

## **Registrants' Communiqué on Bill 179**

On May 11th, Bill 179 (the "*Regulated Health Professions Statute Law Amendment Act, 2009*") was tabled in the Ontario Legislature by the Minister of Health and Long-Term Care, David Caplan. The tabling was preceded that morning by a media conference hosted by Premier Dalton McGuinty and Mr. Caplan, which demonstrates the importance the McGuinty government places on this legislation. The CDHO Registrar and legal counsel attended a confidential briefing hosted by the Ministry before the Bill was tabled.

Most of the Bill is prompted by recommendations made by the Health Professions Regulatory Advisory Council (HPRAC) over the last year or so.

Bill 179 is a huge, omnibus bill of over 200 pages. It amends the *Regulated Health Professions Act (RHPA)*, 17 profession-specific Acts including the *Dental Hygiene Act, 1991*, several other health-related statutes administered by the Minister of Health and Long-Term Care and the *Social Work and Social Service Work Act, 1998* administered by the Minister of Community and Social Services.

There are a number of amendments to the *RHPA* and the *Procedural Code* that will impact on the CDHO and on every other *RHPA* regulatory College.

Of particular interest to registrants will be amendments to the *Dental Hygiene Act, 1991* to authorize dental hygienists to perform the controlled act of prescribing, dispensing, compounding or selling a drug, but only those drugs that are designated in regulations developed by the CDHO and approved by the Lieutenant Governor in Council (Cabinet). These changes arise from the CDHO's submissions to HPRAC asking for an expansion of the dental hygiene scope of practice to allow designated registrants to dispense certain self treatment therapies and to compound and dispense fluoride rinses and gels in concentrations higher than OTC products. The drugs involved include chlorhexidine, fluoride, smoking cessation therapies or components thereof that are currently classed as drugs and antibiotics.

The CDHO also asked for an extension of the dental hygiene scope of practice to allow qualified dental hygienists to administer local anesthetic by injection or inhalation, in line with current practice in the western provinces. Unfortunately, HPRAC did not support the CDHO's recommendation. Representatives of the CDHO have subsequently met with representatives of HPRAC and the Ministry and it's the CDHO's intention to continue to advocate for the inclusion of local anesthetic within our scope of practice, which can be accomplished through an amendment at Standing Committee.

The Government intends to complete Second Reading of the Bill before the Legislature rises for the Summer Recess in early June. Committee hearings will occur over the summer, leading to Third Reading and ultimately Royal Assent sometime in the Fall. Many of the provisions will not take legal effect until the requisite regulations are in place. Accordingly, we anticipate that the amendments to the *Dental Hygiene Act, 1991* are not likely to take legal effect until early 2010.

Registrants should monitor this space for updates on Bill 179 in general and the amendments to the *Dental Hygiene Act, 1991* in particular as they work their way through the legislative process.