

## **NSRDHDTD Reinstatement Committee Terms of Reference**

### **Committee Membership**

In accordance with the section 116(1) of the *Regulated Health Professions Act*, SNS 2023, c 15, the NSRDHDTD Board shall appoint a Reinstatement Committee composed of:

- at least one public representative; and
- such other number of registrants and public representatives as the Board determines.

The Board shall appoint a Chair and Vice Chair of the Reinstatement Committee.

### **Term of Office**

Reinstatement Committee members hold office for three to five-years as directed by the Board, and are eligible for reappointment for a second consecutive term.

Reinstatement Committee members shall recuse themselves from the work of the Committee if they become subject to a regulatory process or other matter that adversely impacts their ability to ethically and/or competently serve as members of the Committee (or there is a reasonable and objective belief their ability or competence has been adversely impacted), or their continued membership is contrary to the objects of the NSRDHDTD for any other reason.

In such circumstances, the member shall disclose the relevant details to the Chair of the Committee (or, where the member in question is the Chair of the Committee, to the Chair of the Board) who, in consultation with independent legal counsel if appropriate, will consider the matter and may request the member to recuse themselves from the Committee temporarily or permanently, as the case may be. If the member does not recuse themselves as requested, the Chair of the Committee or the Chair of the Board, as the case may be, may bring the matter to the attention of the Board. In such case, the Board will consider the matter and may remove the member from the Committee by way of a majority vote at a duly constituted Board meeting.

A Reinstatement Committee member whose term of office expires remains a member of the Committee until a new member is appointed or the member is reappointed.

### **Quorum**

Pursuant to section 117(2) of the *Regulated Health Professions Act*, a quorum of the Reinstatement Committee shall consist of three Committee members, at least one of whom must be a public representative.

Failure of one or more Reinstatement Committee members to receive notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes the members from waiving notice of a meeting.

A decision of the Reinstatement Committee requires the vote of a majority of the Committee.

### **Mandate**

The Reinstatement Committee is established by the *Regulated Health Professions Act* to exercise the powers and functions as provided for in the Act, Regulated Health Professions General Regulations, and policies, including, without limitation, the following activities:

- take such steps as the Committee considers appropriate within the scope of the authority granted to it in the Act, Regulated Health Professions General Regulations, and policies;
- review applications for reinstatement of registration or licence following a revocation or a resignation authorized under the Act of the registration or licence of a registrant;
- where needed in the performance of its mandate, exercise the powers, privileges and immunities of a commissioner under the *Public Inquiries Act*, except the powers of contempt, arrest and imprisonment;
- set the date, time, place, and format of hearings of reinstatement applications;
- determine the extent to which hearings are open to the public;
- conduct hearings to review reinstatement application in accordance with the process set out in the Act, Regulated Health Professions General Regulations, and policies;
- after considering the evidence and the representations from the parties, the Reinstatement Committee must:
  - do one of the following:
    - accept the reinstatement application;
    - accept the reinstatement application with restrictions and/or conditions; or
    - reject the reinstatement application;

- render a written decision with reasons as soon as practicable after the completion of the hearing;
  - direct the manner of publication of the Committee's decision;
  - if the reinstatement application is rejected, the Committee must consider the timing of any subsequent applications for reinstatement from the applicant;
  - determine the amount of costs, if any, payable by the applicant; and
- set its own procedures, provided they are consistent with the Act, Regulated Health Professions General Regulations, and policies.

### **Criteria for Membership**

No member of the Board or employee of the NSRDHDTD shall serve on the Reinstatement Committee.

A registrant must hold a licence while appointed to the Reinstatement Committee.

Pursuant to Article 14.1(b) of the Bylaws, a registrant must be in good standing to be eligible to appointed to a statutory committee. The definition of "good standing" as defined in Article 1.2(n) of the NSRDHDTD By-Laws, also applies to registrant members of this committee.

A registrant must have three or more years of experience in one of the three oral health professions regulated by the NSRDHDTD.

### **Chair/Vice Chair**

The Chair/Vice Chair shall be nominated by the Committee; and brought forward to the Board for consideration for appointment.

The Vice-Chair shall act as Chair in the absence of the Chair. Where neither the Chair nor the Vice-Chair are available, the Chair may appoint a member of the Reinstatement Committee as Chair of the Committee.

### **Additional Skills for Chair**

The Chair must have experience conducting meetings and hearings and be able to write comprehensive decisions incorporating reasons for decisions. Prior legal experience is preferred.