c 141 The Dentistry Amendment Act, 1972
CHAPTER 141

An Act to amend The Dentistry Act

Assented to December 15th, 1972
Session Prorogued December 15th, 1972

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 4 of The Dentistry Act, being chapter 108 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

(2) The Board shall consist of elected members, each of whom shall be a member of the College, and three persons who are not members of the College appointed by the Lieutenant Governor in Council, all of whom shall hold office for two years, and the Minister of Health who is an ex officio member of the Board.

2. (1) Section 21 of the said Act is amended by adding thereto the following subsection:

(4a) Nothing done in the practice of denture therapy as defined in The Denture Therapists Act, 1972 by a denture therapist licensed thereunder shall be deemed to be a contravention of this section.

(2) Subsections 8, 9 and 10 of the said section 21 are repealed and the following substituted therefor:

(8) Every person who contravenes any provision of this section is guilty of an offence and on summary conviction is liable to a fine of not more than $5,000 or to imprisonment for a term of not more than six months, or to both.

(9) Where it appears to the Board that any person does not comply with any provision of this section, notwithstanding the imposition of any penalty in respect of such non-compliance and in addition to any other rights it may have, the Board, on behalf of the College, may apply to a judge of the High Court for an
order directing such person to comply with such provision, and upon the application, the judge may make such order or such other order as the judge thinks fit and an appeal lies to the Court of Appeal from an order made under this subsection.

3. The said Act is amended by adding thereto the following sections:

By-laws for list of dentists participating in low cost denture service

20a.—(1) Subject to the approval of the Lieutenant Governor in Council, the Board shall, by by-law,

(a) provide for the preparation of a list of dentists participating in the low cost denture service;

(b) determine the dentists who shall be included in the list,

for the purposes of this section.

(2) A dentist who participates in the low cost denture service shall provide full upper and lower standard prosthetic dentures to any person other than a person with an abnormality or degenerative disease of the mouth for a cost which shall not exceed $180 including the laboratory costs and the professional fee in respect of fitting services, and no denture of a quality higher than standard and no additional services shall be provided or charged for by him without the specific consent of the patient.

Display of notice by participating dentists

(3) A dentist who participates in the low cost denture service shall display public notice of the fact in his office in a form prescribed by the Board by by-law approved by the Lieutenant Governor in Council.

Enforcement

(4) A dentist who is in breach of any provision of this section shall be deemed to be guilty of improper conduct in a professional respect for the purposes of section 22.

By-laws

(5) The Board shall make such by-laws as it considers necessary for the purpose of promoting and encouraging participation by dentists in low cost denture services for the purposes of this section and for the establishment of clinics for the purpose.

Regulation

(6) The Lieutenant Governor in Council may, by regulation, fix an amount for the maximum cost of the low cost denture service other than the amount named in subsection 2.
21a.—(1) Where a prosthetic denture is supplied, altered or repaired by a dental surgeon or under the supervision of a dental surgeon as required by section 15 of The Denture Therapists Act, 1972, the laboratory costs incurred in respect of the supplying, altering or repairing of the prosthetic denture and all fees for services in respect thereof shall be rendered by the dental surgeon and the account therefor shall show such laboratory costs separately from such fees and separately from all other charges and fees.

(2) No person is liable to pay an account that does not comply with the requirements of subsection 1.

4. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

5. This Act may be cited as The Dentistry Amendment Act, 1972.