

BOARD BUSINESS

From the Registrar's Desk

No. 58, April 2016



WELCOME TO THE NEW CHAIR AND VICE-CHAIR

On January 1, 2016, Dr. Christopher A. Baker and Dr. Kevin Walsh assumed their new positions as Chair and Vice-Chair of the Provincial Dental Board. Dr. Baker practices in Dartmouth, NS and has been a Board member since 2011. He has served on the Board's Governance Committee and recently as Vice-Chair (2014-2015). Dr. Walsh practices in Windsor, NS and has been a Board member since 2013. He is a past president of the Nova Scotia Dental Association and currently serves as a member of the Governance Committee. The members and administration of the Provincial Dental Board look forward to supporting Drs. Baker and Walsh in their new roles on the Board.

RADIOGRAPHY INSPECTIONS SCHEDULED FOR SUMMER 2016

The Provincial Dental Board has acquired the services of Innovative Biomedical Engineering Ltd. to perform radiographic inspections of dental offices in Nova Scotia. All radiographic heads, panorex units, cephalometric units, and Cone Beam Computed Tomography units will be inspected. Biomedical Engineering Ltd. currently provides radiography inspection services in New Brunswick and British Columbia. The purpose of the inspection is to ensure dental radiography equipment is functioning properly. The Provincial Dental Board will pay the cost of the inspection; however any cost to repair or replace radiography equipment subsequent to the inspection is the responsibility of the licensee. The Provincial Dental Board and licensees will be provided copies of the reports from Biomedical Engineering Ltd. Further details will be provided to licensees in the May 2016 edition of Board Business.

POLICY - RADIOGRAPHY AND CONE BEAM COMPUTED TOMOGRAPHY INSPECTIONS

To support the Radiography and Cone Beam Computed Tomography Inspections, the Provincial Dental Board has developed a Policy which is attached to this edition of Board Business. The Board suggests that licensees should review and be familiar with this policy.



PROVINCIAL DENTAL BOARD OF NOVA SCOTIA

Suite 102, 1559 Brunswick Street, Halifax, Nova Scotia B3J 2G1

www.pdbns.ca

REGISTRATON FORMS FOR DENTAL ASSISTANTS

The Provincial Dental Board has updated the registration forms for dental assistants applying for licensure in Nova Scotia. The application forms have been strengthened to be equivalent to the registration forms for dentists. This means that applicants for registration and licensing as a dental assistant will be required to answer questions in the application form which pertain to conduct during academic studies, practice information, health history, and judicial past conduct. Applicants are also required to provide the Provincial Dental Board with two character references, a Criminal Record Check, and a Vulnerable Sector Check. The Registrar will be visiting Cape Breton Business College and the NSCC- IT campus in April 2016 to provide students with information about the new application forms.

LEGISLATIVE AMENDMENTS

The Ad hoc legislative amendments committee consisting of the Chair, Vice-Chair, Past Chair and Registrar continue work with legal counsel to advance the process which will see broad legislative amendments to the current *Dental Act* and Regulations. One of the changes will see the separation of the Nova Scotia Dental Association from the *Dental Act*. This means the Association will require its own legislation. The Provincial Dental Board and the Association understand the importance of communication and cooperation during this time.

STRATEGIC PLANNING

The Provincial Dental Board has acquired the services of Fairwinds Training and Development to develop a Strategic Plan for the organization. This is the first strategic planning exercise for the Provincial Dental Board. The strategic plan will be reviewed for adoption at the May 2016 Board meeting.

WHEN TO CONTACT MALPRACTICE INSURANCE WHEN FACED WITH ALLEGATIONS

If a patient makes a verbal allegation of malpractice against a licensee, the licensee should notify CDSPI about the malpractice allegation. A failure to do so may compromise the licensee's support from CDSPI in dealing with such matters. The mandate of the Provincial Dental Board is to protect the general public's interests related to the delivery of dental care through the administration of the *Dental Act* and Regulations. The Provincial Dental Board addresses complaints which are within the domain of its legislation, but does not deal with financial compensation. Members of the public would pursue financial compensation through Court action.

DENTAL ASSISTING COMPETENCY – ACID ETCH AND BONDING

The Provincial Dental Board has adopted the NDAEB core competencies of the application of acid etch and bonding agents as a result of the 2015 Dental Assisting Domain Description Review. In September 2015 the Board updated the Canadian Dental Assistants Association

competency grid for Nova Scotia to reflect the competency of applying acid etch under a dentist's supervision.

GUIDELINE AND POLICY UPDATES

The Provincial Dental Board is currently undergoing a review and update of its guidelines and policies on Recordkeeping, Sedation, and Botox. It is anticipated that the review will be completed by the end of 2016.

USE OF HUMAN ALLOGRAFT IN DENTAL OFFICES

After completion of license renewal for 2015 it was determined that 10.2% of licensed dentists in Nova Scotia use Human Allograft material in their practices.

FUNCTIONAL COMMITTEE APPOINTMENTS AND RE-APPOINTMENTS

Complaints Committee

Ms. Shirlene Dancause was appointed to the Complaints Committee for a three year term.

Mandatory Continuing Dental Education Committee

Dr. Doug Mackey (Chair) and Ms. Krista Emino Savory have been reappointed to a second term on the MCDE Committee.

Dental Practice Review Committee

Dr. Joanne Thomas was appointed to the Dental Practice Review Committee for a three year term.

FUNCTIONAL COMMITTEE UPDATES

Complaints Committee

June 5-6, 2015. Six cases were heard:

Case 1: Referred to the Discipline Committee;

Case 2: Referred to the Discipline Committee;

Case 3: Caution, publish on a no-name basis;

Case 4: Referred to the Discipline Committee;

Case 5: Caution, publish on a no-name basis; and

Case 6: Reconvened (Tabled April 9, 2015) - Reprimand, publish on a no-name basis.

June 25, 2015. Three cases were heard:

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

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

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

September 21, 2015. Two cases were heard:

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

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

September 28, 2015. Three cases were heard.

Case 1: Counsel, publish on a no-name basis

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

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

October 29, 2015. Two cases were heard.

Case 1: Counsel, publish on a no-name basis

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

November 30, 2015. Three Settlement Agreements were heard.

Settlement Agreement 1: Accepted and forwarded to the Discipline Committee

Settlement Agreement 2: Accepted and forwarded to the Discipline Committee

Settlement Agreement 3: Accepted and forwarded to the Discipline Committee

January 11, 2016 Two cases were heard.

Case 1: Referred to the Discipline Committee

Case 2: Referred to the Discipline Committee

Discipline Committee

The Discipline Committee had no activity in 2015. The Discipline Committee will address five cases in the coming year which were referred by the Complaints Committee in 2015-16.

Mandatory Continuing Dental Education (MCDE) Committee

Dentists and dental assistants selected for the 2016 MCDE audit submitted their MCDE logs and supporting documents to the Provincial Dental Board which were reviewed by the MCDE Committee on Friday, February 5, 2016. One area of concern was in regard to licensees submitting Continuing Dental Education credits from organizations which were either (a) not a recognized sponsor of a Continuing Dental Education Course or (b) a Study Club not registered with the Provincial Dental Board. As a result these credit hours were deemed ineligible for credit by the MCDE Committee. It is of utmost importance that the provider of MCDE courses ensure that they fall under a category of a recognized sponsor or that their study club is registered with the Provincial Dental Board. This information can be found on the website www.pdbns.ca

Dental Practice Review (DPR) Committee

Dental Practice Review site visits have been completed for 2015. The selection process for the self-assessment survey and site visits for 2016 is underway. The DPR Committee will meet in April 2016 and the site visits will commence in May 2016.

Registration Appeal Committee

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

LICENSING REPORT

As of the January 29, 2016 meeting of the Provincial Dental Board the number of licensed dentists, students, assistants and corporations are:

Year	DDS	Students	RDA	Corporations
2015	539	17	791	416
2014	545	11	795	414
2013	561	11	790	407
2012	556	10	780	381

THANK YOU

The Provincial Dental Board would like to thank Dr. Tom Raddall for his tremendous effort and dedicated service as Chair of the Provincial Dental Board over the past two years. Dental regulation brings many challenges which Dr. Raddall addressed in thoughtful manner to ensure that the public's interests are protected and the integrity of the profession is maintained.

Respectfully submitted,



Dr. Martin Gillis, Registrar



Provincial Dental Board of Nova Scotia

POLICY

RADIOGRAPHY AND CONE BEAM COMPUTED TOMOGRAPHY INSPECTIONS

Purpose

This policy describes the radiography inspection process of radiographic and cone beam computed tomography (CBCT) equipment used by licensed dentists (licensees) in the Province of Nova Scotia.

Responsibility of Owners

It is the responsibility of every licensed dentist or owner, including a corporate owner, who holds title to, or has administrative control over a radiation emitting device (the “Owner or Owners”) to ensure:

- (a) that the radiation exposure and processing conditions associated with radiation emitting devices produce clinically acceptable radiographs with an acceptable exposure range;
- (b) that all radiation emitting devices and their accessories conform with existing federal legislation;
- (c) that the installation of all radiation emitting devices and room design criteria conform to legislation and regulations for occupational health and safety in Nova Scotia;
- (d) that radiographs are reviewed under optimal conditions;

(e) compliance with the Nova Scotia *Occupational Health and Safety Act*, the *Workplace Health and Safety Regulations* and the *Occupational Safety General Regulations*.

Retention of Inspection Service

The Provincial Dental Board of Nova Scotia (PDBNS) may, from time to time, determine to retain the services of an individual or company (the “Inspection Service”) to perform inspections of radiation emitting devices of Owners in the Province of Nova Scotia. The PDBNS shall compensate the Inspection Service for services rendered to Owners for the three year period following the date that this Policy is approved by the PDB. It is the goal of the PDBNS that all emitting devices of Owners will be inspected in intervals of between three and five years.

Qualifications of Inspection Service Personnel

The Chief Engineer of the Inspection Service will be licensed as a Professional Engineer as required by the professional licensing body for engineers, Engineering Nova Scotia, and shall retain this license during the time that the inspections are performed.

The Radiation Protection Surveyor (RPS) employed by the Inspection Service for conducting such surveys and inspections shall meet all requirements for training and education as required from time to time by the Chief Engineer. The Inspection Service shall ensure that at all times its employees are kept up-to-date with all Nova Scotia safety codes, legislation and regulations, and standards for instrumentation, repairs and calibration. The Inspection Service shall ensure that its instruments used in the testing of radiation emitting devices is kept in a first class state of repair and will be calibrated in accordance with the requirements of the manufacturer of the instruments.

Where possible, calibrations will be traceable to the National Bureau of Standards. Where such calibrations are not appropriate, secondary standards will be employed in the calibrations. All documentation relating to maintenance and calibration of the test equipment shall be made available electronically at no cost to the PDBNS at its request.

Scheduling of Inspections

The Inspection Service shall work together with the PDBNS and Owners to ensure that adequate time and notice of inspections is provided to Owners.

The Inspection Service shall take all necessary steps to ensure that Owners comply with the agreed schedule for inspection. Where such scheduling requires changes, appropriate notice will be provided to Owners in order that the Owners' practices are not compromised. If re-scheduling is required by reason other than the fault of an RPS then reasonable attempts shall be made to re-schedule the inspection. Every reasonable effort will be made by the Inspection Service to re-schedule the inspection so as to not interfere with the practice of Owners.

Owners who unreasonably fail to agree to a time for inspection will be required to pay for the cost of the next regularly scheduled inspection in an amount agreed to by PDBNS and the Service Provider.

Resource Documents

The Inspection Service shall make available for Owners and their staff, upon request, a copy of the appropriate legislation, safety codes and regulations that apply to the Owner's radiation emitting devices. Such documents shall be maintained in a current form on the Inspection Service's website.

Cost of Repairs to Radiation Emitting Devices

With the exception of minor adjustments and repairs not involving adjustment of the parameters relating to output, the Inspection Service will not conduct repairs of radiation emitting devices which require field service. The RPS may recommend to Owners and their employees changes in technique that would assist the Owners to achieve compliance with relevant legislation and regulations. Such repairs are limited to cosmetic and minor safety concerns. Owners are responsible to pay for and obtain all repairs other than the minor adjustments and repairs noted above.

Reports

The RPS shall promptly prepare the necessary inspection reports under the direction of the Inspection Service's Chief Engineer. The Chief Engineer will review the reports and sign off on the reports as and when necessary. The reports will be formatted according to the PDBNS requirements. Electronic copies of such reports will be provided to the PDBNS and Owners.

The Service Provider shall retain a database which permits the recovery and printing of reports and will provide a copy of this database to the PDBNS upon request.

The Service Provider will prepare reports and maintain a database of Owners' compliance with the Inspection Program upon agreement by both parties to do so.

Failure to Comply

The Service Provider, under the direction of the Chief Engineer, shall follow protocols established by the PDBNS for Owners which fail to comply with the federal and provincial legislation and regulations.

If an Owner fails to comply with the recommendations made by an Inspection Service after two written communications from the PDBNS, the PDBNS will provide the Owner with a final, thirty (30) day period to comply. If the Owner fails to comply by the end of the thirty (30) day period, the PDBNS will file a written report with the Occupational Health and Safety Division, Province of Nova Scotia, and may initiate further action through its Regulations as it deems appropriate.

Any and all additional costs regarding follow-up inspections and communications relating to an Owner's failure to comply with recommendations made by an Inspection Service are the responsibility of the Owner.

Database

The Inspection Service will maintain a database of all inspection information.

The Inspection Service is obligated by law to keep database records, in concert with the PDBNS, for a period of time commensurate with the laws and regulations of the Province of Nova Scotia.

Confidentiality

The Inspection Service shall ensure that its employees understand and respect that the information that they receive and deal with from Owners is confidential. The Inspection Service shall make best efforts to ensure that its employees keep such information confidential. Such confidential information shall only be shared with the PDBNS and Owners, and employees of the Service Provider who are required to deal with such confidential information.

Approved by the Board: April 7, 2016