

Board Meeting
February 20, 2015
Agenda Item 2 b.

BOARD MEETING
Saturday, November 29, 2014

The Sutton Place Hotel
845 Burrard Street, Vancouver BC
“Chateau Belair”, 2nd Floor

MINUTES

The meeting commenced at 9:00 am

In Attendance

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|---------------------------------|----------------------|
| Dr. David Tobias, President | Ms. Julie Johal |
| Dr. Erik Hutton, Vice-President | Mr. Richard Lemon |
| Dr. Kerim Ozcan, Treasurer | Mr. Samson Lim |
| Dr. Ben Balevi | Ms. Elaine Maxwell |
| Dr. Pamela Barias | Ms. Sherry Messenger |
| Ms. Melanie Crombie | Mr. David Pusey |
| Mr. Dan De Vita | Dr. Mark Spitz |
| Dr. Dustin Holben | Dr. Jan Versendaal |
| | Dr. Eli Whitney |

Regrets

Dr. Darren Buschel

Staff in Attendance

Mr. Jerome Marburg, Registrar & CEO
Mr. Greg Cavouras, Staff Lawyer
Ms. Nancy Crosby, Manager of CEO's Office
Ms. Sandra Harvey, Director of Registration and HR
Dr. Cathy McGregor, Remediation and Monitoring
Dr. Garry Sutton, Practice Advice and Early Resolution
Ms. Anita Wilks, Sr. Manager of Communications
Ms. Carmel Wiseman, Deputy Registrar
Mr. Dan Zeng, Sr. Manager of Finance and Administration

Invited Guests

Dr. Brian Wong, Vice-Chair, CDSBC Ethics Committee
Dr. James Richardson, CDSBC Representative on NDEB Board
Ms. Leslie Riva, Manager CE and CDA Certification; NDAEB Vice President



1. Meeting Called to Order and Welcoming Remarks
2. Consent Agenda
 - a. Approve Agenda for November 29, 2014 (*attachment*)
 - b. Approval of Board Minutes of September 13, 2014 (*attachment*)
 - c. Reports from Committees (*attachments*)
 - d. HPRB Decisions (*attachment*)
 - e. Media Clippings (*attachments*)

MOTION: Lemon/Maxwell

That the items on the Consent Agenda for the November 29, 2014 Board meeting be approved.

Carried

3. Business Arising from the Consent Agenda

There was no business arising from the consent agenda.

4. NDEB Update (Dr. James Richardson)

Dr. Richardson represents CDSBC on the National Dental Examining Board (NDEB). Recent NDEB activities include:

- A job analysis survey of all dentists in Canada to ensure the NDEB is examining the skills and abilities that are required for practice.
- Technical manuals are being modified and there is solid progress towards online assessments including the development of a Comprehensive Clinical Assessment.
- Legal challenges from applicants, one of whom complained to the Human Rights Tribunal (the Tribunal ruled that the NDEB examination does not discriminate based on place of origin and upheld the NDEB requirement that the exam be taken in either of Canada's official languages).



- Actions to protect the integrity of the examination process, such as shutting down websites where exam questions are shared, and investigation of possible cheating by applicants, which results in a lifetime ban on taking the examination.

Dr. Richardson's presentation led to a discussion of the changing landscape of dentistry in Canada.

5. NDAEB Update (Ms. Leslie Riva)

The role of the NDAEB is to ensure that certified dental assistants wishing to practice in Canada have met the national standard for knowledge and skills. Leslie Riva, who is CDSBC's Manager of CE and CDA Certification, is vice-president of the NDAEB.

The NDAEB administers a written exam and a clinical practice exam. Individuals must successfully complete both exams to be eligible to practice as a CDA in British Columbia.

Ms. Riva reported that Chief Administrative Officer/Registrar David Lam is retiring and the NDAEB Board has formed a hiring committee to replace him.

6. Advertising and Promotional Activities – Bylaws (Dr. Brian Wong)

Dr. Wong presented revisions to Part 12 of the CDSBC bylaws that address how registrants may advertise and promote their services to the public. An earlier draft of changes to this bylaw was posted for public consultation from October 29, 2013 to January 31, 2014.

The Committee considered the wide range of feedback that was submitted during the first consultation period, and has incorporated the key themes into the new draft. The consultation process made it clear that all of Bylaw 12 should be revised in order to meet the original objectives of public interest/protection, clarity, reducing ambiguity, enforceability and ease of administration.

From the analysis, the Committee drafted a list of the essential concepts that the bylaw should address, and these in turn became the basis of the revised draft bylaw. Registrar Jerome Marburg explained that the bylaw as drafted attempts to strike the balance between Charter Rights of free speech with the regulator's responsibility to protect the public. The bylaw was also renamed to reflect the fact that it addresses both advertising as well as promotional activities.



Given the nature of the changes and the significance of this bylaw, the draft bylaw will be re-posted for a second, short consultation period before being filed with the Ministry of Health.

MOTION: Crombie/Lim

That the draft advertising and promotional activities bylaw be approved for a 60 day consultation period, and filing with the Ministry of Health provided that no substantive issues arise from the consultation.

Carried

Unanimous

7. Executive Limitation Reports

CDSBC Governance policy requires that the CEO report regularly on matters identified by the Board through a series of Executive Limitations policies. This is one of the ways the Board discharges its oversight obligations without delving into operational issues. The CEO routinely submits these reports to the Board.

The Governance committee will be reviewing and updating these Executive Limitation (EL) Reports. Any input or feedback should be sent to Dr. Hutton, Chair of the Governance Committee.

- EL2: Treatment of Public (*attachment*)
- EL3: Registration, Certification and Monitoring (*attachment*)
- EL5: Financial Planning/Budgeting (*attachment*)
- EL6: Financial Condition and Activities (*attachment*)
- EL8: Asset Protection (*attachment*)

MOTION: Whitney/Ozcan

That the Board receives the following Monitoring Reports:

EL2: Treatment of Public

EL3: Registration, Certification and Monitoring

EL5: Financial Planning/Budgeting

EL6: Financial Condition and Activities

EL8: Asset Protection

Carried



8. President's Report

Dr. Tobias' report addressed the following themes:

- His November 21 presentation to the British Columbia Dental Association Board, which included updates on the College's advertising and promotional activities bylaw changes, the College's intention to publish standards and guidelines about when it is and is not appropriate to have a clinician/patient relationship, and the 2015/16 budget process.
- The number of dentists who administer Botox. The College Board approved Botox as part of a dentist's scope of practice several years ago if it was administered as part of a comprehensive dental treatment plan. The Board never intended it to be a cosmetic stand-alone addition to the scope of practice.
- Ongoing work with the First Nations Health Authority regarding the delivery of care by dental therapists, who became registrants of CDSBC earlier this year.
- CDSBC's involvement at the Canadian Dental Regulatory Authorities Federation (CDRAF), the national group that is comprised of dental regulators across Canada. The CDRAF is searching for a new executive director.

9. Management Report

Registrar/CEO Jerome Marburg submitted a written report on behalf of the staff and management of the College.

MOTION:

That the Board receive the management report.

Carried

This concludes the open portion of our meeting.

The remainder of the meeting will be held in camera, per Section 2.15 (9) of the College Bylaws under the *Health Professions Act*.