

# 2022 Registration Review Report

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College of Dental Hygienists of Manitoba



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## Introduction

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The Fair Registration Practices Office (FRPO) issues this registration review report for College of Dental Hygienists of Manitoba (CDHM) under authority of The Fair Registration Practices in Regulated Professions Act (act). Registration reviews are conducted at times specified by the director of fair registration practices and in accordance with the review provisions in the act, section 15.1, 15.2, and 15.3. The purpose of this review is to determine compliance with the legislation and to identify areas that may need improvement. Compliance to the legislation refers both to the fairness of assessment and registration practice, with particular attention to the fair consideration of internationally educated applicants, as well as the co-operation of the regulator with the director.

Manitoba's fairness legislation was amended in December 2021. This review is largely restricted to the consideration of compliance regarding three new duties in the Fair Registration Practices Code: a duty that assessment criteria be necessary, a duty to abide domestic trade agreements and a duty to notify FRPO regarding changes in assessment and registration practice. Outstanding issues raised in previous registration review reports may also be raised or result in further recommendation for action.

This registration review results in an FRPO statement of compliance for the regulator. Reviews that result in recommendations to change practice or policy contain an action plan response from the regulator, current as of December 2022.

To provide context, a brief description of CDHM's state of progress under fairness legislation to date precedes the compliance analysis. The report also includes appendices containing a flowchart of the registration process for internationally educated applicants, as well as registration data. Data is the latest information available at the time of review completion.

## State of Progress

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Since the introduction of Manitoba's fairness legislation in 2009, the College of Dental Hygienists of Manitoba (CDHM) has and continues to work co-operatively with FRPO. CDHM is committed to the fair assessment and registration of internationally educated dental hygienists.

CDHM's licensure process for internationally educated dental hygienists (IEDHs) trained in approved programs in the United States is straightforward and effective. The assessment process for internationally educated applicants trained outside the United States underwent significant change in 2020 with the introduction of the National Dental Hygiene Certification Board's (NDHCB) Equivalency Assessment. This assessment determines whether applicants with unrecognised training qualify to write the national exam or need to undergo remediation. Upon completing the national exam, a clinical competence assessment is also required for equivalency applicants.

CDHM has taken steps to improve the fairness of its assessment and registration process. Some of the more significant measures include:

- improving internationally educated applicants (IEAs) registration information; including work with the national body to ensure there is appeal and alternative documentation information
- working with NDHCB to ensure access for Manitoba IEAs to the out-of-province clinical competence assessment
- before the introduction of the NDHCB national assessment process, working with the University of Manitoba's Faculty of Dentistry supporting IEA assessment and gap training

## Fair Practice Analysis

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### I. Assessment criteria must be necessary – act, 8(4)

The criteria used in an assessment of qualifications must be necessary to assess competence in the practice of the profession.

With regard to substantive assessment criteria in a profession, for instance, the type and level of academic training required or the level of scrutiny brought to assess qualifications, FRPO recognises the authority of self-regulated professions setting these standards and will only question these requirements in the circumstance they are patently unreasonable. FRPO's evaluation focuses on the ways in which criteria and requirements may be unnecessary, unduly burdensome, or potentially result in forms of systemic discrimination, particularly as they may impact internationally educated applicants (IEAs).

### CDHM's compliance to necessary assessment criteria

CDHM's assessment criteria and various requirements for registration are for the most part warranted and necessary.

FRPO identifies the following concerns:

1. Applicants engaging the NDHCB Equivalency Assessment must arrange the direct submission of academic transcripts from their education programs and documents from their previous regulating authority. Upon application to CDHM, applicants must rearrange the direct, third-party submission of the same academic and regulatory documents.

FRPO understands CDHM has engaged NDHCB regarding the need to share documents and that CDHM's new online application process may allow the opportunity to streamline their documentation requirements, but that to date, the issue is not resolved.

2. A mandatory previous registration requirement is in place for IEAs that includes recent graduates who have not registered prior to application to NDHCB and CDHM.

For those with previous registration, this documentation requirement makes sense. However, for recent graduates who immigrate or move to Manitoba without registering in their home jurisdiction, there is little warrant for this requirement and it can pose a significant barrier.

## II. Duty to comply with domestic trade agreements – act,4(1)

A regulated profession must ensure that its registration practices comply with the obligations of a domestic trade agreement.

The Manitoba government has labour mobility obligations that extend to regulated occupations, under both Chapter 7: Labour Mobility of the Canadian Free Trade Agreement (CFTA) and Article 13: Labour Mobility of the New West Partnership Trade Agreement (NWPTA). In Manitoba, regulated professions are required to comply with labour mobility obligations under The Fair Registration Practices in Regulated Professions Act, section 4(1), The Labour Mobility Act, section 3(1), and for health professions, under The Regulated Health Professions Act, section 32(3).

In the regulated occupations, the purpose of these obligations is to provide labour mobility through license-to-license recognition. This needs to occur without any material requirements for training, experience, examinations or assessments — CFTA, Article 705, paragraph 1, NWPTA, Article 13, paragraphs 1 and 2.

### CDHM's compliance to abide labour mobility obligations

CDHM's labour mobility policy for individuals registered in other provincial jurisdictions applying for registration in Manitoba does not fully comply with provisions set out in the Canadian Free Trade Agreement and the New West Partnership Trade Agreement.

FRPO identifies the following concerns:

As presented in CDHM's website information for mobility applicants, there are a number of non-permissible, material registration requirements. The non-permissible requirements require applicants:

- be a graduate of an accredited dental hygiene education program approved by CDHM's Council
- have successfully completed the Canadian National Dental Hygiene Certification Board exam
- meet a practice hour requirement of 600 hours within the last three years. If the applicant graduated from an accredited dental hygiene program within the last 24 months, 400 practice hours are required. Applicants who have graduated within the past 12 months do not have to meet this requirement

CDHM's regulation to The Dental Hygienists Act (C.C.S.M. c. D34), however, stipulates exemptions for mobility applicants to the national exam requirement [8(2)] and the practice hour requirement [9(1) (d) (ii)]. There is no exemption in legislation for the education requirement; however, regulation [8(3)] makes clear internationally educated applicants from non-recognised programs qualify if they have passed the national exam and prior learning assessment — with possible remedial training.

In both regulation and registration information, CDHM's education requirement for mobility applicants — whether internationally or domestically educated — is a non-permissible requirement. CDHM regulations exempting mobility applicants from the national exam requirement and practice hour requirement complies with labour mobility obligations, but the registration information suggesting applicants meet these requirements does not.

FRPO understands CDHM is considering changes to its registration information that will help clarify its requirements for mobility applicants. To comply with labour mobility obligations, this will also require new policy and a change in regulation exempting mobility applicants from CDHM's education requirement.

### III. Notice of changes in registration practices – act, 5(2)

A regulated profession that proposes to change its registration practices, as described in the information provided under clause (1)(a), must notify the director of the proposed change, at the time and in the manner and form required by the director.

The purpose of notification is to ensure FRPO has accurate, up-to-date information about the registration practices of Manitoba regulators. This supports FRPO's oversight role and allows for proactive discussion about the fairness of proposed changes.

#### CDHM's compliance to the duty to notify

In preparation for this registration review, FRPO requested updates regarding changes to assessment and registration practice. CDHM responded to this request, providing a number of updates. CDHM complies with the duty to notify.

### IV. Duty to provide information – act, 5(c)

A regulated profession must provide the following information, in a clear and understandable form, to individuals applying or intending to apply for registration by the regulated profession:

FRPO identifies a fairness concern under this duty:

CDHM's website contains little information about its application process. IEAs are given reasonable information about the first-step, NDHCB process, and helpful information and links are provided regarding available resources for IEAs in Manitoba. Applicants are encouraged to contact CDHM to learn and acquire information about their application requirements, process and forms.

## Recommendations

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The Fair Registration Practices Office sees the following opportunities for the College of Dental Hygienists of Manitoba to improve compliance to The Fair Registration Practices in Regulated Profession Act:

1. Streamline and synchronise documentation requirements with the National Dental Hygiene Certification Board so that applicants do not have to repeatedly arrange the third-party submission of academic and regulatory history documents.
2. For recent IEA graduates, introduce a waiver policy regarding the previous registration requirement.
3. Remove CDHM's education requirement for mobility applicants and clarify registration information about the other requirements for mobility applicants.
4. Introduce clear and accurate information on CDHM's website regarding application requirements, process and application forms.



## Regulator Action Plan

In response to the recommendation made by the Fair Registration Practices Office, the College of Dental Hygienists of Manitoba committed to the following action plan, current as of December 2022:

| Recommendation   | Action(s)  | Anticipated Completion Date |
|--|--|-----------------------------|
| <p>1. Streamline and synchronise documentation requirements with the National Dental Hygiene Certification Board so that applicants do not have to repeatedly arrange the third-party submission of academic and regulatory history documents.</p> | <p>Applicants who have completed the equivalency examination process through the National Dental Hygiene Examining Board (NDHCB) will have submitted documents providing proof of graduation and other documents required by the NDHCB. These applicants, therefore, will not be required by CDHM to submit additional academic and regulatory documents for registration as they have already submitted them to the NDHCB. The CDHM is in contact with the NDHCB to create a notification protocol which will apply when an equivalency applicant applies to the CDHM for registration. Because the NDHCB does not collect academic or identity documents, other than a photo, from exam applicants from accredited dental hygiene programs, the CDHM will continue to collect academic and identity information from these applicants.</p> | <p>January 15, 2023</p>     |
| <p>2. For recent IEA graduates, introduce a waiver policy regarding the previous registration requirement.</p>   | <p>A waiver policy is being created whereby recent IEA graduates will not be required to submit previous registration information. The waiver will be similar to the following:</p> <p><b>If you have never been licensed you must sign a declaration attesting to the fact that you have not been licensed and if you have graduated more than one year before application, the reason you have never been licensed will be stated.</b></p>   | <p>February 15, 2023</p>    |

| Recommendation   | Action(s)  | Anticipated Completion Date |
|--|--|-----------------------------|
| <p>3. Remove CDHM’s education requirement for mobility applicants and clarify registration information about the other requirements for mobility applicants.</p> | <p>We are in the process of removing the education requirement for mobility applicants who provide a letter of good standing from other jurisdictions in Canada. We are also clarifying other registration information on the CDHM website. These changes will require a briefing note to Council in March for their review.</p> | <p>March 31, 2023</p>       |
| <p>4. Introduce clear and accurate information on CDHM’s website regarding application requirements, process and application forms.</p>                          | <p>Clarifying and streamlining the information pertaining to application for registration has begun. Pertinent information and links to further information will be included to assist the applicant in the process.</p>   | <p>March 31, 2023</p>       |

## Compliance

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FRPO's 2022 registration review of the College of Dental Hygienists of Manitoba (CDHM) examines their compliance to three duties in the Fair Registration Practices Code of the act; assessment criteria are necessary, labour mobility obligations are respected and FRPO is notified regarding changes in assessment and registration practice.

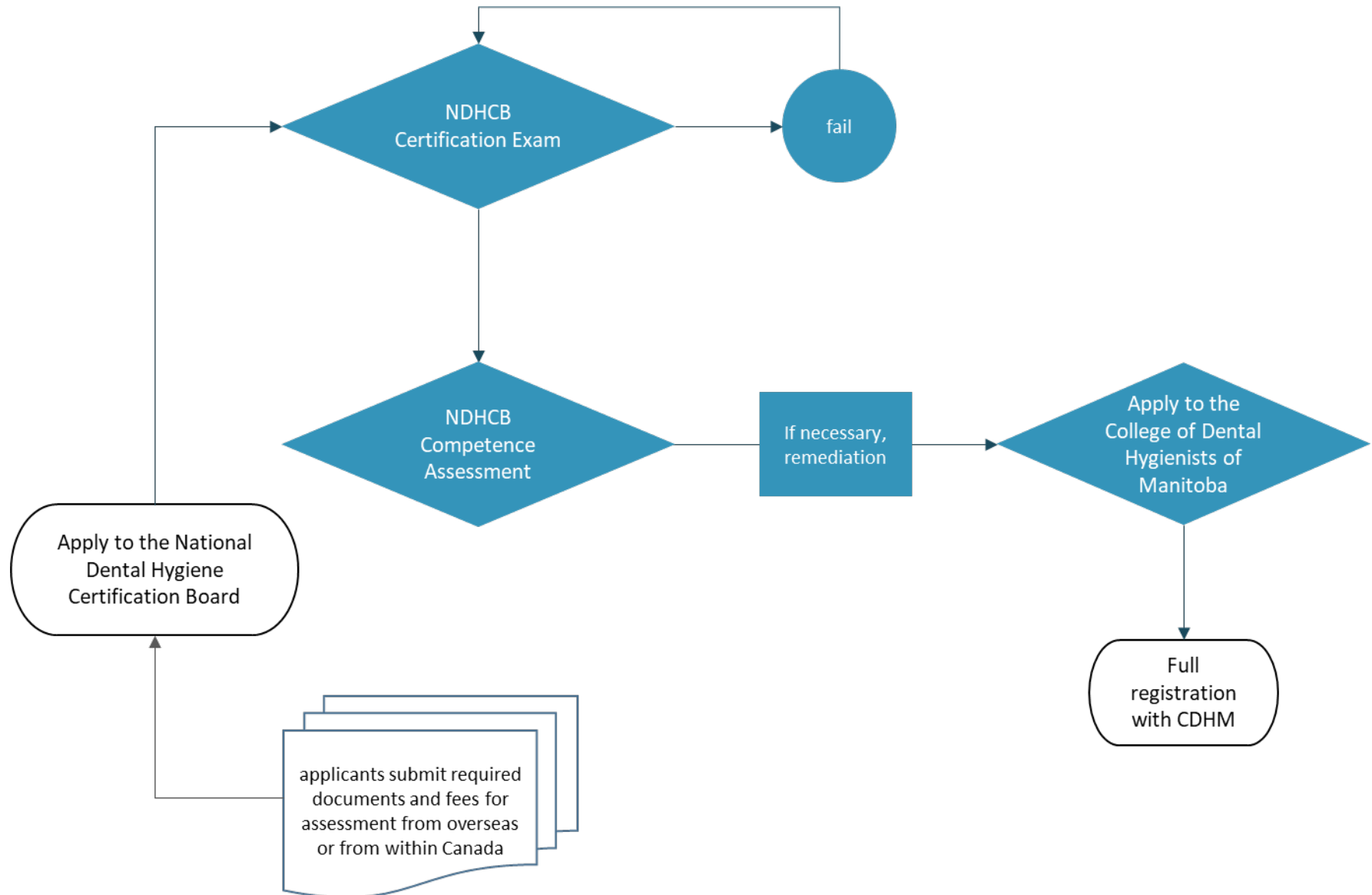
FRPO finds COPOM compliant with the duty to notify FRPO regarding changes in assessment in registration practices.

FRPO raises concerns about the need to:

- streamline and synchronise documentation requirements
- introduce a waiver policy for recent graduates for the previous registration requirement
- remove the education requirement for mobility applicants
- improve application and registration information for IEAs and mobility applicants

CDHM's action plan commitments are a productive response to FRPO's recommendation and address all of these concerns. These actions will help ensure fair practice and better compliance to The Fair Registration Practices in Regulated Professions Act.

## Appendix 1 – Registration Process for Internationally Educated Applicants



College of Dental Hygienists of Manitoba



**812**  
Registered  
Members

(As of December 2021)

**2011-2021 Internationally Educated Applicant Data**



**<10**

applications

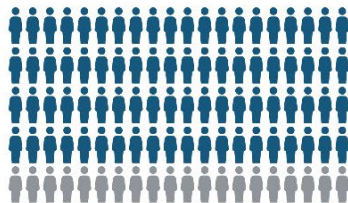


**Top Countries of Education**



applicants were educated in **3** different countries

**Application Outcomes**



registered - **80%**

in process - **20%**



**Median Time to Registration**

**6 months**

**2012-2021 Domestic Applicant Data**



**478**

applications

**478 (100%)**

registrations