

Board Business

From the Registrar's Desk

No. 35, October 2007



2007 / 2008 Licensing Fees

The Board reviewed a financial projection for the year 2008 that revealed a potential for a surplus at the end of the 2007 fiscal year. Based on the budget projections, the Board decided to reduce 2008 Licensing Fees by 10%.

Board Appointments

The following appointments were approved by the Board.

Board

Dr. Meryl Lawton	NSDA	(08 –10)
Dr. Ian Doyle	NSDA	(05–07) (08-10)
Dr. Eric Hatfield	NSDA	(05-07) (08-10)
Ms. Judy Oakley	NSDAA	(05-07) (08-10)

Complaints Committee

Mr. Bill Watson	(07-10)	Lay Representative
Dr. Robert Hall	(07-10)	
Dr. Ron MacGillivray	(07-10)	
Dr. Richard Raftus	(07-10)	
Dr. Paul MacEachern	(07-10)	

Mandatory Continuing Dental Education Committee

Dr. Paul Downing, Chair	(06-08)
Dr. Ken Rhodenizer	(07-09)
Ms. Cheryl d'Entremont	(05-07) (07-10)

Discipline Committee

Ms. Michelle Fowler	NSDAA	(08-10)
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Reappointments- 3 Year Terms

Dr. Tom Boyle, Chair	Dr. Richard Lohnes
Dr. Kevin Walsh	Dr. Janet Cullinan
Dr. Grant Creighton	Dr. Joanne Clovis
Dr. Mary Hurst	Dr. David MacLeod
Dr. Peter Thomson	Dr. Norman Layton
Mr. Stuart Beaton	Mr. Rod Desborough

Dental Assistant's Scope of Practice

Re: Suture Removal

The Provincial Dental Board of Nova Scotia reaffirmed that both intra oral and extra oral suture removal are accepted duties within the scope of practice for licensed dental assistants in Nova Scotia. It was further agreed that the inclusion of suture removal in the dental assistant's scope of practice would occur at the next opportunity to amend the Regulation.

Dental Assistant Program- Cape Breton Business College

The Cape Breton Business College (CBBC) Dental Assistant Program was visited by a site survey team from the Commission on Dental Accreditation of Canada in June 2007 and the Programs accreditation status will be determined at the Commission meeting on November 19, 2007.

In the event that the program achieves accredited status – the initial graduates of the program will be eligible for licensure as a dental assistant in Nova Scotia. Should the Program not attain accredited status – the graduates will be required to complete a clinical evaluation examination (CPE) prior to licensure.

It is important to understand that the initial graduates of the CBBC are not permitted to perform intra oral duties until such time as the program becomes accredited or the students complete the CPE and complete the licensing process.

Board Presentation – Dr. Blaine Cleghorn

Dr. Cleghorn, the current Director of Clinics at the Dalhousie Faculty of Dentistry made a presentation to the Board that described the development and approval process for the Dalhousie Faculty of Dentistry Policy on students and student applicants with Infectious Diseases. Dr. Cleghorn also provided commentary on the 2007 American Heart Association Guidelines for the Prevention of Infective Endocarditis. Dr. Cleghorn consulted with the authors of the Guidelines to provide clarification of the conflicting statements included in the AHA document. Dr. Cleghorn has willingly provided the Board with his clarification of the 2007 AHA Guidelines and this information will be posted on the Board's webpage at www.pdbns.ca under Info for Licensees.

Ad-hoc Committee on Bloodborne Pathogens

In response to a request from the Registrar, Dr. Cam Little, Registrar of the College of Physicians and Surgeons of Nova Scotia confirmed that the College was willing to assist all PDB licensees by providing access to the College's Ad-hoc Committee on Bloodborne Pathogens.

At its meeting on September 21, 2007 the Provincial Dental Board of Nova Scotia adopted the College of Physicians and Surgeons' process and agreed to post the documentation package and access instructions on the Board's webpage at www.pdbns.ca under Info for Licensees.

Amendments to the *Dental Act* – Dental Hygiene

In response to a request from the Department of Health, the Provincial Dental Board approved draft amendments to the *Dental Act* and Regulations that would remove the current provisions respecting dental hygiene.

Dental Specialist Registration Fee

The Dental Board has approved a motion that makes the initial registration fee for dental specialists the same as for general dentists.

Complaints / Discipline Committee Report

The Registrar reported that the Dentistry Complaints Committee met once since the last Provincial Dental Board Meeting.

Prior to dealing with a request for reconsideration of a Complaints Committee decision, the Committee with the assistance of legal counsel, developed the following policy to manage requests for reconsideration of Committee decisions.

1. The Complaints Committee has the right to reconsider previous decisions but will only do so in the following circumstances:
 - a) Where one of the parties has knowingly withheld significant information.
 - b) Where new information has become available that likely would have influenced the decision if it had been available.
2. That in the event the Committee decides to reconsider a decision, both parties must be informed of the decision to reconsider and give the opportunity to respond.
3. It is the Committee's expectation that requests for reconsideration should be received by the Registrar within three months of receipt of the Committee's decision.
4. The initial Complaints Committee decision continues to be valid until the reconsideration decision is rendered by the Committee.

The Committee considered five cases at its 12 July 2007 meeting.

Case 1.

Given the documentation available for review, the Committee determined that:

- The new information provided by the complainant did not pertain to the original complaint.
- All the "new" information provided was available and considered by the Committee at the time of the initial decision.

Decision:

The Complaints Committee not re-consider its original decision.

Case 2.

Given the documentation available for review, and following discussion the Committee determined that:

- It is not a violation of the Personal Information Protection and Electronic Documents Act (PIPEDA) for a dentist to refuse treatment to a patient who will not consent to the collection, use or disclosure of personal information for purposes that are reasonable and appropriate in the circumstances.
- It is indeed appropriate, prudent and responsible for a dentist to request the signing of the PIPEDA waiver prior to providing treatments except in extreme emergency situations. In the event that additional clarification is required please contact the Privacy Commissioner of Canada at 112 Kent Street, Ottawa, Ontario K1A 1H3 or at www.privcom.ca

The complaint was dismissed.

Case 3 & 4.

Concerned allegations of violations concerning quality of care.

Both cases were dismissed.

Case 5.

Given the documentation available for review and following discussion the Committee determined that:

- It appears that Dr. X only gave the patient two treatment options where other options of a temporary nature could have addressed the patient's immediate esthetic concern.
- By ignoring the temporary treatment options available, Dr. X created a crisis situation that eliminated consideration of other definitive treatment choices and / or alternatives such as referral to a specialist or sending Patient Y back to her dentist of record for definitive treatment.
- Dr. X failed to communicate with the patient's dentist of record concerning the dental treatment provided.
- In failing to recognize the limitations of the treatment provided, Dr. X led the patient to believe that they had received a permanent resolution to their problem.

Decision: That a Letter of Reprimand be issued to Dr. X as a result of his failure to treat Patient Y with a standard of skill, knowledge or judgment expected.

Discipline Hearing:

Initial hearing dates were completed on October 11 & 12, 2007 and the hearing will convene on November 29, 30 & December 1, 2007.

Items from the Chair

The Chair of the Provincial Dental Board, Dr. Andrew Nette paid tribute to former Chair, Dr. Steve Brayton who has completed his third term. As well, Dr. Nette spoke of the contribution that Dr. Jamie Allen made as Chair of the Mandatory Continuing Dental Education Committee.

The Chair thanked the members of the Board for their diligence, commitment and support during his term as Chair and wished them well in the future.

Election of Board Chair / Vice-Chair

The Board approved the appointment of Dr. Eric Hatfield as Chair and Dr. Ian Doyle as Vice-Chair effective 1 January 2008.

Vice Chair Dr. Eric Hatfield congratulated Dr. Nette for his contribution to the Provincial Dental Board including the last two years as Chair. Dr. Hatfield identified that Dr. Nette's characteristics of open mindedness and respect for all Board members made serving on the Board a true pleasure. On behalf of the Board, Dr. Hatfield presented a Certificate of Appreciation to Dr. Nette.



Dr. W. A. MacInnis, Registrar