

BOARD BUSINESS

From the Registrar's Desk

No. 63, September 2017



NEW PREMISES

The Provincial Dental Board has relocated to its new premises in Bedford, Nova Scotia. The new address is Suite 103, 210 Waterfront Drive, Bedford, Nova Scotia. The contact information for the Board remains unchanged.

RADIOGRAPHY INSPECTIONS – UPDATE

Biomedical Engineering Inc. has completed dental radiography inspections of 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 being inspected in 2017. Inspection reports will now be prepared for the clinics inspected this year and the reports will be sent in January - February 2018. In February 2017, 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 2016. 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 are 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, 2017.



PROVINCIAL DENTAL BOARD OF NOVA SCOTIA

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RADIOGRAPHY INSPECTIONS – SUMMARY OF FINDINGS AND GENERAL RECOMMENDATIONS

The following points are based the general observations by Biomedical Engineering Inc. relating to the Dental Radiation Surveys that have been conducted to date.

1. Overall, there were few problems identified that could be serious in regard to radiation safety. Those identified as a moderate to serious risk to patients, staff or the general public were promptly dealt with in a satisfactory way and were quickly corrected by qualified persons.
2. A concern of ours relates to the quantity of radiation used in the various digital imaging systems. In general, we note that many practices are using levels that are higher than necessary in order to obtain satisfactory images. In a few cases, we have found that some practices tend to use less radiation than is desirable in order to obtain what is considered to be satisfactory images. Since there are no recognized standards regarding what is considered to be “acceptable” quantities of radiation used in various “digital” examinations, we base our observations on normalized data that we gather during our surveys. We communicate our observations to many users and offer guidelines for them to follow but go no further than that.
3. We find many x-ray machines default to normalized exposure values for D speed film when they are powered up for first use. Some staff recognize this and some do not. As a result, this frequently leads to higher than necessary exposure values because D speed film requires exposure levels about 2-3 times higher than that needed for many of the CR and DR systems in use. This is a problem that can be corrected by the service companies and we intend to communicate this to them.
4. We observe that there is little consistency in the approach taken to radiation shielding of CBCT machines. Some are very heavily shielded and others are not. In discussions with users, we have found that those who have purchased these devices have relied on the advice of their service/sales representatives on matters relating to radiation shielding for staff and the general public. Informal discussions with the sales/service persons has revealed that they need professional assistance in this matter. We hope to be able to sit down with these suppliers and find ways to remedy this problem. At this time, most CBCT units are used only lightly with the expectations that little harm has resulted from this situation, but experience elsewhere has revealed that use of CBCT units increases with time and experience.
5. In instances where we feel concern for the safety of the staff and others regarding the level of radiation shielding available in CBCT installations, we have recommended practical ways to address the situation. In general, we have advocated the use of mirrors to assist with the viewing of patients during scans and have recommended that staff find ways to increase the separation between themselves and the equipment during scans. Distance “is your friend” when it comes to operational safety in a risky radiation environment. We suggest that owners recognize this and take whatever steps they can to place their staff as far as practical from these machines during use. In some cases, we feel that it may be necessary to add shielding

materials in order to keep potential levels of radiation exposure to staff to below the 1 mSv level per year. We have made careful drawings of the installations that we have visited and have measured the quantities of radiation used in typical examinations. We will be conducting detailed shielding calculations of these spaces when we return to assess the data. Recommendations will follow based on this information.

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. In addition inspection checklists are being developed for those offices performing moderate and deep sedation.

The Sedation Guideline working group is currently reviewing stakeholder feedback on the draft guidelines and inspection checklists. Revised draft documents will be developed for Board review and direction.

All offices performing moderate and deep sedation will be inspected in the fall of 2017. The sedation inspection team comprised of an anesthesiologist, an oral surgeon and a biomedical engineer will perform a facility inspection and provide a report 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 Federally operated facilities such as the Canadian Armed Forces will not be inspected.

LEGISLATIVE AMENDMENTS

The draft version of the *Dental Act* was approved by the Provincial Dental Board at the May 26, 2017 meeting. This document has been sent to stakeholders for review and feedback. The Board's legal counsel and the legislative amendments committee will review feedback, make revisions and present the revised draft document to the Board for review.

FUNCTIONAL COMMITTEES – UPDATE

Complaints Committee

February 27, 2017

A meeting of the Complaints Committee was held on February 27, 2017 to hear two cases.

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

Case 2: Letter of Caution, publish on a no-name basis.

March 27, 2017

A meeting of the Complaints Committee was held on March 27, 2017 to hear three cases.

Case 1: Letter of Caution, publish on a no-name basis.

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

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

Discipline Committee

July 18, 2017

The Discipline Committee met on July 18, 2017 to hear a proposed Settlement Agreement. The following Settlement Agreement was accepted by the Discipline Committee and is published on a no-name basis.

Summary of Settlement Agreement- July 18, 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 admitted the facts set out in a Statement of Facts with respect to the patient's treatment and that they constitute 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 18 July 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 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. xx.*
- (c) Dr. xx 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. xx.*
- (d) Dr. xx 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
- Fixed and removable prosthodontics

All costs associated with the program are to be paid by Dr. xx.

(e) Dr. xx 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. xx.

(f) 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. 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.

FUNCTIONAL COMMITTEE APPOINTMENTS AND REAPPOINTMENTS

Mandatory Continuing Dental Education (MCDE) Committee

No appointments or reappointments.

Dental Practice Review

No appointments or reappointments.

Complaints Committee

Dr. John Christie was reappointed as Chair of the Complaints Committee for a three year term.

Discipline Committee

Mr. Rod Desborough reappointed as a member of the Discipline Committee for a three year term.

Registration Review Committee

No appointments or reappointments.

REMINDER: REPROCESSING (STERILIZING) DENTAL INSTRUMENTS AND DEVICES

Licensees must follow proper sterilization protocols as stated in the *Infection Prevention and Control (IPC) Guidelines*, Nova Scotia Dental Association (2013). This means that all newly purchased non-sterile critical and semi-critical items must be inspected and processed according to manufacturer's instructions prior to use. Sterilization times, temperatures and other parameters recommended by the manufacturer must be followed. Processing of specialized instruments such as channelled or bored instruments must be completed according to manufacturer's instructions. Not following manufacturer's

instructions or using alternate sterilization cycles is a violation of the IPC Guidelines. A failure to do so would not meet the standard of practice and considered unprofessional conduct. Critical and semi-critical items that cannot be sterilized according to the parameters recommended by the manufacturer cannot be used in patient care.

PATIENTS WHO THREATEN HARM TO ONESELF OR OTHERS – DISCLOSURE

On occasion dentists, dental assistants, or other staff members may encounter patients who threaten self-harm. Such events are quite worrisome and create great concern for the welfare of the patient. Dentists as custodians of their patient’s health information may feel conflicted about how to approach such circumstances due to privacy and confidentiality concerns.

The Personal Health Information Act (PHIA) states in Section 38(1) (d) A custodian may disclose personal health information about an individual without the individual’s consent to any person if the custodian believes, on reasonable grounds, that the disclosure will avert or minimize an imminent and significant danger to the health or safety of any person or class of persons.

Therefore it is not a privacy breach for dentists, dental assistants, or other staff to disclose such communication related to harmful threats without patient consent. If there are reasonable grounds whereby disclosing this information will avert danger, the police should be contacted about this individual uttering threats of harm. The disclosure should be properly documented in the patient’s chart.

USE OF TITLE IN ADVERTISING

It is necessary for licensed dentists in Nova Scotia to abide by the regulatory standards for advertising title. The Specialists Regulation of the Provincial Dental Board of Nova Scotia explicitly lists the categories of specialists and the title which is exclusively used by these specialists. Certified specialists shall use the following designations:

- (a) a certified specialist in oral and maxillofacial surgery shall use the designation, “oral and maxillofacial surgeon”;*
- (b) a certified specialist in orthodontics shall use the designation, “orthodontist”;*
- (c) a certified specialist in pediatric dentistry shall use the designation, “pediatric dentist”;*
- (d) a certified specialist in periodontics shall use the designation, “periodontist”;*
- (e) a certified specialist in dental public health shall use the designation, “public health dentist”;*
- (f) a certified specialist in endodontics shall use the designation, “endodontist”;*
- (g) a certified specialist in oral pathology shall use the designation, “oral pathologist”;*

(h) a certified specialist in oral radiology shall use the designation, “oral radiologist”;

(i) a certified specialist in prosthodontics shall use the designation, “prosthodontist”.

The inappropriate use and display of title is a breach of the Specialty Regulations.

Furthermore, the inappropriate use and display of title would constitute a violation of the Advertising Standards of the Provincial Dental Board as such messaging is misleading, confusing and deceptive to the public.

COMPETENCY ACID ETCH PREPARED CAVITIES

At the May 26, 2017 meeting of the Provincial Dental Board the competency of acid etching prepared cavities was addressed. This competency is currently a didactic component of Dental Assisting Programs, but it is not being taught in clinic. Following discussion, the Board felt that this competency should be incorporated into both the didactic and clinical components of dental assistant training. Also, for dental assistants already engaged in practice this skill can be taught and supervised by the licensed dentist for whom they are employed.

LICENSING REPORT

As of August 31, 2017 the number of licensed dentists, students, assistants and corporations are:

Year	DDS	Students	RDA	Corporations
2017	556	18	778	419
2016	555	18	769	406
2015	539	17	791	416
2014	545	11	795	414
2013	561	11	790	407

NEW STAFF MEMBER

On April 19, 2017 the Provincial Dental Board welcomed Ms. Sarah Hill as its new receptionist.

SUMMER STUDENTS

The Provincial Dental Board hired two students this past summer: Mr. Jacob Zuk (Dalhousie, 3rd year Law) and Mr. Nicholas Stewart (Dalhousie, Bachelor of Arts).

PDBNS ACKNOWLEDGES DEAN TOM BORAN

The Provincial Dental Board acknowledged Dean Tom Boran at the May 26, 2017 Board meeting with a Certificate of Appreciation and a donation to the Dalhousie Faculty of Dentistry’s “Tom Boran Dentistry Outreach Support Fund”.

THANK YOU

The Provincial Dental Board would like to thank Dr. Tom Raddall for his nine years of dedicated service as a member of the Provincial Dental Board. During his years on the Board, Tom served as Chair of the Human Resources Committee, Executive Committee member and Chair of the Board (2014-15).

Respectfully submitted,

A handwritten signature in blue ink that reads "Martin Gillis". The signature is written in a cursive style with a large initial 'M' and a long, sweeping tail.

Dr. Martin Gillis, DDS
Registrar