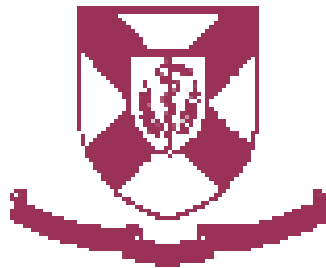


**PROVINCIAL DENTAL BOARD
OF
NOVA SCOTIA**



**PROCEEDINGS
2006**

2006 BOARD PROCEEDINGS

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PROVINCIAL DENTAL BOARD OF NOVA SCOTIA

Chair – Dr. A. Nette
 Vice Chair – Dr. E. Hatfield
 Registrar - Dr. W. A. MacInnis

Board Membership

<u>Member</u>	<u>Appointment Expiry</u>
Dr. A. Nette - Chair	NSDA (Dec. 2007)
Dr. E. Hatfield - Vice Chair	Government (Dec. 2007)
Dr. B. MacLeod	NSDA (Dec. 2008)
Dr. L. Erickson	NSDA (Dec. 2008)
Dr. S. Brayton	NSDA (Dec. 2007)
Dr. I. Doyle	NSDA (Dec. 2007)
Dr. A. Stewart	Government (Dec. 2007)
Dr. J. W. Miller	Government (Dec. 2007)
Ms. O. d'Eon	Government (Dec. 2007)
Ms. A. Worsley, RDA	Government (Dec. 2007)
Mrs. K. Cormier	Government (Dec. 2007)
Mr. D. Rudderham	Government (Dec. 2007)
Ms. R. Bourque, RDH	NSDHA (Dec. 2007)
Ms. J. Oakley, RDA	NSDAA (Dec. 2007)
Dr. D. S. Precious	Observer

Standing Committees

Discipline Committee

Dr. T. Boyle, Chair

Complaints Committee

Dr. J. S. Christie, Chair

MCDE Committee

Dr. J. S. Allen , Chair

Discipline Committee Membership

Dr. T. Boyle	Dec. 2007
Dr. R. Lohnes	Dec. 2007
Dr. J. Cullinan	Dec. 2007
Dr. N. Layton	Dec. 2007
Dr. S. Lewis	Dec. 2008
Dr. D. MacLeod	Dec. 2007
Ms. J. Clovis, RDH	Dec. 2007
Ms. S. MacIntosh	Dec. 2009
Ms. A. Fitzpatrick, RDA	Dec. 2008
Ms. J. Crofts, Public	Dec. 2008
Dr. D. Anderson	Dec. 2009
Dr. I. Ross	Dec. 2009
Dr. D. Penwell	Oct. 2009
Dr. G. Creighton	June 2007
Dr. M. Hurst	June 2007
Dr. P. Thomson	June 2007
Dr. K. Walsh	June 2007
Mr. S. Beaton, Public	June 2007

Complaints Committee Membership

Dr. J. Christie	June 2008
Dr. S. Abbass	May 2009
Dr. F. Gogan	May 2009
Dr. J. Porter	May 2009
Dr. P. MacEachern	June 2007
Dr. Richard Reftus	June 2007
Dr. R. MacGillivray	June 2007
Dr. R. Hall	June 2007
Mr. L. Shipp	Sept. 2008
Ms. N. Neish, RDH	June 2008
Ms. M. Briggs, RDH	June 2008
Ms. N. Penney, RDA	June 2008
Ms. M. Crawford, RDA	June 2009

MCDE Committee Membership

Dr. J. Allen	Sept. 2007
Dr. P. Downing	Sept. 2008
Dr. D. Inghan	Sept. 2008
Ms. L. Brenton, RDA	Sept. 2008
Ms. C. d'Entremont, RDH	Sept. 2007
Ms. S. Rhonenizer, RDH	Nov. 2006
Ms. C. Cooke, RDA	Sept. 2008
Dr. W. A. MacInnis Registrar	

REPORT OF THE CHAIR

The Provincial Dental Board met three times in 2006, on Jan 27, June 16 and Sept 29. At our January meeting we welcomed two new members, Drs Lee Erickson and Barry MacLeod.

During the year, the Board initiated the development and launch of a public web page, to bring us into the 21st century. In the future, "Board Business" will be available to licensees on the website, and hardcopy will be mailed only upon request. Please visit the new web site at www.pdbns.ca

Six additional core skills for Registered Dental Assistants were approved by the Board in June '06. These include application of disclosing agents and pit & fissure sealants, carrying out simple bite registrations, performing coronal whitening using non-prescription formulations, as well as application of topical anesthetic and desensitizing agents. The three latter skills will ultimately require a rewording of the Regulation, but are available to RDA's as of Sept 29/06 under Reg#8 of the Dental Act.

Two new documents, Guidelines for Dental Record Keeping and Guidelines for the Use of Sedation in Dental Practice, formulated by subcommittees of the Board, were approved by the Board and circulated to affiliated Associations for feedback.

Much discussion around the Board Table in 2006 was centered around Settlement Agreement Procedures in the Boards' Discipline Process. The Main reason for having a Settlement Agreement Process is that it increases the level of authority for the process. The proposed process must involve both the Registrar and the Complaints Committee, and, in cases where sanctions are proposed, the Discipline Committee.

At the Sept 29 meeting a motion was passed to adopt the proposed regulation amendment to the Discipline Regulations with respect to Settlement Agreements.

The Dental Practice Review Draft Regulation was adopted in Sept 06. The Board is committed to ensuring that the implementation of the Review process will be consistent with the Boards' focus on remediation through education and support. The Registrar will be visiting all Regional Societies in 2007 to introduce, explain and answer questions on implementation of the Dental Practice Review Program.

The introduction of a new program to train Registered Dental Assistants at the Cape Breton Business College was presented to the Board in September. Under the direction of Ms Terri Billard, the proposed program has been approved by the NS Dept of Education. In September 06 the Board approved the intraoral segment of the RDA certification program.

Discussions continued throughout the year re academic licensure of foreign trained specialists. Discussion related to ongoing debate at the Canadian Dental Regulatory Authorities Federation (CDRAF). I was unable to represent the Board at the October 06 meeting of the CDRAF in Ottawa due to a family wedding, so vice-chair Dr. Eric Hatfield accompanied the Registrar to this meeting. They will be attending a follow-up meeting in Feb 07, as Dental Regulatory Authorities from across the country try to reach consensus on this very difficult and tortuous issue.

It was decided that 2006/07 fees for Registration for Dentists, Dental Hygienists and Dental Assistants be held at 2005/06 levels, as a review of the Revenue and Expense ledger showed a modest surplus at the end of the 2006 fiscal year.

It has been an honor to serve as Chair of this Board for the past year, and I look forward to 2007, as the members of the Board are without exception committed and involved, and the discussion around the table is enlightened and relevant. I thank especially Drs. Bill MacInnis, Registrar, and Eric Hatfield, Vice Chair, for their insight and support, and Jane Donovan, Administrative Assistant, for making it all possible.

Respectfully submitted,
Andrew Nette, Chair

REGISTRAR'S REPORT

Provincial Dental Board Meetings:

- January 27, 2006
- June 16, 2006
- September 29, 2006

Statistics

Member	Active	Registration Fee	License Fee
General DDS	512	\$ 100.00	\$ 612.58
Specialist	75	\$ 250.00	\$ 612.58
Hygienist	521	\$ 75.00	\$ 163.45
Assistant	680	\$ 65.00	\$ 126.55
Incorporations	322	\$ 150.00	\$ 47.97

Board Business Highlights – Appointments, Reappointments

Board Appointments

Dr. Andy Nette assumed the position of Chairman of the Provincial Dental Board and Dr. Eric Hatfield began his term as Vice-Chair effective 1 January 2006. Dr.'s Lee Erickson and Barry MacLeod also began their first term as NSDA representatives to the Board on 1 January 2006.

The following appointments were approved by the Board:

Complaints Committee

Dr. Simone Abbass – reappointment
Dr. Fred Gogan – reappointment
Dr. Jane Porter - reappointment
Mr. Larry Shipp – new appointment

Discipline Committee

Dr. Doug Anderson – reappointment
Dr. Ian Ross – reappointment
Dr. Don Penwell - reappointment

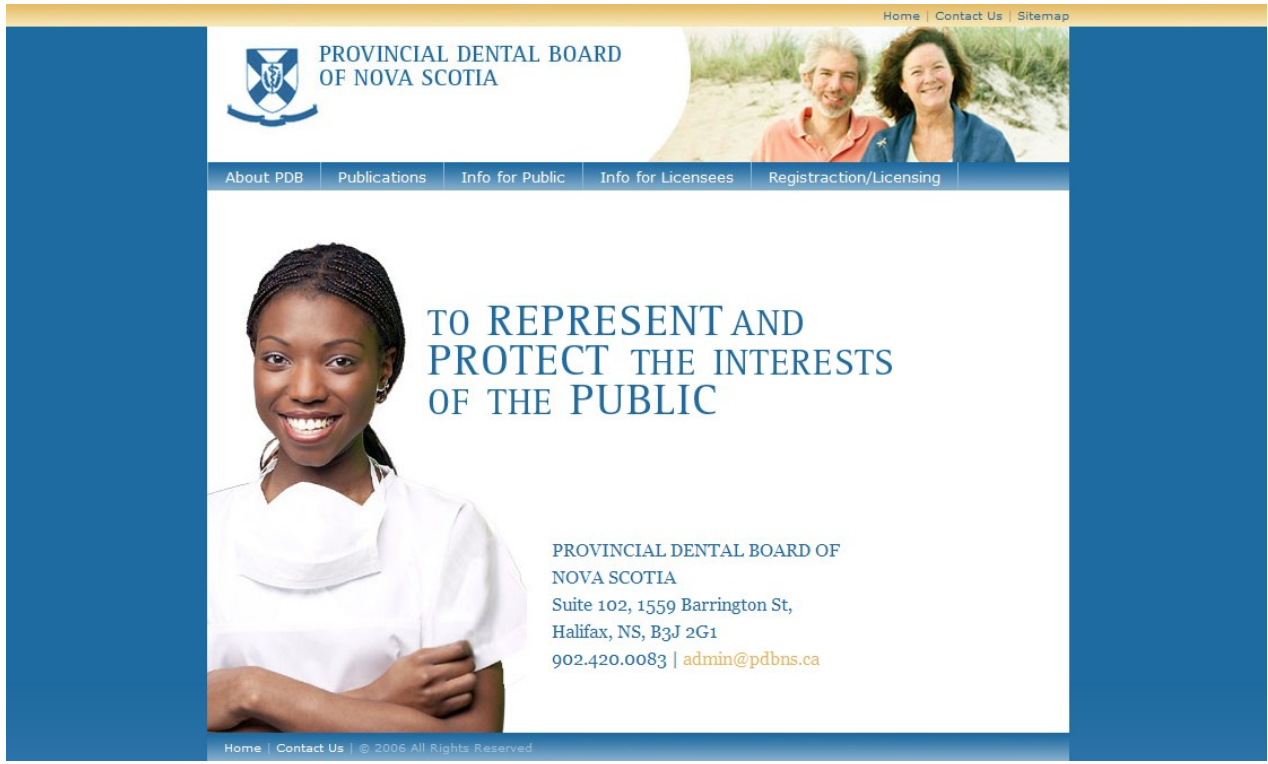
Mandatory Continuing Dental Education Committee

Ms. Laurie Brenton, RDA - appointment
Catherine Cooke, RDA – reappointment
Sandra Rhodenizer, RDH - reappointment

Ms. Angela Worsley has been appointed as the Dental Regulatory Authority representative on the Commission on Dental Accreditation of Canada's Dental Assisting Education Committee.

Ms. Judy Oakley was approved as the Provincial Dental Board appointee to the National Dental Assisting Examining Board.

Dental Board Webpage



The Dental Board is pleased to announce the launch of our new webpage. You can find us at www.pdbns.ca We encourage you to surf the site and we hope that you will give us any comments and suggestions to improve the webpage.

Academic Licensure

Following considerable debate, the Dental Board approved a process for Academic Licensure that requires successful completion of the National Dental Specialty Exam offered by the RCDC and approved the creation of an academic license / registration category "certified specialist restricted to their specialty" recognizing that these specialists will not have a NDEB certificate.

National Dental Assisting Examining Board Certificate (NDAEB) Requirement for Initial Licensure

With the support of the Nova Scotia Dental Association, the Nova Scotia Dental Hygienists' Association and the Nova Scotia Dental Assistants' Association, the Board has adopted a policy that will make the NDAEB Certificate a requirement for initial licensure for dental assistants in Nova Scotia effective 1 April 2007.

During the consideration of this matter it was determined that the NDAEB policies and examination schedule could potentially delay dental assisting students' licensure for two months beyond graduation. Recognizing the value and importance of the NDAEB Certificate and the need to not unduly delay the students entry to the work force, the Board passed a motion that will grant a *Conditional License* for one year to graduates of accredited Dental Assisting programs with the understanding that the NDAEB Certificate will be a requirement for re-licensure.

Dental Practice Review

During the past year, six dental office visits were conducted at offices that had volunteered to field test the Dental Practice Review (DPR) document. Each of the office visited was highly co-operative and supportive of the process and provided excellent feedback on improving the DPR self assessment document.

Based on the feedback received, the Board, approved in principle a revised draft of the self assessment form. As education and support will be the foundation of the DPR initiative, the Board agreed that it would commit to sharing knowledge and feedback on the Dental Practice Review process through presentation at regional society and association meetings in the upcoming year.

The Board subsequently adopted draft Regulation No. 11 – Dental Practice Review and initiatives have started to obtain legislative approval. The DPR Self Assessment document can be reviewed on the Board webpage under *Info for Licensees*.

Dental Assisting Program – Cape Breton Business College (CBBC)

Following a presentation concerning the proposed Dental Assisting Program at the Cape Breton Business College, the Board adopted a motion to approve the implementation of the CBBC intra oral program. In addition as the initial graduates of the program will be from a non accredited program the Board agreed to a process that will license graduates of the program provided that they pass both the NDAEB examination and a Clinical Practice Evaluation.

Revised Regulation No. 10 – Compulsory Malpractice Insurance

In recognition of concerns about the continuance of professional liability insurance the Board passed a motion in May 2005 expressing support for CDSPI in its efforts to ensure availability of professional liability insurance for dental practitioners.

At its 27 January 2006 meeting, the Board adopted a Revised Regulation No. 10 that would:

1. Change the name of the Regulation to Compulsory Malpractice Insurance
2. Change the minimum coverage required from \$1 million to \$3 million
3. Add a requirement for Board approval of an insurer issuing malpractice insurance to licensed dentists.

The Board supports the value of competition and the ability to choose, however the current reality is that there is only one insurer in the market and without participation assurances by the participating provinces, the continuing availability of an insurer in the market is uncertain. It is the Board's opinion that the Revised Regulation provides a mechanism and the flexibility to approve future insurance carriers who might want to participate in the market.

The Revised Regulation No. 10 has been approved by an Order in Council.

Provincial Dental Board Guidelines Revision

Revised Guideline for Dental Record Keeping and for the Use of Sedation in Dental Practice were approved following an extensive process of review and consultation. The revised Guidelines can be viewed at the Board's webpage under "Info for Licensees"

Respectfully Submitted:
Dr. Bill MacInnis, Registrar

DISCIPLINE COMMITTEE

The year 2006 was not a busy one for the discipline committee. One case from last year is being scheduled is being scheduled for 2007.

On a sad note, longtime discipline committee member representing the public, Mr. Syd Acker, passed away in December. Mr. Acker had a very distinguished career in business and volunteered to serve the Dental Board in his retirement. He sat on several hearings and always acted in a wise and professional manner. He was a true gentleman and a really nice guy. Although it is impossible to thank him now, I feel he knows his contribution was appreciated.

Respectfully submitted,
Dr. Thomas H. Boyle, Chair

COMPLAINTS COMMITTEE

The past year has seen yet another increase in the number of complaints laid with the Board and adjudicated by the Complaints Committee. In addition, the Board has instructed us to be more comprehensive in our investigations in as the hope that most cases can be resolved without reference to the Discipline Committee. As a result, the members of Complaints have shouldered an increased work load and greater responsibility. We are responsible to all of the stakeholders: the plaintiff, the licensee, the Board, the public in general, and the Profession. Added to this mix is the expectation that our methods and decisions are appropriate within the legal context of Nova Scotia. There is no doubt that the members of the Committee take their duties very seriously. In my opinion, they have risen to the challenge and are serving all interests effectively.

As in the past, the Registrar's report will contain comments on our decisions. While we have dismissed the majority of complaints we have also exercised all of the options available to us. We have dealt with complaints that range from minor to very troubling; straight forward to complex. Each case gets a thorough review and consideration. Whereas in the past, most complaints were dealt with in a single meeting, many now require two or more meetings plus the presence of the licensee.

Many complaints arise out of allegations of substandard care or a failure of a dentist to meet patient expectations, realistic or otherwise. However, there are a significant number of complaints which are triggered by communication issues. I urge all licensees to do their best to keep their patients informed about all aspects of their care. It is in everyone's best interest to have an open and thorough information exchange. It should be obvious that shrugging off a client's concern is not likely to promote a positive environment. Regrettably, the Committee has frequently found that what started out as a reasonable question about care was allowed to escalate into a full blown dispute because the dentist or his staff had taken a defensive or confrontational stance right off the bat. While not all complaints can be prevented, I believe that many can be if we are more tactful when dealing with patient queries.

A second area where licensees could help themselves is in the area of record keeping. While the Committee members don't adopt the old saw "If it isn't written down it didn't happen", a neat, concise, accurate, and comprehensive set of records certainly helps to sort things out. When both parties are promoting their case based on memory, the chances of the Committee readily sorting things out is greatly reduced.

I wish to thank Registrar Bill MacInnis for his sound advice and his skilled case development, the Board staff for their unerring support, and the members of the Committee for their dedicated and steady service. I particularly want to acknowledge Ed Hannigan and John Ryan, our public representative, both of whom retired from the Committee this year. They were major contributors and will be sorely missed.

Respectfully submitted,
Dr. John Christie, Chair

MANDATORY CONTINUING DENTAL EDUCATION COMMITTEE

All licensees audited at the end of their 3 year mandatory continuing dental education cycle (MCDE) ending December 31, 2005 met their requirements. With licensees becoming more familiar with the requirements, MCDE has become less of a Provincial Dental Board administrative burden. Most inquiries are handled by referring the licensee to the appropriate section in the MCDE guidelines or to the Provincial Dental Board website at www.pdbns.ca

However, there is an apparent problem in the organization by some licensees of submitted materials when audited. The MCDE Committee will attempt to rectify this in the coming year.

This being my last year on the MCDE Committee I would like to thank all the past and present members for their time and commitment. As the first Chairman of the MCDE Committee, the Committee was instrumental in the initial setup of the regulations and guidelines. As in the past, the present Provincial Dental Board administrative assistant Ms. Jane Donovan has fielded inquiries, kept us organized and looking good on paper. Both the past Registrar, Dr. Don Bonang and the present Registrar, Dr. Bill MacInnis have been supportive of the MCDE Committee's efforts and their thoughtful input has been most appreciated.

Respectfully submitted,
Dr. Jamie Allen, Chair

REPORT OF NDEB ANNUAL MEETING

As Nova Scotia's representative on the National Dental Examining Board of Canada (NDEB), I attended the annual meeting in Ottawa on Oct. 21, 2006. In attendance were the 13 board members, the Executive Director, Dr. Jack Gerrow, and 11 observers. The President is Dr. Craig Meyers (Sask.), the Past President is Dr. Conrad Sirois (N.B.), and the President Elect is Dr. Melanie Woods (Man.).

Reports and/or correspondence were received from:

- CDA Council on Education
- Commission on Dental Accreditation of Canada
- Association of Canadian Faculties of Dentistry
- Canadian Dental Association
- ADA Joint Commission on National Dental Examinations
- Royal College of Dentists of Canada
- CDA Committee on Student Affairs
- American Association of Dental Examiners
- Canadian Dental Regulatory Authorities Federation
- Presentation Report- Dr. Gerrow

In his President's Report, Dr. Meyers reviewed Board activities over the past year, stating all is running well, with no pending issues.

The financial statements show an operating surplus of \$106,332 for the fiscal year ending June 30, 2006. The 2006/2007 budget forecasts an operating defect of (\$54,560), with the fee schedules showing moderate reductions.

Respectively submitted,
Raymond Mc Grath