Western Australia

Health Act 1911

Health (School Dental Therapists) Regulations 1974

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Health Act 1911

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##### 1. Citation

 These regulations may be cited as the *Health (School Dental Therapists) Regulations 1974*1.

 [Regulation 1 amended in Gazette 5 Dec 1986 p. 4465.]

[**2-4.** Deleted in Gazette 31 Dec 1996 p. 7433.]

##### 5. Medical history and consent to be obtained before treatment

 (1) A school dental therapist shall not commence treatment for any child unless —

 (a) in the case of initial treatment —

 (i) a medical history of the child and a consent for treatment is obtained from a parent or guardian of the child; and

 (ii) the supervising dental officer, having read the medical history and the consent for treatment, has prescribed the necessary treatment;

 or

 (b) in the case of subsequent treatment —

 (i) an updated medical history of the child showing no change in the child’s health status is obtained from a parent or guardian of the child; and

 (ii) a supervising dental officer has examined the child within the preceding 4 years.

 (2) The medical history, the consent for treatment and the updated medical history referred to in subregulation (1)  —

 (a) shall be in a form approved by the CEO; and

 (b) may be obtained from a person who has responsibility for the day to day care of the child and with whom the child is living if it is not reasonably practicable to obtain it from a parent or guardian.

 (3) A school dental therapist who contravenes subregulation (1) commits an offence and is liable to —

 (a) a penalty which is not more than $1 000 and not less than —

 (i) in the case of a first offence, $100;

 (ii) in the case of a second offence, $200; and

 (iii) in the case of a third or subsequent offence, $500;

 and

 (b) if that offence is a continuing offence, a daily penalty which is not more than $100 and not less than $50.

 [Regulation 5 inserted in Gazette 5 Dec 1986 p. 4465; amended in Gazette 23 Dec 1988 p. 4973; 7 Dec 2004 p. 5783; 15 Dec 2006 p. 5624.]

[**6.** Deleted in Gazette 31 Dec 1996 p. 7433.]

[Schedule deleted in Gazette 31 Dec 1996 p. 7433.]

Notes

1 This is a compilation of the *Health (School Dental Therapists) Regulations 1974* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

| **Citation** | **Gazettal** | **Commencement** |
| --- | --- | --- |
| *Health Act (School Dental Therapists) Regulations 1974*2 | 22 Mar 1974 p. 933‑5 | 22 Mar 1974 |
| *Health Legislation Amendment Regulations 1984* | 29 Jun 1984 p. 1780‑4 | 1 Jul 1984 (see r. 2) |
| *Health (School Dental Therapists) Amendment Regulations 1986* | 5 Dec 1986 p. 4465 | 5 Dec 1986 |
| *Health (Offences and Penalties) Amendment Regulations (No. 2) 1988* Pt. 10 | 23 Dec 1988 p. 4970‑5 | 23 Dec 1988 |
| *Health (School Dental Therapists) Amendment Regulations 1996* | 31 Dec 1996 p. 7433 | 1 Jan 1997 (see r. 2 and *Gazette* 31 Dec 1996 p. 7427) |
| **Reprint of the *Health (School Dental Therapists) Regulations 1974 at at 15 Nov 2002***(includes amendments listed above) |
| *Health (School Dental Therapists) Amendment Regulations 2004* | 7 Dec 2004 p. 5783 | 7 Dec 2004 |
| *Health (School Dental Therapists) Amendment Regulations 2006* | 15 Dec 2006 p. 5623-4 | 15 Dec 2006 |

2 Now known as the *Health (School Dental Therapists) Regulations 1974*; citation changed (see note under r. 1).