

**PROVINCIAL DENTAL BOARD  
OF  
NOVA SCOTIA**



**PROCEEDINGS  
2011**



# PROVINCIAL DENTAL BOARD OF NOVA SCOTIA



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

## Board Membership 2011

<u>Member</u>	<u>Appointment</u>	<u>Term</u>
Dr. Eric Hatfield, Chair	NSDA	Dec. 2013 (3)
Dr. Ian Doyle, Vice-Chair	NSDA	Dec. 2013 (3)
Dr. Clare Champoux	NSDA	Dec. 2012 (2)
Dr. Lee Erickson	NSDA	Dec. 2013 (2)
Dr. Merryl Lawton	NSDA	Dec. 2013 (2)
Dr. Tom Raddall, III	Government	July 2014 (2)
Dr. Chris Baker	Government	July 2014 (1)
Dr. David Dignan	Government	July 2014 (1)
Ms. Judy Oakley	NSDAA	Dec. 2013 (3)
Vacancy, Public	Government	
Vacancy, Public	Government	
Vacancy, Public	Government	

## Functional Committees

### Discipline Committee

Dr. T. Boyle, Chair

#### Discipline Committee Membership

Dr. T. Boyle	Oct. 2012
Dr. R. Lohnes	Dec. 2012
Dr. J. Cullinan	Dec. 2012
Dr. N. Layton	Dec. 2012
Dr. S. Lewis	Dec. 2013
Dr. D. MacLeod	Dec. 2012
Dr. D. Penwell	Oct. 2012
Ms. Michelle Fowler, RDA	Oct. 2012
Ms. A. Fitzpatrick, RDA	Dec. 2012
Dr. I. Ross	May 2013
Dr. M. Hurst	Oct. 2013
Dr. P. Thomson	Oct. 2012
Mr. S. Beaton, Public	Oct. 2012
Mr. R. Desborough, Public	Oct. 2012

### Complaints Committee

Dr. J. S. Christie, Chair

#### Complaints Committee Membership

Dr. J. Christie	June 2012
Dr. S. Abbass	May 2013
Dr. F. Gogan	May 2013
Dr. J. Porter	May 2013
Dr. P. MacEachern	Oct. 2012
Dr. Richard Reftus	Oct. 2012
Dr. R. MacGillivray	Oct. 2012
Dr. R. Hall	Oct. 2012
Mr. L. Shipp, Public	Jan. 2011
Ms. N. Penney, RDA	June 2012
Ms. M. Crawford, RDA	June 2012
Mr. Bill Watson, Public	Oct. 2012
Ms. H. Davies, Public	Jan. 2013

### MCDE Committee

Dr. P. Downing , Chair

#### MCDE Committee Membership

Dr. P. Downing	Sept. 2012
Dr. K. Rhodenizer	Sept. 2012
Dr. D. Inghan	Sept. 2012
Ms. C. Cooke, RDA	Sept. 2012
Ms. D. Rushton, RDA	October 2012
Dr. W. A. MacInnis, Registrar	

### DPR Committee

Dr. G. Opie, Chair

#### Dental Practice Review Committee Membership

Dr. G. Opie, Chair	Dec. 2013
Dr. D. West	Dec. 2012
Dr. G. Anderson	Dec. 2013

## **Board Committees**

### **Finance & Audit Committee 2011**

Dr. Lee P. Erickson, <b>Chair</b>	NSDA	Dec. 2013 (1)
Dr. Merryl J. Lawton	NSDA	Dec. 2013 (1)

### **Human Resources Committee 2011**

Dr. Thomas H. Raddall,III <b>Chair</b>	Government	July 2014 (1)
Dr. Clare B. Champoux	NSDA	Dec. 2013 (1)

### **Governance Committee 2011**

Dr. Ian M. Doyle, <b>Chair</b>	NSDA	Dec. 2013 (1)
Ms. Judy Oakley	NSDAA	Dec. 2013 (1)

# 2011 BOARD PROCEEDINGS

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## **REPORT OF THE CHAIR – 2011**

The Provincial Dental Board met twice during 2011, on May 27th and September 30<sup>th</sup>, in Halifax, Nova Scotia. Unfortunately the regular January meeting had to be cancelled because of the failure to receive Government Appointees.

The existing Board did welcome the appointments of Dr. Dave Dignan, Dr. Chris Baker and the re-appointment of Dr. Tom Raddall III, by our Provincial Government in 2011. The Board is still awaiting Government appointments of a dental assistant and two public representatives.

Since the approval of the new Governance Structure and Policy Manual, in 2010, the implementation process is progressing very well. Transition has been relatively smooth and the Board is adjusting well. The new way in which the Board operates, with more committees, means more work for individual Board members, and I thank everyone for their hard work, dedication, and patience during the implementation of this process.

The continuation of the study of the use of Botox and Dermal fillers in the Dental Office has been moved to a national issue. Through Canadian Dental Regulatory Authorities Federation, and support of nine of the ten regulators, a National Panel of experts has been formed, consisting of academics, and clinicians already using these treatments, and they will carry out a study to research its use, effectiveness and potential side effects and risks. A national statement will then be issued, with each Regulatory Authority having the right to accept or reject the statement, but with the hope of having a uniform Standard across Canada. The Provincial Dental Board's Botox Committee's work has thus been put in hold.

Both the Regulators, and the Profession of Dentistry across Canada, are still awaiting a report from the Federal Governments Competition Bureau on its study of Dentistry carried out in 2008.

The Provincial Dental Board and the Nova Scotia Dental Association have agreed to, and signed an Administration Agreement Contract for services, supplies and space provided to the PDB by the NSDA.

The PDB, with its legal council, have come up with a proposed Discipline Regulation Amendments document. These proposed changes will now be circulated to stakeholders for their review and feedback.

The Board has received and passed support for the report of the Dental Assistant Scope of Practice Working Group with regard to expansion of duties for Dental Assistants. The Board has now requested that the NSDA and the NSDAA form an Ad Hoc Committee that would include an observer from the Dental Board, to develop the details of the required training modules and educational components necessary to implement the recommendations of the Working group.

In following with the intent and motion passed last year, the PDB has passed a deficit budget, with a reduction in licensing fees for dentists and dental assistants of 15%. This is an ongoing, but monitored effort, to decrease the Boards reserve fund to a more realistic level.

After advertising for the position in the Board Business and the Nova Scotia Dentist Magazine, a Committee of the Board will be conducting interviews, for the position of Deputy Registrar in early January, 2012.

As per the new Governance Structure, Dr. Ian Doyle and Dr. Tom Raddall III, were nominated, and declared elected by acclamation, for the positions of Board Chair and Vice Chair respectfully. I congratulate them both. Dr. Dave Dignan has also agreed to serve as Committee Chair for the Governance Committee. Dr. Lee Erickson will continue as Chair of the Finance Committee and Dr. Raddall will continue as Chair of the Human Resources Committee. I thank everyone for their willingness to serve in these capacities. I am confident the Board is under excellent leadership for the upcoming terms.

Finally, this will be my last Chair's Report as I conclude my four years as Chair. It has been a rewarding experience to work with so many hard working and dedicated people, both within our Board and across the country. The most disturbing issue for me has been self regulation and the jeopardy it is in. Governments on provincial, national and even international levels, are looking for reasons to take control. When regulatory bodies make decisions that are in the best interest of the profession and not the public, it is not seen favourably. Public trust is waning. We are seen by public and governments as turf protectors and barriers to protect our profession and not regulators of public protection. Nationally, government sees our process for integration of foreign trained dentists and specialists as a barrier and causes restriction to their immigration process. We therefore have to live up to our mandate of public protection and not professional protection. We must work with governments, but we must also be vigilant that dentists, dental assistants and the dental profession have the best knowledge to best protect, in the public interest, and not the bureaucrats.

I would like to take this opportunity to again thank the Board members, both past and present, for their confidence, support and hard work during my time as chair. I believe we have made some significant achievements in our role and with the implementation of the new governance model we will be better equipped to face the challenges ahead. I would also like to especially thank Ms. Jane Donovan and Dr. Bill MacInnis for their hard work and support to me over the past four years. I couldn't have done it without them. It has been a very rewarding experience and very big learning curve but I have really, truly enjoyed it.

Respectfully submitted  
Eric Hatfield, Chair  
Provincial Dental Board of Nova Scotia

## **REPORT OF THE REGISTRAR - 2011**

### **Statistics (December 31, 2011)**

DDS	544
DDS Students	10
DA	765
Incorporations	371

<b>Year</b>	<b>DDS</b>	<b>Students</b>	<b>DA</b>	<b>Corporations</b>
2010	537	9	735	369
2009	538	9	745	368
2008	528	11	733	349

### **Dental Board Highlites**

#### **Board Appointments**

The following reappointments to the Board's functional Committees were approved.

#### **Complaints Committee**

Ms. Harriet Davies	Reappointment
Mr. Larry Shipp	Term Expired

#### **Discipline Committee**

Dr. Mary Hurst	Reappointment
Dr. Susanne Lewis	Reappointment
Dr. Donald Penwell	Reappointment
Dr. Ian Ross	Reappointment

#### **Dental Practice Review Committee**

Dr. Graham Opie, Chair	Reappointment
Dr. Glenn Anderson	Reappointment

#### **Discipline Committee**

Dr. R. Lohnes	Resigned
Ms. A. Fitzpatrick, RDA	Resigned

Respectfully submitted,  
Dr. W. A. MacInnis, DDS  
Registrar

## **REPORT OF THE COMPLAINTS COMMITTEE - 2011**

During the year 2011, the Complaints Committee activity was similar to previous years. There now seems to be a steady pattern in the number if not the nature of complaints. The number of cases sent on to Discipline was up slightly but otherwise the number cases dismissed or cautioned etc. was not unusual.

As in the past a significant volume of complaints were triggered by communication issues or injudicious comments by another dentist. Frequently the patient is seeking a refund or for their previous dentist to underwrite the cost of another practitioner redoing earlier treatment. The Committee has no authority to order refunds or reparations but a complaint may be generated anyway. New this year are complaints based on dissatisfaction with aesthetic outcomes where extensive prosthetic care has been provided. My impression is that patients expect the provider to assume all risk in undertaking these challenging cases.

Even patient approval prior to final insertion is not much protection. Given the very personal nature of aesthetics, it is difficult to judge these cases against any standard of care. Providing the patient a refund does not always cause the patient to drop the complaint nor is it much of a defense. However, typically the Committee takes a dim view if the patient does not give the provider the opportunity to sort out the situation in a timely fashion. I urge caution when a patient invokes a difficult to meet deadline or has a work pattern which significantly limits availability.

As always, I wish to thank the Registrar, Dr. MacInnis, Board secretary Jane, and the hard working members of the Complaints Committee for their dedication and diligence. I would be remiss if I did not thank Michael Wood for his service as legal advisor to the Committee and to congratulate him on his appointment to the Bench.

Respectfully submitted,  
Dr. John Christie  
Chair, Complaints Committee

## **REPORT OF THE DISCIPLINE COMMITTEE – 2011**

The Discipline Committee of the Provincial Dental Board of Nova Scotia was not particularly busy in 2011. There were two cases that had to be considered, and they were both dealt with on the same day. The Complaints Committee had reached settlement agreements with the dentists in question and in respect to Section 17A of the Dental Act, a hearing of the Discipline Committee was held at which members of the Discipline panel could review the cases, ask questions and rule on the recommendations of the Complaints Committee. In both cases

the Discipline Committee agreed with the findings of the Complaints Committee and imposed the recommended sanctions. The offending dentists were not named. In both cases the Committee feels its stated goal of protecting the public was accomplished.

As usual I would like to thank the members of the Committee for their work on these cases, and on their willingness to serve on a hearing panel when called upon. Particularly I would like to thank Dr. Richard Lohnes for his many years of service to the Discipline Committee. His retirement from practice meant he could no longer serve on the Committee. His wise counsel will be missed. We all wish him well.

Respectfully submitted  
Thomas H Boyle DDS  
Chair, Discipline Committee

## **REPORT OF THE MANDATORY DENTAL CONTINUING EDUCATION COMMITTEE - 2011**

### **2010 CE Audit**

The committee met on February 7<sup>th</sup>, 2011, for their annual meeting and 2010 CE audit. Six dentists and 9 RDA's were audited.

A DDS asked for an extension because of medical reasons, which was granted. Some CE credits were not initially recognized, because they were from an Implant Study Club that was not registered with the PDBNS. The study club was contacted, and became registered, and the hours were accepted.

A dentist had submitted a self-study program that did not have a monitored post course examination for verification, so further credits were required.

A dentist had submitted CE that was without verification. When verification was requested, the dentist initially refused to comply, thinking that the issue was not important. After a second request in writing, and some discussion with Dr Downing and the Registrar, the dentist realized the importance of verification, and the appropriate documents were provided.

Four RDA's were short credits, and were not able to satisfy their requirements. Once notified, three of the RDA's promptly satisfied their requirements. One RDA had difficulty meeting the required number of CE credits. Considerable time was spent helping and verifying that the RDA achieved the required CE credits. This was accomplished at the 11<sup>th</sup> hour, on the day of her license renewal. (Licensees who do not have a satisfactory CE audit are considered to be "not in good standing" and cannot have their licenses renewed.)

### **MCDE Committee activities for 2011**

During the year the usual number of CE inquiries were answered by Jane Donovan, the chair, or when required by committee consensus via email. Four

extensions were granted to dentists and two to Registered Dental Assistants for health reasons.

### **CE Audit 2011**

Seven dentists and ten RDA's are in the audit sample for 2011, and all have been collected in preparation of our February 3<sup>rd</sup> meeting, except one RDA who has chosen not to relicense. On initial review, several RDA's may have not provided sufficient CE hours. They have been asked to provide more information before the committee meets. A dentist and an RDA have requested an extension for a second time on their CE cycle, which would result in requiring 5 years to complete the 3 year term. The committee will consider these requests during the meeting.

Respectfully Submitted.

Dr Paul Downing

Chair, Mandatory Continuing Education Committee

### **NDEB ANNUAL REPORT - 2011**

The Annual Meeting of the National Dental Examining Board of Canada took place on October 22, 2011 in Ottawa. In attendance were Executive Director and Registrar Dr. J. Gerrow, President Dr. M. Bourgeois (Newfoundland and Labrador), President Elect Dr. W. Judson (Prince Edward Island), Past-President Dr. D. Joly (Quebec). Also present were the 7 other provincial representatives, Public Representative Ms. M. Wheaton, NDEB administrative staff, and several observers, including C.D.A. president, Dr. R. MacGregor.

In their reports to the board, Dr. Gerrow and Dr. Bourgeois highlighted the events of the past year. These events were primarily to do with the Equivalency Process which was newly implemented in 2011 and greatly increases the workload of the N.D.E.B. The Equivalency Process is an evaluation for graduates of non-accredited dental programs and includes an Assessment of Fundamental Knowledge (AFK), Assessment of Clinical Skills (ACS), and Assessment of Clinical Judgment (ACJ). Candidates for this process are graduates of dental faculties from countries which do not have reciprocal agreements with Canada in terms of acknowledgment of dental faculty accreditation. There were initially over 1300 applicants for this process. 821 participants actually began the testing process with the AFK. By the end of the testing in June, 43 participants had successfully completed the Equivalency Process for 2011 and became eligible to write the N.D.E.B. written and OSCE examinations as if they had graduated from an accredited dental faculty. The number of applicants for 2012 will be over 2700.

Another major change for the N.D.E.B. in 2011 was a move to a new office space. The new space is a monumental improvement over the previous one and will greatly facilitate the fulfillment of the expanded mandate of the Board.

In general, as might be expected, graduates of Canadian dental faculties continue to perform well on N.D.E.B. examinations with pass rates in 2010 of 96% on the written component and 98% on the OSCE (“bell-ringer” type) component.

A tremendous amount of work continues to be done by the N.D.E.B., with the assistance of many contributors, a significant number of whom are teaching and/or practicing in Nova Scotia. These efforts are helping to ensure that the Board’s examination processes are effective and important tools as components of licensure for dentistry in Canada.

Respectfully Submitted,  
Dr. Doug Mackey  
NDEB Board Representative

### **REPORT OF THE DENTAL PRACTICE REVIEW COMMITTEE - 2011**

In January 2011, a primary sample of 75 dentists was randomly selected to complete the Dental Practice Review Self-Assessment document. The sample included 40 dentists from Halifax, 15 from South Shore / Yarmouth / Valley and 20 from Northern Nova Scotia / Cape Breton.

The Dental Practice Review Committee met in March of 2011 to review the returned Self-Assessment forms. There were several forms which required clarification and these forms were returned for completion.

Subsequently, a secondary sub-sample of 12 dentists was randomly selected to participate in an office visitation. The sample included 6 dentists from Halifax, 3 from South Shore / Yarmouth / Valley and 3 from Northern Nova Scotia / Cape Breton.

As a result of the office visitations, a small number of suggestions were made relating to sterilization and infection control, emergency kits and record keeping. The Dental Practice Review process was conducted with transparency, co-operation and support from the members.

Respectfully submitted,  
Dr. Graham Opie, Chair