



PROVINCIAL DENTAL BOARD  
OF NOVA SCOTIA

**REGISTRATION POLICY  
REQUESTING ACCESS OF APPLICATION  
DOCUMENTATION**

## TABLE OF CONTENTS

<b>1 POLICY STATEMENT</b> .....	3
<b>2 PURPOSE</b> .....	3
<b>3 SCOPE</b> .....	3
<b>4 DEFINITIONS</b> .....	3
<b>5 REQUEST FOR RECORDS</b> .....	4
<b>6 TIMEFRAMES FOR REQUEST</b> .....	4
<b>7 ACCESS TO RECORDS</b> .....	5
<b>8 COST OF REQUESTING APPLICATION</b> .....	5
<b>9 EXCLUSIONS OR DENIAL OF REQUESTS</b> .....	5
<b>10 RETENTION OF RECORDS*</b> .....	6
<b>11 CORRECTIONS TO RECORD</b> .....	6
<b>11 FORMAL PROCESS FOR REQUESTING RECORDS</b> .....	7
<b>12 CONFIDENTIALITY</b> .....	7

## 1 POLICY STATEMENT

The Provincial Dental Board of Nova Scotia (the “Provincial Dental Board”) recognizes there are circumstances where an applicant or member may seek access to documentation provided to the Provincial Dental Board as part of the application for licensure process. The Provincial Dental Board will work with the applicant or member to provide access to records that are related to their application.

The Provincial Dental Board retains the right to decline a request for information or documentation where doing so would compromise the integrity of the registration and licensing process.

## 2 PURPOSE

The purpose of this Policy is to educate and inform applicants or members of the formal policies in place to assist and facilitate with requests for access to records related to the Provincial Dental Board’s application and licensure processes.

This Policy is intended to assist applicants or members by making the retrieval of their application or licensure records more efficient and standardized.

The Provincial Dental Board will provide an applicant with access to records held by the Board that are related to the applicant’s application when the request is consistent with relevant law, confidentiality and other concerns.

## 3 SCOPE

This Policy is intended to apply to all applicants (dental assistants and dentists) of the Provincial Dental Board, including but not limited to new graduates, student licensees, dentists from other Canadian jurisdictions and internationally trained dental professionals.

This Policy is intended to be read in a manner consistent with the Board’s internal policies, including but not limited to the *Privacy Policy* and the *Confidentiality Policy*.

This Policy is also intended to be read in accordance with all applicable privacy legislation, including but not limited to the *Freedom of Information and Protection of Privacy Act*, SNS 1993, c 5, as amended.

## 4 DEFINITIONS

**4.1 “Days”** means calendar days.

4.2 “**Records**” means information or data that is stored relating to an applicant’s file with the Provincial Dental Board.

## 5 REQUEST FOR RECORDS

5.1 Requests for access to records must be addressed to the Registrar and must be submitted in writing.

5.2 Requests for access to an applicant or registrant’s records must be made by the applicant or registrant directly. Third party requests will not be processed unless they meet the requirements set out below.

5.3 Notwithstanding Section 5.2, requests for access to records may be made on behalf of the applicant or member by any person authorized by the applicant, in writing, to communicate with the Provincial Dental Board, especially in situations where to do so would be consistent with the Provincial Dental Board’s *Accommodation of Disabilities Policy*.

5.4 The Provincial Board retains the right to follow up with the applicant to ensure that any authorizations and requests received pursuant to Section 5.3 are valid.

5.5 The Provincial Dental Board retains the right to only allow third party requests in situations consistent with the *Accommodation of Disabilities Policy*.

5.6 The approval of a third-party request will be dependent on the circumstances of the applicant and will be determined on a case by case basis.

## 6 TIMEFRAMES FOR REQUEST

6.1 The Provincial Dental Board will respond to an applicant’s request for access to their records within **Thirty (30) days** of receiving the applicant’s request.

6.2 Where an applicant’s request for access to their records cannot be accommodated within **Thirty (30) days**, the Provincial Dental Board shall inform the applicant of the timeframe when their records will be accessible.

6.3 The timeframe pursuant to section 6.2 is not to exceed **Ninety (90) calendar days** from the date of the applicant’s initial request.

6.4 The timeframe for receiving the applicant’s request may be impacted by the methods in which the applicant requests their application.

## **7 ACCESS TO RECORDS**

- 7.1** An applicant may request their record via mail, fax, facsimile, electronically or in person.
- 7.2** An applicant's records may be viewed in-person at the office of the Provincial Dental Board by appointment. (210 Waterfront Drive, Bedford, Nova Scotia B4A 0H3).

## **8 COST OF REQUESTING APPLICATION**

- 8.1** The Provincial Dental Board may charge a fee for making an application file available to an applicant, which will not exceed the amount of reasonable cost recovery.
- 8.3** Fees for courier service are the responsibility of the applicant.

## **9 EXCLUSIONS OR DENIAL OF REQUESTS**

- 9.1** The Provincial Dental Board will not provide access to the following records that may form part of an applicant's file:
  - 9.1.1** Documents or parts of a document subject to legal privilege or solicitor-client confidentiality;
  - 9.1.2** Reference letters, unless the provider of the reference letter explicitly authorizes that the letter be disclosed;
  - 9.1.3** Documents that are prohibited from disclosure pursuant to applicable provincial or federal legislation;
  - 9.1.4** Documents that are prohibited from disclosure by court order or order of a quasi-judicial tribunal;
  - 9.1.5** Documents that could reasonably be expected to threaten or harm the mental or physical health or safety of another person;
  - 9.1.6** Documents that could reasonably be expected to identify a person who provided information in confidence, either explicitly or implicitly, and

where the Provincial Dental Board considers it appropriate in the circumstances to keep the identity of the person confidential;

**9.1.7** Documents that could negatively affect public safety; or,

**9.1.8** Documents that could undermine the integrity of the Provincial Dental Board's registration process.

**9.2** It should be noted that the above examples are not intended to be an exhaustive list. There may be other situations that warrant non-disclosure. This will be determined on a case by case basis.

## **10 RETENTION OF RECORDS**

**10.1** The Provincial Dental Board will retain copies of records relating to an applicant's application for 15 years following the receipt of a complete application package for the applicant, in accordance with the *Limitation of Actions Act* (Nova Scotia).

## **11 CORRECTIONS TO RECORD**

**11.1** If an applicant believes the information held by the Provincial Dental Board is inaccurate, the applicant or registrant may request that the Provincial Dental Board correct its records by making a written request to the Registrar with documentation supporting the applicant or registrant's request.

**11.2** The burden is on the applicant or registrant to provide sufficient evidence and information in support of their request.

**11.3** The Registrar retains the right to request additional documentation or information from the applicant or registrant in support of their request.

**11.4** The Provincial Dental Board retains the right to deny the applicant or registrant's request if the applicant or registrant has not provided sufficient reasoning or documentation to support their request or in cases where allowing the request would compromise the integrity of the licensing and registration process.

## **11 FORMAL PROCESS FOR REQUESTING RECORDS**

- 11.1** If an applicant is not satisfied with the documentation provided by the Provincial Dental Board following a request made under this Policy, then the applicant may choose to appeal the decision to the Registration Appeal Committee of the Provincial Dental Board.