

2023 Registration Review Report

Denturists Association of Manitoba



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Introduction

The Fair Registration Practices Office (FRPO) issues this registration review report for the Denturists Association of Manitoba (DAM) 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 March 2023.

To provide context, a brief description of DAM'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

The Denturists Association of Manitoba (DAM) is committed to the fair assessment and registration of internationally educated denturists. Since the introduction of Manitoba's fairness legislation in 2009, DAM has worked co-operatively with FRPO and taken measures to ensure the fair assessment and registration of internationally educated applicants (IEA).

DAM's assessment and registration process has undergone significant transition over the last decade. In 2017, DAM changed its policy considering internationally trained dentists for licensure. Aligning its policy with other provincial regulators across Canada, all applicants now require completion of a dedicated denturist program to qualify for registration. With few denturist programs worldwide, IEAs to DAM have historically been trained as dentists. This change in policy is likely to result in DAM seeing few IEAs.

DAM's pre-2017 assessment process for internationally educated dentists had many progressive features and DAM worked hard to support applicant success in licensing through internships. As a small profession, with limited resources, efforts to implement an in-province assessment, gap training and internship process for internationally educated dentists were commendable, but challenging. With a strong culture for supporting their IEAs, FRPO expects future applicants with denturist training will receive equally strong support from DAM.

Fair Practice Analysis

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).

At this time, FRPO does not have concerns with the reasonableness and necessity of DAM's assessment criteria and requirements for registration.

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.

DAM's labour mobility policies for individuals registered in other provincial jurisdictions applying for registration in Manitoba are largely compliant with provisions set out in the Canadian Free Trade Agreement and the New West Partnership Trade Agreement.

Under these agreements, regulated professions have a general obligation to ensure application requirements of all workers certified in other jurisdictions are transparent and that information is clear and complete. DAM's information for mobility applicants regarding application requirements is unclear and inaccurate in places and is in need of updates/revisions.

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.

In preparation for this registration review, FRPO requested updates regarding changes to assessment and registration practice. DAM responded to this request and is in compliance with the duty to notify.

IV. **Duty to Provide Information – act, 5(1), (a-e)**

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:

- (a) information about its registration practices and internal review or appeal processes;
- (b) information about the amount of time that the registration process usually takes;
- (c) objective requirements for registration by the regulated profession, including a description of the criteria used to assess whether the requirements have been met, together with a statement of which requirements can be satisfied through alternatives that are acceptable to the regulated profession;
- (d) information about any support the regulated profession provides to applicants during the registration process, or other available supports of which the regulated profession is aware;
- (e) a fee scale related to registrations.

In the 2017 registration review, FRPO identified the need for an improved information package for internationally educated applicants and that it be posted to DAM's website. This is outstanding, however, FRPO understands that DAM is currently working on this information package. DAM is also working on updates to their application for IEAs. As they no longer accept applications from internationally educated dentists and the assessment process is different for applicants with denturist training, revisions are needed. Updating and posting these documents will help bring DAM into compliance with this section of the Fair Practices Code.

Recommendations

The Fair Registration Practices Office sees the following opportunity for the Denturists Association of Manitoba to improve compliance to The Fair Registration Practices in Regulated Profession Act:

1. Review and revise information materials, application requirements and forms to ensure accuracy and compliance to section 5(1) of The Fair Registration Practices in Regulated Professions Act, Duty to Provide Information, and to labour mobility legislation.

Regulator Action Plan

In response to the recommendation made by the Fair Registration Practices Office, the Denturists Association of Manitoba committed to the following action plan, current as of March 2023:

Recommendation	Action(s)	Anticipated Completion Date
1. Review and revise information materials, application requirements and forms to ensure accuracy and compliance to section 5(1) of The Fair Registration Practices in Regulated Professions Act, Duty to Provide Information, and to labour mobility legislation.	<p>We will be updating all documents pertaining to the process for applying for either internship or license. This will include developing three application packages, one for each of the following: internationally educated applicants, domestically educated applicants, labour mobility applicants and license renewal.</p> <p>We will review and edit all materials and forms to ensure accurate and up to date information and compliance with section 5(1) of The Fair Registration Practices in Regulated Professions Act.</p>	October 2023

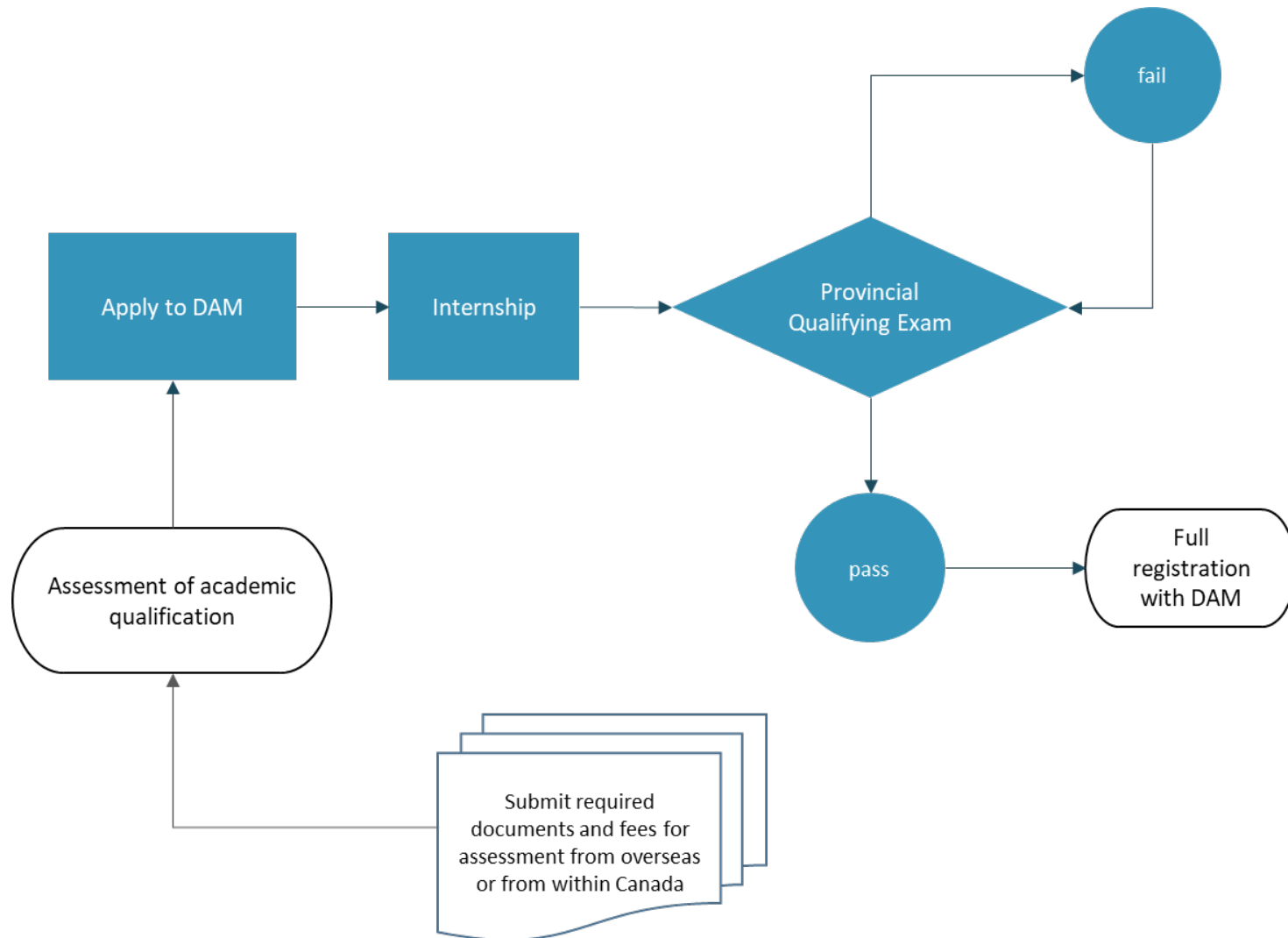
Compliance

FRPO's 2023 registration review of Denturists Association of Manitoba (DAM) examines their compliance to three duties in the Fair Registration Practices Code (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 DAM compliant with the duty for necessary assessment criteria and the duty to notify. FRPO raises concerns with regard to DAM's applicant information both as it relates to the duty to abide labour mobility obligations and the duty to provide information as required by 5(1), (a-e) of the code.

DAM's action plan commitment is a positive, productive response to FRPO's recommendation. It will address these concerns and help ensure better compliance to The Fair Registration Practices in Regulated Professions Act and to mobility legislation.

Appendix 1 – Registration Process for Internationally Educated Applicants



Denturists
Association of
Manitoba



47
**Registered
Members**
(As of December 2021)

2011–2021 Internationally Educated Applicant Data



<10
applications

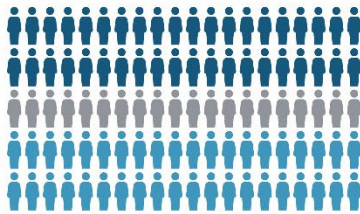


Top Countries of Education



applicants were educated in **2**
different countries

Application Outcomes



registered - **40%** | in process - **20%** | file closed - **40%**

Closed File Status



100%
withdrawn



Median Time to Registration

2 years

2012–2021 Domestic Applicant Data



11
applications

9 (82%)
registrations