

BOARD BUSINESS

From the Registrar's Desk

No. 65, May 2018



RADIOGRAPHY INSPECTIONS

Biomedical Engineering Inc. has completed dental radiography inspections of all dental offices in Nova Scotia. This is a two year project undertaken by the Provincial Dental Board in which dental offices outside Halifax were inspected in 2016 and offices in Halifax were inspected in 2017. The offices inspected in 2016 are compliant with the inspections undertaken.

Dental X-Ray Radiation Inspection Reports and CBCT Inspection Reports prepared by Biomedical Engineering Inc. were mailed by the Provincial Dental Board to the owners of the radiography equipment inspected in 2017. The reports contained detailed information regarding the functionality of the equipment and office protocols. The reports stated that the equipment either passed inspection or that there were reporting requirements based on the inspection findings of Biomedical Engineering Inc. For dentists with reporting requirements, a letter of response with supporting documents must be sent to the Provincial Dental Board verifying that the recommendations have been met. If there is difficulty complying with the recommendations by the deadline date, dentists are advised to notify the Provincial Dental Board.

A failure to comply with the recommendations will result in the Provincial Dental Board filing a written report with the Department of Occupational Health and Safety Division, Province of Nova Scotia, which may initiate further action by the Department through its Regulations as it deems appropriate.

The Department of Occupational Health and Safety Division, Province of Nova Scotia will be notified about dentists in non-compliance after November 15, 2018.

SEDATION GUIDELINE AND INSPECTIONS

The draft version of the Sedation Guideline was approved by the Provincial Dental Board at the May 26, 2017 meeting. The current Sedation Guideline is a single document which will become three separate documents: 1. Sedation Guideline; 2. General Anesthetic Guideline; and 3. Pediatric Sedation Guideline. The principal difference with the upcoming Sedation Guideline will be that the new document will be designed based on the level of sedation administered as opposed to the modality of sedation used. The Sedation Guideline working group is currently revising the draft which will be returned to stakeholders for further review and comment.



PROVINCIAL DENTAL BOARD OF NOVA SCOTIA

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All offices performing parenteral sedation are being inspected by a sedation inspection team comprised of an anesthesiologist, an oral surgeon and a biomedical engineer. The team is performing the office inspections based on checklists and will provide a report to the licensee based on their findings. Dentists who receive the report will either pass with no reporting requirements, or receive a report with recommendations and reporting requirements. Only those facilities which come under the jurisdiction of the Provincial Dental Board will be inspected. Hospitals, Dalhousie University Faculty of Dentistry, and federal facilities such as the Canadian Armed Forces will not be inspected.

RECORDKEEPING AND INFORMED CONSENT GUIDELINES

The revised Recordkeeping Guidelines and new Informed Consent Guidelines were presented and approved by the Provincial Dental Board at the November 25, 2017 meeting. The documents can be found on the PDBNS website at:

<http://pdbns.ca/licensees/policies-and-guidelines/recordkeeping-guidelines>

<http://pdbns.ca/licensees/policies-and-guidelines/informed-consent>

OBSERVERSHIP PROGRAM FOR INTERNATIONALLY EDUCATED DENTISTS

There are Internationally Educated Dental Professionals (IEDPs) who have graduated from non-accredited dental programs living in Nova Scotia, who are permanent residents in Canada, and are currently pursuing their license to practice dentistry in this province. Many IEDPs are preparing to take the National Dental Examining Board (NDEB) examinations and/or are applying to the Qualifying Program. To prepare for the written and practical assessments, and ultimately to practice successfully and effectively in Nova Scotia, IEDPs need a solid understanding of the realities of dental practice here.

The Observership Program provides the opportunity for IEDPs to get first-hand contact with dental care as practiced in Nova Scotia. It is not intended to fill gaps in knowledge or dental training but rather to familiarize and acculturate IEDPs to the practice of dentistry in Nova Scotia including but not limited to day-to-day activities, policies and protocols, the dental care team, and the culture of the workplace. Designed to expose IEDPs to the environment of dental practice in Nova Scotia, the Observership is a volunteer arrangement between an IEDP Observer and a Host Dentist. The program is highly flexible and the time frame may be customized to the needs and availability of the Observer and the Host Dentist. The program has been reviewed by the Provincial Dental Board, is promoted by the Nova Scotia Dental Association, advised by the IEDP Multi-stakeholder Work Group and operated by the Immigrant Services Association of Nova Scotia (ISANS).

Licensed dentists and dental assistants who participate in the Program would be eligible for Category 3 Mandatory Continuing Dental Education (MCDE) credits to a maximum of five credits per year.

For more information about the Program and to access documents to participate in the Program please visit: <http://pdbns.ca/applicants/dentists/observership>

FUNCTIONAL COMMITTEE ACTIVITIES

Complaints Committee

October 30, 2017: A meeting of the Complaints Committee was held on October 30, 2017 to hear one proposed Settlement Agreement and three cases.

Settlement Agreement 1: Settlement Agreement accepted and referred to Discipline for review.

Case 1: Dismissed, publish on a no-name basis.

Case 2: Counsel, publish on a no-name basis.

Case 3: Tabled.

November 27, 2017: A meeting of the Complaints Committee was held on November 27, 2017 to hear four cases.

Case 1: Referred to Discipline, publish on a no-name basis.

Case 2: Dismissed, publish on a no-name basis.

Case 3: Dismissed, publish on a no-name basis.

Case 4: Dismissed, publish on a no-name basis.

Discipline Committee

The Discipline Committee met on November 21, 2017 to hear two proposed Settlement Agreements.

The Settlement Agreements were accepted by the Discipline Panel and published as follows:

SETTLEMENT AGREEMENT 1

Summary of Settlement Agreement- November 21, 2017

Further to a complaint received by the Provincial Dental Board of Nova Scotia with respect to dental treatment provided by Dr. xx to patients, the Complaints Committee of the Provincial Dental Board of Nova Scotia referred the matter to the Board's Discipline Committee for a formal hearing. Pursuant to s. 16 of the Discipline Regulation made under the Dental Act, a Notice of Charge was laid against Dr. xx on 30 July 2015.

In a Settlement Agreement dated 9 November 2015 signed by Dr. xx and the Registrar of the Provincial Dental Board of Nova Scotia, Dr. xx agreed that the Statement of Facts constitutes unprofessional conduct as defined in the Discipline Regulations of the Provincial Dental Board.

On 30 November 2015 the Complaints Committee endorsed the proposed Settlement Agreement and forwarded it to the Discipline Committee.

On 21 November 2017 the Discipline Committee accepted the proposed Settlement Agreement.

Sanctions

Dr. xx and the Provincial Dental Board of Nova Scotia agree that Dr. xx shall be subject to the following sanctions:

- (a) Dr. xx will be issued a written reprimand by the Discipline Committee.*
- (b) Dr. xx notified the Provincial Dental Board on October 24, 2017 that their dental license would not be renewed. In order for Dr. XX to be eligible to reinstate their license it is required that Dr. XX:*
 - Successfully complete the Recordkeeping Course offered by the Royal College of Dental Surgeons of Ontario and all costs are to be paid by Dr. xx.*
 - Dr. xx is required to successfully complete the Ethics course offered by the Royal College of Dental Surgeons of Ontario and all costs associated with the course are to be paid by Dr. xx.*
 - Dr. xx is required to successfully complete a customized educational program to the satisfaction of the Registrar involving the disciplines of Oral Diagnosis and Treatment Planning and Fixed and Removable Prosthodontics and all costs associated with the program are to be paid by Dr. xx.*
- (c) In the event that Dr. xx should return to practice, their practice would be monitored on a semiannual basis for a period of two years and all costs associated with the monitoring would be paid by Dr. xx.*
- (d) In the event that Dr. xx should return to practice, the Discipline Committee would retain jurisdiction to monitor the implementation of the terms of this Settlement Agreement and may make such further orders or give such further directions as the Committee considers appropriate until all of the terms and conditions have been satisfied by Dr. xx.*

Costs

Dr. xx shall pay costs in the amount of \$10,000 of the discipline proceeding incurred by the Provincial Dental Board of Nova Scotia from the date of the referral of the complaint to the Discipline Committee by the Complaints Committee.

SETTLEMENT AGREEMENT 2

Summary of Settlement Agreement- November 21, 2017

Further to a complaint received by the Provincial Dental Board of Nova Scotia with respect to dental treatment provided by Dr. yy to patients, the Complaints Committee of the Provincial Dental Board of Nova Scotia referred the matter to the Board's Discipline Committee for a formal hearing. Pursuant to s. 16 of the Discipline Regulation made under the Dental Act, a Notice of Charge was laid against Dr. yy on 30 July 2015.

In a Settlement Agreement dated 9 November 2015 signed by Dr. xx and the Registrar of the Provincial Dental Board of Nova Scotia, Dr. yy agreed that the Statement of Facts constitutes unprofessional conduct as defined in the Discipline Regulations of the Provincial Dental Board.

On 30 November 2015 the Complaints Committee endorsed the proposed Settlement Agreement and forwarded it to the Discipline Committee.

On 21 November 2017 the Discipline Committee accepted the proposed Settlement Agreement.

Sanctions

Dr. yy and the Provincial Dental Board of Nova Scotia agree that Dr. yy shall be subject to the following sanctions:

- (e) Dr. yy will be issued a written reprimand by the Discipline Committee.*
- (f) Dr. yy is required to successfully complete the Recordkeeping Course offered by the Royal College of Dental Surgeons of Ontario. This course is to be completed to the satisfaction of the Registrar within 12 months of the date of this Settlement Agreement and all costs are to be paid by Dr. yy.*
- (g) Dr. yy is required to successfully complete the Ethics course offered by the Royal College of Dental Surgeons of Ontario. This course is to be completed to the satisfaction of the Registrar within 12 months of the date of this Settlement Agreement and all costs associated with the course are to be paid by Dr. yy.*
- (h) Dr. yy is required to successfully complete a customized educational program to the satisfaction of the Registrar within 12 months of the date of this Settlement Agreement involving the following disciplines:*
 - Oral diagnosis and treatment planning*
 - Endodontics**All costs associated with the program are to be paid by Dr. yy.*
- (i) Dr. yy's dental practice will be monitored on a semiannual basis for a period of two years following this Settlement Agreement and all costs associated with the monitoring will be paid by Dr. yy.*
- (j) The Discipline Committee shall retain jurisdiction to monitor the implementation of the terms of this Settlement Agreement and may make such further orders or give such further directions as the Committee considers appropriate until all of the terms and conditions have been satisfied by Dr. yy.*

Costs

Dr. yy shall pay costs in the amount of \$10,000 of the discipline proceeding incurred by the Provincial Dental Board of Nova Scotia from the date of the referral of the complaint to the Discipline Committee by the Complaints Committee.

Mandatory Continuing Dental Education (MCDE) Committee

The MCDE Committee met on Friday, February 2, 2018 and reviewed the submissions from the dentists and dental assistants selected in the audit for the three year MCDE cycle ending December 31, 2017. This year 28 dental assistants and 17 dentists were audited. There were 10 dental assistants and 5 dentists who required further submissions to complete their audit. As of May 15, 2018 one dental assistant was struck from the Dental Assistant Register in part for not completing their CE audit and all dentists have since completed their audit.

The Committee often receives questions regarding pre-approval by the Provincial Dental Board for Continuing Dental Education courses. The Committee does not pre-approve courses. However, licensees who inquire about whether or not a course would be approved are informed that the Committee in previous audits would have approved or declined such a course.

Dental Practice Review (DPR) Committee

The Dental Practice Review Committee met on April 13, 2018 to conduct its audit. Dentists chosen for the self-assessment phase of the audit are being notified of the results of their self-assessment review and dentists selected for site visits will be notified and scheduled for this phase of the annual DPR process.

Registration Appeal Committee

The Registration Appeal Committee had no activity since the last meeting of the Provincial Dental Board.

RESPONSIBILITIES OF THE LICENSED DENTIST WHEN WORKING WITH DENTURISTS

The Provincial Dental Board addressed an inquiry from a dentist concerning whether or not it is acceptable for a dentist to make abutment modifications on a patient's teeth prior to a denturist making a cast metal partial denture. The Board responded by stating that when considering treatment for a patient the primary concern for a dentist must be the dentist's responsibilities to their patients which is stated in the Code of Ethics Regulations:

RESPONSIBILITIES TO PATIENTS

ARTICLE 1: SERVICE

As a primary health care provider, a dentist's first responsibility is to the patient. As such, the competent and timely delivery of quality care within the bounds of clinical circumstances presented by the patient, shall be the most important aspect of that responsibility.

There is no restriction preventing a dentist from collaborating with a denturist as long as the fields of competence are respected. This includes preparing abutments for a cast partial denture to be made and delivered by the denturist. In all circumstances, the dentist has a full obligation to examine the patient, evaluate the request and the treatment plan with regards to the condition of the mouth and properly inform the patient. If the dentist feels that the request is contrary to the interest of the patient or to the standards of the profession, the dentist must refuse to comply.

If the dentist agrees to perform treatment then the dentist accepts a responsibility in the dentist's treatment plan by doing modifications to the teeth. Any intervention on the teeth may be taken into consideration if some problem should develop. Most dentists who work with a denturist have an understanding as to the preliminary examination and preparation of the mouth (including abutments) before the denturist goes ahead with their portion of a treatment plan. The dentist cannot be held responsible for the quality of the work of the denturist, but can be blamed by the patient if a poor result should occur as a result of the collaborative treatment.

The term 'acceptability' also has to be analyzed. If an unknown denturist approaches a dentist with a request for an unknown patient, the dentist has a formal duty to inform the denturist and the patient of their position and obligations. The dentist certainly cannot simply alter the surface of a tooth or a filling without any questions or scrutiny. This duty towards the patient also exists if the "prescription" is made by another dentist.

SCOPE OF PRACTICE QUESTIONS: REGISTERED DENTAL ASSISTANT

The Provincial Dental Board addressed inquiries concerning scope of practice for Registered Dental Assistants. The first questions were with regard to digital and PVS impressions. It was determined by the Board that digital impressions and PVS impressions fall within the scope of practice of Registered Dental Assistants with the direct supervision of a licensed dentist. The second question was in regard to the placement of orthodontic wires. It was determined by the Board that the placement of orthodontic wires does not fall within the scope of practice of Registered Dental Assistants.

SCOPE OF PRACTICE QUESTION: DENTISTS

The Provincial Dental Board addressed an inquiry concerning the scope of practice for dentists with regard to prescribing antibiotics to manage maxillary sinusitis. It was determined by the Board that prescribing antibiotics to manage maxillary sinusitis is within the scope of practice of dentists licensed in Nova Scotia.

REMEDICATION MODULES: FACULTY OF DENTISTRY

As described in the Settlement Agreements noted in this edition of *Board Business*, the dentists must successfully complete to the satisfaction of the Registrar remedial education modules administered by the Faculty of Dentistry, Dalhousie University. These customized education programs are delivered in a modular format in a discipline of dentistry in which the licensee has a deficiency. The remediation first undertakes an assessment of the dentist to determine the competency deficiencies in this discipline. The dentist then undertakes didactic and clinical exercises as appropriate to remediate the deficiencies. Following completion of the educational phase is an evaluation to establish that the remediation has been achieved. A final report is submitted by the Faculty to the Registrar to confirm that the remediation module has been successfully completed. The Faculty has modules in Endodontics, Oral

Diagnosis and Treatment Planning, and Fixed and Removable Prosthodontics. The cost of each module is \$20,000.00 and is the full financial responsibility of the licensee.

FUNCTIONAL COMMITTEE APPOINTMENTS AND REAPPOINTMENTS

Mandatory Continuing Dental Education (MCDE) Committee

Dr. Doug Mackey (Chair) and Ms. Krista Emimo-Savoury were reappointed for their third and final two year terms.

Dental Practice Review

Dr. Joanne Thomas (Chair) was reappointed for a second three year term.

Complaints Committee

Drs. Paul MacEachern, Dr. Richard Raftus, Dr. Earle Carson, Dr. Blair Raddall, Dr. Nada Haidar, Dr. Claire Karst and Mr. Bill Watson (public member) were reappointed for three year terms.

Discipline Committee

Dr. Tom Boyle (Chair), Dr. Janet Cullinan, Dr. Wayne Ramier, Dr. Natalie Brothers, Dr. Peter Thomson, Dr. Yvon Belliveau, Dr. William Whyte, Dr. Stuart Kirby, Dr. Karen Furlong, Dr. David Quigley, Dr. Mark Sutherland, Ms. Michelle Fowler (RDA), and Mr. Michael Muise (Public) were reappointed for three year terms.

Registration Review Committee

No appointments or reappointments.

LICENSING REPORT

As of May 15, 2018 the number of licensed dentists, students, assistants and corporations are:

Year	DDS	Students	RDA	Corporations
2018	564	18	757	396
2017	559	18	789	393
2016	549	19	746	384
2015	539	17	791	416
2014	545	11	795	414

THANK YOU – Dr Clare Champoux

The Provincial Dental Board would like to thank Dr. Clare Champoux for her nine years of dedicated service as a member of the Provincial Dental Board. Dr. Champoux served on several Board committees including the Human Resources - Governance Committee where she served as Chair from January 2014 – December 2017.

THANK YOU – Dr Christopher A. Baker

The Provincial Dental Board would like to thank Dr. Christopher A. Baker for his contributions during his two year term as Chair of the Provincial Dental Board (January 2016- December 2017). Dr. Baker will continue to serve on the Board’s Executive Committee in the role of Past-Chair.

WELCOME

The Provincial Dental Board would like to welcome two new Board members to fill the vacancies left by Dr. Clare Champoux and Dr. Tom Raddall III who completed their third and final terms in 2017. Dr. Sunita Sharma was appointed by Government in November 2017 and Dr. Russell MacSween was appointed by the Nova Scotia Dental Association in January 2018. Dr. Sharma graduated from Dalhousie University in 1990 and she maintains a dental practice in Dartmouth, Nova Scotia. Dr. MacSween graduated from Dalhousie University in 1991 and he maintains a dental practice in Halifax, Nova Scotia. The Board would also like to welcome Dr. Kevin Walsh in his new role as Chair of the Provincial Dental Board. Dr Walsh graduated from Dalhousie University in 1990 and maintains a private practice in Windsor, Nova Scotia.

NSDA ANNUAL GENERAL MEETING – JUNE 8-9, 2018, DARTMOUTH, NS

CONTINUING EDUCATION OPPORTUNITIES FOR DENTISTS AND REGISTERED DENTAL ASSISTANTS

Mr. Steve Jennex, Executive Director, Nova Scotia Dental Association, has asked the Provincial Dental Board to inform dentists and dental assistants of the opportunity for dentists, dental assistants and other members of the dental team to attend a variety of clinical and office management continuing dental education sessions on June 8, 2018 at the NSDA’s Annual General Meeting. This is the first time the NSDA has offered continuing dental education for dental team members other than dentists, and they are encouraging dentists to sign-up themselves and staff. The all-in pricing includes a full day of courses, lunch and the NSDA’s biggest trade show ever. For more information, or to register, the NSDA member website has an online registration function and the NSDA is also mailing out an information sheet to offices. You can also email nsda@eastlink.ca for more information.

Respectfully submitted,



Dr. Martin Gillis, DDS
Registrar