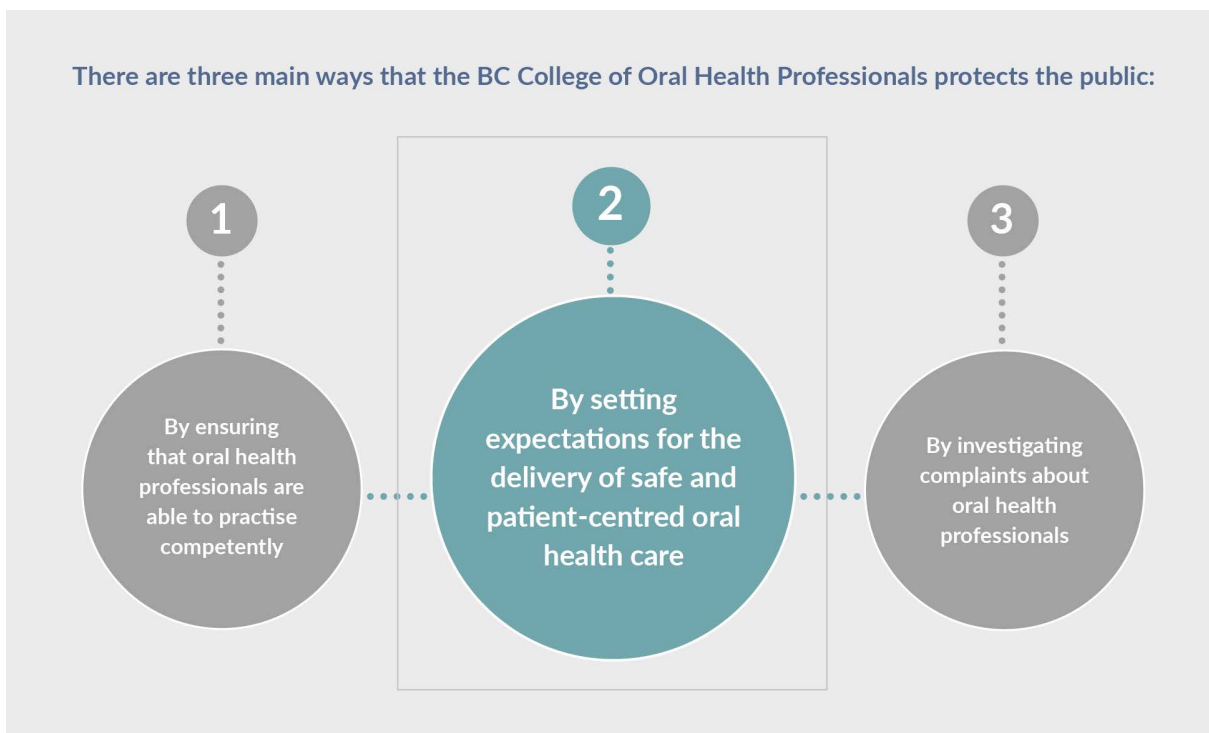


Expectations for clinical and ethical practice

Interpretation Guidelines: Duty to Provide Care

Applies to Dental Hygienists

There are three main ways that the BC College of Oral Health Professionals protects the public:



The British Columbia College of Oral Health Professionals (BCCOHP) was created on September 1, 2022 through the amalgamation of four health regulatory colleges: the College of Dental Hygienists of BC, the College of Dental Surgeons of BC, the College of Dental Technicians of BC, and the College of Denturists of BC. All current requirements for standards of clinical and ethical practice issued by the four colleges remain in place upon amalgamation. This document was created by the College of Dental Hygienists of British Columbia and will be updated to reflect the amalgamation.

Duty to Provide Care

May 5, 2020 Update: The CDHBC Interpretation Guidelines are under review. The content of these guidelines remains in place at this time; however, they need to be applied in the context of the new Dental Hygienists Regulation and CDHBC Bylaws. Readers are welcome to contact the CDHBC office if they have questions about the application of these guidelines in the interim time.

PURPOSE

To provide guidance on the responsibilities of dental hygienists to provide services and care in a culturally safe, humble and non-discriminatory manner.

BACKGROUND

Section 8 of the British Columbia *Human Rights Code*, RSBC 1996, c. 210 provides that: "A person must not, without a *bona fide* and reasonable justification,

1. deny a person or class of persons any accommodation, **service** or facility customarily available to the public, or
2. discriminate against a person or class of persons regarding any accommodation, **service** or facility customarily available to the public

because of the race, colour, ancestry, place of origin, religion, marital status, family status, **physical or mental disability**, sex, sexual orientation, gender identity or expression, or age of that person or class of persons".

Although the term discrimination is not defined in the *Human Rights Code*, it has been interpreted by courts to mean "a distinction which, whether intentional or not but based on grounds relating to personal characteristics of the individual or group, has an effect which imposes disadvantages not imposed upon others or which withholds or limits access to advantages available to other members of society. Distinctions based on personal characteristics attributed to an individual solely on the basis of association with a group will rarely escape the charge of discrimination, while those based on an individual's merits and capacities will rarely be so classed".[1]

The *CDHBC Code of Ethics* requires that dental hygienists shall:

- Treat clients with respect for their individual needs and values;

The dental hygienist acknowledges the diverse needs of clients and uses a consultative approach to dental hygiene services. The dental hygienist is sensitive to but not prejudiced by

factors such as the client's race, religion, gender, age, ethnic origin, social or marital status, sexual orientation, or health status.

- Uphold the principle that the public should have fair and equitable access to dental hygiene services;

The dental hygienist promotes oral health care and access to dental hygiene services for all individuals. The dental hygienist avoids discriminatory practices and behaviours.

- Practice the principle of confidentiality;

The dental hygienist provides dental hygiene services with consideration for the privacy of the client and maintains confidentiality of client records. The dental hygienist obtains the permission of the client to consult or confer with other health care professionals.

POLICY

Dental hygienists have an ethical responsibility to practice in a manner that is culturally safe for the diverse clients in their care. Additional information on this can be found in the Interpretation Guideline titled "Cultural Safety and Humility".

Dental hygienists are legally and ethically required to provide necessary dental hygiene treatment to all members of the public in a non-discriminatory manner. This means that a dental hygienist may not refuse to provide treatment, or discriminate in the way that they provide treatment, to clients on the basis of any of the protected grounds under s. 8 of the *Human Rights Code* (i.e. race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age).

There should be no denial of, or discrimination in relation to, services provided to clients who have dental coverage or benefits through provincial social assistance or other third party sources.

Dental hygienists should work in collaboration with other professionals such as interpreters and other health care providers, when appropriate, to provide optimal care for the client.

Dental hygienists have a legal and ethical obligation to ensure they have appropriate education and knowledge to safely and effectively care for clients presenting with special needs and/or complex medical conditions. If a dental hygienist does not have the appropriate knowledge to safely care for a client presenting with more complex care needs, they should ensure that the client is provided with a referral to an appropriate oral health care provider. If a referral is required, clear and effective communication is essential to ensure that the client (or their care giver) understands the nature of the concern necessitating the referral and the reasons for it.

REFERENCES

- [1] *Andrews v. Law Society of British Columbia*, [1989] 1 S.C.R. 143
- CDHBC Code of Ethics. Victoria: College of Dental Hygienists of British Columbia; 2013.
- Government of British Columbia. Human rights Code. Victoria: Queen's Printer Website; 2013. Available from: http://www.bclaws.ca/Recon/document/ID/freeside/00_96210_01

Added to Handbook: June 2004

Updated: May 2019