

College Update

Fall 2013

Illegal Practice

CDSBC's investigation of the fake dentist Tung Sheng (David) Wu has prompted unprecedented media and public interest. From a legal perspective, this case has concluded with the BC Supreme Court finding of contempt against Mr. Wu and a sentence *in absentia* to three months in jail. The sentence of jail time indicates the seriousness of Mr. Wu's actions and is the strongest of penalties available.

The Court also awarded special costs to CDSBC in recognition of the fact that the investigation was carried out by the College and not at taxpayers' expense. As has been reported, the costs associated with investigating and prosecuting this matter have reached in excess of \$100,000.

The College has created a section on its website to provide updates about the Tung Sheng Wu case. As the investigation and the legal case progressed, we published several statements, including the need for Mr. Wu's patients to get tested for blood-borne viruses and to seek treatment from a qualified, registered dentist. This case will not truly be closed until Mr. Wu is found and held accountable for his actions.

We have also posted a short video that provides a timeline of events and illustrates the massive amounts of coverage this story received in mainstream and ethnic media. Both the statements and the video are available at www.cdsbc.org/tung_sheng_wu_unauthorized_practice.

The illegal dentist issue continues to attract attention, especially because the College is currently taking action against other suspected illegal dentists operating in the Lower Mainland. The Court files for two of those cases are currently sealed to protect the integrity of the investigation, but CDSBC will apply to have the files unsealed, at which time the evidence will become public.

Our Purpose: Your Safety

For the public, the stories about illegal dentists – including the health risk they present – illustrate the need to ensure the dentist they choose is qualified, registered and accountable.

BC's 23 health regulators are engaging in a public awareness campaign that features the tagline "Our purpose, your safety." The campaign objective is to deliver a common message about: the role of self-regulation in healthcare; that health professionals work under professional standards and ethics; and how to contact a health profession regulator.



The campaign launched in September with transit shelter ads in 90 locations around the province, as well as TV closed-captioning ads and advertising in ethnic media. It will also include a simple website (www.bchealthregulators.ca), posters, articles and ads in community papers, and limited social media. Some materials will also be delivered in French, Spanish, Cantonese/Mandarin, Punjabi, Korean, Vietnamese, Tagalog and Farsi.

Document Management Moves Front and Centre

While the need to improve CDSBC's information and document management processes had already been identified by management and reflected in our new strategic plan, it was brought into clear focus by the Tung Sheng Wu case. Specifically, when the College learned that we had obtained an injunction against Mr. Wu in 2003, we were unable to locate all the relevant files, a situation that was clearly unacceptable.

The Board has agreed that CDSBC's document retention and data management systems, policies and procedures must be modernized and that the College should concentrate on this issue above all others – with the exception of the core regulatory functions (registration and complaint resolution).

Updates to Promotional Activities Bylaws and Guidelines

The College intends to update its bylaws for promotional activities, specifically bylaws 12.02 and 12.05, along with a new set of interpretive guidelines. Registrants will be invited to submit comments on the proposed bylaws and guidelines when they are posted for public consultation in late October.

The revised bylaws focus on: protection of the public, clarity, simplicity and flexibility. The over-arching objective is to provide a more firm ground on which to stand when CDSBC needs to enforce the bylaws for promotional activity, focusing on those instances where CDSBC can reasonably take action while also recognizing Charter rights and changing social mores.

Sedation Guidelines Update

CDSBC received great feedback on the proposed revisions to the minimal and moderate sedation guidelines. All feedback was collated into a response matrix and is being considered by the Sedation Committee. We anticipate that a final document will be tabled at or before the May 2014 Board meeting.

Electronic Patient Records

The College is receiving an increasing number of questions about whether and how patient information can be stored and shared electronically. CDSBC's existing *Dental Recordkeeping Guidelines* offer a limited amount of guidance on the topic. The Royal College of Dental Surgeons of Ontario has recently published a comprehensive



document on electronic recordkeeping and has permitted CDSBC to use their document as the foundation for a new CDSBC guideline.

CDSBC Handling of Health Files

The way in which the College handles health-related matters, such as addiction or mental illness, continues to evolve away from a complaint/discipline perspective and more towards a health and remedial perspective. While CDSBC has historically strived to deal with these matters as sensitively as possible, we are now armed with a better understanding of the disease that is addiction and are more comfortable in the application of the *Health Professions Act* for affected dentists and CDAs.

We have developed a new working protocol that – as always – emphasizes public protection first and foremost, while also accommodating a viable pathway to recovery and eventual return to practice.

Avoiding Complaints Workshop Goes “On the Road”

In keeping with the objective of reducing the volume of complaints coming in to the College, we are taking our avoiding complaints workshop “on the road” around the province. The workshops have been delivered to dental staff in Nanaimo, Courtenay, Dawson Creek, Prince George and Kelowna (at the TODS meeting). Dentists and CDAs are invited to attend the next workshops in Victoria (Nov. 20) and in Langley (at the Jan. 31 meeting of the Fraser Valley Dental Society).

The workshop includes an open forum for attendees to have their questions answered by senior staff and Board representatives. We are making ongoing improvements to the course based on the feedback received, and have added additional content on the role of recordkeeping in avoiding complaints.

Dental Therapists

There is a significant change in our provincial healthcare system with the transfer of responsibility for First Nations healthcare from Health Canada to the new First Nations Health Authority (FNHA). As part of this change, the Board has approved amendments to the CDSBC Bylaws to allow for the regulation of dental therapists.

This initiative, while exciting, is very limited, affecting only between 8-13 full-time positions. There is no expansion of the role of dental therapists in general; rather it is simply to accommodate the transfer of authority from Health Canada to the FNHA. Dental therapists will be permitted to provide dental services only if they are employed by the FNHA.

Dental therapists will work under the supervision and direction of a CDSBC-registered dentist. Their scope of practice is in development.