

REPORT OF THE CHAIR - 2005

It was an exciting experience for me to serve as Chair of the Provincial Dental Board this year. For one, it gave me the opportunity to work with our new Registrar, Dr. Bill MacInnis once again. Dr. MacInnis was no stranger to the Board for he served ex officio for ten years while Dean of the Faculty of Dentistry. I gained great admiration for Dr. MacInnis during our years together at Dalhousie. He was a wonderful educator, administrator and confidant. These skills served us well at the Board this year. The quiet, efficient way he dealt with regulatory issues at the provincial and national level made me realize we had chosen the right individual for a very difficult position. He is serving us well.

Serving as Chair also gave me the opportunity to once again meet and commiserate with a great many dedicated and hard working people in organized dentistry, all working in various capacities to enhance the quality of dental care we provide the public. The Board, as a regulatory body is mandated by the Province of Nova Scotia to represent and protect the interests of the general public in matters relating to the practice of dentistry, dental hygiene and dental assisting. While an autonomous body, we still interact with and depend on the input of our provincial societies, the Faculty of Dentistry, the National Dental Examining Board, the Royal College of Dentists of Canada, the Commission on Dental Accreditation, the Canadian Dental Association and the Canadian Dental Regulatory Authority Federation for input in our deliberations.

I am also delighted to report that we were able to keep our expenses in line this year. We only had to have two meetings of the Board and there were no catastrophic Discipline Hearings as there have been before. We still have a way to go to replenish the depleted Board reserves but we hope to do this through modest cost of living licensing fee increases over the next few years and through responsible spending practices.

Other significant events for the Board this year were the approval of the Dental Practice Review Guidelines. The Board will now work towards gradual implementation with feedback from you, the licensees. We are also in the process of writing up a Governance Policy Manual to assist the Board in its deliberations, actions and operations not addressed by the Dental Act. The Nova Scotia Dental Hygienists' Association and the Nova Scotia Dental Association are working on a proposal whereby the hygienists of the province will become self regulated. When an agreement has been reached by both groups, the Board is then prepared to open the *Dental Act* to make the changes necessary with Government for this to happen.

I had the good fortune this year to be asked to serve on a working group to develop national guidelines for the evaluation, education and regulation of dental specialists trained in non-accredited institutions i.e. dental specialists educated and trained outside North America. To briefly give you the background, there is a backlog of dental specialists in Canada with no way to be accredited, unlike general foreign trained dentists who can access our dental system through the Qualifying Program at our dental schools. Pressure by the federal government to resolve this issue has resulted in this project. I assure you that when we finish this project there will be a system in place that will properly assess, educate, examine and credential these individuals into our Canadian dental workforce.

Lastly, as outgoing Chair I want to thank you the members of the NSDA for appointing me to the Board. I look forward to serving on the Board as a member until my term expires in two years. I also look forward to working with our new Chair, Dr. Andy Nette and our Vice Chair, Dr. Eric Hatfield. I thank my fellow members of the Board this year for their guidance and input at our two meetings. I again thank Dr. Bill MacInnis for making my job as Chair so easy and enjoyable. I thank Jane Donovan our new administrative assistant for her superb work, and I thank all the people who served on our sub committees, Complaints, Discipline and Mandatory CE. I regret to announce the retirement of Dr. Al Swanzey who chaired the very important Discipline Committee for so many years. We are fortunate to have Dr. Tom Boyle step forward to fill this Chair. Drs. Jamie Allen and John Christie have agreed to serve as Chairs of Mandatory CE and Complaints for another year and for that we are grateful. Dr. Hubert LeBlanc, former Chair of the Board and Dr. David Moore have completed nine years of service on the Board. I wish them well and thank them on behalf of the Board.

In closing, to you who have served the Board in the past and to those of you who will step forward to serve it in the future I quote another American, Oliver Wendell Holmes:

“The noblest service comes from nameless hands / and the best servant does his work unseen.”

Steve Brayton, B.Sc., D.M.D., F.R.C.D. (c.)
Chair, Provincial Dental Board of Nova Scotia

Report of the Registrar

Provincial Dental Board Meetings:

- May 27th, 2005
- September 30th, 2005

Statistics

MEMBER	ACTIVE	REGISTRATION FEE	LICENSE FEE
General Dentist	441	\$ 100.00	\$ 597.59
Specialist	60	\$ 250.00	\$ 597.59
Hygienist	487	\$ 75.00	\$ 159.46
Dental Assistant	675	\$ 65.00	\$ 123.46
Corporations	317	\$ 150.00	\$ 46.80

Note* Reinstatement fee is 50 % of license fee for all licensees.

Board Business Highlights – Elections, Appointments, Reappointments

Board Elections

Dr. Andrew Nette was elected as Chairman of the Board for the term 1 January 2006 – 31 December 2007. Dr. Eric Hatfield was elected Vice-Chair of the Board.

Dr. Lee Erickson and Dr. Barry MacLeod have been elected as NSDA representatives to the Dental Board effective 1 January 2006.

Board Appointments

Dr. Ian Doyle, NSDA – effective January 1, 2005
Ms. Odette d'Eon, NSDHA – effective January 1, 2005
Ms. Judy Oakley, NSDAA – effective January 1, 2005

Appointments to Board Committees

Dr. Tom Boyle has been appointed Chair of the Discipline Committee following the resignation of Dr. A. Swanzey.

Discipline Committee

Ms. Jean Crofts, Ms. Anne Fitzpatrick, Dr. Suzanne Lewis and Ms. Suzanne MacIntosh have been re-appointed to the Discipline Committee.

Appointed to the Discipline Committee:

Dr. Grant Creighton
Dr. Mary Hurst
Dr. Peter Thomson
Dr. Kevin Walsh
Mr. Stuart Beaton- Public
Mr. Rod Desborough – Public

Complaints Committee:

Ms. Melanie Hill, RDA
Dr. Ron McGillivray
Dr. Richard Raftus
Dr. Paul MacEachern
Dr. Robert Hall

Mandatory Continuing Dental Education Committee

Ms. Cheryl d'Entremont was appointed as the NSDHA representative to the committee.

Reports

May 2005

1. CDA – Board of Directors Nominations – November 2004
2. NDAEB – Results
 - a) September 25, 2004
 - b) December 11, 2004
 - c) March 26, 2005
3. NDAEB – Quarter Report
4. NDAEB - Minutes of the Board of Directors AGM – October 16, 2004
5. NDAEB – Clinical Practice Evaluation – December 13, 2004
Candidate Handbook
6. Nova Scotia Department of Health – Order in Council – Letters of reappointment
7. CDRAF – Recent Human Rights Commission Decision on Provisional License conversion.
8. BCDA – Senior Conference – October 7, 2004
9. CDA – Pan-Canadian Health Information Privacy & Confidentiality Framework, 2004
10. NDEB – Mr. Dwight Rudderham
11. ODHA – Bill 116 – December 2, 2004
12. CDA - Bill C-45 Criminal Code Amendments
13. CDA – Electronic Health Record – Implications for Dentistry – March 2005
14. CDRAF – Draft Privacy Code
15. CDRAF – Summary of presentations @ October 19, 2004 “Conference on Access to

Registration.” RCDS of O and U Of T proposal outlined.

16. NDAB – Report of 2004 Annual Meeting
17. Manitoba Dental Association – Immigration Task Force – November 2004
18. FDHRA – Terms of Reference – Federation Update – December 24, 2004
19. Commission on Dental Accreditation- Proposed Revised Accreditation Requirements.
20. Commission on Dental Accreditation – Draft for Dental Assisting Programs
21. Commission on Dental Accreditation – Dental Assisting feedback from Board members.
22. ADHA – Alberta Dental Hygienists’ Association – Continuing Education Opportunity for those interested in Public Health.
23. Alberta Health & Wellness – Health Professions Act (HPA)
24. NSCC – Accreditation report from Michelle Kucey.

September 2005

1. NDAEB- Quarterly Report
2. Dentistry Canada Fund – Award & Scholarship Recipients
3. Alberta Health & Wellness – Dental Hygiene – Draft Regulations
4. Supreme Court of BC – Decision
5. CDA – Letter re: Article
6. CDA – Journal Article
7. Ottawa Citizen Article – Private insurance.
8. Canadian Council of Ministers of the Environment – Canada wide standards for Dental Amalgam Waste.
9. CDA – Globe & Mail Article – Dental Anxiety and Meth Mouth
10. Health Canada – NIHB Audit Protocol
11. Harvard Probe- Professor’s research on Fluoridated water.
12. DARA – Proposed Revised Accreditation Requirements of Dental Assisting Programs.
13. NDAEB – Revised NDAEB Domain Description (proposed).
14. FDHRA – Annual meeting – June 16, 2005.
15. Draft Accreditation Requirements for Dental Assisting Programs for implementation November 30, 2005.
16. CDAC – Financial information 2004.
17. CDAC – Proposed amendments to CDAC Dental Hygiene Accreditation Requirements.
18. CDAC – Proposed changes to CDAC accreditation requirements 3.1.2 & 3.1.3 – Program Director.
19. NDAEB - Report of June 24, 2005 exam sitting.
20. CDA – June 2005 – copy of Dental Hygiene Article by Fran Richardson.
21. CDA – August 16, 2005 – Dental Auxiliaries.
22. FDHRA – August 15, 2005 – Terms of Reference.
23. CDA – Pan-Provider Electronic Health Record Partnership
24. Health Canada – Technical Requirement to Address the Safety of Human Cells, Tissues and Organs for Transplantation (Directive)
25. CDA – Press Release on Dental Tuition Fees
26. Newfoundland & Labrador Dental Board – Recent Supreme Court Decision, Human Rights Commission Complaint
27. NIHB – Audit Protocol Working Group re: Meeting with Health Canada
28. National Post – “Health Fraud Rampant” (article)
29. CDA – Response to “Health Fraud Rampant” article
30. CDHA – “Putting More Bite into Injury Prevention” (position paper)
31. CDA – USC&LS Review Oversight Committee, Revision Update
32. CDHA – “Strength in Numbers” and “A Profile of Non-Practicing Dental Hygienists Residing in British Columbia
33. CDA – “Wide Variation in Public/Private Funding of Health Care Services

Dental Practice Review (DPR)

The Board continues to support the development of a Dental Practice Review process as one component of the Board’s Quality Assurance Program. The intent of the DPR is to provide dentists with the opportunity through consultation and feedback, to assess areas

of their practices for upgrading if required. Remediation through education and support rather than punitive action is the focus of the program. Draft Guidelines which will serve as the basis for an implementation strategy have been forwarded to the NSDA for review and comment. A draft version of the DPR self assessment documentation has been developed and the Board will field test the document in dental practices on a volunteer basis in the spring of 2006 following Board approval of the updated Dental Record Keeping Guidelines and Use of Sedation in Dental Practice Guidelines.

2005 – 2006 License Fees

The Board's Revenue and Expense review process revealed the potential for a modest surplus at the end of the 2005 fiscal year. It has been recommended by our auditor that the Board strive to have surplus revenue at least equal to one year's operating expenses. Currently the Board's reserve is below this requirement.

Using the Canadian Consumer Price Index as a guide, the Board approved the increase of the 2005 / 2006 licensing fees for dentists, dental hygienists and dental assistants by 2.5 %.

Continuing Dental Education Audit – 2004

The 2004 cycle involved a relatively small number of individuals. Of the 497 licensed dentists, 53 completed their cycle and 11 were audited. For the combined 1159 licensed dental hygienists and dental assistants, 184 completed their cycle and 18 were audited.

All the audits were completed satisfactorily except for one dental assistant who decided to relinquish her license.

Dental Assisting Initial Licensure

As a result of confusion relating to the timing and documentation required for initial licensure of dental assistants the Board amended its policy to read:

*“ the Board will accept for licensure, an applicant who meets the necessary requirements as outlined by regulation, based on presentation of the degree / diploma / certificate or, **in extenuating circumstances**, presentation of written verification satisfactory to the Registrar, which has been issued by the granting institution.”*

This policy will be applied equally and consistently to graduating students in dentistry, dental hygiene and dental assisting.

Dental Assistant Licensure Requirement

The Provincial Dental Board will be considering the following motion at its next meeting on 27 January 2006.

“That the Provincial Dental Board of Nova Scotia adopt the National Dental Assistants Examination Board (NDAEB) certificate as a requirement for initial licensure in Nova Scotia effective 1 April 2007.”

The Board has written to the Nova Scotia Dental Association and the Nova Scotia Dental Hygienists’ Association asking for their feedback prior to consideration of the change to requirements for licensure.

Webpage Development

With the assistance of Mr. Fraser Ross from Semaphore Design, preliminary work has begun to develop the Board’s Webpage. Mr. Ross will present his initial concept layout to the Board on January 27, 2006. It is hoped that the Webpage will be launched by May 2006. We have reserved the URL address as www.pdbns.ca.

Respectfully submitted,
Dr. W.A. MacInnis, Registrar
Provincial Dental Board of Nova Scotia

REPORT OF THE DISCIPLINE COMMITTEE – 2005

The year 2005 was relatively quiet for the Discipline Committee. There was only one formal case that was begun and the bulk of it will be heard in early 2006. Besides that the Discipline Committee has taken on a new task of hearing appeals from Complaints Committee decisions. In cases where there is a difference of opinion on some small aspect of a Complaints Committee decision, a panel of the Discipline Committee will receive written or verbal appeals on a limited scope and hopefully save dentists and the Dental Board the time and expense of a hearing. There are currently two cases utilizing this new procedure.

The most significant event for the Discipline Committee this year was that Dr. Al Swanzy stepped down from his long-time position as Chair. Words cannot express what a remarkable job Al has done for so many years. Dr. Swanzy has set the standard for dedication, professionalism and fairness that all who follow can hope to emulate.

Thomas H. Boyle D.D.S.
Discipline Committee Acting Chair

REPORT OF THE COMPLAINTS COMMITTEE

The past year has been one of continued activity by the Complaints Committee. As in the past complaints have been numerous and they range from allegations of serious wrongdoing to a plaintiff simply seeking reassurance that treatment provided was acceptable. While some of the formal complaints were unavoidable, I continue to believe that many would never have occurred if the dentist in question had been more responsive

to a patients expressed concerns. Having said that, I continue to be amazed at the virulence with which many plaintiffs state their case.

Committee meetings were facilitated as a result of the Board giving the Chair a larger roster of dentists from which to form a panel. The new members are excellent choices and have assumed their responsibilities with enthusiasm and skill.

Experience has proven that hearings before the Discipline Committee are both arduous expensive and time consuming for both the Board and the accused. In an effort to minimize the need for meetings of the Discipline Committee, the Complaints Committee has undertaken two new initiatives. In the future we will be endeavoring to resolve more cases at the Complaints Committee stage. This will oblige the Committee give broader consideration to complaints than has been the case. In addition, the Committee will be participating in Alternate Disputes Resolutions. In those situations where an accused signs an Agreed Statement of Fact and consents to undertake some agreed upon remedial activity, then the complaint may go no further.

Once again I wish to thank the Board and Profession for the privilege and honor of chairing such a crucial committee. Further, I would like to thank all of the Committee members for their effective participation and Registrar MacInnis and Committee lawyer Michael Wood for their support and guidance.

Respectfully submitted,

Dr. John Christie, Chair
Complaints Committee

REPORT OF THE MANDATORY CONTINUING DENTAL EDUCATION COMMITTEE

Mandatory continuing dental education (C.E.) has been with us for a full eleven years. It is apparent to the C.E. committee that the requirements are well engraved in the minds of licensees. The number of written replies to questions regarding C.E. continues to decline. Although there are daily call to Provincial Dental Board office regarding C.E., these are usually readily answered by referring the licensee to the appropriate section in the C.E. guidelines.

A three year cycle random audit process to ensure compliance was instituted six years ago. This replaced full submission by all licensees. As historically all audited licensee have met their requirements, it can be assumed that licensees are meeting their C.E. requirements.

Since the institution of mandatory C.E. in Nova Scotia, the C.E. committee has twice reviewed the requirements in other Canadian provinces. With a variation on a theme, the requirements are similar in all provinces. However, the C.E. committee believes that no other province has more concise and straight forward guidelines. A thank you to the past Registrar, Dr. Don Bonang and to all past and present committee members is in order for

the very workable C.E. guidelines in Nova Scotia. The past year with the new Registrar, Dr. Bill MacInnis and his staff indicates things will continue.

Respectfully submitted,

Dr. James Allen, Chair
Mandatory C.E. Committee

REPORT OF NDEB ANNUAL MEETING 2005

As Nova Scotia's representative on the National Dental Examining Board of Canada (NDEB), I attended the annual meeting in Ottawa on Oct. 22, 2004. In attendance were the 12 board members, the Executive Director, Dr. Jack Gerrow, and 9 observers. The President is Dr. Craig Meyers (Sask.), the Past President is Dr. Conrad Sirois (N.B.), and the President Elect is Dr. Melanie Wood (Man.).

In his President's Report, Dr. Myers highlighted the year's events, stating that with staff dedication and assistance, all is running smoothly. Dr. Gerrow will be taking a 6 month sabbatical over a 12-14 month period.

Reports and/or correspondence were received from:

- Dr. Jack Gerrow
- Executive Committee
- 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
- Canadian Dental Regulatory Authorities Federation

The financial statements show an operating surplus of \$164,539 for the fiscal year ending June 30, 2005. The 2005/2006 budget forecasts an operating deficit of (\$54,560), with the fee schedules being slightly reduced.

Respectively submitted,

Raymond McGrath, DDS