Compared to other health professions, this one year currency requirement appears somewhat short: e.g., 2 years for dentists, 5 years for nurses. The College states that a tight currency of practice policy for recent graduates is warranted in that the training Dental Hygienists receive is often light on practice hours (compared to dentists) and the precise, physical nature of the work makes practice hours critical – a 'use it or lose it in a hurry' phenomena. Policy aside, the College also states that reasonable flexibility would be shown IEAs in circumstances of delays caused by the immigration process.

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
11. A fair appeal or review process is available.	1. All assessment and registration decisions that deny or condition registration are subject to appeal	✓			
11. A fair appeal or review process is available.	2. Appeal or review committee members are independent from those responsible for the original decision	✓			
11. A fair appeal or review process is available.	3. Timely hearings and appeal decisions	✓			
11. A fair appeal or review process is available.	4. Detailed, written reasons are provided to appellants for unfavorable decisions.		✓		The provision of written reasons for appeals is stipulated in CDHM's legislation. No formal policy/procedure in place for written reasons on unfavorable appeal decisions.
11. A fair appeal or review process is available.	5. Applicants are advised of their right to appeal.		✓		CDHM provides no information about its appeal policies. Applicants must consult the College's legislation for details. The National Body has clear information about 're-scoring' for the exam. A full scope appeal opportunity is also available, but not easily seen on its website, with no mention of the possibility of appealing an unfavorable academic equivalence assessment that determines exam eligibility.

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
11. A fair appeal or review process is available.	6. Appeal information accompanies any assessment and registration decision subject to appeal.		✓		While the National Body provides re-scoring appeal information with its exam result letters, no appeal information accompanies their National Exam eligibility assessment letters. No appeal information accompanies CDHM's assessment decisions. The CDHM's Competency Assessment also fails to inform applicants upon decision of their right of appeal
12. Legal exceptions notwithstanding, applicants have full and timely access to their assessment results and records associated with registration.	1. There is a process under which requests for records are considered. Fees for access to records are reasonable and do not exceed cost recovery.		✓		No official policies or procedures are in place for access to records. An informal process, applicants have access to records upon request. No fees are involved.
12. Legal exceptions notwithstanding, applicants have full and timely access to their assessment results and records associated with registration.	2. Applicants are informed of their access to records and the process for requesting records.			✗	No information is present in the registration information about access to records.
13. Fees involved in the assessment and registration process are reasonable.	1. Fees do not exceed cost recovery.	✓			

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Needs Improvement	Non-compliant	
14. Assessment and registration process is timely.	1. Reasonable measure is taken to ensure the prompt processing of applications and assessments.	✓			
14. Assessment and registration process is timely.	2. Communication with applicants is timely and systematic.	✓			
14. Assessment and registration process is timely.	3. Assessment and registration process is structured efficiently and minimizes unnecessary delays.	✓			A notable exception here will be the delay caused by the redundant documentation requirements between the National Body and College. See our comment under element #4 above.

Fairness Commissioner's Recommendations

As a result of the OMFC's registration review of the College of Dental Hygienists of Manitoba and to ensure compliance to *The Fair Registration Practices in Regulated Professions Act*, the Fairness Commissioner recommends:

1. With regard to the registration information on College's website:
 - a. *That* a dedicated landing page for Internationally Educated DHs be developed that provides clear, complete and accurate information about the assessment and registration process;
 - b. *That* the Competency Assessment Guide be made available on the College's website and be revised to ensure ease of navigation and accurate information about the flexibility surrounding policies and available supports;
 - c. *That* accurate information be provided about the College's flexibility surrounding assessment and registration policies, including registration currency requirements, previous registration and the 4-month application window.
 - d. *That* the support the College can provide to secure suitable patients and tools for applicants undergoing the competency assessment be made clear;
 - e. *That* information be provided that gives Internationally Educated DHs a realistic sense of the full costs and time of registration, including detailed information about the College's assessment timelines;
 - f. *That* information be provided about any available financial supports and academic upgrading opportunities for Internationally Educated DHs.
2. With regard to the College's documentation requirements:
 - a. *That* the College work with the National Body to ensure IEAs are not subject to redundant documentation requirements;
 - b. *That* the College work with the National Body to review the relevance and necessity of the extensive range of documentation currently required of IEAs in the context of a rigorous assessment process that involves both a National Exam and Competency Assessment;
 - c. *That* the College develop an alternative documentation policy and provide information about the possibility of alternative documentation in its registration material. *That* the College contact

the National Body to discuss the implementation of an alternative documentation policy with regard to its documentation requirements;

- d. *That* the College reconsider and extend its 4-month application window.
3. *That* the College contact the National Body and request the mandatory previous registration or eligibility for registration requirement be reconsidered. *That* recent graduates without previous registration not be required to supply evidence of eligibility for registration in their previous jurisdiction;
4. *That* the College review the English language proficiency demands of the profession and its assessment process. *That* the College advise applicants of the appropriate levels of English language proficiency levels needed for the assessment process and in the field;
5. *That* the College develop and implement partial credit possibilities for the Competency Assessment;
6. *That* with respect to College's appeal policy and procedure:
 - a. *That* clear appeal information be provided in the College's registration information. *That* appeal information accompany any assessment or registration decision that denies or conditions registration. *That* similar appeal opportunity and information be provided for assessment decisions of the College's Competency Assessment;
 - b. *That* a formal policy/procedure be implemented for the provision of detailed, written reasons for appeal decisions;
 - c. *That* the College contact the National Body to ensure its eligibility assessments to write the National Exam are subject to appeal and that appeal information accompanies eligibility assessment letters.
7. *That* the College provide applicants information about their access to records and the process whereby record requests are made.

CDHM's Action Plan

In response to the Fairness Commissioner's Recommendations, the College of Dental Hygienists proposed the following action plan as of July 2012. The plan is reprinted in its entirety under the 'CDHM's Action Plan' column in the table below.

The CDHM's Action Plan will form the basis of its relationship with the OMFC moving forward. The plan is monitored by the OMFC and will be tracked in the 'Completion Date' box of the Action Plan template as they come to fruition. As the report will be available online, this allows any interested party to see the progress to date.

OMFC's Recommendation	Planned Action(s)	Short Term	Medium Term	Long Term	Completion Date
<p>1. With regard to the registration information on College's website:</p> <p>a. <i>That</i> a dedicated landing page for Internationally Educated DHs be developed that provides clear, complete and accurate information about the assessment and registration process;</p> <p>b. <i>That</i> the Competency Assessment Guide be made available on the College's website and be revised to ensure ease of navigation and accurate information about the flexibility surrounding policies and available supports;</p>	<p>a. With the assistance of the College of Dental Hygienists of Manitoba's (CDHM) website administrator, a dedicated landing page for Internationally Educated DH's will be developed that will provide clear, complete and accurate information about the assessment and registration process. This landing page will be easily accessible, contain appropriate links and will be straightforward to navigate.</p> <p>b. With the assistance of the College of Dental Hygienists of Manitoba's (CDHM) website administrator, the Competency Assessment Guide will be made available on the dedicated landing page for Internationally Educated DH's, on the College's website. This document will be revised to ensure ease of navigation and accurate information about the flexibility surrounding policies and available supports.</p>		<p>February 2013</p> <p>June 2013</p>		

OMFC's Recommendation	Planned Action(s)	Short Term	Medium Term	Long Term	Completion Date
<p>2. With regard to the College's documentation requirements:</p> <p>a. <i>That</i> the College work with the National Body to ensure IEAs are not subject to redundant documentation requirements;</p> <p>b. <i>That</i> the College work with the National Body to review the relevance and necessity of the extensive range of documentation currently required of IEAs in the context of a rigorous assessment process that involves both a National Exam and Competency Assessment;</p>	<p>a. The College will collaborate with the NDHCB to ensure IEAs are not subject to redundant documentation requirements specific to the registration process.</p> <p>b. The College will collaborate with the NDHCB to examine and review the relevance and necessity of the extensive range of documentation currently required of IEAs specific to the assessment process which involves both the NDHCE and the Competency Assessment.</p>	<p>October 2012</p>		<p>December 2013</p>	

OMFC's Recommendation	Planned Action(s)	Short Term	Medium Term	Long Term	Completion Date
<p>c. <i>That</i> the College develop an alternative documentation policy and provide information about the possibility of alternative documentation in its registration material. <i>That</i> the College contact the National Body to discuss the implementation of an alternative documentation policy with regard to its documentation requirements;</p> <p>d. <i>That</i> the College reconsider and extend its 4-month application window.</p>	<p>c. The College will implement an alternative documentation policy and provide information about the policy in its registration information.</p> <p>Although this is not mentioned in their assessment information, the NDHCB does provide some alternative documentation opportunities for applicants. In addition, the NDHCB is currently reviewing other documentation options i.e. continuing education units and previous employment history. This will support an alternative way for candidates to demonstrate the required dental hygiene competencies. In this emerging structure, all competencies listed will be required to be met and the candidates must provide proof of where the competencies were taught in course curriculum or through employment experience and then further to what level the competencies were performed.</p> <p>The College will request the NDHCB make clear its alternative documentation possibilities in its assessment information.</p> <p>d. The College will extend its 4-month application window to a full year from the date the first document is received by the College from the applicant.</p>	<p>September 2012</p>		<p>December 2013</p>	
<p>Regulator's Comments:</p>					

OMFC's Recommendation	Planned Action(s)	Short Term	Medium Term	Long Term	Completion Date
<p>3. <i>That</i> the College contact the National Body and request the mandatory previous registration or eligibility for registration requirement be reconsidered. <i>That</i> recent graduates without previous registration not be required to supply evidence of eligibility for registration in their previous jurisdiction;</p>	<p>The College will contact the NDHCB, explain the Fairness Commissioner's recommendation to waive the previous registration requirement in the circumstance of recent graduates and will request the recommendation be reviewed and implemented.</p>		<p>December 2012</p>		
<p>Regulator's Comments: This may be a challenge as previous registration requirements is a consistent process across Canada as well as internationally. There are concerns regarding diploma mills, and the current process ensures applicants are legitimately meeting all registration requirements. As well, graduation without registration is an academic credential/designation until after the person is actively registered in a jurisdiction. There are other aspects to being registered that aren't specific to credentialing i.e. criminal record, license/registration that was denied/limited/restricted/suspended/cancelled or other issues such as: professional misconduct/incompetency in another jurisdiction.</p>					

OMFC's Recommendation	Planned Action(s)	Short Term	Medium Term	Long Term	Completion Date
<p>4. <i>That</i> the College review the English language proficiency demands of the profession and its assessment process. <i>That</i> the College advise applicants of the appropriate levels of English language proficiency levels needed for the assessment process and in the field;</p>	<p>With the expertise and support of the OMFC, the College would be agreeable to benchmarking language proficiency specific to the profession of dental hygiene. Once the language proficiency assessment is complete, it would be reviewed and if approved by the CDHM Council, could then be placed on the CDHM website to ensure that applicants are made aware of the entry-to-practice language demands/requirements of the profession.</p>			December 2013	
<p>Regulator's Comments:</p>					
<p>5. <i>That</i> the College develop and implement partial credit possibilities for the Competency Assessment;</p>	<p>The College will consider implementing partial credit possibilities for the Competency Assessment, The Ethics and Jurisprudence component of the assessment is one potential option for partial credit fulfillment.</p>			December 2013	
<p>Regulator's Comments:</p>					

OMFC's Recommendation	Planned Action(s)	Short Term	Medium Term	Long Term	Completion Date
<p>6. <i>That</i> with respect to College's appeal policy and procedure:</p> <p>a. <i>That</i> clear appeal information be provided in the College's registration information. <i>That</i> appeal information accompany any assessment or registration decision that denies or conditions registration. <i>That</i> similar appeal opportunity and information be provided for assessment decisions of the College's Competency Assessment;</p>	<p>a. The College agrees to provide clear appeal information in its registration package and also as part of any assessment or registration decision that denies or places conditions on the registration of the applicant. Similar information will also be a part of the competency assessment package given to applicants prior to commencing the competency assessment process.</p>			December 2013	

OMFC's Recommendation	Planned Action(s)	Short Term	Medium Term	Long Term	Completion Date
<p>b. <i>That</i> a formal policy/procedure be implemented for the provision of detailed, written reasons for appeal decisions;</p> <p>c. <i>That</i> the College contact the National Body to ensure its eligibility assessments to write the National Exam are subject to appeal and that appeal information accompanies eligibility assessment letters.</p>	<p>b. The College will create policies and procedures ensuring that written, detailed responses are given to an applicant regarding any appeal decision that is unfavorable.</p> <p>c. The College will contact the NDHCB to ensure that its eligibility assessments to sit the National Exam are subject to an appeal process. Currently the NDHCB is reviewing their policies and procedures and the will be instituting a change whereby applicants will be given a notice of right of formal review if the applicant believes that s/he has been treated unfairly. This new component will be added to every decision.</p>		June 2013	December 2013	
<p>Regulator's Comments:</p>					

OMFC's Recommendation	Planned Action(s)	Short Term	Medium Term	Long Term	Completion Date
7. <i>That</i> the College provide applicants information about their access to records and the process whereby record requests are made.	The College will create policies and procedures on how all applicants and registrants may access their records and the process whereby record requests are made.			July 2013	
Regulator's Comments:					

Fairness Commissioner's Statement of Compliance

The College of Dental Hygienists of Manitoba's Action Plan is an appropriate, progressive response to the recommendations that resulted from the OMFC's registration review. These actions will support the fairer assessment and recognition of internationally educated dental hygienists and are fully consistent with *The Fair Registration Practices in Regulated Professions Act*.

Although only recently instituted, the College has already succeeded in establishing a well-designed, in-depth competency assessment that provides international applicants the opportunity to demonstrate their qualifications.

The College has little experience with internationally educated applicants: only two to date. Despite the numerous challenges surrounding one of these applications and the first running of the competency assessment, the College demonstrated understanding, flexibility and a clear commitment to do the right thing.

Our registration review with the College has been met with an openness and willingness to examine, learn and evolve practice. I am encouraged by the College's response to my recommendations and look forward to our work together implementing the Action Plan.

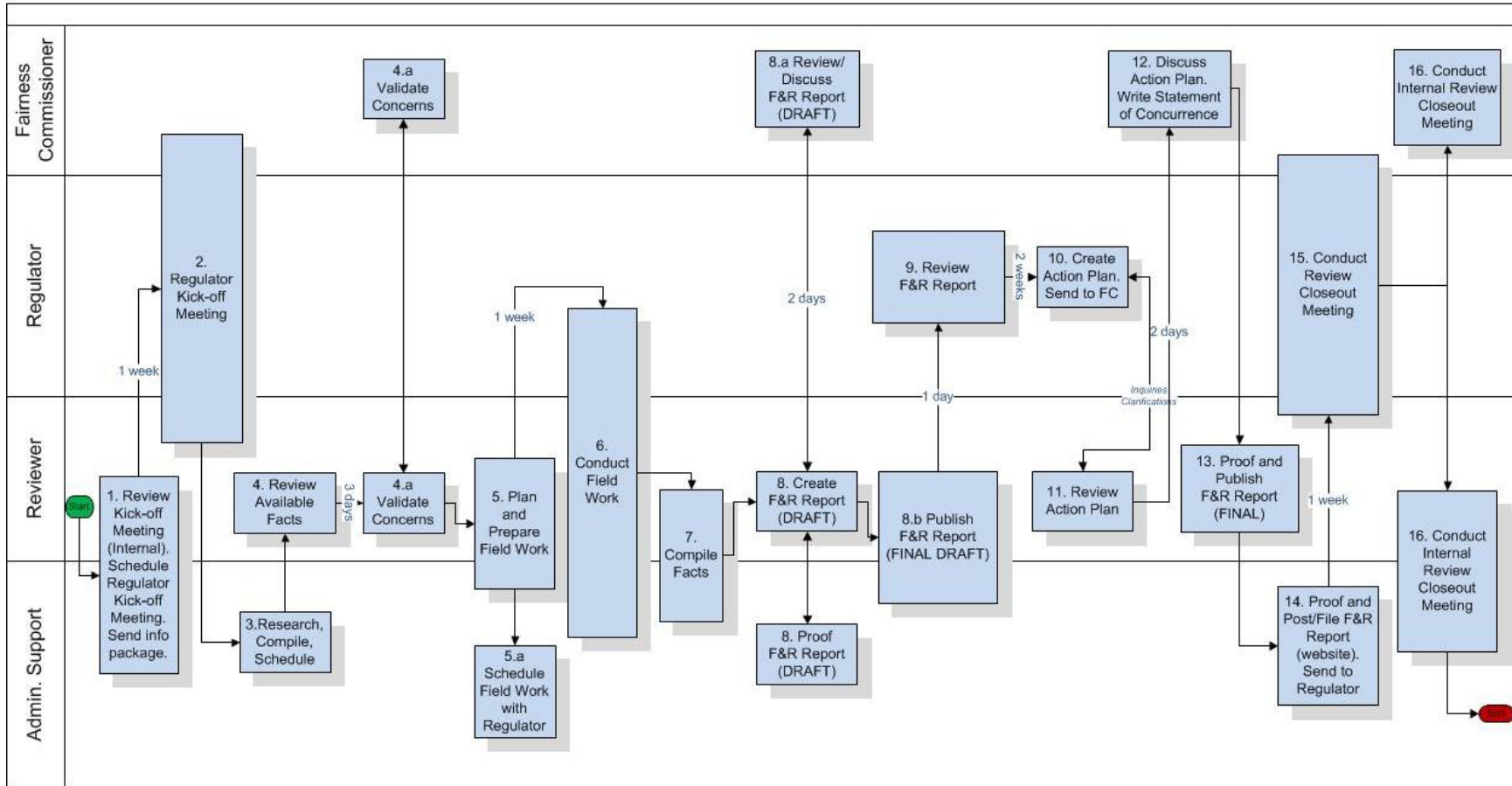


Ximena Munoz

Manitoba Fairness Commissioner

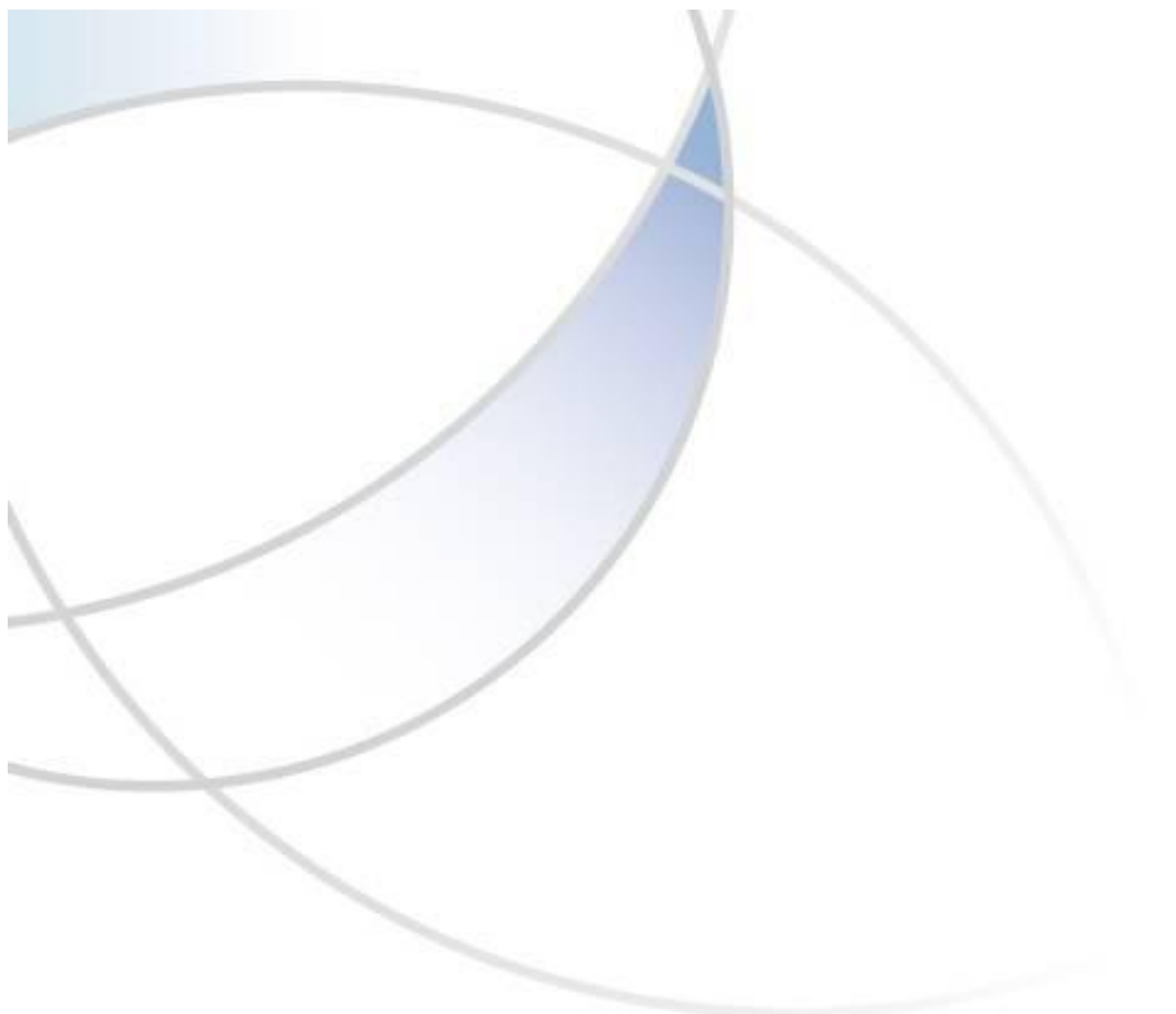
Appendix A

OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER Registration Review Process



Appendix B

CDHM's Registration Review		
Activity	Description	Date
Block Meeting	<ul style="list-style-type: none"> • Meetings between OMFC, CDHM and other regulators in the block of reviews for this review period; • Registration review process presented; • Review schedule set; • Nature of required documentation explained and requested. 	<ul style="list-style-type: none"> • April 3, 2012
Kick-Off Meeting	<ul style="list-style-type: none"> • Launch of CDHM's registration review; • Key decisions makers from regulator in attendance; • Collect requested documentation; • Fieldwork planned. 	<ul style="list-style-type: none"> • April 20, 2012
Fieldwork	<ul style="list-style-type: none"> • Collect information otherwise unavailable through public information and policy documents; • Clarify information and acquire a more in-depth understanding of policy and practice. 	<ul style="list-style-type: none"> • May 11, 2012
Findings and Recommendations Report	<ul style="list-style-type: none"> • CDHM receives a report with the review findings, the Fairness Commissioner's recommendations and a request for an Action Plan. 	<ul style="list-style-type: none"> • May 22, 2012
Action Plan	<ul style="list-style-type: none"> • CDHM's Action Plan submitted to OMFC. 	<ul style="list-style-type: none"> • June 5, 2012
Final Registration Review Report	<ul style="list-style-type: none"> • Final report submitted to CDHM and uploaded to OMFC's website; • Report contains the review findings, the Fairness Commissioner's recommendations, CDHM's Action Plan, and the Fairness Commissioner's Compliance Statement 	<ul style="list-style-type: none"> • July 4, 2012
Registration Review Closeout Meeting	<ul style="list-style-type: none"> • Discuss review results & Action Plan 	<ul style="list-style-type: none"> • July 6, 2012



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