

Technical Service Corporations

*(a reprint of the Advisory issued in May 2000)

The College wishes to assist its members who have questions regarding the role of Technical Service Corporations (TSC) in their practices.

The duty of the College is to regulate the profession in the public interest. How a member orders the business side of his or her practice is the business of that member and is outside the purview of the College. Where a business issue appears to touch upon a professional issue, the College will give guidance to its members.

TSCs are permissible vehicles for the delivery of certain services, provided they are used in a way that complies with the *Regulated Health Professions Act, 1991*, the *Dentistry Act, 1991* and their respective Regulations.

The vehicle of the TSC is viewed as an ordering of a dentist's affairs, in regard to which members should obtain their own legal advice. From the perspective of the College, a TSC is not illegal, nor would its proper use involve a member in professional misconduct.

Furthermore, members should consider disclosing to their patients by way of a notice or letter that the shares of the TSC are owned by specified family members, or a trust for the benefit of the dentist's family members, as the case may be. Members should consider indicating in such notice or letter that the delivery of services through a TSC does not involve a change in the standards of practice and quality of the care to the patient that would otherwise be provided.

Each situation is different and each member should seek his or her own legal and accounting advice in structuring a TSC.

