

**Provincial Dental Board of Nova Scotia**

**Meeting 2020-08**

**Via Zoom Videoconference**

**June 3, 2020 at 9:00am**

A meeting of the Provincial Dental Board of Nova Scotia was held on June 3, 2020 via zoom videoconference.

**In Attendance:**

Dr. Daniel Albert (Chair)  
Dr. Shelly Anderson (Vice-Chair)  
Dr. Kevin Walsh  
Dr. Sunita Sharma  
Dr. David Dignan  
Dr. Terrie Logue  
Dr. Russell MacSween  
Dr. Chris Baker  
Ms. Donna Rushton  
Ms. Marina Crawford  
Mr. David Melvin  
Mr. Greg Fevens  
Dr. Martin Gillis (Registrar)  
Dr. Curtis Gregoire (Deputy Register)  
Ms. Jane Donovan (Executive Assistant)  
Ms. Valerie Benoit (Receptionist)

**Observers:**

Mr. Jason Cooke (Legal Counsel)  
Dr. Ferne Kraglund (Dalhousie University / DHW)  
Ms. Alida Mitchell (Baker Tilley) joined the meeting for Agenda Item 9 a) i)

**Agenda 1. Call to Order**

At 9:10 am the Chair welcomed the Board members. General instructions regarding the proceedings were provided.

**Agenda 2. Conflict of Interest Declaration**

The Chair asked the Board if they had or were aware of any other Board members who had a conflict of interest with today's agenda. Ms. Rushton raised the concern that she may be in conflict as she is member of the NSDAA Executive (NSDAA By-law requirement). After discussion no conflicts of interest were identified with the meeting's agenda.

**Agenda 3. Approval of the Agenda**

The Chair reviewed the agenda and noted the addition of agenda items 11 i), ii)  
It was moved and seconded – Mr. Greg Fevens and Dr. Chris Baker

**Motion 2020 - 41**

"To approve the agenda as amended"

**Motion Carried**

**Agenda 4. Minutes of 2020-01 - 2020-07**

**a) Errors and/or Omissions**

The Chair asked if there were any errors or omissions in the minutes from the January to May meetings. Dr. Terrie Logue called attention to an incorrect name in the January 31, 2020 meeting minutes. It was noted and will be amended.

It was moved and seconded – Dr. Terrie Logue and Ms. Donna Rushton

**Motion 2020 - 42**

"To approve the minutes of the January to May meetings as amended"

**Motion Carried**

**b) Business arising**

The business arising from the previous minutes is incorporated into the agenda.

**Agenda 5.**

**Registrar's Report**

**i) Functional Committee Update**

**Question: MCDE Committee**

**Complaints Committee**

**January 6, 2020**

A meeting of the Complaints Committee was held on January 6, 2020 to hear two cases.

Case 1: (Tabled September 23, 2019): Reconvened – Letter of Reprimand, publish on a no-name basis.

Case 2: (Tabled November 25, 2019): Reconvened – Letter of Reprimand, publish on a no-name basis.

**March 2, 2020**

A meeting of the Complaints Committee was held on March 2, 2020 to hear two cases.

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

Case 2: Refer to Discipline, publish on a no-name basis.

**Mandatory Continuing Education (MCDE) Committee**

The MCDE Business meeting and audit for RDAs was held on February 7, 2020.

During the meeting, a question was raised concerning the medical emergency course with respect to the requirement of a test following the course. It was decided to receive clarification from the Board on this matter.

There was Board discussion followed by direction to inform the MCDE that a post-test should follow the medical emergency course.

The audit for dentists was scheduled to take place on April 1, 2020. Due to the interruption caused by the COVID-19 pandemic this meeting has been cancelled until further notice.

The MCDE Committee held a videoconference meeting on April 2, 2020. The Committee passed a motion granting a one-year extension to all registrants whose cycle ended on December 31, 2019 to meet any shortfall in MCDE credit hours. Also, MCDE cycles ending on December 31, 2020, December 31, 2021 and December 31, 2022 were extended by one year.

**Dental Practice Review (DPR) Committee**

The DPR Committee meeting was scheduled to take place on March 27, 2020. Due to the interruption caused by the COVID-19 pandemic this meeting has been cancelled until further notice.

**Registration Appeal Committee**

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

**ii) Fair Registrations Practices Act (FRPA) Progress Report**

All of the recommendations made by the FRPA Review Officer in the 2017 FRPA Progress Report to the Provincial Dental Board have been completed. The 2020 Progress Report has received with one action item which requires completion by Sept 1, 2020 so that the Provincial Dental Board is compliant with the Canada Free Trade Agreement (CFTA) and four additional recommendations which require completion by the December 31, 2022.

**iii) Nova Scotia Prescription Monitoring Program (NSPMP): Request**

The NSPMP sent correspondence on January 17, 2020 to request for consideration for the Provincial Dental Board (PDB) to develop a professional standard setting out the regulatory expectations when opioid therapy is initiated for acute pain. Dr. Gillis and Dr. Gregoire have been working on a guideline for prescribing and dispensing control drugs and the document is nearing completion. The next step is to provide the draft to the stakeholders at PMP for their feedback and once everyone is agreeable with what the PDB is providing then it will be brought back to the Board for approval.

**iv) Commission on Dental Accreditation of Canada (CDAC): Dentistry / Dental Assisting Programs**

Dr. Gillis provided an update on CDAC as to where things stand with education programs due to the COVID-19 pandemic. Because the pandemic caused an interruption to education, dentistry and dental assisting programs have to provide to CDAC an Annual Program Report (APR) by June 30, 2020 that describes the actions that education programs have taken to seek remedies on how to get their students to graduate. The interruption has not been a problem

with dentistry, specialty programs, or residency programs, however, it has created a significant issue for dental assisting programs. Dental office closures due to COVID-19 has postponed student placements for training which delays graduation until dental assistant clinical training can be completed.

Dental assisting programs need to wait to see how things will progress with the return to practice because this will impact the information provided in the APR that needs to be submitted to CDAC by June 30, 2020. The information that CDAC receives in the APRs will be formatted and presented to the CDAC Dentistry and Dental Assisting Committees for review to determine if the MAP that the program devised is acceptable. Feedback will be provided to the programs once reviewed.

The COVID-19 pandemic is expected to last for a couple of years and therefore, the programs will have to put some thought into how they are going to accommodate education during this time.

#### **Agenda 6.**

##### **Chair's Report**

Dr. Albert provided the Chair's report.

##### **i) COVID-19 Update**

Since the last PDBNS Board meeting, two webinars have been held that were well received by registrants. Attendees will receive 2 hours of category 1 CE credits per webinar.

FAQ's have been updated and posted to the Board's website. Dr. Albert thanked Dr. Anderson and Dr. Baker for their hard work creating the FAQs and to everyone who worked tirelessly over the last couple of months on managing this project.

The Provincial Dental Board's Phoenix working group drafted a COVID-19 Return to Practice Guideline that was distributed for stakeholder feedback. Dr. Robert Strang, Chief Medical Officer of Health, directed the oral health regulators (Provincial Dental Board of Nova Scotia, College of Dental Hygienists of Nova Scotia, Denturist Licensing Board of Nova Scotia, and the Nova Scotia Dental Technologists Association) to create a joint reopening plan. The *COVID-19 Return to Work Guidelines for Nova Scotia Oral Health Professions* was presented to Dr. Strang and Nova Scotia Occupational Health and Safety for approval. Dental practices will return to work on June 5, 2020 for urgent and emergent care with a return to full practice on June 19, 2020.

**ii) Board Effectiveness On-line Survey**

The Chair discussed the annual Board Effectiveness Survey which is completed between the spring and fall Board meetings. This year the survey will be launched during the summer and the results will be compiled and presented at the September Board meeting. The Chair encouraged the Board members to provide thorough responses in the survey.

**iii) Professional Standards Authority (PSA) Conference (March 5-6, 2020)**

Dr. Albert, Dr. Walsh and Dr. Gillis attended the PSA Conference in London, England on March 5-6, 2020. Dr. Albert noted that Regulators from around the world attended this meeting.

The PSA Conference provided an opportunity to learn from other regulators the challenges which face health regulation and approaches to deal with such challenges. It also provided an opportunity to network with other provincial dental regulatory authorities (Dr. Chris Hacker, Registrar, CDSBC and Mr. Irwin Fefergrad, Registrar, RCDSO) and networking with international health regulators from the UK, Ireland, Australia, Belgium and the Netherlands.

Dr. Gillis presented at the conference on the relationship between dental accreditation and regulation in Nova Scotia. Dr. Albert suggested it would be worthwhile to look at presenting at a future PSA Conference about our COVID experience at a future PSA conference.

**iv) Response to CDAC**

CDAC has been mandated to separate from the Canadian Dental Association (CDA) and become a fully independent organization. On March 3, 2020 the Board received a letter from Dr. Amarjit Rihal, Chair, CDAC requesting input from each respective Dental Regulatory Authority asking them to identify, if any, their specific concerns with respect to CDAC's processes, structure, and governance that led to their funding restriction. The PDBNS letter to CDAC was included in the resource material for information purposes.

**Agenda 7.**

**Licensing Report**

Ms. Donovan provided to the Board the licensing report and noted that the Dental Assistant License Fee Agreements will be mailed out over the next week to approximately 654 dental assistants who have not yet paid their licensing fee. At the March 18, 2020 meeting of the Provincial Dental Board that was held by teleconference, the Board granted a six-month extension for the payment of license renewal fees for Registered Dental Assistants (RDAs). Payment is to be

remitted to the Board by October 31, 2020. There are currently 786 RDAs licensed.

The Board office is receiving applications for registration and licensure for new dental graduates and students who are entering into dental graduate and residency programs.

**Agenda 8. National Dental Assisting Examining Board (NDAEB)**

Ms. Rushton provided an update on the NDAEB. A letter from the NDAEB was sent out on April 30, 2020 to dental assisting programs summarizing NDAE NDAEBs activities over the past two weeks with respect to examinations and clinical evaluations. The letter was included in the resource material for information purposes.

**Agenda 9. Board Committee Reports**

**a) Finance and Audit Committee**

**In-Camera**

There was a motion to move *in camera*

It was moved and seconded – Dr. Chris Baker and Mr. David Melvin

**Motion 2020 - 43**

*"To move in camera"*

**Motion Carried**

**i) Auditor's Report**

Ms. Alida Mitchell, Baker Tilly, provided the 2019 Auditor's Report to the Board. It was a clean audit which found no problems or difficulties concerning the accounting practices of the Board.

The Board's Financial Statements for the Period January 1, 2019 - December 31, 2019 were also presented. The statements were reviewed by Ms. Mitchell with

respect to operations and changes in net assets and cash flows for the year, and notes on the financial statements, including a summary of significant accounting policies. The financial position of the Board as of December 31, 2019, was that the Board's operations and its cash flows for 2019 was in accordance with Canadian accounting standards for not-for-profit organizations.

Ms. Mitchell also reviewed the income statement. The income statement revealed that the change in revenue year in 2019 was mostly driven by the realized gain on sale of investments and as well as the unrealized gain (loss) on investments. There were increases in expenses which included: consulting fees related to IT; legal fees as there were more complaints and disciplinary meetings; more consultations in 2019 than the prior year; and increases in the Registrar's expenses due to his one year position as Chair of the Canadian Dental Regulatory Authorities Federation (CDRAF).

Ms. Mitchell highlighted some of the changes in the notes section of the financial statements and said that the major change this year is in the subsequent events note. There were three major subsequent events that were highlighted. The first one was that the Board has entered to do a 5-year contract with Guild Software for the license of technical support for a new database software application. The Guild contract begins in 2020 so none of the transactions are reflected in the 2019 statements. The second subsequent event was the COVID-19 pandemic and the impact it has had on the organization. As dental offices were ordered by the Chief Medical Officer of Health to close their offices in March, this resulted in dentists laying off Registered Dental Assistants due to lack of work. As a result, the Board paid the dental assisting license renewal fees that were due by April 30, 2020 and arranged for dental assistants to reimburse the Board by October 31, 2020.

The last subsequent event was reviewing what impact the pandemic will have on the investment portfolio for the year. The Board's money market fund has not seen any short-term volatility; and the equity fund is being managed for the long-term and CDSPI / Cumberland expects it to recover and grow over the long-term.

It was moved and seconded – Mr. Greg Fevens and Mr. David Melvin

**Motion 2020 - 44**

"To accept the 2019 Auditor's Report as presented"

**Motion Carried**



**ii) Appointment of 2020 Auditors**

Following Board discussion, it was agreed to continue with Baker Tilley as the Auditors for 2020.

It was moved and seconded – Mr. David Melvin and Dr. Sunita Sharma

**Motion 2020 - 45**

“To reappoint Baker Tilly as the Auditors for the Provincial Dental Board of Nova Scotia for 2020.”

**Motion Carried**

**iii) Financial Update – Comparative Income Statement**

Dr. Logue provided a financial update reporting that there were significant increases in costs so far for 2020 which is mainly due to the COVID-19 pandemic. Dental Assistant payments normally due on April 30, 2020 have been extended to October 31, 2020 which accounts for the lower revenue in the comparative income statement.

Consultation fees this year were considerably up compared to last year and that is a direct result of the many active working groups and consultants the Board has engaged to deal with the pandemic. COVID-19 expenses are being tracked and will be presented in future financial updates. The Board is looking at a projection of approximately \$300,000.00 being spent for the management of the pandemic.

**iv) Expense Claim Policy Review**

The January 2020 expense claim policy has been modified. Dr. Logue reviewed the proposed expense claim policy with the Board members. There was discussion followed by direction to have the Auditor’s review the document and for the policy to be revisited at the September 2020 Board meeting.

**v) Meeting CDSPI / Cumberland and Recommendation**

The Finance Committee held a zoom meeting on May 13, 2020 with CDSPI / Cumberland to discuss cashing \$300,000 from the Provincial Dental Board’s restricted net asset funds to cover the costs incurred by the COVID-19 pandemic.

The Board's Policy on Restricted and Unrestricted Net Assets allows the use of these funds for unforeseen events such as a pandemic.

It was moved and seconded – Mr. Greg Fevens and Dr. Kevin Walsh

**Motion 2020 - 46**

"To withdraw \$300,000 from restricted funds to cover the COVID-19 pandemic costs."

**Motion Carried**

The Finance and Audit Committee provided instruction to CDSPI / Cumberland to re-balance the investment portfolio following the cashing in of these investments so that the asset mix is consistent with the Provincial Dental Board's Investment Policy.

**b) Human Resources and Governance Committee**

**i) Guild Update**

Dr. Anderson provided an update on Guild. In February 2020, Guild was chosen to provide database services to the Provincial Dental Board of Nova Scotia (PDBNS). Mr. Chris Holland has been collaborating with Guild to do the transformation of software. It is expected that the new database will be rolled out before the dentist licensing renewal in November 2020.

**ii) Summer Student**

Due to the COVID-19 pandemic it has been decided to defer the summer student for this year.

**iii) Functional Committee Reappointments**

There are two Board reappointments to the Complaints Committee. The committee members accepted for reappointment are Dr. Lee Erickson and Ms. Donna Dickie. Both members have accepted to stand for reappointment.

It was moved and seconded – Dr. Sunita Sharma and Ms. Donna Rushton

**Motion 2020 - 47**

"To approve the reappointments of Dr. Lee Erickson and Ms. Donna Dickie to the Complaints Committee."

**Motion Carried**

There are two Board reappointments to the Discipline Committee. The committee members accepted for reappointment is Mr. Rod Desborough and Mr. John Scott. Both members have accepted to stand for reappointment.

It was moved and seconded – Dr. Russell MacSween and Ms. Donna Rushton

**Motion 2020 – 48**

"To approve the reappointments of Mr. Rod Desborough and Mr. John Scott to the Discipline Committee."

**Motion Carried**

**iv) Commercial Insurance Policy Renewal**

Dr. Anderson presented the Commercial Insurance policy for renewal and noted that there has been a \$100.00 increase in the policy premium.

It was moved and seconded – Mr. Greg Fevens and Dr. Chris Baker

**Motion 2020 – 49**

"To approve the Commercial Insurance as presented."

**Motion Carried**

**c) Standards and Guidelines Committee**

**i) Ad hoc Committees and Working Groups**

**A) Sedation Guidelines**

Dr. Albert noted that the final sedation standard is included in the resource material and has been posted to the Board's website.

**Agenda 10.**

**Old Business**

**i) Specialty License Correspondence – Mark Lucas (Feb 24, 2020)**

Letter of response to Mr. Mark Lucas, Nova Scotia Department of Health and Wellness was featured in the resource material.

The letter contained information on why amendments to the PDBNS Specialists Regulations is not required to reflect the change in structure for the administration of the National Dental Specialty Examination.

The Department of Health and Wellness was pleased with the response.

**ii) Unique Numbers for Dental Faculties**

Concerns have been expressed from Dr. Paul Allison, Executive Director, ACFD that Dental Faculties are having challenges with obtaining unique numbers for billing purposes. At the January 31, 2020 Board meeting there was direction for the Registrar to investigate this matter further with the NSDA and Dalhousie University.

On February 20, 2020, Mr. Steve Jennex, NSDA, Dr. Blaine Cleghorn, Dalhousie University and Dr. Gillis met to discuss this matter. It was determined that because the Board does not create the unique numbers, and that they are created by member services CDA/NSDA, that the NSDA and Dalhousie would continue to discuss this matter further.

**iii) Update: NSDA Infection Prevention and Control (IPAC) Guidelines**

Dr. Gillis provided an update on the NSDA IPAC Guidelines. Prior to the pandemic, the NSDA Clinical Affairs Committee was completing a review of all the IPAC Guidelines across provincial jurisdictions and decided to focus upon the Saskatchewan IPAC guidelines. Dr. Gillis will contact Mr. Jennex for an update.

**Agenda 11.**

**New Business**

**i) Social Media Behavior Policy**

Dr. Albert and Dr. Gillis discussed with Board members the possibility of developing a social media policy for registrants and for members of other organizations. There was direction to talk to stakeholders such as Dalhousie, NSDA, and NSDAA to see if there is interest in partnering on a joint project.

ii) **Correspondence – CDHNS**

Correspondence was received via email on June 2, 2020 by the College of Dental Hygienists of Nova Scotia asking the Provincial Dental Board to consider providing a position statement about a potential regulatory change to facilitate dental hygienists' ability to consistently work with dental assistants to perform four-handed dentistry.

There was Board discussion and direction for the Board's Executive, two RDA's and the Board's two public members to further review and provide a response back to CDHNS by June 19, 2020.

**Agenda 12. In-Camera**

There was a motion to move *in camera*

It was moved and seconded – Dr. Chris Baker and Mr. Greg Fevens

**Motion 2020 - 50**

"To move *in camera*"

**Motion Carried**

**Agenda 13. Adjournment**

It was moved and seconded – Ms. Donna Rushton and Dr. Kevin Walsh

**Motion 2020 – 51**

"To adjourn the meeting"

**Motion Carried**

Approved,



Dr. Daniel Albert, Chair



Date