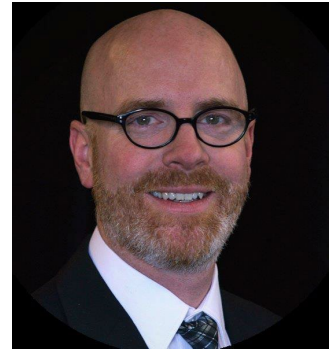


BOARD BUSINESS

From the Registrar's Desk

No. 75, February 2022



LICENSING REPORT

The table below shows the historical numbers of licensed dentists, students, registered dental assistants, and corporations since 2017:

Year	DDS	Students	RDA's	Corporations
2021 (Dec. 31, 2021)	579	19	827	414
2020 (Dec. 31, 2020)	567	17	831	394
2019 (Dec. 31, 2019)	560	17	831	394
2018 (Dec. 31, 2018)	570	19	805	376
2017 (Dec. 31, 2017)	559	18	789	393

FUNCTIONAL COMMITTEE APPOINTMENTS AND REAPPOINTMENTS

At its meeting on January 28, 2022, the Board made the following appointments:

Mandatory Continuing Dental Education Committee

- Dr. Raegan Meadows

Complaints Committee

- Dr. Glenda Ross
- Ms. Susan Wedlake (Public Member)

The following reappointments were made:

Mandatory Continuing Dental Education Committee

- Dr. Sayed Mirbod
- Ms. Audra Hayden (RDA)



PROVINCIAL DENTAL BOARD OF NOVA SCOTIA

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BOARD COMMITTEE APPOINTMENTS

Chair, Vice-Chair and Executive Committee

On January 1, 2022, Dr. Shelly Anderson and Dr. Russell MacSween began their terms as Chair and Vice-Chair respectively. The PDBNS Executive Committee members for 2022 will be Dr. Shelly Anderson (Chair), Dr. Russell MacSween (Vice Chair), Dr. Daniel Albert (Past-Chair), Dr. Doug Mackey (*Ex-officio*) and Dr. Curtis Gregoire (*Ex-officio*).

Equity, Diversity, Inclusion and Access (EDIA) Committee

The Board approved the appointment of the following to its *ad hoc* EDIA Committee: Dr. Russell MacSween (Chair), Dr. April Nason, and Dr. Sachin Seth. This committee will work toward the creation of an EDIA Policy for the PDBNS. The Chair and the Registrar will be attending a 3-part workshop on this topic hosted by the Network of Regulated Health Professions of Nova Scotia.

FUNCTIONAL COMMITTEE UPDATE

Complaints Committee

The Complaints Committee met 4 times since the October 2021 Board Business.

October 14, 2021

Case 1: The Committee passed motions to have a letter of counsel issued to the dentist and to report the complaint on a no-name basis.

Case 2: The Committee passed motions to have the complaint dismissed and to report the complaint on a no-name basis.

October 28, 2021

Case 1: The Committee passed motions to have a letter of caution issued to the dentist, to report the complaint on a no-name basis, and to have the Registrar conduct a site visit at the dentist's practice within the following 12 months.

November 18, 2021

Case 1: The Committee passed motions to have a letter of caution issued to the dentist and to report the complaint on a no-name basis.

Case 2: The Committee passed motions to refer the complaint to the Discipline Committee and to report the complaint on a no-name basis.

January 6, 2022

Case 1: The Committee passed motions to have the complaint dismissed and to report the complaint on a no-name basis.

Case 2: The Committee passed motions to have a letter of reprimand issued to the dentist, to report the complaint on a no-name basis, and to have the Registrar conduct a site visit at the dentist's practice within the following 24 months.

Discipline Committee

The Discipline Committee has had no activity since the last publication of Board Business. The Registrar has been in contact with Dr. Tom Boyle, Chair of the Committee, letting him know that there will be 1 case brought before the Discipline Committee stemming from a November 18, 2021 hearing of the Complaints Committee.

Mandatory Continuing Dental Education (MCDE) Committee

Although the MCDE committee has not met in person or virtually since June 2021, members of the Committee have been active giving input on various issues through email.

Members agreed to more explicitly clarify the credit that would be given for meetings of regional dental societies. As well, the Committee gave input on the credit that should be awarded for dentists who take part in training for administration of COVID-19 vaccinations. These topics will be discussed further at the Committee's February 25, 2022 meeting and recommendations made to the Board.

Since the December 1, 2021 renewal of dental licenses, license cards now bear the dates for registrants' current CE cycle. RDAs will note this as well when they receive their license cards upon renewal this spring.

The Board has notified dentists and RDAs who have been selected for MCDE audit for the cycle ending in December 2021. Once again, Dr. Sam Stewart at Dalhousie's Department of Community Health & Epidemiology in the Faculty of Medicine was engaged to produce the random sample. The Committee will meet in late February to review the submissions from the selected registrants.

We have been informed that Dalhousie will be advertising its course on Medical Emergencies in the Dental Office in the coming weeks.

Dental Practice Review Committee

The Dental Practice Review site visits for 2021 have been mostly completed with some outstanding at the time of this writing. The outstanding visits will be conducted during February and March.

In the near future we will engage Dr. Sam Stewart to produce the random sample for the 2022 DPR.

During Dental Practice Review visits conducted in 2021, it was obvious how diligent dental offices have been in the implementation of protocols to reduce the spread of COVID-19.

Registration Appeals Committee

The Committee met in October 2021 to hear an appeal from a dentist licensed in Nova Scotia. The dentist requested an extension of 12 months to complete the clinical hours required for annual license renewal.

Section 7 of the PDBNS [Qualifications for Registration and Licensing of Dentists Regulation \(No.1\)](#) states “the minimum time that a person must engage in dentistry to qualify for annual license renewal is 450 hours within the immediately preceding 3-year period, calculated as of the time of annual license renewal”.

Following the hearing, the committee discussed all matters pertaining to the appeal and reviewed all available options in rendering a decision. Under the current Regulations, there is no mechanism to permit such an extension by the Registrar. As stated in Section 13(1) of the [Regulation](#), the Registration Appeal Committee may make any determination that could have been made by the Registrar under Section 20(ba) of the [Dental Act](#).

Therefore, the Registration Appeal Committee dismissed the appeal. The dentist was informed of the Committee’s decision.

NEW STANDARDS AND GUIDELINES

In 2021, the Board approved three new Standards/Guidelines which registrants are encouraged to review. The following are published on the PDBNS website:

- [PDBNS Guidelines for the Use of Social Media by Dentists and Registered Dental Assistants](#)
- [PDBNS Standard of Practice for the Treatment of Snoring and Obstructive Sleep Apnea with Oral Appliances](#)

The PDBNS Guideline for Prescribing Opioids and Benzodiazepines in Dental Practice is in its final formatting stage and will be published shortly.

Many thanks go to the members of the *ad hoc* committees who worked diligently on these documents and to Dr. Martin Gillis who spurred their creation.

SCOPE OF PRACTICE FOR REGISTERED DENTAL ASSISTANTS

The Scope of Practice for licensed registered dental assistants (RDAs) is outlined in Section 5(1) of the [PDBNS Dental Assistants Regulations](#). The Board would like to remind all registrants that RDAs should not perform or be asked to perform duties which are beyond this scope.

Such prohibited duties for RDAs are outlined in Section 5(2) of the [Regulations](#) and include:

- diagnosis or treatment planning;
- severing or cutting hard or soft tissue;
- prescribing or administering drugs;
- prescribing or designing any intra-oral appliance or prosthesis;
- placement, condensing, or carving of any restorative material;
- placement or removal of bonded orthodontic appliances or cementation or removal of orthodontic bands or brackets, or the activation of orthodontic archwires;
- the use of any rotary or mechanical device in the oral cavity (except rubber cup polishing of the coronal surfaces of the teeth); and
- scaling of hard or soft deposits on teeth.

As stated in Section 5(3) of the [Regulations](#), under no circumstances shall non-registered persons employed in dental offices be permitted to perform any intra-oral duties, specifically those outlined in Section 5(1).

ANONYMOUS COMPLAINTS BY REGISTERED DENTAL ASSISTANTS

A concern was brought to the PDBNS regarding Registered Dental Assistants (RDAs) and the Board's complaints process. In particular, it was indicated that some RDAs do not feel comfortable bringing complaints against their employers out of fear of retaliation. It was also asked whether there was a method whereby RDAs could make an anonymous or confidential complaint. Legal counsel was sought to ensure these concerns could be responded to accurately.

Regarding Anonymous Complaints

While complaints are usually provided to the Board by way of formal complaint (which require the complainant's signature), the Registrar also has the power to initiate complaints and investigations. Specifically, pursuant to Section 5(2) of the [Discipline Regulations](#), the Registrar is obligated to carry out investigations where the Registrar has reason to believe an offence under the [Dental Act](#) has been committed. In other words, if an RDA provided an anonymous complaint to the Registrar that gave the Registrar reason to believe an offence had been committed, the Registrar has a legislated obligation to launch an investigation.

The Registrar also has the ability to enter a dental practice at any time without notice to registrants. The Registrar may use this power where there is a concern that a registrant could alter their behaviour if they receive warning.

Regarding Retaliation by Employers

With respect to the concern that some RDAs are uncomfortable making complaints as they fear losing their jobs, the Board takes this type of behaviour very seriously. This type of retaliatory conduct by an employer would constitute “infamous conduct” by a registrant, which is an offence under the [Dental Act](#). If the Registrar became aware of an instance where a RDA was terminated because they initiated a complaint against their employer, this would be grounds for the Registrar to launch an investigation and could lead to serious disciplinary action.

PERMITS FOR THE USE OF BOTULINUM TOXIN (TYPE A) AND ESTHETIC THERAPIES IN DENTAL PRACTICE (BOTOX)

As more dentists work to obtain permits for these treatment modalities, the Board would like to review some pertinent considerations.

As per the [PDBNS Standard for the Use of Botulinum Toxin \(Type A\) and Esthetic Therapies in Dental Practice](#), educational requirements and subsequent issuing of certificates have been divided into 6 structured and gated levels. It is important that registrants perform only treatment modalities permitted by their level of certification (1-6).

A dentist/dental specialist cannot proceed to a subsequent level without completing the requirements of the preceding level and applying to the PDBNS to commence training for the next level. For levels 3 and 4, this application includes submitting dental records for 20 cases completed at the preceding level. These records must include:

- Diagnosis
- Treatment plan
- Markings
- Representative photos
- Clinical progress notes

To maintain certification for providing these treatments, dentists and dental specialists must include a minimum of 10 hours of continuing dental education in the field of facial esthetics and adjunctive procedures in their 3-year continuing education cycle.

It is important to remember that regardless of where these treatments are performed, including settings which are not traditional dental practices, all standards of care must be met. This includes but is not limited to:

- health history assessment,
- medical emergency preparedness,
- infection control,
- informed consent,
- recordkeeping,
- privacy, and
- advertising.

Failure to maintain these standards would be considered professional misconduct.

As with all aspects of dentistry, registrants performing these treatment modalities are required to inform the PDBNS of any and all locations where they practise. Certificates must also be displayed at all practice locations.

EDUCATIONAL REQUIREMENTS FOR CONE BEAM COMPUTED TOMOGRAPHY (CBCT)

Registrants who take, prescribe, or interpret CBCT scans have until the end of 2022 to be compliant with the educational requirements under the [PDBNS Standard of Practice for the Use of Cone Beam Computed Tomography \(CBCT\) in Dental Practice](#).

The specific educational requirements are outlined beginning on page 4 of the [Standard](#). When considering a training course, it is important that registrants ensure the course appropriately covers the topics listed on page 5 of the [Standard](#). Not all courses may sufficiently address topics pertaining to patient safety.

Dentists

During the dental license renewal process in late 2022, dentists will be asked to identify whether they use, prescribe, or interpret CBCT scans in their practice. Those who respond positively will be sent a follow-up online form in December which will ask them to upload verification of their completed education by January 30, 2023. There is no need to send verification of this education prior to receiving the form in December.

Registered Dental Assistants

Registered dental assistants (RDAs) who take CBCT scans may obtain their training in a variety of ways:

- taking a course provided by an academic institution or recognized sponsor,
- having training provided by a manufacturer, or
- being trained by an appropriately trained dentist.

Training for RDAs is to include both didactic and hands-on experience and include principles of radiation safety and protection, operating principles of CBCT equipment, exposure parameters and patient positioning.

Important: The required course needs to be taught to the level of understanding and knowledge of the RDA (i.e., a specific course for dental auxiliaries and not an adjunct to a dental (DDS) course).

RDAs who take CBCT scans will not have to submit proof of education in CBCT, but will have to attest in their spring 2023 license renewal that they have been appropriately trained.

THANK YOU



The Board would like to extend its appreciation to Dr. Daniel Albert who, in December 2021, completed his two-year term as PDBNS Chair.

Daniel led the PDBNS in navigating its most challenging time in memory. He did so with great care, a collaborative approach, and respect for the public as well as all oral healthcare providers.

Fittingly, Daniel culminated his term as Chair by becoming one of the 73 Nova Scotian dentists who formally enrolled to aid the delivery of COVID-19 vaccinations.

Thanks, Daniel, for your great leadership as Chair. Enjoy having some more time for mushroom foraging!

Respectfully submitted,

Dr Doug Mackey,
Registrar