

**PROVINCIAL DENTAL BOARD
OF
NOVA SCOTIA**



**PROCEEDINGS
2019**

2019 BOARD PROCEEDINGS

INDEX

Report of the Registrar

Report of the Chair

Report of the Complaints Committee

Report of the Discipline Committee

Report of the Registration Appeal Committee

Report of the Mandatory Continuing Dental Education Committee

Report of the Dental Practice Review Committee

PROVINCIAL DENTAL BOARD OF NOVA SCOTIA

December 31, 2019



Chair – Dr. Kevin Walsh

Vice-Chair – Dr. Daniel Albert

Registrar – Dr. Martin Gillis

Deputy Registrar – Dr. Curtis Gregoire

Board Membership 2019

<u>Member</u>	<u>Appointment</u>	<u>Term</u>
Dr. Kevin Walsh, Chair	NSDA	Dec. 2019 (2)
Dr. Daniel Albert, Vice-Chair	NSDA	Dec. 2019 (2)
Dr. Russell MacSween	NSDA	Dec. 2020 (1)
Dr. David Dignan	Government	Nov. 2020 (3)
Dr. Sunita Sharma	Government	Nov. 2020 (1)
Dr. Chris Baker	Government	Nov. 2020 (3)
Dr. Shelly Anderson	NSDA	Dec. 2019 (2)
Dr. Terrie Logue	NSDA	Dec. 2020 (2)
Ms. Donna Rushton, RDA	NSDAA	Dec. 2019 (2)
Ms. Marina Crawford, RDA	Government	Nov. 2020 (2)
Mr. Greg Fevens	Government	Oct. 2022 (2)
Mr. David Melvin	Government	Oct. 2022 (2)



Provincial Dental Board of Nova Scotia

Front Row: Dr. Daniel Albert, (Vice-Chair); Ms. Valerie Benoit (Receptionist); Dr. Terrie Logue; Dr. Shelly Anderson; Dr. Sunita Sharma;

Second Row – Left to Right: Ms. Donna Rushton; Ms. Jane Donovan (Executive Assistant); Ms. Marina Crawford; Dr. Dave Dignan; Mr. Greg Fevens;

Back Row- Left to Right: Mr. David Melvin; Dr. Russell MacSween; Dr. Chris Baker; Dr. Martin Gillis (Registrar) and Dr. Kevin Walsh (Chair).

Functional Committees 2019

Discipline Committee

Complaints Committee

Dr. Tom Boyle, Chair

Dr. Richard A. Raftus, Chair

Discipline Committee

Complaints Committee

Membership

Membership

Dr. Tom Boyle	Oct. 2020	Dr. Richard Raftus	Oct. 2020
Dr. Janet Cullinan	Dec. 2020	Dr. Lee Erickson	June 2020
Dr. Wayne Raimer	Oct. 2020	Dr. Nada Haidar	Oct. 2020
Dr. Ian Ross	May 2021	Dr. Paul MacEachern	Oct. 2020
Dr. Natalie Brothers	Oct. 2020	Dr. Claire Karst	Oct. 2020
Dr. Peter Thomson	Oct. 2020	Dr. Earle Carson	Oct. 2020
Dr. Yvon Belliveau	Oct. 2020	Dr. Blair Raddall	Oct. 2020
Dr. William Whyte	Oct. 2020	Dr. Tom Raddall, III	April 2022
Dr. Stuart Kirby	Oct. 2020	Ms. Donna Dickie, RDA	June 2020
Dr. Karen Furlong	Oct. 2020	Ms. Alma Layden, RDA	June 2022
Dr. David Quigley	Oct. 2020	Ms. Shirlene Dancause, RDA	Aug. 2020
Dr. Mark Sutherland	Oct. 2020	Ms. Janelle Gray, Public	Jan. 2020
Ms. Michelle Fowler, RDA	Oct. 2020	Mr. Bill Watson, Public	Oct. 2020
Mr. R. Desborough, Public	June 2020		
Mr. Michael Muise, Public	Oct. 2020		
Mr. John Scott, Public	June 2020		

MCDE Committee Membership

Dental Practice Review Committee
Membership

Dr. Doug Mackey, Chair	Jan. 2020 (3)	Dr. Mariette Chaisson, Chair	Jan. 2022 (2)
Dr. Erin Hennessey	Oct. 2020 (1)	Dr. David Ingham	Apr. 2022 (1)
Dr. Reena Kapadia	Jan. 2021 (3)	Dr. Stuart A. MacDonald	May 2022 (1)
Ms. Jackie Snooks, RDA	Nov. 2020 (1)		
Ms. Krista Emino-Savory,	Jan. 2020 (3)		
RDA			

Registration Appeal Committee

Registration Appeal Committee Membership

Dr. Eric Hatfield, Chair	June 2021 (2)	Ms. Judy Oakley, RDA	June 2021 (2)
Dr. Ian Doyle	June 2021 (2)	Mr. Doug Lloy	June 2021 (2)
Dr. David Moore	June 2021 (2)	Ms. Gwen Haliburton	June 2021 (2)

Board Committees

Finance & Audit Committee 2019

Dr. Daniel Albert, Chair	NSDA	Dec. 2019
Dr. Terrie Logue	NSDA	Dec. 2020
Mr. Greg Fevens	Public	Oct. 2022

Human Resources and Governance Committee 2019

Dr. Shelly Anderson, Chair	NSDA	Dec. 2019
Dr. Sunita Sharma	NSDA	Dec. 2019
Mr. David Melvin	Public	Oct. 2019
Dr. Russell MacSween	NSDA	Dec. 2020
Dr. Chris Baker	Government	Nov. 2020

Standards and Guidelines Committee 2019

Dr. Dave Dignan, Chair	Government	Nov. 2020
Ms. Donna Rushton	NSDAA	Dec. 2019
Ms. Marina Crawford	Government	Nov. 2020

Executive Committee 2019

Dr. Kevin Walsh, Chair	NSDA	Dec. 2019
Dr. Daniel Albert, Vice Chair	NSDA	Dec. 2019
Dr. Chris Baker, Past Chair	Government	Nov. 2020
Dr. Martin Gillis, Registrar	Ex-officio	

Ad-hoc Committees

Radiography / CBCT 2019

Dr. Russell MacSween (Chair)
Dr. David Dignan
Ms. Donna Rushton, RDA
Dr. Martin Gillis, Registrar
Dr. Curtis Gregoire, Deputy Registrar

Registration Review 2019

Dr. Chris Baker (Chair)

Dr. David Dignan

Ms. Donna Rushton, RDA

Dr. Martin Gillis, Registrar

Botox 2019

Dr. Shelly Anderson (Chair)

Dr. Daniel Albert

Ms. Marina Crawford, RDA

Dr. Chad Robertson

Dr. Martin Gillis, Registrar

Dr. Curtis Gregoire, Deputy Registrar

Dental Assisting 2019

Dr. Daniel Albert (Chair)

Ms. Donna Rushton, RDA

Ms. Marina Crawford, RDA

Legislative Amendments 2019

Dr. Kevin Walsh (Chair)

Dr. Daniel Albert (Vice-Chair)

Dr. Chris Baker (Past Chair)

Mr. David Melvin (Public)

Ms. Marina Crawford (RDA)

Dr. Martin Gillis, Registrar

Dr. Curtis Gregoire, Deputy Registrar

Sedation 2019

Dr. Daniel Albert, Chair

Dr. Terrie Logue

Dr. Archie Morrison

Dr. Ben Schelew

Dr. Martin Gillis, Registrar

Dr. Curtis Gregoire, Deputy Registrar

Obstructive Sleep Apnea 2019

Dr. Chris Baker (Chair)

Dr. Sunita Sharma

Dr. Reginald Goodday

Dr. Brian Cadden

Dr. Martin Gillis, Registrar

Dr. Curtis Gregoire, Deputy Registrar

Report of the Chair, Provincial Dental Board of Nova Scotia

The Provincial Dental board of Nova Scotia (PDBNS) held six board meetings in 2019. Three regular meetings took place at the boardroom of Burchell's law office on January 25, May 31, and Sept. 27th. In addition, two conference calls were conducted April 15 and June 20th. Our 6th meeting was held was on November 23rd, 2019, which has become an anticipated end of the year tradition, combining the board meeting with a continuing education and social component, plus the opportunity to recognize past contributors to the PDB.

Dr. Kevin Walsh entered the second year of his two-year term as chair, with Dr. Daniel Albert as vice-chair. There were no new appointments to the Dental Board in 2019 as all serving members continue with their terms or were re-appointed. New this year, we have added a part-time position of deputy registrar to assist the registrar, Dr. Martin Gillis, with his many tasks. We are pleased that, after a difficult selection process with an excellent pool of candidates, Dr. Curtis Gregoire accepted the position. The deputy registrar will report to the registrar while assisting the PDB in achieving its strategic goals and be responsible for the management of essential programs with a focus on Mandatory Continuing Education, Dental Practice Review, complaints investigations and projects. In addition, congratulations to our NSDAA Board appointee, Ms. Donna Rushton, for being named the national chair of the NDAEB.

We've also had a few changes on our committees. After many years of serving as chair of the Complaints Committee, Dr. John Christie has retired. We thank Dr. Christie for the exceptional job that he has done in this important role. Dr. Rick Raftus has become the new chair of this committee, and Dr. Tom Raddall III will fill the vacancy left by Dr. Christie. Dr. Joanne Thomas stepped down from chairing the Dental Practice Review Committee due to her NSDA president commitments, and we thank Dr. Mariette Chiasson for agreeing to take on the role of chair. We also welcome new committee members Drs David Ingham and Stuart MacDonald. In addition, this summer we

welcomed Mr. Colin Hooper, a third year Dal Law student, who helped with various projects. In 2020, Dr. Dan Albert will become the chair, and Dr. Shelly Anderson vice-chair.

Much effort has gone into moving forward with Legislative Amendments. In 2015 the PDBNS was tasked by the Department of Health and Wellness to move forward with legislative amendments to the 1992 *Dental Act*, the purpose of which is to become current with legislative expectations pertaining to the PDBNS's mandate and role as a regulatory authority. Due to modern legislative expectations, the government has directed both the NSDA and PDB to have separate Acts, which will regulate our respective activities in the future. Our Legislative Amendments Committee, along with legal counsel, have been working on this important task for 4 years now. In recent discussion with the Dept. of Health and Wellness, we are now in the cue to have the proposed new Act considered. In 2020, the PDBNS will re-evaluate our Strategic Plan of 2016 to ensure that we continue with a clear direction guided by our core values and vision. The plan we have been following for the last 4 years has helped accomplish so much towards our mandate of public protection and improving the board's outcomes.

The Finance Committee forwarded a balanced budget for 2020, which was adopted at the June 27 teleconference meeting. The PDBNS approved no increase in fees in all licensing categories for 2020, resulting in the following license fees: Dentists - \$1145, Dental Assistants - \$235; Students - \$66; and Corporation Permit Fees - \$176.

The Board has been diligently working on several important standards documents. Our Guidelines for Therapeutic and Esthetic Therapies (eg. botulism toxoid (type A) and dermal fillers) was passed at our November Board meeting as is available on the website. This guideline focuses on determining competency for delivering more advanced levels of care. The new version of the Sedation Standards should be approved by the board and available in early 2020. The update was required to reflect changes in sedation protocols and provide clarity where required. As well, facility visits have been performed on all offices providing moderate and deep sedation, and the findings have been provided to the licensees. Standards for Obstructive Sleep Apnea and CBCT will be completed in early 2020. In addition, a guideline document regarding

the best practices for the prescribing of opiates and benzodiazepines by dental practitioners will be worked on this coming year.

Letters have been sent out to the operators of CBCT machines in Nova Scotia informing them that the CBCT course held at Dalhousie would be the framework course that would be judged appropriate for the education and operation of CBCT machines in the future. The Mandatory Continuing Dental Education (MCDE) committee recommended to the board that a Medical Emergencies Course be added as a core component of MCDE (currently CPR is the only core requirement). At the May 24, 2019 board meeting, this recommendation was accepted. Dentists and RDAs will be required to successfully complete a minimum half-day attendance course once per 3 year cycle. Category 1 MCDE credits will be awarded for the successful completion of the course. The Nova Scotia Provincial Blood Coordinating Program provided a document for the PDB to help dentists understand how to document and report graft material usage as well as how to report any adverse reactions. This document is available on the Board website.

The Board continues to play an active role in dental provincial and national organizations. Dr. Martin Gillis has just completed his term as the chair of the CDRAF and represented us very well. The National Dental Assisting Examining Board along with the CDAA are conducting a national occupational analysis. National data is to be collected which may be used for various purposes including examining trends in dental assisting practice, defining the competencies of RDA practice, updating the RDA domain description, and validating the NDAEB examination. The PDB has sent a delegate, Ms. Marina Crawford to sit on this committee. There was a request from the Department of Health and Wellness for the PDBNS to have dentistry workforce planning data. The Department notes that it is the responsibility of a regulator to have sufficient, recent data that can be used to provide information regarding licensing and other workforce trends. The information compiled in this data set will be valuable in determining the workforce status of the various health care professions.

Self-regulation is a responsibility and a privilege that has been given to dentistry by government on behalf of the public of Nova Scotia and it has been my pleasure serving as chair. This will be my final report as I pass the reins over to the very capable Dr. Daniel Albert as of January 1st, 2020. I would like to express my gratitude to all of the

Members of the Board and committees for their hard work and unwavering commitment, and to the exceptionally dedicated board staff for their focus and strong support.

Respectfully submitted,

Dr. Kevin Walsh, Chair

Report of the Complaints Committee

2019 saw the Registrar refer 18 new complaints to the Complaints Committee and as a result the Chair was required to call 8 separate meetings to consider these complaints.

The meetings were held on, January 21, February 25, April 9, June 3, August 1, September 23, October 21 and November 25.

The complaints were broken down to 17 that pertained to licensed dentists and 1 pertained to a licensed dental assistant.

The Complaints Committee was able to dispose of 16 complaints during the 8 meetings while the remaining 2 were tabled and disposition of these should occur early in 2020.

The disposition of the 16 complaints were as follows: 8 were dismissed, 1 was referred to Discipline, 3 licensees were counselled, 3 licensees were issued a written letter of caution and 1 licensee was issued a written letter of reprimand.

The 1 complaint that was referred to Discipline, as well as 2 others that were referred to Discipline in 2018, had the Settlement Agreement returned to the Committee and after review and deliberation, all 3 were recommended for acceptance and referred back to Discipline.

Two of the 3 written cautions and the 1 written reprimand also included an instruction for the Registrar to arrange to have a Dental Practice Review completed in the next 12 months and one included a 2nd review within the subsequent 12 months.

Other statistics that deserve mention include, 3 of the 18 complaints were initiated by the Registrar and a total of 4 different panels were used in the 8 meetings.

The Complaints Committee is made up of a very dedicated group of professionals that work extremely hard to always be very well prepared for each and every meeting. I would like to take this opportunity to thank them for their commitment and hard work; it is why the committee works so well.

Respectfully submitted,
Richard Raftus, Chair

Report of the Discipline Committee

After a couple of false starts, the Discipline Committee met in mid-November to deal with three proposed settlement agreements, a couple of which were held over from 2018. Typically once a settlement agreement reaches us, the Registrar and the Complaints Committee have met with the party who is the subject of the complaint and have come up with a settlement all the parties deem to be fair. They usually involve a component of education tailored to help the dentist or assistant avoid repeating the error or errors that led to the complaint. The Registrar lays out the complaint and the settlement. Sometimes an attorney appears for the subject of the complaint. In all cases, members of the panel of the Discipline Committee can question the Registrar and the attorneys to discover what went into arriving at the settlement. This was the first occasion where Dr. Curtis Gregoire, the newly appointed Deputy Registrar, was present at a hearing and we welcome his addition to the Dental Board. Ultimately, after several questions from the committee members, we ruled to agree to all three settlements.

Once again I thank the members of my committee who are always available when called on, and all those involved in arranging these hearings, which run so smoothly and make or jobs so easy.

Respectfully submitted,
Dr. Thomas Boyle, Chair

Report of the Registration Appeals Committee

The Registration Appeals Committee has not had to convene in 2019. Therefore, there is no activity to report.

Respectfully submitted,
Dr. Eric Hatfield, Chair

Report of the Mandatory Continuing Dental Education Committee

The Mandatory Continuing Dental Education (MCDE) Committee of the Provincial Dental Board of Nova Scotia (PDBNS) met for regular business on February 1, 2019. The Registrar, Dr. Martin Gillis, PDBNS staff persons, Ms. Jane Donovan and Ms. Valerie Benoit, and all Committee members were present. Also in attendance as a Consultant was Dr. Simone Abbass.

The Committee considered a proposal to have Medical Emergencies in the Dental Office as a mandatory core CE component. After discussion by the Committee, a motion was made and passed to make a recommendation to the Board that a course in Medical Emergencies be mandatory for all licensees once in every 3-year-cycle. At its May 24, 2019 meeting, the Board accepted the Committee's recommendation and this mandatory CE requirement came into effect for the three-year-cycle beginning on January 1, 2020.

Under the Audit Review process for the 3-year cycle ending in December of 2018, a sample of 46 dental assistants and 41 dentists and were audited after random selection.

Of the dental 46 dental assistants sampled, the Committee found 17 to have incomplete audits, which were returned to the dental assistants with requests from the Committee. Of the 17 dental assistants in question, 1 was struck from the Dental Assistant Register

for not completing their CDE audit. 1 dental assistant relinquished their license. The 15 remaining dental assistants subsequently completed their audits by April 30, 2019, thus maintaining licensure.

Due to the large number of licensees in this MCDE Audit cohort, the processing of the dentists' submissions was deferred to March 29, 2019. In the pool of 41 dentists sampled, one dentist had retired and relinquished their license. Of the remaining 40 dentists, 15 were found to have incomplete audits. All were contacted and subsequently completed their audits by November 30, 2019, thus maintaining licensure.

Respectfully submitted,
Dr. Doug Mackey, Chair

Report of the Dental Practice Review Committee

In January 2019 a stratified random sample set of 80 dentists was identified to complete the annual Dental Practice Review Self-Assessment document. As previous years, Dr Sam Stewart of the Medical Informatics Division of the Faculty of Computer Science, Dalhousie University facilitated the sample selection.

The sample breakdown was as follows: 46 dentists from the Halifax Regional Municipality; 20 dentists from Northeastern Nova Scotia/Cape Breton; and 14 dentists from Yarmouth/ Valley/South Shore region.

The revised 2019 self-assessment document sent out to the dentists was reflective of 2018 committee work.

The Dental Practice Review committee, with a new chair and some new committee members, met on July 9th, 2019 at the Dental Board office to review the completed self-assessment forms and conduct the business meeting. Site visit locations were identified as well as information deficient assessments requiring more details.

A total of 16 site visits were completed; 8 in HRM; 3 in CB/NE and 5 in Yarmouth/Valley/South Shore. All the site visits and supplementary information query responses were all completed by November 30th, 2019.

The review process was conducted with the support and cooperation of the members. Compliance was demonstrated with the recommendations.

Respectfully submitted,
Dr. Mariette Chiasson, Chair