IN THE MATTER OF *THE DENTAL DISCIPLINES ACT* AND REGULATORY BYLAWS OF THE SASKATCHEWAN DENTAL HYGIENISTS' ASSOCIATION AND COMPLAINTS AGAINST T.T., RDH

DECISION AND ORDER

HEARD BY:	CHRISTINE DOWNING – Chairperson
	TANYA SPRINGINATIC
	ROBBIE GAMBLE, Public Representative

COUNSEL FOR THE PROFESSIONAL CONDUCT COMMITTEE	TESSA DYER
COUNSEL FOR THE RESPONDENT, T.T., RDH	KELSEY O'BRIEN
COUNSEL FOR THE DISCIPLINE COMMITTEE	AMANDA M. QUAYLE, K.C.

INTRODUCTION

[1] This matter came for hearing before the Discipline Committee ("the **Committee**") of the Saskatchewan Dental Hygienists' Association, operating as the College of Dental Hygienists of Saskatchewan ("**College**") on August 21, 2026, to hear and determine a formal complaint concerning T.T. (the "**Formal Complaint**"), as required by section 33(3) of *The Dental Disciplines Act*, SS 1997, c D-4.1 [**Act**]. The discipline hearing proceeded by video conference with the consent of the parties. T.T. was present at the hearing.

[2] At all times material to the complaint, T.T. was a member of the College, licensed to practice in the Province of Saskatchewan, and subject to the Act and the Regulatory Bylaws of the College.

THE FORMAL COMPLAINT

[3] The lawyer for the Professional Conduct Committee ("**PCC**") filed Formal Complaint dated March 3, 2026, and Notice of Hearing dated July 22, 2026, at the hearing. The Formal Complaint against T.T. provided (names and identifying information has been anonymized):

1. That T.T., while employed as a dental hygienist at a dental center in a center in Saskatchewan, did provide professional services while under the influence of alcohol on August 19, 2025, is guilty of professional misconduct as defined in Section 27 of the Act, in that she:

    a. Consumed beverage alcohol at her place of employment and was observed to be intoxicated during work hours, while actively working on patients;

    b. Acted in a manner in which T.T. knew, or ought to have known, was harmful to the best interest of the public and to the standing of the dental hygiene profession;

    c. Failed to demonstrate, professionalism and integrity, while providing services and therefore breached Regulatory Bylaws section 54(1) in that T.T. failed to comply with the Code of Ethics as set out by the Saskatchewan Dental Hygienists' Association and Canadian Dental Hygienists' Association; and

    d. Failed to demonstrate accountability during the investigation of the complaint, and therefore breached Regulatory Bylaws section 54(1) in that T.T. failed to comply with the Standards of Practice as set out by the Saskatchewan Dental Hygienists' Association and Canadian Dental Hygienists' Association.

EVIDENCE

[4] An Agreed Statement of Facts was entered into by the parties on or about August 18, 2026, and was, with the consent of the parties, provided to the Committee in advance of the hearing. The Agreed Statement of Facts was filed at the hearing and constituted the sole evidence submitted at the hearing. It provided the following evidence (reference to exhibits filed in support of the Agreed Statement of Facts omitted, and names and other identifying information has been anonymized):

A. Member Background and Education

1. T.T. was first approved for registration with the College in May 2020. At the time, T.T. was granted full registration with a conditional licence, which is a licence category related to local anesthesia competency. T.T. completed the required course and was transferred to the full licence register in June 2021.

2. T.T. maintained full licensure with the College from June 2021 to October 2025. T.T. has held a non-practicing licence since November, 2025.

3. T.T. is currently on payroll at a dental centre as a casual employee with no shifts booked.

4. At all material times, T.T. was a practicing Dental Hygienist with the College.

B. Complaint

5. On August 20, 2025, the College was contacted by telephone regarding a matter related to a duty-to-report obligation involving an oral health professional. The caller identified themself as Dr. M., a dentist and joint-owner of a dental center in a center in Saskatchewan.

6. Dr. M. stated that they wished to file a formal report concerning Registered Dental Hygienist, T.T., who had been a seasonal and part-time employee for the last few years. Dr. M. reported that they had evidence to support that T.T. was providing dental hygiene services while under the influence of alcohol and was suspected of consuming alcohol while at work (the "**Complaint**").

7. The College registrar contacted T.T. on August 27, 2025, seeking a preliminary response to the information contained within the Complaint.

8. The College's Professional Conduct Committee ("**PCC**") was made aware of the Complaint on August 28, 2025. The PCC investigated the Complaint, resulting in the charges set out in the Formal Complaint.

C. Complaint Investigation

9. The initial Complaint identified that T.T. had been suspected of consuming alcohol while at work on August 19, 2025. Dr. M. indicated that T.T.'s behaviour escalated throughout the workday as the day progressed. T.T. was observed to have heavy eyelids and a drowsy appearance, noticeable speech impairment, issues with balance, as well as prolonged socializing outside of the operatory.

10. On August 19, 2025, after T.T.'s last patient, Dr. M. and another coworker sampled the contents of T.T.'s water bottle, from which T.T. had been drinking throughout the day. They determined that it did contain alcohol. T.T. was informed that alcohol had been detected in their water bottle. When presented with the concern, T.T. did not acknowledge that they had in fact been drinking alcohol, and demonstrated no accountability during the discussion.

11. Following the discussion, T.T. was informed by dental centre staff that they were not to be driving home. Staff arranged a ride home for T.T. with a relative. It was believed that T.T. had been picked up by their relative and T.T. stated in writing on September 5, 2025 that their relative had picked them up that day. However, T.T. later admitted during the PCC investigation interview that they had in fact driven themself home that day.

12. T.T.'s remaining shifts were cancelled.

13. On August 27, 2025, the College registrar contacted T.T. and asked T.T. to provide a response to the Complaint.

14. On September 5, 2025, T.T. sent reply correspondence to the College registrar. T.T. noted that they were taking the matter seriously and wanted to cooperate fully with respect to the allegations. T.T. raised that they had been prescribed medications beginning in June of 2025 that could cause effects such as fatigue, droopy eyelids, slowed speech, and imbalance. While T.T. acknowledged an effort to change their drinking habits, T.T. denied that they had consumed alcohol while at work and specifically denied that their water bottle on August 19, 2025, contained alcohol.

15. On September 8, 2025, the College registrar sent further correspondence to T.T. requesting information regarding T.T.'s current employment, medical information including prescriptions, and inquired whether any of T.T.'s employers had been notified with respect to the Complaint and T.T.'s current health conditions. T.T. responded in writing the same day. As a result of the Complaint and T.T.'s response, on September 16, 2025, the College registrar imposed conditions on T.T.'s practice pursuant to *The Dental Disciplines Act*, section 31(1). These included that T.T.:

    a. Was not to engage in direct patient care unless they had informed their employer of the allegations; and

    b. Remained fully accountable of their professional obligations as a registered dental hygienist.

16. T.T. consented to the above noted conditions on September 17, 2025.

17. On September 26, 2025, the College advised T.T. in writing that the PCC had reviewed the Complaint as well as T.T.'s responses and notified that a third-party

investigator had been retained to conduct an independent and impartial investigation. There was an additional request for further information from T.T.; the College acknowledges that T.T. complied with this request, providing their medication list, dosages, and start dates.

18. On September 30, 2025, the College received a letter from T.T.'s osteopath, confirming that at or around the time of the Complaint, T.T. was experiencing ongoing foot pain that limited T.T.'s ability to walk properly and bear weight for extended periods of time.

19. On October 29, 2025, the College received a letter from Dr. N., a physician, that confirmed that T.T. had been taking prescribed medication on August 18, 2025, which had potential side effects, such as dizziness/light-headedness, tremor, confusion, difficulty with concentration, blurred vision, and nausea.

20. On October 28, 2025, as part of the PCC's investigation of the Complaint, the contents of T.T.'s water bottle from August 19, 2025, were analyzed with a Vinometer and it was determined that the drink contents contained 17% alcohol.

21. On October 31, 2025, T.T. was interviewed as part of the PCC investigation by a third-party investigator. At the start of the interview, T.T. was advised that the contents of T.T.'s water bottle from August 19, 2025 had been tested and found it to contain 17% alcohol. T.T. then admitted that they had consumed alcohol on August 19th while at work. T.T. stated that they were due to finish work a few days later, a close relative had just passed away, and things at home had been stressful.

D. Circumstances of T.T.

22. T.T. has not been the subject of past complaints or discipline proceedings before the College.

23. T.T. acknowledges their misconduct. T.T. has taken steps since the events outlined above to improve their mental health, including joining the Alcoholics Anonymous program to support their sobriety now and in the future.

[5] Counsel for T.T. confirmed that T.T. reviewed and agreed to the Agreed Statement of Facts and that T.T. admitted that the conduct described amounts to a breach of Regulatory Bylaw 54(1) in that T.T. failed to demonstrate professionalism and integrity while providing professional services, and failed to demonstrate accountability during the investigation of the Complaint.

[6] T.T. further admitted that their actions constitute professional misconduct as the term is defined in the Act.

CONDUCT DECISION

[7] Upon consideration of the evidence and given the admissions by T.T., the Committee is satisfied that T.T. is guilty of professional misconduct as defined in section 27 of the Act and in

contravention of the College's Regulatory Bylaw 54(1) for failing to comply with the Code of Ethics and Standard of Practice, specifically Principles 1, 3, and 4.

[8] T.T.'s conduct was inconsistent with the College's Ethical Principles of beneficence, integrity, and accountability that are fundamental to the practice of dental hygiene. T.T.'s actions demonstrated a failure to promote the good and well-being of T.T.'s patients and were inconsistent with the honesty, sound judgment, and professional responsibility expected of a Registered Dental Hygienist. When confronted, T.T. failed to take appropriate responsibility for their actions, further aggravating the seriousness of the misconduct and undermining confidence in T.T.'s ability to fulfil her professional obligations.

[9] Moreover, T.T.'s conduct was harmful to the public interest, to other members of the profession, and to the reputation of the College. T.T.'s actions jeopardized the delivery of safe, reliable care to patients. T.T.'s actions undermined her colleagues' ability to trust or rely on T.T. to perform their duties in a manner consistent with the needs of patients. Such conduct risks harming patients, erodes confidence among colleagues, and impairs the integrity of the profession in the eyes of the public.

SANCTION DECISION

[10] The parties filed a Joint Submission on Penalty dated August 18, 2026, at the hearing. The Joint Submission on Penalty was provided to the Committee in advance of the hearing, with the consent of the parties.

[11] The parties jointly submitted the following sanction as appropriate in the circumstances of this case:

1. T.T. shall be suspended from the College for a period of three (3) days from the date of the Order.
2. T.T. shall receive and acknowledge in writing a written reprimand within thirty (30) days of the Order.
3. T.T. shall pay costs in the amount of one thousand ($1,000) dollars within ninety (90) days of the Order.
4. All periods specified in the Order commence on the day the Order is received (or is deemed to be received, if earlier) by T.T.

5. If, following receipt of the Order, T.T. intends to change their registration status from non-practicing to practicing, T.T. shall be required to comply with the following additional conditions:

    (a) T.T. shall abstain from possessing or consuming alcohol in the workplace or during work hours;

    (b) T.T. shall submit to a medical assessment in relation to any alcohol-related dependencies by a doctor acceptable to the College and provide a copy of that assessment to the College; and

    (c) T.T. shall comply with the recommendations made by such doctor for a period of two years and shall provide to the College satisfactory evidence of compliance every six months during the two-year period.

6. T.T. shall be required to apply for re-instatement at the end of the suspension period and is responsible to pay any reinstatement fees required by the College to bring T.T.'s membership into good standing at the end of the suspension period.

7. There shall be a publication of the outcome on an anonymized basis.

8. Failure to comply with section 5 of the Order shall result in T.T. being expelled from the College.

[12] In the hearing, the Committee sought to clarify whether the intention of paragraph 5(a) of the Joint Submission on Penalty set out above, was intended to also include that T.T. abstain from being intoxicated while in the workplace or during work hours as a condition of practicing. The parties confirmed this intention, and consented to amend paragraph 5(a) of the Joint Submission on Penalty, if T.T. intends to change their registration status from non-practicing to practicing, as follows:

> 5(a) T.T. shall abstain from being intoxicated, and possessing or consuming alcohol in the workplace or during work hours;

[13] The Committee acknowledges and has taken guidance from the judicial decision in *Camgoz v. College of Physicians and Surgeons of Saskatchewan*, 1993 CanLII 8952 (SK KB), 114 Sask R 161, and the following factors that are relevant, as applicable, to determining an appropriate penalty for professional misconduct:

1. The nature and gravity of the proven allegations;
2. The age of the offending member;
3. The age of the offended patient;

4. Evidence of the frequency of the commission of the particular acts of misconduct within particularly, and without generally, the province;
5. The presence or absence of mitigating circumstances, if any;
6. The presence or absence of aggravating circumstances, if any;
7. Specific deterrence;
8. General deterrence;
9. Previous record, if any, for the same, or similar misconduct;
10. The length of time that has elapsed between the dates of any previous misconduct and conviction thereon; and the member's conduct since that time;
11. The need to maintain the public's confidence in the integrity of the College's ability to properly supervise the professional misconduct of its members;
12. Ensuring that the penalty imposed is not inconsistent with penalties previously imposed in this jurisdiction, particularly, and in other jurisdictions in general, for the same, or similar acts of misconduct.

[14] The Committee also acknowledges and has taken guidance from the judicial decisions of *R v Anthony-Cook*, 2016 SCC 43, para 32; *Rault v Law Society of Saskatchewan*, 2009 SKCA 81, para 28; and *Nanson v College of Psychologists*, 2013 SKQB 191, para 45. These decisions emphasize the importance of joint submissions on penalty, and that a decision-maker should not depart from a joint submission unless the proposed penalty would bring the administration of justice into disrepute or is otherwise contrary to the public interest. The Committee understands that it is constrained to consider and accept the Joint Submission on Penalty in this case unless it finds that the joint submission is inappropriate because it is not within the range of penalties for similar misconduct, it is unfit or unreasonable, and/or it is contrary to the public interest.

[15] T.T. has been practicing as a Registered Dental Hygienist since 2020. This is T.T.'s first disciplinary offence. The Committee accepts that, at the time of the misconduct, T.T. was experiencing personal and health-related difficulties. T.T. has experienced negative repercussions from their actions, including financial loss and loss of employment. The Committee further notes T.T.'s general cooperation throughout the disciplinary process and T.T.'s efforts to address the underlying issues contributing to the misconduct, including participation in Alcoholics Anonymous. The Committee has considered these circumstances as mitigating factors.

[16] With respect to aggravating factors, the Committee notes that T.T. did not initially accept responsibility for their conduct despite being provided opportunities to do so. The misconduct itself is also serious. Attending work while intoxicated, and providing patient care while impaired,

represents a significant departure from the standards of professionalism expected of a Registered Dental Hygienist and is inconsistent with the principles of beneficence, integrity, and accountability that underpin the profession. Although no patient harm was reported, the potential risk to patient safety was substantial. The absence of actual harm does not diminish the seriousness of the misconduct.

[17] The Committee considered decisions of cases of professional misconduct where alcohol was consumed at the workplace, namely *Law Society of Manitoba v. Golightly*, 1995, L.S.D.D. No. 51 (Case No. 95-15) [***Golightly***] and *Nova Scotia Barristers' Society v. Corkum*, 2000 NSBS 1. The Committee is satisfied that the proposed penalty, including a suspension, written reprimand, publication of the outcome, and conditions designed to address any future risks associated with alcohol use or intoxication in practice, appropriately balances the objectives of specific deterrence, general deterrence, rehabilitation, and public protection.

[18] The parties have additionally proposed that T.T. pay costs in the amount of $1,000.00. This aspect of the proposed penalty is consistent with the costs order imposed in *Golightly* and is reflective of T.T.'s current non-practicing status. The Committee finds that an award of costs in the amount of $1,000.00 is reasonable and appropriate in the circumstances.

[19] Lastly, the Committee accepts the parties' submission that publication of the Decision and Order be anonymized, given the personal and private health information referenced in the materials filed, and during the hearing. The Committee is satisfied that anonymization is appropriate in the circumstances.

[20] In light of the above, the Committee accepts the joint submission of the parties as to penalty, including the consent amendment to paragraph 5(a) to expressly include the words "being intoxicated, and".

ORDER AS TO PENALTY

[21] The Committee hereby orders:

1. T.T. shall be suspended from the College for a period of three (3) days from the date of the Order.

2. T.T. shall receive and acknowledge in writing a written reprimand within thirty (30) days of the Order.

3. T.T. shall pay costs in the amount of one thousand ($1,000) dollars within ninety (90) days of the Order.

4. All periods specified in the Order commence on the day the Order is received (or is deemed to be received, if earlier) by T.T.

5. If, following receipt of the Order, T.T. intends to change their registration status from non-practicing to practicing, T.T. shall be required to comply with the following additional conditions:

   (a) T.T. shall abstain from being intoxicated, and possessing or consuming alcohol in the workplace or during work hours;

   (b) T.T. shall submit to a medical assessment in relation to any alcohol-related dependencies by a doctor acceptable to the College and provide a copy of that assessment to the College; and

   (c) T.T. shall comply with the recommendations made by such doctor for a period of two years and shall provide to the College satisfactory evidence of compliance every six months during the two-year period.

6. T.T. shall be required to apply for re-instatement at the end of the suspension period and is responsible to pay any reinstatement fees required by the College to bring T.T.'s membership into good standing at the end of the suspension period.

7. There shall be a publication of the outcome on an anonymized basis.

8. Failure to comply with section 5 of the Order shall result in T.T. being expelled from the College.

[22] The Committee thanks counsel for both parties for their helpful materials and submissions.

Dated this 25 day of September, 2026.

Christine Downing (Sep 25, 2026 12:49:47 MDT)

Christine Downing
Chair

RIGHT OF APPEAL

According to Section 38 of *The Dental Disciplines Act*, SS 1997, c D-4.1:

Review by court
38(1) A member may appeal the decision or any order of the discipline committee to a judge of the court by serving the registrar with a notice of appeal and filing the notice with the local registrar within 30 days after the decision or order where:

(a) the member has been found guilty of professional misconduct or professional incompetence by the discipline committee pursuant to section 33; or

(b) the member is subject to an order of the discipline committee pursuant to section 34 or 35.

(2) An appellant shall set out the grounds of appeal in a notice of appeal mentioned in subsection (1).

(3) On receipt of a notice of appeal, the registrar shall file with the local registrar a true copy of:

(a) the formal complaint and notice served pursuant to section 33 or the report of the professional conduct committee pursuant to section 35;

(b) the transcript of the evidence presented to the discipline committee;

(c) the exhibits received in evidence by the discipline committee; and

(d) the decision and order of the discipline committee.

(4) The appellant or the appellant's solicitor or agent may obtain from the registrar a copy of the documents filed pursuant to subsection (3) on payment of the costs of producing them.

(5) On hearing an appeal the judge may:

(a) dismiss the appeal;

(b) quash the finding of guilt;

(c) direct a new hearing or further inquiries by the discipline committee;

(d) vary the order of the discipline committee; or

(e) substitute the judge's own decision for the decision appealed from.

(6) The judge may make any order as to costs that the judge considers appropriate, including an order as to which party shall bear the cost of the transcripts and other material filed with the local registrar pursuant to subsection (3).