

## Background

In early 2018 British Columbia's Health Minister Adrian Dix, commissioned Mr. Harry Cayton to produce a report on both the functioning of the College of Dental Surgeons of British Columbia (CDSBC) and the possible need to revise the provincial Health Professions Act (HPA).

After a rigorous review, Mr. Cayton delivered his report in December 2019:

- Twenty-one recommendations were made directly about the CDSBC
- Four recommendations were made supporting a major revision of the HPA.

Minister Dix accepted all twenty-one recommendations for the CDSBC in April 2020, and gave the College 30 days to implement specific changes and create an action plan.

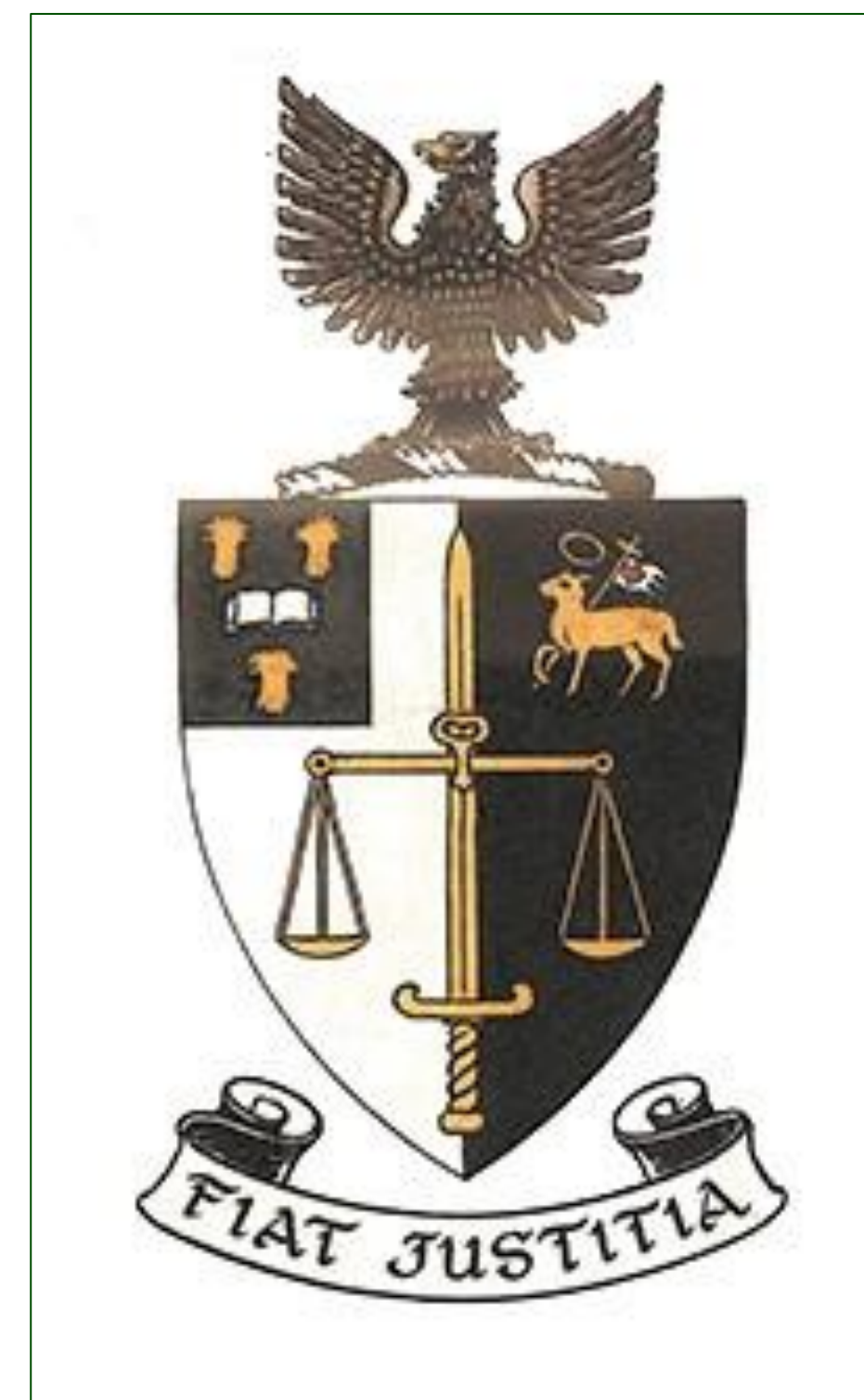
A steering committee has been created and public consultations have begun with proposed sweeping changes to British Columbia's HPA.

## Purpose

The purpose of my research paper (for Law320 - Regulation of Professions) was to:

- Educate and Inform members of the College of Dental Surgeons of Saskatchewan (CDSS) by providing an overview of the Cayton Report.
- Explore the Legislative structure of BC's HPA and the underlying administrative legislations governing their 20 individual Health Professional Colleges.

- Compare the similarities and differences in the legislations for regulating Dentistry in both BC (the *Dentist Act*) and Saskatchewan (the *Dental Disciplines Act*) and caution the CDSS on a wholesale adoption of the Cayton Report recommendations.
- Suggest to the CDSS the importance of reviewing their own governing legislation and the possibility of implementing some targeted recommendations of the Cayton Report.



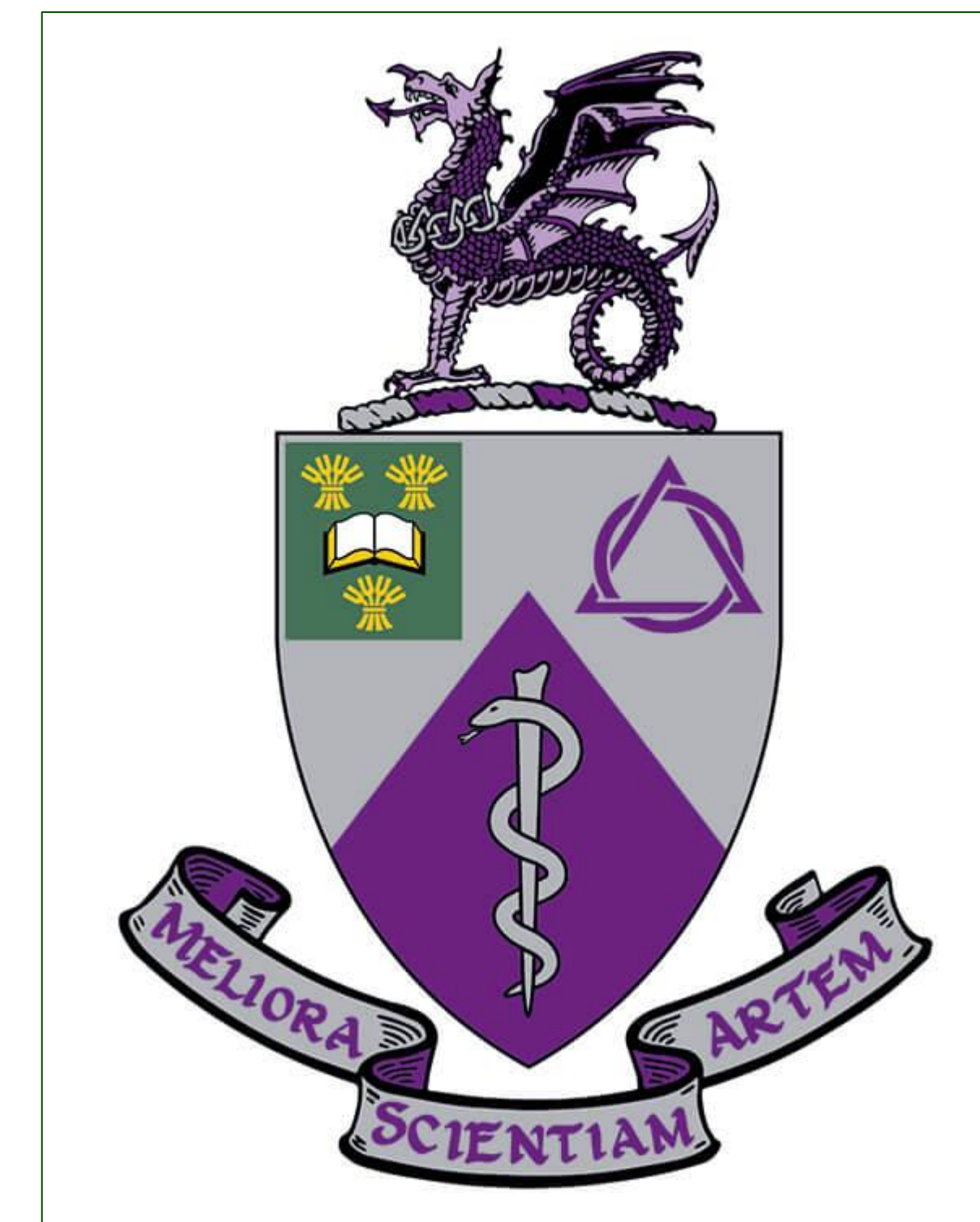
## Review of the Cayton Report

Process of review included:

- Familiarizing myself with the Cayton Report
- Familiarizing myself with the BC and Saskatchewan HPAs and respective Dental Acts and College bylaws where applicable
- Evaluating assumptions, paradigms, standards and recommendations of the Cayton Report
- Comparing the differences in the administrative structure and delivery of health care in BC and Saskatchewan

## Conclusions

Many of the recommendations from the Cayton Report may indeed work well in BC but should not be adopted wholesale in Saskatchewan due to differing political considerations and administrative structures.



BC's current government favours a larger administrative bureaucracy exerting direct control in the processes of 'self-regulating professions' in the interests of patient protection and administrative oversight.

Saskatchewan appears to favour allowing self-regulating professions the ability to function within the system as designed. While patient protection and oversight concerns may require review and revision of current legislation, is it justifiable to massively expand the government bureaucracy when less intrusive methods are available?

The Cayton Report recommendations were reviewed as they pertain to Saskatchewan's HPA and Dental Disciplines Act. While many of the report's recommendations are not directly applicable to the CDSS, the situation in BC should be viewed as an opportunity to initiate a self-review of policies and procedures that will hopefully prevent the drastic legislative revisions that this has initiated in other provinces.

All self-regulated professions would be wise to take such steps before their privilege of autonomy is revoked.

## References

- The above titled research paper was written for the Regulation of Professions course (Law 320) by Dr. Darcy Allen and was submitted on December 17, 2020.
- Full references or copies of the research paper are available upon request at [darcy.allen@usask.ca](mailto:darcy.allen@usask.ca) – feedback is welcomed.
- College Crest artwork was obtained from: <https://dentistry.usask.ca/50/designing-a-piece-of-history--the-usask-college-of-dentistry-coat-of-arms.php>

## Acknowledgements

Thank you to:

- Professor Benjamin Ralston of the University of Saskatchewan – College of Law for your guidance in this process.
- Dr. Mitch Taillon – Registrar of the College of Dental Surgeons of Saskatchewan – for answering my many questions and helping me clarify the administrative structure of the CDSS.
- Professor Heather Heavin for providing me with a solid foundation in Administrative Law.