

chapter D-4, r. 13

Regulation respecting the procedure of the professional inspection committee of denturologists

Denturologists Act
(chapter D-4, s. 3).

Professional Code
(chapter C-26, s. 90).

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DIVISION I

GENERAL PROVISIONS

1.01. This Regulation is made under section 90 of the Professional Code (chapter C-26).

R.R.Q., 1981, c. D-4, r. 9, s. 1.01.

1.02. In this Regulation, unless the context indicates otherwise,

- (a) “committee” means the professional inspection committee;
- (b) “Order” means the Ordre des denturologistes du Québec;
- (c) “records” means the records, books and registers which a denturologist keeps in the practice of his profession, and
 - i. the documents of reports in which he has in fact collaborated in the records, books and registers of his colleagues or his employer, including a laboratory within the meaning of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2), and
 - ii. a removable dental prosthesis that has been entrusted to him by a client;
- (d) “consulting-room” means the place where a denturologist dispenses his professional services;
- (e) “inspector” means the committee, one of its members or a person authorized to assist the committee in the exercise of its functions in the capacity of investigator.

R.R.Q., 1981, c. D-4, r. 9, s. 1.02.

1.03. The Interpretation Act (chapter I-16) applies to this Regulation.

R.R.Q., 1981, c. D-4, r. 9, s. 1.03.

DIVISION II

COMMITTEE

2.01. The committee is composed of 4 members appointed by the board of directors from among the denturologists who have been practising for at least 3 years.

R.R.Q., 1981, c. D-4, r. 9, s. 2.01.

2.02. The committee shall hold its sittings on the dates and at the places determined by it or its chair.

R.R.Q., 1981, c. D-4, r. 9, s. 2.02.

2.03. The board of directors designates the secretary of the committee.

R.R.Q., 1981, c. D-4, r. 9, s. 2.03.

2.04. The office of the committee is situated at the head office of the Order. All the minutes, reports and other documents of the committee are kept at the said office.

R.R.Q., 1981, c. D-4, r. 9, s. 2.04.

DIVISION III

DRAWING UP OF A PROFESSIONAL RECORD

3.01. As its activities progress, the committee shall draw up and keep up-to-date a professional record for each denturologist who is the object of an inspection under this Regulation.

R.R.Q., 1981, c. D-4, r. 9, s. 3.01.

3.02. The professional records contains a summary of the denturologist's academic qualifications and experience as well as all the records pertaining to any inspection of which he has been the subject under this Regulation.

R.R.Q., 1981, c. D-4, r. 9, s. 3.02.

3.03. A denturologist is entitled to consult his record and to obtain a copy thereof.

R.R.Q., 1981, c. D-4, r. 9, s. 3.03.

DIVISION IV

GENERAL SUPERVISION OF THE PRACTICE OF THE PROFESSION

4.01. The committee shall supervise the practice of the profession by the denturologists according to the program established by it.

R.R.Q., 1981, c. D-4, r. 9, s. 4.01.

4.02. Each year, the board of directors shall publish the committee's general supervision program in the bulletin of the Order.

R.R.Q., 1981, c. D-4, r. 9, s. 4.02.

4.03. At least 15 days before the date fixed for the inspection of a denturologist's records and consulting-room by an inspector, the committee shall, through its secretary, send the denturologist, by registered mail, a notice in accordance with the form in Schedule 1.

R.R.Q., 1981, c. D-4, r. 9, s. 4.03; I.N. 2016-01-01 (NCCP).

4.04. If a denturologist cannot receive an inspector on the prescribed date, he must, upon receipt of the notice, notify the secretary of the committee and decide on another date with him.

R.R.Q., 1981, c. D-4, r. 9, s. 4.04.

4.05. When an inspector ascertains that the denturologist has been unable to take cognizance of the notice referred to in section 4.03, he shall so inform the committee which shall fix a new date for the inspection and notify the denturologist thereof.

R.R.Q., 1981, c. D-4, r. 9, s. 4.05.

4.06. An inspector must, if so required to do, produce a certificate attesting to his capacity, signed by the secretary of the committee.

R.R.Q., 1981, c. D-4, r. 9, s. 4.06.

4.07. The denturologist whose records and consulting-room are the subject of an inspection may be present or be represented by a mandatary.

R.R.Q., 1981, c. D-4, r. 9, s. 4.07.

4.08. If he has reason to believe that the committee should subject a denturologist to a special inquiry, the inspector shall draw up an inspection report and forward it to the committee for study within 15 days following his inspection.

R.R.Q., 1981, c. D-4, r. 9, s. 4.08.

DIVISION V

SPECIAL INQUIRY INTO THE COMPETENCE OF A DENTUROLOGIST

5.01. At the request of the board of directors or on its own initiative, the committee or one of its members shall make a special inquiry into the competence of a denturologist, or designate an inspector for such purpose.

R.R.Q., 1981, c. D-4, r. 9, s. 5.01.

5.02. At least 5 clear days before the date of the special inquiry, the committee shall, through its secretary, send to the denturologist in question and to the board of directors, by registered mail, a notice in accordance with the form in Schedule 2.

Notwithstanding the first paragraph, where the sending of a notice to the denturologist could jeopardize the objects for which a special inquiry is to be held, the committee may authorize an inspector to make the inquiry without such notice.

R.R.Q., 1981, c. D-4, r. 9, s. 5.02; I.N. 2016-01-01 (NCCP).

5.03. An inspector may give the employer, representative or employee of a denturologist notice of the order to allow him access to the records and consulting-room of that denturologist.

R.R.Q., 1981, c. D-4, r. 9, s. 5.03.

5.04. Where records are held by a third party, the denturologist must, at the inspector's request, authorize the latter to take cognizance or a copy thereof.

R.R.Q., 1981, c. D-4, r. 9, s. 5.04.

5.05. An inspector may request that a person who makes a declaration to him relative to an inquiry attest such declaration under oath.

R.R.Q., 1981, c. D-4, r. 9, s. 5.05.

5.06. If the denturologist refuses to receive an inspector, the latter shall immediately notify the syndic.

R.R.Q., 1981, c. D-4, r. 9, s. 5.06.

5.07. The inspector shall draw up a report and forward it to the committee for study within 30 days after termination of his inquiry.

R.R.Q., 1981, c. D-4, r. 9, s. 5.07.

5.08. Sections 4.06 and 4.07 shall apply, with the necessary modifications, to an inquiry held under this Division.

R.R.Q., 1981, c. D-4, r. 9, s. 5.08.

DIVISION VI

RECOMMENDATIONS OF THE COMMITTEE

6.01. Where the committee, after study of an inspector's report, has reason to believe that it is not expedient to recommend to the board of directors that a denturologist be required to serve a period of refresher training and that the right of such denturologist to engage in professional activities during such period be limited, it shall notify the board of directors and the denturologist in question within 15 days following its decision.

R.R.Q., 1981, c. D-4, r. 9, s. 6.01.

6.02. Where the committee, after study of an inspector's report, has reason to believe that it is expedient to recommend to the board of directors that a denturologist be required to serve a period of refresher training and that the right of such denturologist to engage in professional activities during such period be limited, it must permit the denturologist in question to present a full and complete defence relative to the appraisal of his competence.

R.R.Q., 1981, c. D-4, r. 9, s. 6.02.

6.03. For such purpose, the committee shall convene the denturologist and send him, by registered mail, 15 days before the date fixed for the hearing, the following information and documents:

- (a) a notice specifying the date and hour of the hearing;
- (b) a statement of the facts and reasons for convening him before the committee; and
- (c) a copy of the report made by the inspector concerning him.

R.R.Q., 1981, c. D-4, r. 9, s. 6.03; I.N. 2016-01-01 (NCCP).

6.04. A denturologist or witness summoned before the committee may be assisted by an advocate.

R.R.Q., 1981, c. D-4, r. 9, s. 6.04.

6.05. The committee shall administer the oath to the denturologist and the witnesses through the intermediary of a commissioner for oaths.

R.R.Q., 1981, c. D-4, r. 9, s. 6.05.

6.06. The hearing shall be closed to the public unless the committee, at the request of the denturologist, considers that it is in the public interest that it not be held in this manner.

R.R.Q., 1981, c. D-4, r. 9, s. 6.06.

6.07. The committee may proceed by default if the denturologist does not appear on the date and at the hour prescribed.

R.R.Q., 1981, c. D-4, r. 9, s. 6.07.

6.08. The depositions shall be recorded at the request of the denturologist or of the committee.

R.R.Q., 1981, c. D-4, r. 9, s. 6.08.

6.09. The committee and the denturologist shall pay their own costs, with the exception of recording expenses which shall be shared equally between them.

Notwithstanding the first paragraph, where the recording of depositions is made at the request of the committee, the latter shall assume the expenses thereof.

R.R.Q., 1981, c. D-4, r. 9, s. 6.09.

6.10. In its recommendations concerning a denturologist, the committee shall take into account the type of professional activities in which the denturologist is generally engaged.

R.R.Q., 1981, c. D-4, r. 9, s. 6.10.

6.11. The recommendations of the committee are made by the majority of its members within 90 days after the end of the hearing. The reasons shall be given on which they are based, signed by the members of the committee who concurred in them, and forwarded to the board of directors and the denturologist in question without delay.

R.R.Q., 1981, c. D-4, r. 9, s. 6.11.

6.12. The committee may also make recommendations to the board of directors on the continuing training courses organized by the Order for its members.

R.R.Q., 1981, c. D-4, r. 9, s. 6.12.

6.13. When the committee has reason to believe that a complaint within the meaning of section 116 of the Professional Code (chapter C-26) might be laid against a denturologist, it shall notify the syndic of the Order.

R.R.Q., 1981, c. D-4, r. 9, s. 6.13.

SCHEDULE 1

(s. 4.03)

ORDRE DES DENTUROLOGISTES DU QUÉBEC

PROFESSIONAL INSPECTION COMMITTEE

Notice of inspection

Notice is given that, within the framework of the program for general supervision of the practice of the profession, an inspector from our committee will inspect your records and consulting-room, on _____ 20 _____ at _____ o'clock.

Signed at _____

on _____ 20 _____

The professional inspection committee

Per: _____

secretary of the committee

R.R.Q., 1981, c. D-4, r. 9, Sch. 1.

SCHEDULE 2

(s. 5.02)

ORDRE DES DENTUROLOGISTES DU QUÉBEC

PROFESSIONAL INSPECTION COMMITTEE

Notice of special inquiry

Notice is given that, at the request of the board of directors (or on its own initiative), the committee has designated an inspector to make a special inquiry into your professional competence on _____ 20_____ at _____ o'clock.

Signed at _____

on _____ 20_____

The professional inspection committee

Per: _____

secretary of the committee

R.R.Q., 1981, c. D-4, r. 9, Sch. 2.

UPDATES

R.R.Q., 1981, c. D-4, r. 9

S.Q. 2008, c. 11, ss. 212 and 213