

PROVINCIAL DENTAL BOARD
OF
NOVA SCOTIA



**PROCEEDINGS
2021**

2021 BOARD PROCEEDINGS

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PROVINCIAL DENTAL BOARD OF NOVA SCOTIA

December 31, 2021



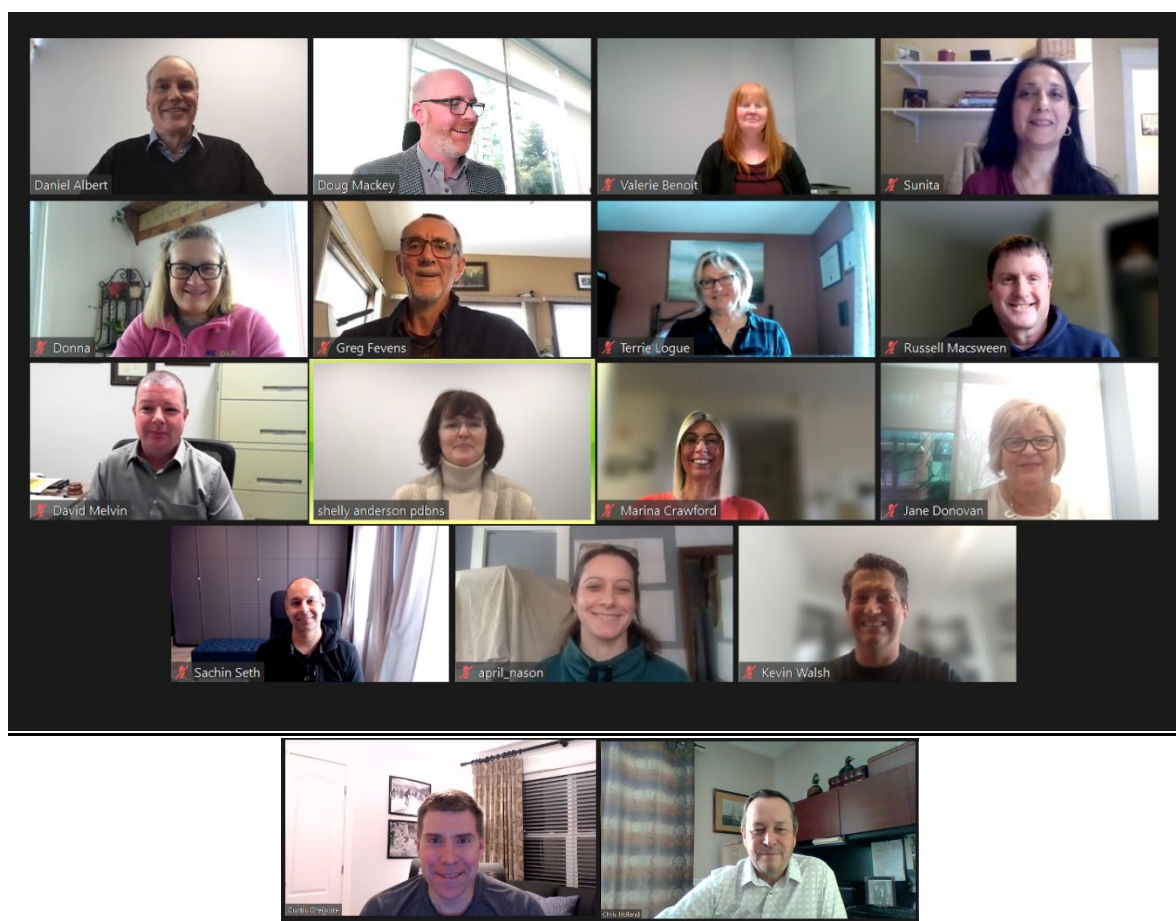
Chair – Dr. Daniel Albert
Vice-Chair – Dr. Shelly Anderson
Registrar – Dr. Martin Gillis (January-June)
Registrar – Dr. Doug Mackey (July-December)
Deputy Registrar – Dr. Curtis Gregoire

<u>Member</u>	<u>Appointment</u>	<u>Term</u>
Dr. Daniel Albert, Chair	NSDA	Dec. 2022 (3)
Dr. Shelly Anderson, Vice-Chair	NSDA	Dec. 2022 (3)
Dr. Kevin Walsh, Immediate Past-Chair	NSDA	Dec. 2022 (3)
Dr. Russell MacSween	NSDA	Dec. 2023 (2)
Dr. Terrie Logue	NSDA	Dec. 2023 (3)
Dr. Sachin Seth	Government	Nov. 2023 (1)
Dr. April Nason	Government	Nov. 2023 (1)
Dr. Sunita Sharma	Government	Nov. 2023 (2)
Ms. Donna Rushton, RDA	NSDAA	Dec. 2022 (3)
Ms. Marina Crawford, RDA	Government	Nov. 2023 (3)
Mr. Greg Fevens, Public	Government	Oct. 2022 (2)
Mr. David Melvin, Public	Government	Oct. 2022 (2)

Staff

Ms. Jane Donovan	Executive Assistant
Ms. Valerie Benoit	Reception
Mr. Chris Holland	IT Support

Provincial Dental Board of Nova Scotia 2021



Functional Committees 2021

Complaints Committee

Dr. Rick Raftus, Chair
Dr. Earle Carson
Dr. Blair Raddall
Ms. Shirlene Dancause, RDA
Mr. Bill Watson, Public

Dr. Lee Erickson
Dr. Nada Haidar
Dr. Thomas Raddall III
Ms. Alma Layden, RDA

Dr. Paul MacEachern
Dr. Claire Karst
Ms. Donna Dickie, RDA
Ms. Janelle Gray, Public

Discipline Committee

Dr. Tom Boyle, Chair
Dr. Peter Thomson
Dr. David B. Quigley
Dr. Mark A. Sutherland
Ms. Michelle D. Fowler, RDA
Mr. John Scott, Public

Dr. Janet Cullinan
Dr. William A. Whyte
Dr. Wayne C. Ramier
Dr. Christopher A. Baker
Mr. Rod Desborough, Public

Dr. Ian W. Ross
Dr. Stuart J. Kirby
Dr. Natalie N. Brothers
Dr. Daniel MacLellan
Mr. Michael Muise, Public

Mandatory Continuing Dental Education (MCDE) Committee

Dr. Erin Hennessy, Chair
Ms. Jackie Snooks, RDA

Dr. Sayed Mirbod
Ms. Audra Hayden, RDA

Dr. Nader Hamdan

Dental Practice Review (DPR) Committee

Dr. Mariette Chiasson, Chair
Dr. David Ingham
Dr. Stuart A. MacDonald

Registration Appeal Committee

Dr. Gorman Doyle, Chair
Dr. Ian Doyle
Dr. Clare Champoux
Ms. Angela O'Hanley, RDA
Mr. Doug Lloy, Public
Ms. Gwen Haliburton, Public

Board Committees 2021

Finance and Audit Committee

Dr. Terrie Logue, Chair
Dr. Kevin Walsh
Mr. Greg Fevens

Human Resources and Governance

Dr. Shelly Anderson, Chair
Dr. Sunita Sharma
Mr. David Melvin
Dr. Russell MacSween
Dr. Sachin Seth

Standards and Guidelines Committee

Dr. April Nason, Chair
Ms. Marina Crawford
Ms. Donna Rushton
Dr. Kevin Walsh

Executive Committee

Dr. Daniel Albert, Chair
Dr. Shelly Anderson, Vice-Chair
Dr. Kevin Walsh, Past Chair
Dr. Martin Gillis, *Ex-officio* (January-June)
Dr. Doug Mackey, *Ex-officio* (July-December)
Dr. Curtis Gregoire, *Ex-officio*

Ad hoc Committees

Social Media Guidelines

Dr. Russell MacSween, Chair
Dr. Sachin Seth
Ms. Marina Crawford
Dr. Sunita Sharma

Registration Review

Dr. Kevin Walsh, Chair
Ms. Donna Rushton
Dr. Martin Gillis (January-June)
Dr. Doug Mackey (January-June)

Legislative Amendments

Dr. Daniel Albert, Chair
Dr. Shelly Anderson
Dr. Kevin Walsh
Mr. David Melvin
Ms. Marina Crawford
Dr. Martin Gillis (January-June)
Dr. Doug Mackey (July-December)
Dr. Curtis Gregoire

Report of the Registrar 2021

The past year was a busy and productive one for the Provincial Dental Board of Nova Scotia (PDBNS). Beyond normal operations, some notable highlights are as follows:

Retirement of Dr. Martin Gillis

On June 30, 2021, Dr. Martin Gillis retired as Registrar of the PDBNS after 8 years of service. The Board is extremely appreciative of Dr. Gillis' contributions to dental regulation in the public interest, both on provincial and national platforms. After shadowing Dr. Gillis for the month of June, Dr. Doug Mackey assumed the role of Registrar on July 1, 2021.

Continued Response to COVID-19 Pandemic

The PDBNS continues to adapt its COVID-19 Reopening Plan in response to changing epidemiology and provincial public health guidelines. The Board is particularly pleased with the collaboration throughout the pandemic among Nova Scotia's four oral health regulators: the PDBNS, the College of Dental Hygienists of Nova Scotia (CDHNS), the Denturist Licensing Board of Nova Scotia (DLBNS) and the Nova Scotia Dental Technician's Association (NSDTA). All four regulators continue to coordinate through the evolution of COVID-19 guidelines for oral healthcare settings.

The success of this multi-stakeholder, multi-disciplinary approach in Nova Scotia was highlighted in a paper published in the Journal of Dental Research in May 2021. The paper, entitled [Reopening Oral Health Services during the COVID-19 Pandemic through a Knowledge Exchange Coalition](#) was authored by Dr. Mary McNally (Faculty of Dentistry, Dalhousie University) and others, including former PDBNS Registrar, Dr. Martin Gillis.

During Dental Practice Review visits conducted in 2021, it was obvious how diligent dental offices have been in the implementation of protocols to reduce the spread of COVID-19. The Board would like to express its appreciation to all oral healthcare providers for their efforts in this regard. Nova Scotians have good reason for confidence when accessing oral healthcare during the pandemic.

Board Meetings

In September 2021, the Board held its first in-person meeting since the beginning of the pandemic, and its second one in November. All present expressed that the in-person format facilitated broader and more robust engagement.

At meetings this year, the Board approved the adoption of its:

- [Standard of Practice - Treatment of Snoring and Obstructive Sleep Apnea with Oral Appliances](#);
- **Guideline for Prescribing Opioids and Benzodiazepines in Dental Practice**; and
- **Guidelines for the Use of Social Media by Dentists and Registered Dental Assistants.**

Many thanks go to the members of the *ad hoc* committees who worked diligently on the creation of these documents.

Legislative Amendments

The PDBNS is in the process of legislative amendments. The present Dental Act, passed in 1992, is due for a revision to better align with contemporary regulatory models. Results of the stakeholder feedback process were submitted to government in March 2021. Progression to the next stage seems to have been interrupted by a provincial election and the installation of a new government. It is hoped that the process will be reignited early in 2022.

Licensing Statistics as of December 31, 2021

Dentists	576
Dental Students (Post-graduate)	19
Registered Dental Assistants	827
Incorporations	414

I would like to thank staff, Deputy Registrar Dr. Curtis Gregoire, and all Board and Committee members for their support as I have transitioned into the role of Registrar. It is truly an honour to work with such a dedicated group of individuals who are committed to protecting the public's interests in matters related to the delivery of dental care.

Lastly, I would like to thank Dr. Martin Gillis. Martin worked tirelessly in his role, often quietly behind the scenes putting in many undocumented hours. I am appreciative of his guidance and the groundwork he has laid.

Respectfully Submitted,
Dr. Doug Mackey, Registrar

Report of the Chair 2021

The year 2021, started with the development of novel vaccines to guard against Covid- 19. Collective optimism was emerging that there was finally light at the end of a long tunnel. However, with the emergence of the Delta and Omicron variants, the year was again filled with uncertainty, anxiety, and many challenges. PDBNS registrants demonstrated strong resilience as comprehensive oral health care was safely delivered to Nova Scotians. Everyone is feeling the strain of this pandemic as the relentless series of stresses have had a cumulative effect and have undoubtedly taken a toll on all of us. We must maintain our collective resolve and rally through to easier days ahead.

Covid 19:

The Covid 19 Return to Practice Phase 3 Comprehensive Care has been and remains an excellent document. This document underwent many minor updates to maintain compliance with directives from DHW and the CMOH. Modifications were made in response to border restrictions, changes in isolation requirements as the vaccination program evolved and changes to definitions of essential and rotational workers. These updates were communicated to registrants through multiple advisories and by updating the Covid-19 resources on the PDBNS website.

The New Dental Act:

The PDBNS has developed a discussion paper explaining 5 key concepts for updating the 1992 Dental Act. These concepts are:

- 1) Mandate and Accountability
- 2) Governance
- 3) Scope of Practice
- 4) Registration and Licensure
- 5) Professional Conduct

Fourteen stakeholders submitted feedback that was generally supportive with suggestions for enhancement.

On March 1st the Registrar and the Chair gave a presentation to the DHW which outlined the stakeholder feedback.

At present, the Legislative Amendments process has paused as we are awaiting government feedback. When this feedback is received a second, more robust discussion paper will be developed and distributed to stakeholders for further feedback. Also, a series of province-wide public consultations are planned.

Registration:

The cloud based online registration initiative proved to be very challenging. Unfortunately, because of the numerous setbacks, delays and errors on the part of the IT firm commissioned to complete the project, it was canceled. Fortunately, an in-house solution was successfully developed and implemented. This will facilitate the registration process for years to come as all the data has been stored on the cloud. The PDBNS extends its gratitude to all registrants for their patience and understanding.

Governance:

Due to the local Covid-19 epidemiology and restrictions, the January and May Board meetings were held virtually. The September meeting was a hybrid one, and the November meeting was a return to in-person. The vaccination program as well as the favourable epidemiology and easing of restrictions at the time, meant that Board members felt secure to meet in person albeit in a larger room to accommodate for social distancing.

PDBNS Staff:

On June 30th, Dr. Martin Gillis retired as Registrar after many years of service to the PDBNS. Dr. Gillis was instrumental in developing and updating many of the PDBNS standards of practice for dentistry in Nova Scotia. He was a founding member of the Regulated Health Professions Network in Nova Scotia and made significant contributions to national regulatory organizations.

On July 1st, Dr. Doug Mackey became Registrar. He has made a seamless transition despite taking on the position in the middle of a pandemic!

Standards of practice:

A Standard for Obstructive Sleep Apnea was approved.

A guideline for the prescription of controlled substances was approved.

A Guideline for the use of social media by dentists and registered dental assistants was approved.

An Allograft Toolkit was approved.

Presently an update to IPAC guidelines developed by the NSDA has been made into the new IPAC standard and is getting final approval from the 4 Oral Health Regulators.

A medical emergencies course is now a mandatory component of MCDE requirements.

Conclusion:

These are unprecedented times. Over the past two years, the PDBNS has remained focused on keeping the public and Registrants safe. This remains a group effort with Board members dividing the workload and PDBNS staff also putting in many extra hours under difficult conditions. I want to extend my gratitude to everyone that has helped to make my time as Chair very fulfilling to say the least.

Much uncertainty remains about the Covid -19 Pandemic. However, I am certain about the capabilities of the new Vice Chair Dr. Russell MacSween, and the new Chair Dr. Shelly Anderson. As they say in her homeland of Cape Breton: "GET 'ER DONE SHELLY!"

Respectfully submitted,
Dr. Daniel Albert, Chair

Report of the Complaints Committee 2021

2021 was a very busy and challenging year for the Complaints Committee. The committee required 11 separate meetings, all via Zoom, to successfully dispose of 19 complaints this year.

The complaints were disposed of as follows:

- 6 were dismissed
- 2 letters of counsel were issued
- 4 letters of caution were issued
- 3 letters of reprimand were issued
- 3 were referred to discipline
- 1 license was immediately suspended

The types of complaints that were dealt with in 2021 included such things as communication issues, quality of care issues, privacy issues, public safety issues, delegation of care issues, informed consent issues and record keeping issues. There were 2 separate panels involved in the 11 meetings that were called in 2021. One panel was involved in 8 of the meetings while the 2nd panel was involved with the remaining 3.

At the time of this writing, there are 8 complaints under investigation by the Registrar which vary in complexity and will be brought before the Complaints Committee in due course.

I would like to thank everyone involved for their professionalism, their dedication and all their time and effort that was required to dispose of all the complaints before us this year. It was a pleasure working with all of you.

As everyone is aware, Dr. Martin Gillis stepped down as Registrar this year. Martin is an amazing hard-working individual and well respected across Canada. I speak for everyone involved with the complaints process when I say, it was a pleasure to work with him during his time as Registrar and we wish him all the best in his future endeavors.

I also want to welcome Dr. Doug Mackey to the Board and look forward to working with him in his new role as Registrar.

Respectfully submitted,
Rick Raftus, Chair

Report of the Discipline Committee 2021

The Discipline Committee handled two cases in 2021, one of which was quite involved. The first case was just wrapping up a settlement agreement negotiated by the Complaints Committee last year and then ratified by us this spring. The second case spanned several meetings over a few months and involved preparation time that included our panelists reading over a thousand pages of documents.

It started with us conducting an appeal of a Complaints Committee decision. No one had ever appealed one before. Special thanks to our legal teams in coming up with a format to conduct the trial. We ultimately lifted the temporary license suspension but imposed practice restrictions that left the registrant's ability to work greatly limited. This was followed with our committee coming up with a path that would both protect the public and allow the dentist to resume operating. Over the next couple of months, all the issues were resolved, which led us to return the case to the Complaints Committee who then reached a settlement, returned it to us, and we finally ratified it. This was a major case and involved many parts. My team, the Complaints team, all the lawyers involved, and especially our registrar Martin Gillis deserve equal credit for coming up with a tough but fair decision.

So in closing I thank the members of the Discipline Committee for all the time and effort involved in these cases. But finally, I congratulate Dr. Martin Gillis on his retirement from his position as the Registrar. For the past eight years I have found him a joy to work with. I don't know how many people know what a difficult all-consuming job it is, but Martin guided the Dental Board through some very difficult times seemingly with ease. I treasure his friendship and wish him the best in his new role as a "regular" dentist.

Respectfully submitted,
Dr. Thomas H. Boyle, Chair

Report of the Registration Appeal Committee 2021

The Registration Appeal Committee met twice this year regarding one appeal.

On June 8, 2021, the PDBNS received a request from a dentist licensed in Nova Scotia. The dentist requested an extension of 12 months to complete the clinical hours required for annual license renewal.

The Qualifications for Registration and Licensing of Dentists Regulation (No.1) (Section 45) of the NS Dental Act states “the minimum time that a person must engage in dentistry to qualify for annual license renewal is 450 hours within the immediately preceding 3-year period, calculated as of the time of annual license renewal”.

On July 9, 2021 the Registrar denied the dentist’s request. The dentist subsequently appealed the Registrar’s decision and was granted an appeal hearing.

On August 25, 2021, the Appeal Committee met virtually via Zoom for an orientation session to review the function and powers of the committee as well as procedural issues related to an appeal hearing.

On October 7, 2021, the dentist’s appeal was heard virtually via Zoom. Present for the hearing were the Appellant, Registrar, Legal Counsel for the PDBNS and 5 members of the Registration Appeal Committee including the chair.

Following the hearing, the committee subsequently discussed all matters pertaining to the appeal and reviewed all available options in rendering a decision. Under the current Regulations, there is no mechanism to permit such an extension by the Registrar. As stated at s. 13(1) in the Regulations, the Registration Appeal Committee may make any determination that could have been made by the Registrar under clause 20 (ba) of the Dental Act of Nova Scotia. Therefore, the Registration Appeal Committee dismissed the appeal. The dentist was informed of the Committee’s decision.

I would like to thank the following committee members involved with this appeal process:
Dr. Clare Champoux, Dr. Ian Doyle, Ms. Gwen Haliburton and Mr. Doug Lloy. Your hard work and valuable expertise were much appreciated throughout the appeal process.

Respectfully submitted,
Dr. Gorman Doyle – Chair

Report of the Mandatory Continuing Dental Education Committee 2021

The Mandatory Continuing Dental Education (MCDE) Committee of the Provincial Dental Board of Nova Scotia met once by Zoom on June 17, 2021. All other MCDE work has been completed by email exchange.

No audit was performed this year due to the one-year extension that the Board granted to registrants in 2020 due to the pandemic.

In response to inquiries to the Board, clarifications were made around the following educational requirements and were shared with licensees in Board Business No. 73 (June 2021).

Mandatory Medical Emergencies Course

There have been several inquiries regarding acceptable courses to fulfill the mandatory medical emergencies course. A variety of courses are available which fulfill the educational requirements for this course. Any course, in person or on-line (with a post-test), which covers the following topics would be acceptable:

- A. Basic Physiology
- B. Emergency preparedness
- C. Equipment and Supplies
- D. Medical Emergencies
 - I. Loss of consciousness (an approach to)
 - i. Vasovagal syncope
 - II. Angina/Myocardial infarction (ACS) III.
 - Aspiration/Airway obstruction
 - IV. Allergy/Anaphylaxis
 - V. Acute asthma/bronchospasm
 - VI. Diabetic emergencies
 - VII. Seizures
 - VIII. Stroke/CVA

Qualifications for Registered Dental Assistants Designated to take Dentoalveolar or Craniofacial CBCT Scans

Training is to include both didactic and hands-on experience and include principles of radiation safety and protection, operating principles of CBCT equipment, exposure parameters and patient positioning.

This training can be completed by various means. Most manufacturers will provide training that will fulfill this educational requirement. Dentists who have completed a PDBNS approved CBCT course can also provide training to their Registered Dental Assistants.

Registered Dental Assistants who operate CBCT equipment will be required to attest to having completed the appropriate training as part of their annual license renewal. The attestation question will be included in next year's license renewal form for Registered Dental Assistants.

CE Cycle extension

Clarification around the revision to the 3-year CE cycle was also provided to licensees in Board Business No 74 (October 2021), especially as it pertains to the new Mandatory Medical Emergencies course. Licensees were reminded that the earliest any registrants will be required to have this course is 2023.

Respectfully submitted,
Dr. Erin Hennessy, Chair

Report of the Dental Practice Review Committee 2021

In January 2021 a stratified random sample set of 552 dentists were identified.

As in previous years, Dr Sam Stewart of the Medical Informatics Division of the Faculty of Computer Science, Dalhousie University facilitated the sample selection.

- 1) Initial random sample of 15% of eligible clinicians.
- 2) Second sample of 15% of initial sampling stratified by regions.

The sampling resulted in:

- 1) 50 dentists from 327 eligible clinicians practicing in the Halifax Regional Municipality
- 2) 20 dentists from 130 eligible clinicians practicing in the Cape Breton/ Northeastern Region.
- 3) 15 dentists from 95 eligible clinicians practicing in the South Shore/ Valley/ Yarmouth Region.

These clinicians received the 2021 self-assessment document for completion.

The Dental Practice Review Committee met in June 2021 via Zoom to review the returned self-assessment documents. All the completed documents were reviewed. Incomplete or information deficient assessment documents were identified and letters requesting further information were sent out following the review meeting.

A second sample size (15%) of those in the first sample were chosen for site visits:

- 1) 8 visits in HRM
- 2) 3 in Cape Breton/ Northeastern
- 3) 3 visits in South Shore/ Valley/ Yarmouth

3 additional visit sites were identified by the committee because of the nature of the information on the clinician provided documentation.

Not all visits were completed in 2021 with 1 visit remaining in Cape Breton/ Northeastern region and the 3 in the South Shore/ Valley/ Yarmouth area at the time of this report. Dr Curtis Gregoire will be conducting these in February 2022.

The process to date was conducted with the support and cooperation of the registrants.

Respectfully submitted,
Dr. Mariette Chiasson, Chair