

# College Update

Winter 2020

## Modernizing Regulation

### Proposed Changes to the Provincial Health Regulatory Framework

On November 27, 2019, B.C.'s Health Minister Adrian Dix signaled yet another cycle of health regulatory change in announcing recommendations from an all-party Steering Committee that was formed in April of 2019.

At that time, the committee was tasked with considering changes to professional regulation coming out of an inquiry conducted by

regulatory expert Mr. Harry Cayton.

The committee's recommendations are contained in a consultation paper called *Modernizing the Provincial Health Profession Regulatory Framework*.

You can read the proposal at:

[engage.gov.bc.ca/  
healthprofessionregulation](https://engage.gov.bc.ca/healthprofessionregulation)

The proposed recommendations

*Continues on page 2 >>*

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are significant and are intended to increase public safety and public protection, increase public confidence in regulation, and make regulation more efficient.

The recommended changes include improving governance, making the complaints process more efficient, fair and transparent, and creating an oversight body for the health regulators.

#### **Reduction in number of colleges**

Of the proposed recommendations, the biggest structural change would be a decrease in the number of health regulators from 20 to five. As part of this, the four colleges that regulate dental professions would come together to form a new College of Oral Health Professionals, regulating:

- Certified Dental Assistants
- Dental Hygienists
- Dental Therapists
- Dental Technicians
- Dentists
- Denturists

The College welcomes the opportunity to pursue a collaborative approach to health regulation that recognizes the professional expertise and contributions of all oral health professionals, and embraces the role of patients and the public in the delivery of safe and effective care.

To this end, we have initiated exploratory conversations with our fellow oral health regulators about what regulation might look like for dental care in B.C.

*"We welcome the opportunity to pursue a collaborative approach to health regulation that recognizes the professional expertise and contributions of all oral health professionals, and embraces the role of patients and the public in the delivery of safe and effective care."*

#### **Improved governance**

Recommendations include smaller oversight boards with equal numbers of registrants and public members (50/50), and appointments based on competency, following the removal of elections. A separate body for board appointments would make this process more efficient.

We were pleased to note that the College's Action Plan anticipated many of the governance recommendations put forward by the Steering Committee. This is reflected in the recent College bylaw amendments, including a smaller board that has equal numbers of public and registrant members. As such, we are well positioned with respect to the potential coming changes.

#### **Complaints and adjudication**

Changes are required to make the complaints process more efficient, effective, transparent and fair.

The Steering Committee is also recommending a new disciplinary process in which independent discipline panels would make decisions regarding regulated health professionals.

#### **Oversight body for the health regulators**

The Steering Committee is recommending an oversight body that would establish performance standards for all regulatory colleges, and would conduct reviews and investigations, similar to the Professional Standards Authority in the U.K. The Health Professions Review Board is expected to continue as an arm of the oversight body.

#### **What's next**

The committee will be refining its recommendations based on submissions to the consultation before forwarding its advice to the cabinet and the legislative assembly, where the authority to modernize the regulatory framework rests.

As the government's timeline for these changes unfolds, the College is prepared to move as quickly as required and we will continue to share updates from the Ministry as we have them.

## How regulation is changing, and not changing

With the organizational changes at the College enacted in the Action Plan and the Minister's most recent announcement about proposals for regulatory modernization, some registrants and members of the public have been left wondering about the impact of it all on the landscape of dentistry in B.C. and the provision of dental care.

Although it appears everything is changing, in some ways nothing is. Yes, there have been amendments to bylaws concerning board size and composition, eligibility, and participation of the public and all of the registrant groups that CDSBC regulates. Yes, there are probably even more changes coming. And yet, our mandate has not changed. Your obligations as professionals remain the same, and still come with the same set of responsibilities to patients and the public.

Effective regulation will always require the expertise of registrants. Through College committees and working groups, it is professionals, working alongside members of the public, who define the behaviours that are written into professional standards, and who help oversee entry to practice, complaints processes and ongoing determinations of currency, competency, conduct and fitness. This is regulation.

That's not to say that the overall models of health care provision are not changing dramatically. They are. The world is moving away from old professionalism and siloed health care, towards a team-based model that embraces empathy and collaboration, with shared public and professional oversight.

**Good governance is what paves the way for good performance.** The governance changes enacted through bylaw amendments last summer foreshadowed the Minister's latest recommendations. Going forward, CDSBC will benefit from the strategic oversight of a supportive board that has a clear understanding of its role, is transparent and accountable, and is committed to ensuring the College is well positioned to deliver on its mandate of patient safety and protection of the public.

I urge you to stay engaged over the coming months with respect to CDSBC's progress on the Action Plan as well as the Ministry of Health's anticipated steps towards modernizing the provincial health professions regulatory framework.

Recognizing that registrants and stakeholders will have ongoing questions and concerns, we've committed to travelling the province and communicating in person as much as possible in the coming months.

Should you need more urgent information, please don't hesitate to be in touch as things move forward at [registrarsoffice@cdsbc.org](mailto:registrarsoffice@cdsbc.org).



Dr. Chris Hacker  
Registrar and CEO

## Action Plan Progress

CDSBC is currently working to deliver on our 32-item Action Plan submitted to the Minister of Health. The Action Plan was created in response to a formal directive from the Minister in response to Harry Cayton's performance review of CDSBC.

The Action Plan reflects CDSBC's commitment to the safety of patients and the public, and to strong governance, transparency and accountability.

What we have completed	What's next
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> New complaints are assessed based on risk, with high-risk complaints prioritized</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Fewer committees, and new committees for patient relations and standards and guidance</li> </ul>
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Created a smaller Board that is composed of 50% public members, and led by a Board Chair elected from within the Board</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Improving patient experience by analyzing feedback from people who make complaints</li> </ul>
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Changed the election rules so that all health professions we regulate can vote for all elected board positions</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Identifying specific competencies that board members should have, and building those into the eligibility requirements for board elections</li> </ul>
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Promoting independence from influence of professional organizations, including new requirements for election eligibility, and a published register of interests for board members</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Better information about the fees we collect from dentists on behalf of the British Columbia Dental Association</li> </ul>
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Inviting public and registrant participation at board meetings and at the AGM</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Providing role clarity for Board and staff, and building a relationship of mutual trust and respect</li> </ul>

Read the **Action Plan** at [cdsbc.org/Pages/CDSBC-30-Day-Action-Plan-Submission](https://cdsbc.org/Pages/CDSBC-30-Day-Action-Plan-Submission) and the **Action Plan Progress Report** at [cdsbc.org/Pages/action-plan-progress-report](https://cdsbc.org/Pages/action-plan-progress-report)

## Changes to Board Elections

### Eligibility to Vote and Run for the Board



As a result of the CDSBC Bylaw amendments completed in September 2019, and in accordance with the commitment made in the Action Plan\*, **all registrants are now eligible to run for and vote for all other Board member positions.**

Under the previous bylaws, CDAs were eligible to vote for only CDA board positions, and dental therapists were not eligible to run or vote in the election.

*\* Under Action Item 18, the College is promoting team-based care and better outcomes for patients through Board and committee changes that allow for increased contributions of CDAs and dental therapists.*

### Electronic Voting

The CDSBC Board election will be held online in 2020.

You will receive your Notice of Election and a link to vote via email, instead of receiving a paper ballot through the mail.

With these changes, it is more important than ever that we have your personal email address on file as your main email address.

#### Privacy

The vote will be run using a secure, third party service. The results will be anonymous. It will not be possible for CDSBC to determine how an individual has voted.



## Mapping Tool for Locating Sedation and General Anaesthetic Facilities

We are pleased to announce that a new searchable map of CDSBC-certified facilities offering deep sedation and general anaesthesia (GA) is now available on the CDSBC website.

- Allowing patients to easily verify that deep sedation and GA facilities are CDSBC-certified
- Providing a searchable database of CDSBC-certified facilities (can search according to the level of sedation provided, desired geographic location, or both.)



The map will be a valuable tool for both dental patients and CDSBC registrants in B.C. by:

- Connecting dental patients with the deep sedation and general anaesthesia services they need, in the location nearest to them
- Enhancing dentists' ability to make location-appropriate referrals for their patients

The sedation and GA map interfaces with Google Maps, making it easy to locate a facility.

### Questions?

Please contact Ruby Ma, Sedation Program Coordinator: [sedation@cdsbc.org](mailto:sedation@cdsbc.org)  
To keep up with the latest sedation news, go to [cdsbc.org/sedation-news](https://cdsbc.org/sedation-news)

## New Online Continuing Education Course

### Save a life: the dentist's role in the early detection of oral cancer

Early detection of oral cancer can save a life.

This course features a panel discussion on how the early detection of oral cancer can save a life, and touches on:

- biopsy management and sample protection,
- the psychosocial impacts of a cancer diagnosis.

Take the online course:

[cdsbc.org/pages/oral-cancer-course.aspx](https://cdsbc.org/pages/oral-cancer-course.aspx)

Our full suite of online CE courses is available at:

[cdsbc.org/courses](https://cdsbc.org/courses).



## Reporting Criminal Charges to CDSBC

All CDSBC registrants must promptly report any new criminal charges or convictions to CDSBC.

Even if the criminal charge originates from an isolated event that appears to be unrelated to the practice of dentistry, registrants must still report the charges to their employer and governing body.

Do not assume that this information will be communicated on your behalf, or that the usual Criminal Record Check renewal process is a sufficient way to notify CDSBC of a new charge. Registrants should report

any new charges to Róisín O'Neill, CDSBC's Director of Registration at [roneill@cdsbc.org](mailto:roneill@cdsbc.org) or 604-736-3621.

If a criminal charge against a registrant is brought to CDSBC's attention either through the criminal record check renewal process or following notification from the prosecution service, CDSBC will open a complaint file and conduct its own investigation.

### Employee Reporting Requirements

Section 12 of the *Criminal Records Review Act* requires employees to promptly report any new charge or conviction to their employer and the governing body (CDSBC) and to provide authorization for a further criminal record check.

### Employer Reporting Requirements

Section 17 of the *Criminal Records Review Act* requires employers to similarly report any new criminal charge or conviction to the governing body (CDSBC) and agree to undergo a further criminal record check.

If an employer becomes aware an employee has been charged, the employer also has an obligation to notify CDSBC as the employee's governing body.

More information about the criminal records check process can be found here: [cdsbc.org/registration-renewal/criminal-record-check](https://cdsbc.org/registration-renewal/criminal-record-check)

Questions? Contact [crrc@cdsbc.org](mailto:crrc@cdsbc.org).

## Does anyone in your office hold a CDSBC Radiography Designation?

If so, please help us get in touch by sending them to [cdsbc.org/radiography-form](https://cdsbc.org/radiography-form) to update their contact information and to confirm whether they continue to expose radiographs with this designation.

## Introducing the 12-member Board

### Public Members



Top row: Mr. Carl Roy (Chair), Ms. Dianne Doyle, and Ms. Barb Hambly

Bottom row: Ms. Shirley Ross, Dr. Heather Davidson, PhD, and Dr. Lynn Stevenson, PhD

### Elected Members



Top row: Dr. Richard Busse, Dr. Doug Conn, and Ms. Cathy Larson

Bottom row: Dr. Maico Melo, Ms. Sabina Reitzik, and Dr. Richard Wilczek

### Bylaw amendments

The admendment of CDSBC's Bylaws in September 2019 resulted in the following changes to the Board:

- reducing board size from 21 to 12 members
- removing the roles of president, vice-president and treasurer, regional representation and other specialist representative positions
- creating the position of Board Chair, to be elected from within the Board
- allowing the possibility for dental therapists to run for election to the Board

- changing the election rules so that dentists, dental therapists and CDAs can vote for all elected board positions

#### A Public Board Chair

Public board member Mr. Carl Roy was elected by the Board to serve as Board Chair, with a term end date of June 30, 2020.

Carl is the President & CEO of the Provincial Health Services Authority. He brings more than four decades of experience in the health sector, and has worked with multiple regulatory bodies throughout his career. He has a strong governance background and

demonstrated success in improving board performance.

As Board Chair, Carl is leading the Board through a year of transition as CDSBC delivers on the many commitments in the Action Plan submission to the Minister of Health.

He is working closely with the Board and with Registrar and CEO Dr. Chris Hacker to ensure CDSBC continues to improve our performance and culture in order to better serve patients and the public.

## 2020/21 Annual Renewal



This year, we will not be sending out flyers in the mail to remind registrants about Annual Renewal. Instead, we will send you a reminder via email once online registration has opened.

Please make sure your email and other contact information is up to date, so you receive these important notices.

Annual Renewal opens online in January, and is due by March 1, 2020.

## Most Dentists Pay Two Fees at Renewal

Action Item 20 states that CDSBC should inform dentists more clearly what part of the fee goes to the College and what part to the Association. For renewal in 2020, the fee breakdown is as follows:

**CDSBC \$1,633**

For renewal of registration



**BC Dental Association \$1,800**

For BCDA membership fee\*

**Total: \$3,433**

When renewing their CDSBC registration, the BCDA membership fee shown above is applied to dentists in all registration categories except for: Limited (education; armed services and government), Limited (post-graduate), Limited (research), Limited (volunteer) and Non-practising.

The BCDA will reimburse the College \$189,700 (plus applicable taxes) for the costs associated with the collection of the amount equivalent to the BCDA membership fee.

\*Membership in the BCDA is not mandatory for registration with the College; however, an amount equivalent to the BCDA membership fee is required and is collected per the Board's discretionary power to do so provided in the CDSBC Bylaws section 3.09, which states that "In each fiscal year until the fiscal year ending February 28, 2022, the college may collect from dentists an amount equivalent to the annual fees of an association, whether or not the dentist is a member of the association, provided that the board and the association execute a written agreement to this effect."

## Important Updates for Registrants and Facilities Administering Sedation and General Anaesthesia

If you or your dental facility currently administers minimal, oral or parenteral moderate, deep sedation or general anesthesia, please ensure you read the following updates and understand how they relate to your practice.

### Board-approved updates

A number of updates were approved by the CDSBC Board. The related standards and guidance documents will be updated in the coming months to reflect all of these changes. In the meantime registrants should refer to the following for the most up-to-date guidance.

### Moratorium on the approval of pediatric moderate sedation certification

Registrants may only administer moderate sedation (both oral and parenteral) to patients who are 12 years of age and under in out-of-hospital dental facilities when they:

- are qualified and authorized to provide deep sedation and/or general anaesthesia, or
- have completed training in a formal postgraduate program in pediatric dentistry that meets CDSBC Standards.

Practitioners who do not fall under these categories were informed that they must cease provision of moderate

sedation services to patients 12 years of age and younger by December 27, 2019.

Registrants who do not meet the specific requirements but wish to provide moderate sedation to patients 12 years old and younger had until December 27 to submit their Registration of Qualifications for the Sedation & General Anaesthetic Services Committee's consideration.

### Revised criteria for moderate sedation mentors

Parenteral sedation cases are now accepted towards the 150-case requirement for mentors who wish to provide mentorship for moderate sedation utilizing multiple oral sedative drugs (with or without nitrous oxide/oxygen).

### BLS Certification for Sedation Team

*Note that an earlier communication regarding BLS certification (September 27) stated that annual retraining would be required to maintain currency. Please note the clarification below regarding the expectation for sedation team members to hold current BLS certification.*

Clinical staff who are part of the sedation and/or general anaesthetic team are required to have current Basic Life Support (BLS) level certification. CDSBC's expectation is that clinical staff on the sedation team hold current BLS certification as defined by the course provider.

It is up to the registrant to determine whether the course meets CDSBC's requirements (see below) and that your certification is valid.

We recognize that there is a broad range of BLS course content and the course offerings are not consistent among providers. To provide clarity, the College will accept any BLS course that is designed for healthcare professionals, and that:

- Includes bag-valve-mask training (airway management)
- Has a hands-on component (courses entirely online are not acceptable)
- Has a certification length of not longer than 24 months

Note that CPR Level C is not acceptable for sedation and/or general anaesthesia clinical staff.

If you are uncertain about the validity of your certification, we recommend contacting your training provider.

Please note that the related standards and guidance documents will be updated in the coming months to reflect all of these changes.

Basic Life Support (BLS) level certification replaces the previous CPR-HCP (Health Care Provider) requirement.

### Essential drug lists revised / epinephrine dosage formatting updated

Essential drug lists for deep sedation and general anaesthesia have been updated, and "highly recommend drugs" have been removed.

References to epinephrine dosages have also been updated in accordance with the Institute for Safe Medication Practices (ISMP) Canada's format recommendations.

These changes are now reflected in the published online documents for Deep Sedation Services in Dentistry

and General Anaesthetic Services in Dentistry. The Minimal and Moderate Sedation Services document will be updated to reflect the ISMP Canada format recommendation for epinephrine dosage in the coming months.

### Maintenance and inspection frequency for nitrous oxide/oxygen equipment and addition of AED

Automated external defibrillator (AED) has been added to the minimum requirements for airway management and equipment in offices that provide moderate sedation, deep sedation, and general anaesthesia.

Nitrous oxide/oxygen equipment must have an appropriate scavenging system and be active whenever the equipment is in use.

### Updated Addendum

A correction has been made to the second paragraph under Practitioner Administering Deep Sedation / GA (Qualifications) December 2016 addenda for Deep and GA.

### Questions?

Contact Ruby Ma, Sedation Program Coordinator, at [sedation@cdsbc.org](mailto:sedation@cdsbc.org)

## Public Notification

**Dr. Bin Xu**  
Richmond, B.C.

### Discipline Decision Summary

Dr. Bin Xu was registered with the College of Dental Surgeons of BC (CDSBC) as a general dentist who practised in Richmond, B.C.

A disciplinary citation was issued in September 2018 based on investigations by the College into complaints from 12 former patients of Dr. Xu.

A discipline hearing was held in November 2018 regarding his conduct and competence, which addressed numerous allegations against Dr. Bin Xu.

The College submitted that Dr. Xu's patterns of recordkeeping inadequacies including diagnosis,

treatment planning, and informed consent is serious enough to constitute professional misconduct, and that his failure to respond to the College also amounts to professional misconduct.

The Discipline Panel found a concerning pattern of deficiencies in the treatment Dr. Xu provided to his patients, and found he was practicing dentistry incompetently.

### Penalty Decision Summary

A panel of the CDSBC Discipline Committee issued a penalty decision immediately cancelling the registration of Dr. Bin Xu.

He must pay a fine of \$50,000 and \$48,117 towards the costs of

CDSBC's investigation.

He is not permitted to apply for reinstatement for five years. If he does apply, he will be required to complete all years of a general dentistry program and complete the National Dental Examining Board examination.

In the event that Dr. Xu is reinstated with the College, the panel imposed further conditions on his dental practice, including supervision, and he is not allowed to directly or indirectly participate in billing or receive fees for services.

Dr. Xu failed to participate in the penalty decision, despite being asked to provide submissions.

## 2020 College Calendar

### January 22

- **How Dental Regulation is Changing and Staying the Same** by Dr. Chris Hacker
- **Avoiding Complaints** by Drs. Garry Sutton and Alex Penner

6:00 pm

CDSBC will be speaking to members of the Northwest Dental Study Club.

### February 10

**How Dental Regulation is Changing, and Staying the Same**  
7:00 - 8:30 pm

CDSBC will be speaking to members of the Vancouver Iranian Dental Association.

### March 6

#### **Safe and Effective Antibiotic and Opioid Prescribing**

at the Pacific Dental Conference  
8:30 - 11:00 am

Vancouver Convention Centre,  
1055 Canada Place,  
Vancouver

Register at [pdconf.com](http://pdconf.com)

### March 20

#### **Board Meeting**

10:00 am - 3:00 pm

Terminal City Club, Skidmore  
Room, Level 2  
837 West Hastings St.  
Vancouver

*All registrants and the public are welcome to participate at Board meetings. RSVP by March 12, 2020 to [registrarsoffice@cdsbc.org](mailto:registrarsoffice@cdsbc.org).*

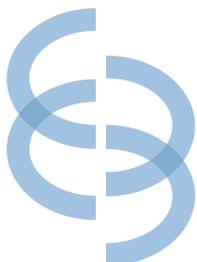
## Are you receiving our eNewsletter?



If not, you may need to update your contact information. As a registrant, it is your professional responsibility to ensure CDSBC has your current address, phone number and email address.

Log in to your account to update your contact information at [cdsbc.org/contact-info](http://cdsbc.org/contact-info)

To view and register for upcoming CDSBC events visit: [cdsbc.org/events](http://cdsbc.org/events)



College of Dental Surgeons of British Columbia

110 – 1765 West 8<sup>th</sup> Avenue Vancouver, BC V6J 5C6

Phone 604-736-3621

Toll Free 1-800-663-9169

[www.cdsbc.org](http://www.cdsbc.org)