

## COUNCIL MEETING MINUTES

**Friday, January 20, 2023**

9:15 a.m. – 2:00 p.m.

Virtual Meeting

---

### COUNCIL MEMBERS PRESENT:

Michelle Atkinson, Professional Member  
Loree Beniuk, Public Member  
Erin Betts, Public Member  
Maheen Cassim, Professional Member  
Anne-Marie Conaghan, Academic Member  
Jennifer Cooper, Academic Member  
Krista Dufour, Professional Member  
Pella Giabanis, Public Member  
Carla Grbac, Professional Member  
Alex Greco, Public Member (12:27 p.m.–12:55 p.m.)  
Farzana Hussain, Professional Member  
Ehizele Martin Iyamabo, Public Member  
Meghan Leuprecht, Public Member  
Angelica Palantzas, Public Member  
Vanessa Pereira, Professional Member  
Terri Strawn, Professional Member  
Margaret Wade, Public Member  
Jacqueline White, Professional Member  
Mary Yeomans, Professional Member

### REGRETS:

Sasha Sidhu, Public Member

### ADMINISTRATION:

Dr. Glenn Pettifer, Registrar and CEO  
Jane Keir, Deputy Registrar /  
Director, Professional Practice  
Denise Lalonde, Communications Manager  
Veronica Douglas, Executive Administrator

### GUESTS:

Julie Maciura, SML

---

## 1.0 CALL TO ORDER

### 1.1 Roll Call

The President, Terri Strawn, called the meeting to order at 9:15 a.m. and welcomed Council and guests to the January meeting.

### 1.2 Opening Remarks

While we meet today in an online environment, I would like to begin by acknowledging the Indigenous peoples and every being of all the lands that we are gathered on here. I acknowledge that there are 46 treaties, other agreements as well as unceded nations that cover the territory now called Ontario, which remains the home of many First Nations, Inuit, and Métis people. I come with



## 4.0 BOARD EDUCATION

### 4.1 Council Orientation – RHPA

Julie Maciura from Steinecke Maciura LeBlanc presented to Council about regulation under the *Regulated Health Professions Act*. Ms. Maciura spoke about legislation, self-regulation, public interest, governance, fiduciary duties of Council members, confidentiality, and conflict of interest.

## 5.0 ELECTION OF 2023 EXECUTIVE COMMITTEE

The elections were presided over by the Registrar, Dr. Glenn Pettifer, and an overview of the nominations and voting process for all eligible positions on the 2023 Executive Committee was provided.

### 5.1 Appointment of Scrutineers

As provided under Schedule II of Bylaw 5, the Registrar appointed Jane Keir and Denise Lalonde as Scrutineers for the 2023 Executive Committee elections.

**MOTION:** To appoint Jane Keir and Denise Lalonde as the Scrutineers for the 2023 Executive Committee election.

Moved: Mary Yeomans

Seconded: Vanessa Pereira

VOTE:

**CARRIED**

### 5.2 Nominations and Election of President

The floor was opened for the position of Council President. The term for President shall commence on January 20, 2023, and end at the first meeting in 2024 when a new election for President is held.

The following nominations were made:

**Nominated:**

Terri Strawn

**Nominator:**

Mary Yeomans

Terri Strawn accepted the nomination.

There were no additional nominees from the floor for the President position after a second and third call by the Registrar.

Terri Strawn was acclaimed to the position of President and addressed Council.

### 5.3 Nominations and Election of Vice-President

The Registrar called for nominations for the position of Vice-President. The term for Vice-President shall commence on January 20, 2023, and end at the first meeting in 2024 where a new election for Vice-President is held.

The following nominations were made:

**Nominated:** Vanessa Pereira

**Nominator:** Carla Grbac

Vanessa Pereira accepted the nomination. There were no additional nominees from the floor for the Vice-President position after a second and third call by the Registrar.

Vanessa Pereira was acclaimed to the position of Vice-President.

#### **5.4 Nominations and Election of Three Remaining Executive Members**

##### Third (3<sup>rd</sup>) Executive Position – Professional Member

The floor was opened for nominations for the third Executive Committee position. The following nominations were made:

**Nominated:**

Carla Grbac

Michelle Atkinson

Jennifer Cooper

**Nominator:**

Carla Grbac

Jennifer Cooper

Anne-Marie Conaghan

All candidates accepted the nominations and addressed Council. There were no additional nominees from the floor for the third Executive Committee position after a second and third call by the Registrar.

Electronic ballots were distributed, collected, and counted.

Michelle Atkinson was elected to the position of third Executive Committee member.

##### Fourth (4<sup>th</sup>) Executive Position – Public Member

The floor was opened for nominations for the fourth Executive Committee position. The following nominations were made:

**Nominated:**

Erin Betts

Margaret Wade

Loree Beniuk

**Nominator:**

Jennifer Cooper

Jacqueline White

Michelle Atkinson

Erin Betts and Loree Beniuk accepted the nominations and addressed Council. Margaret Wade declined the nomination and addressed Council.

There were no additional nominees from the floor for the fourth Executive Committee position after a second and third call by the Registrar.

Electronic ballots were distributed, collected, and counted.

Erin Betts was elected to the position of fourth Executive Committee member.

Fifth(5<sup>th</sup>) Executive Position – Public Member

The floor was opened for nominations for the fifth Executive Committee position. The following nominations were made:

**Nominated:**

Loree Beniuk  
Margaret Wade

**Nominator:**

Erin Betts  
Terri Strawn

Loree Beniuk and Margaret Wade accepted the nominations and addressed Council.

There were no additional nominees from the floor for the fifth Executive Committee position after a second and third call by the Registrar.

Electronic ballots were distributed, collected, and counted.

Loree Beniuk was elected to the position of fifth Executive Committee member.

The 2023 Executive Committee was established as follows:

**Member:**

Terri Strawn  
Vanessa Pereira  
Michelle Atkinson  
Erin Betts  
Loree Beniuk

**Position:**

*President*  
*Vice-President*  
*Professional*  
*Public*  
*Public*

The Registrar closed the election.

## 6.0 REQUIRED APPROVALS AGENDA

### 6.1 Emergency Class of Registration

**MOTION:** That Council direct the circulation of the proposed amendments to Part VII (Registration) of Ontario Regulation 218/94 (General) made under the *Dental Hygiene Act 1991*, attached here as Appendix A, to all Registrants of the College and key stakeholders for a period of at least sixty (60) days pursuant to subsection 95(1.4) of the *Health Professions Procedural Code*.

Moved: Carla Grbac  
Seconded: Jacqueline White  
VOTE:

**CARRIED**

## 7.0 SELF-EVALUATION OF GOVERNANCE PROCESS

### 7.1 Council Meeting Evaluation

The Council Feedback Survey was sent to Council members to be completed electronically. Council reviewed the results in the meeting.

## 8.0 ADJOURNMENT

**MOTION:**      **THAT** the Council meeting be adjourned at 1:26 p.m.

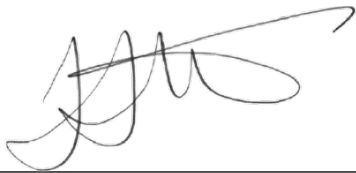
Moved:            Carla Grbac

Seconded:        Jennifer Cooper

VOTE:

**CARRIED**

**Approved by:**



---

**Signature of Chair, Terri Strawn**

March 31, 2023

---

**Date**

## Appendix A

### PART VII REGISTRATION

27. The following are prescribed as classes of certificates of registration:

1. General.
2. Specialty.
3. Inactive.
4. **Emergency**

O. Reg. 36/12, s. 1.

28. (1) A person may apply for a certificate of registration by submitting a completed application to the Registrar, in the manner specified by the Registrar, together with all required supporting documentation and the application fee. O. Reg. 36/12, s. 1.

(2) This Regulation, as it read immediately before March 26, 2012 continues to apply to applications for a certificate of registration that were received by the Registrar and that were not finally determined before that date. O. Reg. 36/12, s. 1.

29. (1) It is a registration requirement for a certificate of registration of any class that the applicant provide details of any of the following that relate to the applicant:

1. Any charge for any criminal offence, including a charge under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada), unless the ensuing proceedings concluded with a verdict of not guilty.
2. Any charge for any other offence where the ensuing proceedings resulted in the imposition of incarceration or a fine of more than \$1,000.
3. A finding of professional misconduct, incompetency or incapacity, or any like finding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession.
4. A current proceeding for professional misconduct, incompetency or incapacity, or any like proceeding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession.
5. An unsuccessful application for registration as a dental hygienist in Ontario or another jurisdiction.
6. An attempt to pass an examination or evaluation required for purposes of being licensed or certified to practise any profession whether in Ontario or another

jurisdiction that has not, at the time of the application, resulted in a passing grade. O. Reg. 36/12, s. 1.

(2) An applicant shall provide the information referred to in subsection (1) upon application or, if an event referred to in subsection (1) occurs after the application is submitted but before a certificate of registration is issued, immediately after the event occurs. O. Reg. 36/12, s. 1.

(3) Where an applicant has undertaken a program in dental hygiene that at the time of the applicant's graduation was not accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, it is a registration requirement for a certificate of registration of any class that the applicant provide a copy of a verification of his or her program in dental hygiene that has been prepared by an assessment agency that has been approved by the Registration Committee for that purpose. O. Reg. 36/12, s. 1.

(4) In addition to the requirements in subsection (1), the following are registration requirements for a registration of any class:

1. The applicant must provide the College with a police record check that is dated no earlier than one year before the date on which his or her application was submitted.
2. Within the 12-month period immediately preceding the submission of his or her application, the applicant must successfully complete a jurisprudence course set or approved by the Registration Committee.
3. The applicant must be able to effectively comprehend and communicate in either English or French, both orally and in writing. O. Reg. 36/12, s. 1.

**30.** It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that relate to the member and that occur or arise after registration:

1. A charge for any offence unless the ensuing proceedings concluded with a verdict of not guilty.
2. A finding of professional misconduct, incompetency or incapacity, or any like finding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession.
3. A proceeding for professional misconduct, incompetency or incapacity, or any like proceeding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession. O. Reg. 36/12, s. 1.

**31.** (1) An applicant for the issuance of a general certificate of registration must meet the following non-exemptible registration requirements:



1. The applicant must have,
  - i. successfully completed a program in dental hygiene that is equivalent to a full-time program of two years and which, at the time of the applicant's graduation, was accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, or
  - ii. subject to subsection (2), successfully completed a program in dental hygiene that the Registration Committee considers to be substantially equivalent to a program referred to in subparagraph i.
2. The applicant must be the holder of a certificate issued by the National Dental Hygiene Certification Board or, if he or she was never eligible to sit for the National Dental Hygiene Certification Examination but otherwise meets the registration requirements, must have successfully completed the written competency evaluation set or approved by the Registration Committee.
3. Subsequent to having met the requirement in paragraph 2, the applicant must have successfully completed a clinical competency evaluation set or approved by the Registration Committee, unless the applicant has successfully completed a program referred to in subparagraph 1 i.
4. An applicant who submits to an evaluation under paragraph 2 or 3 must pay the applicable fees.
5. The applicant must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required by the by-laws as of the anticipated date for the issuance of his or her certificate of registration. O. Reg. 36/12, s. 1.

(2) Where the program referred to in subparagraph 1 ii of subsection (1) was taken in Canada or the United States of America, the Registration Committee shall not consider it to be substantially equivalent to a program referred to in subparagraph 1 i of subsection (1) if the applicant completed the program on or after March 26, 2015. O. Reg. 36/12, s. 1.

(3) The College shall provide the applicant with a copy of the list of programs referred to in subparagraph 1 i of subsection (1) upon request. O. Reg. 36/12, s. 1.

(4) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of subsection 29 (3), paragraphs 1, 2 and 3 of subsection (1) and paragraph 2 of section 32. O. Reg. 36/12, s. 1.

(5) Despite subsection (4), it is a non-exemptible registration requirement that an applicant referred to in that subsection, provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee that the applicant

is in good standing as a dental hygienist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 36/12, s. 1.

(6) Despite subsection (4), it is a non-exemptible registration requirement that, where an applicant referred to in that subsection is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession to the extent that would be permitted by a general certificate of registration at any time in the three years immediately prior to the date of the applicant's application, the applicant must, within 18 months before the day the general certificate of registration is issued, have successfully completed either,

- (a) a refresher course set or approved by the Registration Committee; or
- (b) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.

(7) Despite subsection (4), a requirement set out in subsection 29 (3) or in paragraphs 1, 2 and 3 of subsection (1) or in paragraph 2 of section 32 will continue to apply to an applicant where that requirement is a requirement described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 36/12, s. 1.

(8) An applicant referred to in subsection (4) is deemed to have met the requirement in paragraph 3 of subsection 29 (4) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 36/12, s. 1.

**32.** The following are registration requirements for a general certificate of registration:

- 1. Nothing in the applicant's conduct affords reasonable grounds for the belief that the applicant will not practise the profession safely and with decency, integrity and honesty, and in accordance with the law.
- 2. If the applicant completed a program referred to in paragraph 1 of subsection 31 (1) more than three years before the date of the application for registration, the applicant must,
  - i. within 18 months before the day the general certificate of registration is issued, have successfully completed either,
    - A. a refresher course set or approved by the Registration Committee, or
    - B. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee, or

ii. have been practising dental hygiene in any jurisdiction within the three years before the issuance of the certificate of registration in a manner that demonstrates that he or she could meet the current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.

3. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act (Canada)* to engage in the practice of the profession. O. Reg. 36/12, s. 1.

**33.** The following are conditions of a general or specialty certificate of registration:

1. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act (Canada)* to engage in the practice of the profession.

2. The member shall maintain professional liability insurance in the amount and in the form as required by the by-laws. O. Reg. 36/12, s. 1.

**34.** (1) The following are non-exemptible registration requirements for a specialty certificate of registration as a restorative dental hygienist:

1. The applicant must be the holder of a general certificate of registration.

2. The applicant must have,

i. successfully completed a program in restorative dental hygiene that at the time of the applicant's graduation was accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, or

ii. successfully completed a program in restorative dental hygiene that the Registration Committee considers to be substantially equivalent to the program referred to in subparagraph i.

3. If the applicant completed a program referred to in paragraph 2 more than three years before the date of the application for a specialty certificate of registration, the applicant must,

i. within 18 months before the day the specialty certificate of registration is issued, have successfully completed either,

A. a restorative dental hygiene refresher course set or approved by the Registration Committee, or

B. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee, or

ii. have been practising restorative dental hygiene in any jurisdiction within the three years before the issuance of the certificate of registration in a manner that demonstrates that the applicant could meet current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.

4. The applicant, other than an applicant who has successfully completed a program referred to in subparagraph 2 i, must have successfully completed a specialty evaluation set or approved by the Registration Committee and complied with all requirements associated with the evaluation, including payment of the relevant fees set by the by-laws. O. Reg. 36/12, s. 1.

(2) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of subsection 29 (3) and of subsection (1). O. Reg. 36/12, s. 1.

(3) Despite subsection (2), it is a non-exemptible registration requirement that an applicant referred to in that subsection provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee that the applicant is in good standing as a dental hygienist with a specialty in restorative dental hygiene in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 36/12, s. 1.

(4) Despite subsection (2), where an applicant referred to in that subsection is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised restorative dental hygiene to the extent that would be permitted by a specialty certificate of registration as a restorative dental hygienist at any time in the three years immediately prior to the date of that applicant's application, that applicant must, within 18 months before the day the specialty certificate of registration as a restorative dental hygienist is issued, have successfully completed either,

(a) a restorative dental hygiene refresher course set or approved by the Registration Committee; or

(b) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.

(5) Despite subsection (2), a requirement set out in subsection 29 (3) or in subsection (1) will continue to apply to an applicant where that requirement is a requirement described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 36/12, s. 1.

(6) An applicant referred to in subsection (2) is deemed to have met the requirement in paragraph 3 of subsection 29 (4) where the requirements for the issuance of the

applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 36/12, s. 1.

(7) For the purposes of paragraph 3 of subsection (1) and of subsection (4), "practised restorative dental hygiene" and "practising restorative dental hygiene" mean having performed restorative procedures for which an order would have been required under subsection 5 (2) of the Act if the procedures were performed in Ontario. O. Reg. 36/12, s. 1.

(8) The College shall provide the applicant with a copy of the list of programs referred to in subparagraph 2 i of subsection (1) upon request. O. Reg. 36/12, s. 1.

(9) Only a member who holds a specialty certificate shall use the title "restorative dental hygienist", a variation or abbreviation or an equivalent in another language. O. Reg. 36/12, s. 1.

**35.** (1) It is a non-exemptible registration requirement for an inactive certificate of registration that the applicant must,

- (a) be a member who has previously been the holder of a general certificate of registration;
- (b) meet the requirements of paragraphs 1, 2, 3 and 4 of subsection 31 (1) and the registration requirements of paragraphs 1 and 3 of subsection 29 (4) and paragraphs 1 and 3 of section 32; or
- (c) be an applicant to whom subsection 31 (4) applies, and meet the registration requirements of paragraphs 1 and 3 of subsection 29 (4) and of paragraphs 1 and 3 of section 32, with the exception that, where the requirements for the issuance of the applicant's out-of-province certificate of registration included language proficiency requirements equivalent to those required by paragraph 3 of subsection 29 (4), the requirements of that paragraph do not have to be met. O. Reg. 36/12, s. 1.

(2) It is a condition of an inactive certificate of registration that the member not practise as a dental hygienist in Ontario. O. Reg. 36/12, s. 1.

**35.1** The College may issue and renew certificates of registration in the emergency class only where one or more of the following conditions are met:

1. The Minister has requested the College to issue and renew certificates of registration in the emergency class to qualified applicants.
2. Council has declared the existence of an emergency circumstance where it is in the public interest for the College to issue and renew certificates of registration in the emergency class to qualified applicants.

**35.2** (1) An applicant for the issuance of a certificate of registration in the emergency class must meet the following non-exemptible requirements:

1. Satisfy the educational requirements set out in paragraph 1 of subsection 31(1).
2. Satisfy the requirement for professional liability insurance set out in paragraph 5 of subsection 31(1).
3. Be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of the profession.

(2) It is a requirement for the issuance of a certificate of registration in the emergency class that within the three years immediately prior to submitting their application for registration, the applicant must

- (a) have satisfied the educational requirements of paragraph 1 of subsection 31(1); or
- (b) have been practising dental hygiene in any jurisdiction in a manner that demonstrates that they could meet the current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.

**35.3** The following are conditions of a certificate of registration in the emergency class:

1. The member shall maintain professional liability insurance in the amount and in the form as required by the by-laws.
2. The member shall practise the profession only within the scope of their certificate.
3. The member shall practise the profession only under the supervision of a holder of a certificate of registration in the general or specialty class who is in compliance with the supervision requirements specified in the document entitled "Supervision of Emergency Class Registrants" posted on the College's website as it may read from time to time.
4. The member shall at all times when providing professional services, identify themselves as practising under supervision.
5. The member shall use the title "Registered Dental Hygienist (Supervised)" or "RDH (Supervised)" or Hygiéniste dentaire autorisée (Supervisée) or HDA (Supervisée)

**35.4** (1) Unless stated otherwise on the certificate, a certificate of registration in the emergency class expires one year after it is issued, unless it is renewed.

(2) Unless stated otherwise on the certificate, a renewed certificate of registration in the emergency class expires one year after it is issued, unless it is renewed again.

(3) Despite subsections (1) and (2), a certificate of registration in the emergency class expires six months after the earlier of

(i) the date the Minister withdraws their request that certificates of registration in the emergency class be issued or renewed, and

(ii) the Council declares that the emergency circumstances where it is in the interest of the public to issue and renew certificates of registration in the emergency class have ended.

**35.5** A member who holds a certificate of registration in the emergency class may be issued a certificate of registration in the general class despite not having met the requirements set out in paragraphs 2 and 3 of subsection 31(1), if the member

(a) applies for a certificate of registration in the general class;

(b) satisfies all other requirements for a certificate of registration in the general class; and

(c) provides satisfactory evidence based on their practice for a period of at least one year under the certificate of registration in the emergency class that the member will practise competently and ethically even though practising without supervision.

**36.** (1) Subject to subsections (2) and (3), a member who holds an inactive certificate of registration may, upon application, be issued a general certificate of registration or, if appropriate, a specialty certificate of registration if the member continues to meet the requirements of subsection 29 (4) and paragraphs 1 and 3 of section 32 and meets at least one of the following registration requirements:

1. The member has practised dental hygiene within the previous three years and has done so in a manner that demonstrates that the member could meet the current standards of practice in Ontario.
2. The member has, within 18 months before the day the general or specialty certificate of registration is issued, successfully completed,

- i. a refresher course set or approved by the Registration Committee, or
- ii. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.

(2) The member must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required by the

by-laws as of the anticipated date for the issuance of his or her general or specialty certificate of registration. O. Reg. 36/12, s. 1.

(3) If the member is applying for a general or specialty certificate of registration on the basis of having met the requirements of paragraph 1 of subsection (1) and the member has practised in a jurisdiction outside of Ontario during the preceding three years, the member must provide the College with a certificate of professional conduct from every jurisdiction in which he or she practised. O. Reg. 36/12, s. 1.

**37.** (1) If a member fails to provide the annual information return required by the by-laws, the Registrar may send the member notice that he or she must comply within 30 days of receiving the notice. O. Reg. 36/12, s. 1.

(2) If the member fails to provide an information return within 30 days of receiving the notice under subsection (1), the Registrar may suspend the member's certificate of registration. O. Reg. 36/12, s. 1.

(3) The Registrar shall lift the suspension of a certificate suspended under subsection (2) if the member provides the information required under the by-laws and pays any outstanding fees and penalties in an amount set out in the by-laws. O. Reg. 36/12, s. 1.

**38.** (1) The Registrar shall suspend the certificate of registration of a member holding a general or specialty certificate of registration who fails to comply with the condition set out in paragraph 1 or 2 of section 33. O. Reg. 36/12, s. 1.

(2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension on,

- (a) the receipt of proof that section 33 is now being fully complied with; and
- (b) the payment of the fees set out in the by-laws. O. Reg. 36/12, s. 1.

**39.** (1) If the Registrar suspends or revokes a member's certificate of registration for failure to pay a prescribed fee, the Registrar shall lift the suspension or issue a new certificate on the payment of,

- (a) the fee the member failed to pay;
- (b) the reinstatement fee as required under the by-laws;
- (c) all outstanding fees, costs and expenses; and
- (d) any applicable penalties or other fees owing under the by-laws. O. Reg. 36/12, s. 1.

(2) If a person whose certificate of registration has been revoked or suspended as a result of disciplinary or incapacity proceedings applies to have a new certificate issued or the suspension lifted, and the Registrar is directed under the *Health Professions*



*Procedural Code* to issue the new certificate or lift the suspension, the Registrar shall do so on the payment of,

- (a) all outstanding fees, costs and expenses; and
- (b) any applicable penalties or other fees owing under the by-laws. O. Reg. 36/12, s. 1.

(3) A certificate of registration that has been suspended by the Registrar is deemed to have been revoked the day after the second anniversary of the event that gave rise to the suspension, if the suspension is still in effect at that time. O. Reg. 36/12, s. 1.