

Provincial Dental Board of Nova Scotia
Meeting 2017-03
103- 210 Waterfront Drive, Bedford
May 26, 2017, 8:30 am

A meeting of the Provincial Dental Board of Nova Scotia was held on May 26, 2017 at the Provincial Dental Board boardroom, 210 Waterfront Drive., Bedford, Nova Scotia.

In Attendance: Dr. Chris Baker (Chair)
Dr. Kevin Walsh (Vice-Chair)
Dr. Daniel Albert
Dr. Shelly Anderson
Dr. Clare Champoux
Dr. David Dignan
Dr. Terrie Logue
Dr. Tom Raddall III
Ms. Marina Crawford
Ms. Donna Rushton
Mr. Greg Fevens
Mr. David Melvin
Dr. Martin Gillis (Registrar)
Ms. Jane Donovan (Executive Assistant)
Ms. Sarah Hill (Reception)

Observers: Dr. Tom Boran (Dean, Faculty of Dentistry, Dalhousie University)
Ms. Lynda Foran (Executive Director, NSDAA)
Mr. Steve Jennex (Executive Director, NSDA)
Mr. Jason Cooke (External Legal Council)
Mr. Gerry Lacroix, (Auditor,GT: Agenda 10a)
Ms. Jan Sheppard-Kutcher (NS Dept. Labour & Advanced Education: Agenda 14)
Mr. Jacob Zuk (PSBNS Summer Student)
Mr. Nicholas Stewart (PDBNS Summer Student)

Agenda. 1 Call to Order

At 8:38 am the Chair welcomed board members and provided general instructions regarding the proceedings.

Introduction of New Board Staff

The Chair introduced the Board's new receptionist Ms. Sarah Hill, and the Board's two summer students Mr. Nicholas Stewart and Mr. Jacob Zuk. Also mentioned was the hire of Ms. Laurie MacDonald as the Board's new bookkeeper.

Agenda. 2 Conflict of Interest Declaration

The Chair asked the Board if they had or knew of any other Board members who had a conflict of interest with today's agenda.

Ms. Lynda Foran declared a conflict with item 13(e) and will leave the room when this item arises in the agenda.

Agenda. 3 Approval of the Agenda

The Chair reviewed the agenda and noted the addition of two items under New Business: 13(f) Question from Dr. Tim Giddens regarding Abutment Modifications, and 13(g) Question from Dr. Joel Powell regarding local anesthetic administration by Registered Nurses and the protocol for de-identification of digital radiographs in referrals to specialists.

It was moved and seconded – Mr. David Melvin and Dr. Daniel Albert

Motion 2017-19

“To approve the agenda as amended”

Motion Carried

Agenda. 4 Minutes 2017-01 and 2017-02 Board Meetings

a) Errors and/or Omissions

The Chair asked if there were any errors or omissions in the minutes from the January 2017 and April 2017 Board meetings. Dr. Baker identified typos in the January minutes to be corrected and Dr. Albert indicated that he was left off the list of attendees at the January 2017 Board meeting

It was moved and seconded – Dr. Kevin Walsh and Dr. Terrie Logue

Motion 2017-20

“To accept the minutes as amended”

Motion Carried

Agenda. 5 Dean’s Report

Dean Tom Boran provided an update for the Dalhousie Faculty of Dentistry.

The vision of the Faculty of Dentistry is to promote integrity, competence, and compassion while providing evidence based ethical oral health care to all populations in collaboration with other health professions.

There is a continuation of clinic facility renewal, and the review and revising of curriculum and patient care with the objective to work together in a collaborative manner ensuring quality patient care.

The task force created subsequent to the restorative justice report made recommendations to the Faculty. These recommendations involved new initiatives such as creating a positive and supportive learning environment through a number of workshops and presentations.

Dean Boran noted upon his retirement on June 30, 2017 that Dr. Ben Davis will become Acting Dean of the Faculty of Dentistry until such time as a replacement is found.

A video was presented on the Outreach Dental Program which provides access to care to underserved populations such as low income individuals, the homeless, and refugee populations. This Program provides kindness, care and compassion towards the patient and is made sustainable through alumni and community donations so that there is no cost to the patient.

In conclusion Dean Boran, thanked the members for their counsel, support and understanding during his nine years on the Board. Dr. Baker presented Dean Boran with a Certificate of Appreciation and a donation will be made by the Board to the Outreach Program.

Agenda. 6 Nova Scotia Dental Association (NSDA) Report

Mr. Steve Jennex provided an update on the activities of NSDA. The NSDA will be relocating to 101-210 Waterfront Drive, Bedford on June 28, 2017.

Some key activities are:

Continuing Dental Education (CDE) – the creation of online CDE opportunities for members and staff. There are two projects ongoing: 1. with the Canadian Dental Association (CDA) to provide no cost clinical cases with post-case knowledge tests, and 2. a partnership with the British Columbia Dental Association (BCDA) to connect Nova Scotia dentists to the extensive library of online courses available through BCDA’s online CE portal.

Dental Ethics - The resource document “Principles of Best Ethical Practice” guide will be sent out to membership this summer.

Other Projects - There are also drafts of the following topics being prepared: 1. Transitioning an analog office to a digital; 2. Resource on Breastfeeding; 3. Dental office recognition of the signs of child abuse; and 4. The development of a new medical history form for patients.

Secure Send- The CDA and the NSDA are launching SecureSend in Nova Scotia allowing for the secure transmission of patient information between dentists and dental specialists.

Member Assistance Program- After many years with the Professionals Support Program (PSP) the NSDA has switched to the Member Assistance Program (MAP). The MAP offers instant telephone help for counseling on addictions, marital issues, stress etc. which are all issues in which a safety net is needed for members to access in times of need.

Agenda. 7 Nova Scotia Dental Assistants Association (NSDAA) Report

Ms. Lynda Foran provided an update on the NSDAA. She highlighted some provincial and national issues which other provincial associations and the Canadian Dental Assistants Association (CDAA) are undertaking.

Agenda. 8 Registrar’s Report

a) Licensing Update

Ms. Jane Donovan provided the licensing report. As of May 26, 2017 there are 547 Dentists, 21 Students, 776 Dental Assistants and 404 Corporations registered with the Provincial Dental Board. Following the dental assistant license renewal deadline sixteen dental assistants were struck for unpaid Board fees (NSDAA fees paid) of which four subsequently renewed their licenses. There were fourteen dental assistants struck for nonpayment of both PDBNS and NSDAA fees.

b) Functional Committees Update

Complaints Committee

The Complaints Committee met in both February and March of 2017. The Committee heard two cases in February with one case being dismissed and the other case being issued a Letter of Caution. In March three cases were heard with one Letter of Caution and two cases dismissed.

Discipline Committee

The Discipline Committee met on February 6, 2017 to hear a proposed Settlement Agreement. The Settlement Agreement was accepted by the Discipline Panel.

Mandatory Continuing Education Committee (MCDE)

On February 5, 2017, eleven dental assistants were audited, of whom seven were successful and the remaining four needed to acquire additional CDE credits in order to pass the audit before the license renewal deadline of May 1, 2017. Eight Dentists were audited, of whom six had incomplete audits and two were outstanding. The dentists will have until the license renewal deadline of November 30, 2017 to complete the requirements. Since the MCDE meeting did not have quorum a conference call will be scheduled to pass Motions which were unable to be addressed during the meeting.

Dental Practice Review Committee (DPR)

The DPR Committee meeting and audit took place April 8, 2017 with Dr. Joanne Thomas assuming her role as Chair and the introduction of new Committee members Dr. Curtis Gregoire and Dr. Mariette Chiasson. Dr. Simone Abbass will continue in her role as DPR consultant in 2017.

The self-assessment forms were reviewed by DPR committee, collated and follow-up reports sent to those dentists audited this year. The report would state either that there was a satisfactory result or it would contain recommendations for the dentists to provide a response back to the Provincial Dental Board noting that the recommendations were implemented.

Registration Appeal Committee

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

c) **Canadian Dental Assistants Regulatory Authorities (CDARA) Meeting**

The Registrar provided a brief summary on the Annual CDARA meeting held in Ottawa on April 20, 2017. A key topic of discussion was the work of the 'Consortium' represented by BC, AB, SK, MB and NS to discuss uniform competencies for post graduate models in prosthodontics and orthodontics. A key element in moving forward will be to accredit the training programs delivering the modules and to certify the individuals completing these training programs. The Commission on Dental

Accreditation (CDAC) and the National Dental Assistants Examining Board (NDAEB) will enter discussions with CDARA regarding these roles.

- d) **Canadian Dental Regulatory Authorities Federation (CDRAF) Meeting**
The Registrar provided a brief summary on the CDRAF meeting held in Ottawa on April 22, 2017. An agreement has been reached to change the governance model at CDRAF with the transition beginning in October 2017 at the upcoming CDRAF AGM. The change will see the creation of a Registrars Council (RC) whereby the provincial Registrars would attend meetings four times per year. The AGM would transition to an Annual Assembly which would vote on motions put forth by the RC. Each province will have one vote and the current Management Group will be reduced to a President and Vice- President.
- e) **Royal College of Dentists of Canada (RCDC)- Service Agreement**
The Registrar provided an update on this initiative. The primary goals for a third party service agreement would be to have one national agreement signed by all provinces detailing the roles and responsibilities of RCDC and the DRAs.
- f) **National Dental Examining Board (NDEB) Update**
The Registrar provided a brief summary on the NDEB meeting held in Ottawa on May 13, 2017. Key topics of discussion relevant to dental regulation were on examinations and assessments and the creation of a central repository for the verification of documents .
Examinations and Assessments: With the goal to promote validity and fairness of all exams and assessments, the NDEB is working on improving efficiency of the exam and assessment process, developing a comprehensive integrated exam adding topics not previously covered, and replacing the written and OSCE modules with the virtual OSCE.
Central Repository for the Verification of Documents: With the support of CDRAF and under the leadership of Dr. Van Woensel (Registrar, Manitoba Dental Association) discussions are taking place to move toward a central repository and verification of documents. This will allow for a more efficient and streamlined process for the collection and retention of documents for the registration of dentists by the provincial DRAs.
- g) **NDAEB (National Dental Assistants Examining Board) Update**
The Registrar will be attending the NDAEB AGM on June 16, 2017 as an observer and to participate at the community round table session.
- h) **Nova Scotia Prescription Monitoring Program - PDB Representative to NSPMP Board**
There was a short discussion regarding the Provincial Dental Board's NSPMP representative.

It was moved and seconded – Dr. David Dignan and Dr. Tom Raddall

Motion 2017-21

“For Dr. Marco Chiarot to remain as PDBNS representative for the PMB”

Motion Carried

- i) Policy on Self Regulation
It was noted that the Policy on Self Regulation was passed by Government which will require one third public representation on boards and committees.
- j) Internationally Educated Dental Professionals Working Group (IEDP) Update
The IEDP Orientation session was held at the ISANS office on April 28 , 2017. The session was well presented and shown as an opportunity to learn and grow.
- k) FRPA Newsletter April 2017
Presented for Board’s viewing.
- l) College of Dental Hygienists of Nova Scotia (CDHNS): Retirement of Patricia Grant
It was noted that the Registrar will be attending the retirement gathering for Ms. Patricia Grant, Registrar of CDHNS on June 2, 2017.
- m) Registrar’s Activities
A summary of the Registrar’s activities was presented for the Board’s viewing.

Agenda. 9 Chair’s Report

- a) Nominating Committee
A Nominating Committee was struck for the succession of Board Chair at the end of 2017. This Committee is made up of Chair, Past Chair, HR- Governance Chair and Registrar. A slate for Chair and Vice-Chair for the next two-year term (January 1, 2018- December 31, 2019) will be presented for consideration by the Board at the September meeting .
- b) NSDA Governing Council
The Chair brought news from the NSDA Governing Council which included news that the Federal Government has decided to cancel plans of proposed taxation of dental benefits. The NSDA continues with its efforts to achieve resolution of difficulties experienced with the Children’s Oral Health Care Program. The NSDA is also seeking the Board’s endorsement of “ Principles of the Best Ethical Practices: A Guide for the Nova Scotia Dentist” they are looking toward creating a Continuing Education ethics module.

c) CDRAF Meeting

The Annual meeting of the Canadian Dental Regulatory Authorities Federation occurred on April 22, 2017. Both the Registrar and Chair attended. At the meeting the Strategic Plan was adopted and a new governance model was proposed. A topic also brought up at the meeting was the requirement of a language proficiency assessment with the NDEB. The CDRAF Board requested the NDEB to draft a proposal with regard to occupation specific language requirements.

Agenda. 10 Board Committee Reports

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

Motion 2017-22

“Move In Camera”

Motion Carried

a) Finance and Audit Committee

IN CAMERA

i) Auditor’s Report

Mr. Gerry Lacroix, Grant Thornton provided the Auditor’s Report. He gave a general explanation of the audit process and reviewed the 2016 Financial Statements. He noted that the Provincial Dental Board uses compensating controls through committees to oversee the financial data and does not “rubber stamp” the process. Mr. Lacroix stated that there were no irregularities identified in the 2016 audit.

Grant Thornton will conduct a mid-year visit to review the expenses incurred by the change in premises, the separation of the PDBNS office location from the NSDA office location and the PDBNS investment strategy.

It was moved and seconded by Dr. Daniel Albert and Dr. Claire Champoux

Motion 2017-23

“Move to accept auditors report and financial statement as presented”

Motion Carried

ii) Appointment of 2018 Auditors

It was moved and seconded by Dr. Daniel Albert and Dr. Tom Raddall

Motion 2017-24

“Move to continue audit relationship with Grant Thornton for 2018”

Motion Carried

iii) Financial Update- Comparative Income Statement

Dr. Daniel Albert gave a presentation of the income statements. Some notable changes were less consultation fees, an increase in office purchases with the move to Bedford, and additional expenses for the radiography and sedation inspection projects.

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

Motion 2017-25

“ To move out of In Camera”

Motion Carried

b) Human Resources and Governance Committee

i) Strategic Action Plan

Within the Strategic Plan under the Governance Objective the two new committees are as follows: Executive Committee was formed to address crisis management and additional board administration. Standards and Guidelines Committee was formed to establish best clinical practice guidelines. With the change in governance the existing Governance Manual required an update to reflect this new structure.

The Operations objective focused on ensuring sufficient HR capacity to support operations of the Board. Changes under operations included hiring a receptionist and bookkeeper for the Board. With the change in premises and separation from the NSDA this also brought an end to the relations with our IT personnel, Mr. David Smith..

ii) Functional Committee Appointments and Reappointments

There was one appointment and two reappointments required.

It was moved and seconded by Dr. Terri Logue and Mr. David Melvin

Motion 2017-26

“ To reappoint Dr. John Christie to the Complaints Committee”

Motion Carried

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

Motion 2017-27

“ To reappoint Mr. Rod Desborough to the Discipline Committee”

Motion Carried

It was moved and seconded by Dr. Kevin Walsh and Ms. Marina Crawford

Motion 2017-28

“ To appoint Ms. Donna Dickie to the Complaints Committee”

Motion Carried

There was a discussion about a possible need for committee member pools and mentorship within the committee chair positions before turnover.

iii) Board Effectiveness Survey
Will be sent out to Board members to complete for review at the September Board meeting.

iv) Board Policy and Procedures Manual
Dr. Champoux presented the Board Policy and Procedures Manual.

It was moved and seconded by Dr. Claire Champoux and Dr. Daniel Albert

Motion 2017-29

“ To approve policy / procedure module manual as presented with review of Section 10 at September Board meeting”

After short discussion it was decided to make changes to Section 10 then reintroduce the Manual for adoption at the September meeting.

Motion Withdrawn

- v) Standards and Guidelines Protocol

It was moved and seconded by Dr. Claire Champoux and Dr. Daniel Albert

Motion 2017-29

“ To Change terms of References in Governance Manual accepting the Document provided” (Referencing ADA Clinical Practice Guidelines Handbook, 2013)

Motion Carried

- vi) Change in Premises

Move from 1559 Brunswick St. Halifax to 210 Waterfront Drive, Suite 103 Bedford occurred on May 5, 2017.

- vii) Media Training/ Communications

The Registrar contacted Mr. Don Moors to schedule Media Training for January 2018 as approved in January 2017 board meeting.

It was moved and seconded by Dr. Shelly Anderson and Dr. Tom Raddall

Motion 2017-30

“ To approve Don Moors TSA, accept proposal as submitted”

Motion Carried

- viii) Review and Development of Contracts

Proposed review and development of contracts for Registrar Dr. Martin Gillis and Executive Assistant Ms. Jane Donovan. Legal counsel for the Board will work with the Committee with draft contacts to be reviewed by the Board at the September meeting.

c) Standards and Guidelines Committee

- i. Ad hoc Committees and Working Groups

- A) Radiography Inspections

A review of the 2016 radiography inspections and correspondence is ongoing. The data results will be uploaded this summer. The 2017 radiography inspections for HRM will take place August through October 2017.

B) Registration Review

A review was performed for the application process for Temporary Authorization to determine if any steps could be streamlined or updated for more efficiency within the process. Suggestions for the proposed update include allowing a letter from the Registrar which can be less costly to the applicant than the Certificate of Good Standing which carries a much higher fee for some provincial jurisdictions. Another change will be to identify the dates the dentist will be in Nova Scotia so that this can be communicated to CDSPI to secure malpractice insurance. If there are any changes to the scheduled dates as noted on the application form this would be communicated to CDSPI directly by the dentist..

It was moved and seconded by Dr. Kevin Walsh and Dr. David Dignan

Motion 2017-31

“ To approve revised Temporary Authorization Policy”

Motion Carried

C) Botox Guidelines

The working group is waiting on response from the ADA+C to determine if the Board can use the Alberta document as a resource to develop its Guideline.

D) Sedation Guidelines and Inspections

Dr. Albert presented the draft Sedation Guidelines and Inspection checklists to the Board.

It was moved and seconded by Dr. Daniel Albert and Dr. Terri Logue

Motion 2017-32

“ To accept in principle the draft Sedation Guidelines as corrected to two guidelines having General Anesthesia separated from Deep and Moderate Sedation. The documents will be sent to stakeholders for review for final approval at a future meeting”

Motion Carried

- E) Recordkeeping Guidelines
The Committee will meet to continue its work on the document.
- F) Guidelines for Prescribing & Dispensing Controlled Drugs
The Registrar and Dr. Chiarot continue to work on a draft document for Board review at a later date.
- G) Dentist Duty to Report
The Registrar and Mr. Zuk will work on a draft document for Board review at a later date.

Agenda. 11

CDAC: Financial Report and Invoice

The Board reviewed the Financial Report and Invoice.

It was moved and seconded by Dr. Kevin Walsh and Dr. Claire Champoux

Motion 2017-33

“ To accept to pay the CDAC invoice as presented for \$20.53 per Dentist registrant and \$8.37 per Dental Assistant registrant ”

Motion Carried

Agenda. 12

Old Business

- a) Prophylactic Antibiotics Position: Orthopedic Surgeons in Nova Scotia
The Registrar was informed by the Deputy Chief Medical Officer to refer this matter to Dr. Kirkpatrick at the Nova Scotia Health Authority. No response at present. The Board gave direction to the Registrar to follow-up with Dr. Kirkpatrick with a formal letter.

Agenda. 13

New Business

- a) Dr. Blaine Cleghorn : Reprocessing of Dental Devices

After discussion on Dr. Cleghorn's question the Board determined that the Nova Scotia Dental Association Infection Prevention and Control Guidelines should be followed by the licensee.

- b) Ms Barb Finney, CBBC : Competency Acid Etch Prepared Cavities
Ms. Finney noted that the competency of acid etching is taught in lectures but not clinically in the CBBC program. She wanted the Board's opinion on clinical instruction and the status of administering this skill by dental assistants already in private practice. Following discussion, the Board felt that this competency should be incorporated into both the didactic and clinical components of the students training at CBBC. For dental assistants already in practice this skill can be taught and supervised by the dentist.
- c) Memo Canadian Association of Orthodontists : Smile Direct Club
It was noted that the Canadian Association of Orthodontists are concerned with the Smile Club literature advertising their self-treatment protocol to the public. This matter currently falls outside the domain of dental regulation. A possible solution is health messaging by dental associations to educate and inform the public of potential risks.
- d) Letter from CDAA to ODQ: Regulation of Dental Assistants in Quebec
For approximately ten years dental assistants have been trying to be recognized as a profession within Quebec. After discussion the Board decided that ODQ controls matters within its jurisdiction and should not be interfered or influenced by PDBNS.
- e) NSDAA- PDB license / NSDAA membership payment.
After a discussion the Board decided the combination of the NSDAA membership fee and Provincial Dental Board Liceneing fee was not possible. Each organization has the responsibility to collect its own fees.

It was moved and seconded – Dr. Tom Raddall and Ms Marina Crawford

Motion 2017-34

“Move that the Board after discussion has decided to proceed with the status quo on collecting fees ”

Motion Carried

- f) Dr. Tim Giddens: Question – Abutment Modifications for Denturist

After discussion the Board decided to table the response to Dr. Giddens question. Direction was given to the Registrar to obtain additional information on this issue from the other provincial DRAs. This will be revisited at the September Board meeting.

- g) Dr. Joel Powell: Questions – Local Anesthetic Administration by Registered Nurses and Deidentification of Digital Radiographs in Referrals to Specialists Radiographs
Local Anesthetic Administration – In order for a Registered Nurse to administer local anesthesia would require a change in scope of practice in both Dental and Nursing legislation. At this time Registered Nurses are unable to administer local anesthetic.
Deidentification of Digital Radiographs – The question regarding digital radiographs not being labelled in circumstances where a patient is referred to secondary provider such as specialist oral surgeon. After discussion the Board referring this matter to Recordkeeping Guidelines Committee and Standards and Guidelines Committee for further policy review.

Agenda. 14

Internationally Educated Dentists (IED) - Observership

Ms. Jan Sheppard-Kutcher and Dr. Gillis made a presentation on the IED Observership program for internationally trained dentists. Such Observership Programs are already being undertaken in Nova Scotia by the Barristers Society and College of Physicians and Surgeons.

Some challenges which are faced by internationality trained dentists include communication and cultural competency when moving to a new country. An Observership Program would allow internationally trained dentists to observe within a practice setting without treating the patient. This would allow the observer to ask questions, have discussions and interact with public, observe roles within the dental team environment, and understand the culture of dental practice in Nova Scotia. In order to protect the patients the observers would have to sign confidentiality agreements, observe only and it would be necessary for the patient to be comfortable being treated under these circumstances.

Following the presentation the Board gave direction to the Registrar to develop documents for the Observership Program. The documents should be created to address all observation in dental practice which would include highschool and university students in addition to the foreign trained dentists.

Agenda.15

Legislative Amendments Update

After a short discussion on the drafted legislative amendments the following motions were put forth.

It was moved and seconded – Dr. Kevin Walsh and Dr. Tom Raddall

Motion 2017-35

“To accept the draft *Dental Act*”

Motion Carried

It was moved and seconded – Dr. Daniel Albert and Dr. Claire Champoux

Motion 2017-36

“To send the proposed drafted *Dental Act* to stakeholders for feedback by September 1, 2017”

Motion Carried

Agenda. 16

In Camera

Agenda. 17

Adjournment

It was moved and seconded- Dr. Daniel Albert and Dr. Kevin Walsh

Motion 2017-37

“To adjourn the meeting”

Motion Carried

Next Board Meeting – September 29, 2017

Approved,



Dr. Kevin Walsh, Acting Chair

23 Nov/17

Date