

Discipline Committee

Terms of Reference

BCCOHP's governance structure is focused on transparent decision making in the public interest.

BCCOHP committees are accountable to the Board. Each committee has specific duties and responsibilities that help the Board meet its mandate. Committees support the Board and help the Board to meet its regulatory responsibilities.

Committee members collaborate with professional staff to meet BCCOHP's mandate.

Mandate

The Discipline Committee must hear and determine a matter set for hearing by citation, directed by the Inquiry Committee under section 37.

Composition

The committee consists of at least 15 members. The recommended composition is:

- At least 10 registrants or certified dental assistants
- At least 5 public members

At least 1/3 of the total membership must consist of public members.

A person cannot simultaneously be a member of the Discipline Committee and the BCCOHP Board or any other BCCOHP committee.

The Board appoints committee members for terms of 1 or 2 years, to a maximum of 6 consecutive years.

Panels

The committee may meet in panels of at least 3 committee members appointed by the committee chair. A panel has the same powers as the committee. The panel must be 1/3 public members. Files regarding certified dental assistants, dental hygienists, dental technicians, dental

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therapists, dentists or denturists will be reviewed by panels with at least one certified dental assistant, dental hygienist, dental technician, dental therapist, dentist or denturist.

Panel composition will consist of members with the necessary expertise and competencies to deal with the matter being considered.

A person must not sit on a panel hearing a matter in which the member was involved in the investigation or had any other prior involvement.

Composition Matrix

BCCOHP will aim to appoint individuals with the following competencies to join the Discipline Committee:

Adjudication and hearing

Knowledge and experience of participating in and/or chairing hearings within a legislative framework, and an understanding of administrative law principles and procedural fairness.

Standards/Scope of Practice

Understand the standards and scope of practice that guide oral health practice in British Columbia and be able to determine where a breach or potential breach might occur.

Committee and panel leadership

Experience in facilitating committee or panel meetings, developing a positive culture, conflict resolution, and fostering effective decision making.

Oral Health practice

Familiarity with oral health practice, and domains of practice (clinical, education, research, and administration).

Writing/Editing

Experience in professional and academic writing and editing.

Systems Perspective

Knowledge of practice overlap, including diverse experience with, for example, other health professions, health care employers.

Authority

The authority of this committee derives from Part 3 (Inspections, Inquiries and Discipline) of the *Health Professions Act* (HPA), specifically sections 38 to 40, and Bylaw Part 13 (Investigation and Discipline).

Duties and Responsibilities

In accordance with Part 3 of the HPA and Part 13 of the bylaws, the committee:

- (a) holds disciplinary hearings on the terms and conditions set out in the HPA and bylaws;
- (b) orders fines, if any;
- (c) awards costs, if any;
- (d) reviews and monitors BCCOHP's implementation of the HPA and Bylaws relating to disciplinary hearing policies and procedures to ensure they are transparent, objective, impartial and fair, and makes recommendations, as necessary; and
- (e) reviews and assesses, at least every two years, the committee's terms of reference and makes recommendations to the Board for amendment of the same.

Meetings and expectations

Committee members are required to complete at least one full day of training every year.

Committee members must attend this training session before they can sit on a disciplinary panel.

The Discipline Committee meets in panels when required.

Committee members are compensated for attending meetings in accordance with BCCOHP's Remuneration and Expense Policy.

Expectations:

In addition to the expectations for all committee members, members of the Discipline Committee are expected to:

- Be available to sit on a panel that may last for 2-3 weeks.
- Be aware of real or perceived conflict of interest they may have and to declare any conflicts of interest during meetings. Committee members must recuse themselves from any discussions or decision in which they have a conflict.