



the Sentinel

A publication of the College of Dental Surgeons of
British Columbia for dentists and certified dental assistants

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What Dentists and CDAs are Asking About the HPA

On April 3, the College of Dental Surgeons of BC transitioned from the *Dentists Act* and Rules to the *Health Professions Act*, Regulations and CDSBC Bylaws. Below are the most commonly asked questions about the new legislation.

How does the new legislation affect my work as a dentist?

Each health profession regulated under the HPA has a scope of practice, which includes the restricted activities that members of that profession are allowed to perform, based on their education and competence. Restricted activities are those that the government has decided pose a risk to the public and can only be performed by appropriate healthcare professionals. The restricted activities that dentists are allowed to perform can be found in the Dentists Regulation, available at www.cdsbc.org.

Restricted activities can only be performed by appropriate healthcare professionals.

It is important to note that a dentist can only perform a restricted activity outlined in the Regulations if they have the knowledge, skills and competency to perform it.

What are the changes relating to the new classes of registration for dentists?

The most significant change is the new class called Certified Specialist, "restricted to specialty." This is designed for dentists who received their general dentistry degree at a non-accredited university outside of Canada or the U.S. but who received their specialty designation (or equivalent designation) in Canada. This registration allows the dentist to practise in their area of specialty only.





President's Report Dr. Ash Varma

Implications of the HPA on Each of Us

What does it mean to be regulated under the HPA, CDSBC Bylaws and Regulations? While there is minimal impact on the day-to-day work of dentists and CDAs, both need to be aware of some key changes.

The Dentists Regulation sets out the scope of practice for dentists and defines the restricted activities that dentists may perform, provided the individual has the knowledge, skills and competencies to do so. The work of CDAs is defined more broadly under the new legislation; it is less prescriptive than under the *Dentists Act* and Rules. I believe this is a welcome change because it gives CDAs the potential for an expanded role in the provision of oral healthcare, as long as they have received the necessary training and are fully competent in each skill they perform.

Duty to Report

There is increased accountability for dentists and CDAs under the *Health Professions Act* and CDSBC Bylaws. One example is the requirement of the revised Duty to Report: dentists and CDAs are obligated

to report in writing to their own or another health professional's college if they believe that person is not competent or is suffering from

Dentists and CDAs are obligated to report another health professional who is not competent or is putting the public at risk.

an ailment (physical or mental), emotional disturbance or addiction that puts the public at risk. This is fundamental to the College's mandate to protect the public.

The HPA provides immunity to health professionals who comply with the duty to report as long as the report is made in good faith and is based on reasonable and probable grounds.

College Place

In early spring, we hired an engineering company to provide an assessment of the structure of the College Place building in Vancouver. Their report shows

that we will need to do work to protect the external structure of the building and to prevent future damage. That work will begin later this year and you can expect further updates as we proceed.

Sirona Learning Centre

I am pleased to let you know that the College has taken on an expanded role in the day-to-day management of the Sirona Learning Centre. The Study Club Alliance of BC – whose vision led to the opening of this new, modern clinic earlier in 2009 – will continue to provide oversight at the policy level. This new arrangement plays to the strengths of both parties.

Continued leadership

With the transition to the HPA, the government appointed each of us on Council to serve as the first Board for the coming year, with elections to take place in spring 2010. It is a privilege to provide this continued leadership to the College.

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Is there any change to dentists having to provide emergency care 24/7?

No, that requirement is unchanged in the Code of Ethics. However, the College has revised the definition of a dental emergency to clarify wording and reinforce the importance of the dentist's professional judgment, combined with an appropriate assessment of the patient's condition. A dental emergency exists if, in a dentist's professional judgment, a person needs immediate attention to deal with uncontrolled bleeding, uncontrolled swelling, traumatic injury or uncontrolled severe pain.

The College's research has shown that the majority of after-hours concerns can be dealt with over the phone, but the dentist must assess each situation individually.

What are the continuous practice requirements?

The CDSBC Bylaws contain a requirement for "currency of practice," meaning that in order to work in B.C., dentists and CDAs must maintain current practice in dentistry through clinical practice, or work in education, research or administration. Dentists need 900 hours of continuous practice over three years while CDAs need 600 hours. Note that continuous practice is different from CE. The CE requirements for dentists and CDAs remain the same.

Do I have to meet the continuous practice requirements for registration/certification in 2010?

This requirement will be phased in over two years. In 2010, dentists and CDAs must have undertaken **some** form of dental practice in the previous three years. For renewal in 2011, however,

the requirement will be fully implemented and dentists or CDAs who have not achieved the minimum number of practice hours will not be able to renew their registration or certification.

Is there any change to how long a dentist has to keep patient records on file?

No, the *Health Professions Act* does not address records retention, which is governed by the *Evidence Act* and the *Limitation Act*. The requirement to keep dental patient records for 30 years is unchanged. The College continues to work with the BC Dental Association to request changes to legislation to effect change to this rule.

What is the patient relations program?

There has not always been a clear understanding about the relationship that dentists or CDAs may have with a patient. Through the HPA, the government makes it clear that health professionals may not have sexual contact with a patient, and this includes touching, behaviour or remarks of a sexual nature. The patient relations program is designed to prevent professional misconduct, including sexual misconduct.

Is it true that CDAs can do more under the new legislation?

Yes – in theory. This is because the CDSBC Bylaws are more principle-based and less prescriptive than the *Dentists Act* and Rules. The role that a CDA plays is no longer guided by a simple list of duties; instead, CDAs perform "services" as delegated or authorized by a dentist. Both the CDA and the dentist must be confident that the CDA has received

the necessary training and education and is fully competent in each service they perform.

Are CDAs allowed to perform the services listed in the Bylaws, such as using a hand instrument to remove extrinsic stains, taking impressions, performing whitening, and adjusting sealants with a slow-speed hand instrument?

These services are now permitted under the HPA **if** the CDA and the dentist are confident that the CDA has the knowledge, skills and competencies to perform those services. If a CDA was not competent to perform a task before the HPA came into effect, and he or she has not had the necessary training to perform that task, then the CDA is still not authorized to perform the task.

If you have a question about the *Health Professions Act*, call the College at 604-736-3621 or visit www.cdsbc.org.

Three Components to the New Legislation

Health Professions Act – provides a common regulatory framework for self-regulated health professions in B.C.

Regulations – contain a scope of practice statement and a set of restricted activities that outline what members of each health profession are authorized to do.

CDSBC Bylaws – set out the details of the operation of the College, including governance, registration requirements and the regulation of professional conduct and ethics.



Registrar's Report Heather MacKay

Quality Assurance and the HPA

I have had the opportunity to speak to different audiences since the College became legislated under the HPA, and I've noticed that there is confusion between two separate aspects of the quality assurance program: CE and continuous practice. Although both are aimed at ensuring quality dental care for the public, they are completely different concepts.

No change to CE requirements

Dentists and CDAs are familiar with the College's continuing education (CE) requirements. There is no change to the minimum credits that dentists and CDAs must obtain over the course of a three-year cycle. This is 90 credits for dentists and 36 for CDAs.

As always, the activities and courses dentists and CDAs submit for continuing education credits must meet the Quality Assurance program objective to promote competence and professionalism at all stages of dentists' and CDAs' careers, and that to be eligible for credit, they must "have significant intellectual or practical content

related to the practice of dentistry and/or the management of the dental practice."

To help dentists and CDAs better understand CE, and what types of learning are eligible for credit, we have updated the CE

A new requirement is for practising dentists to maintain 900 hours of practice over a period of three years, while practising CDAs must maintain 600 hours of practice over that timeframe.

Requirements document with new information about the principles behind continuing competence and definitions for the different categories of CE. It is being distributed to all dentists and CDAs with this issue of the *Sentinel*.

New Continuous Practice requirement

A new requirement is for practising dentists to maintain 900 hours of practice over a period of three years, while practising CDAs must maintain 600 hours of practice over that timeframe. In addition to clinical practice, work in dental education, research and administration is eligible to be included in the total number of hours.

This new requirement supports the broader principle of currency of practice and will be phased in over the next two years.

Improved transparency and accountability

Of course, this is just one of the changes that resulted from the transition to the HPA from the *Dentists Act*. Another key change is the increased transparency and accountability – for the College and for the dentists and CDAs we regulate.

Under the HPA, College Board meetings are open to the public, and meeting minutes will be posted

Sean Chung Receives CDSBC Gold Medal

Each year, the College awards a gold medal to the graduating UBC dentistry student with the most outstanding record in his or her course of studies. The 2009 winner is Sean Chung, seen here with College Treasurer Peter Stevenson-Moore at the UBC Dentistry Awards Ceremony and Graduation Luncheon on May 26.

on our website. We are also required to comply with new timelines when investigating complaints and to keep complainants informed of the progress being made in resolving a complaint. The government has also formed a Health Professions Review Board to look into concerns about the College complaint process.

The College is also required to publicly disclose the outcomes of disciplinary proceedings that result in actions taken against dentists or CDAs. The exception is when the privacy of the dentist or CDA outweighs the public interest, as in the case of an addiction or ailment.

Visits to component societies

Some dental and CDA component societies have invited senior College representatives to come and speak about the HPA and answer questions. If your component society would like us to attend your meeting this fall, we would be pleased to do so. Simply email info@cdsbc.org and we will follow up.



2009 Gold Medal winner Sean Chung with Dr. Peter Stevenson-Moore

Should You Report Domestic Abuse?



A woman comes into her dentist's office for an unscheduled visit. She says she fell when walking down the stairs and her face hurts. There is a large bruise on the side of her mouth and she is clearly upset. The dentist quickly determines that the patient's jaw is broken. He notes that she was in the office recently – in that case he performed an extraction after she had fallen on the ice. Seeing a pattern, the dentist asks if the patient feels threatened. She admits her boyfriend hits her sometimes.

Does this dentist have a duty to report the abuse? What would you do?

This was one of several video scenarios about ethics presented at the College's 2009 Pacific Dental Conference session "Tough Topics for Dentists: Challenges in Practice."

The session was presented by CDSBC Registrar Heather MacKay together with the Registrar of the Royal College of Dental Surgeons of Ontario, Irwin Fefergrad. Here are the key points from their discussion.

You can't pick up the phone and call the police without the [adult] patient's consent.

No duty or authority to report

Irwin began the discussion by stating that in this case there is no duty to report and no authority to report, as doing so would breach the patient's

confidentiality: "You can't pick up the phone and call the police without the patient's consent." An adult being the subject of domestic abuse is different from a child being at risk.

While automatic reporting is not appropriate, as a healthcare professional, it's not enough to perform the work as needed without any thought of how to help the patient. "That's where the complexity comes in," said Heather. "You may be the only doctor this person is willing to see because she actually has to get that tooth fixed. You need to ask the appropriate questions and suggest where to get help if appropriate."

Safe environment

The dentist should create a safe, private place to have the conversation. It's a good idea to have a CDA or another woman in the room. And it's critical that the possible abuser is not in the room with the patient.

At the same time, the dentist needs to have the sensitivity to avoid judging the patient. The patient should know the dentist will still be there to listen to them even if the abuse happens again. It would also be appropriate to ask the patient if she would like information about where to go for help. (See resources, below.)

Document the evidence

The dentist's visible findings should be charted and observations noted in the patient's chart, even if the physical signs are not the reason for the visit. These findings, as with all chart entries, must be completely objective and non-judgmental in nature.

It is possible that the patient's medical/dental records will be requested at a later date by police as independent corroborating evidence and to demonstrate patterns of abuse over time. Be sure to reassure the patient that the information in her chart is confidential and will not be shared without her consent.

As with so many things, a sensitive situation like this relies heavily on professional judgment. "But don't ignore the signs," said Heather. "Sometimes you just have to open the door to the conversation."

Resources

VictimLINK

1-800-563-0808 (toll free, 24 hours, 7 days a week)

A confidential province-wide help line for victims of family and sexual violence, and all other crimes. They also have wallet cards, posters and other materials available to the public.

Youth Against Violence

1-800-680-4264 (toll free, 24 hours, 7 days a week)

www.youthagainstviolenceline.com

info@youthagainstviolenceline.com

Youth Against Violence offers young people confidential one-on-one support to help them deal with issues of youth violence or crime. It is a safe and anonymous way for them to report violent incidents and criminal activity, or to get assistance with other problems.

College Website Gets New Look

The CDSBC website has a whole new look that is fresh, professional and easier to navigate. We also decluttered the site, removing old pages, documents and links.

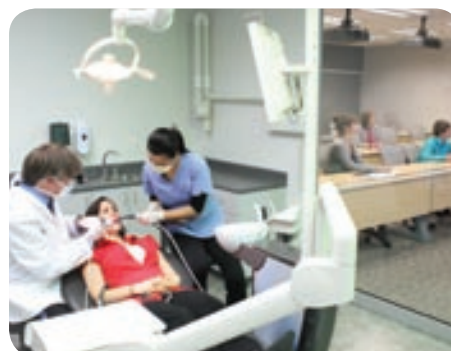
As part of the transition to the HPA, we're revising our documents

and forms (including application packages) and making them available for download as they are finalized. Additionally, we will be making upgrades to our database that will allow us to introduce more interactive features, like online CE submission. Visit www.cdsbc.org.



Looking for Space? Consider the Sirona Learning Centre

Are you looking for a place to host a study club, clinical course, demonstration or lecture? The Sirona



Learning Centre has an 11-chair dental clinic and a lecture theatre that can accommodate up to 28 participants. There is also a separate video-equipped demonstration operator.

The Sirona Learning Centre is available for rent by both dental and non-dental groups and organizations.

For rates and availability, call 604-734-5667 or email info@sironalearningcentre.org.

New Faces at the College



L – R: Lena Ross, Nancy Crosby, Garry Sutton, Anita Wilks, Cathy McGregor

Two dentists have joined the College as part-time complaints investigators. **Cathy McGregor, DMD**, worked in private practice in Steveston for 25 years. She was an examiner and developed questions for the National Dental Examining Board of Canada, and taught part-time at UBC's Faculty of Dentistry for 25 years. She has developed and implemented remedial education programs for the College and served on the College's Review Committee, an earlier version of today's Inquiry Committee. Cathy is a fellow of the American College of Dentists.

Garry Sutton, DMD, operated a private practice for 35 years, also in Steveston. He serves on the board of the Vancouver and District Dental Society and is involved with the Study Club Alliance of BC. Garry also contributes his time to the Patterson Dental Mission Project, which supplies portable dental clinics for any dental professional who wants to provide services to communities in developing countries without oral healthcare. He practises as an associate dentist on a part-time basis.

As the College's new Manager of Communications, **Anita Wilks** is responsible for College communications planning and programs, including all publications, stakeholder communications, media relations, research and special events. Anita, who comes to the College after 10 years at Vancity, is accredited by the International Association of Business Communicators. She works closely with Margot White, who has taken on a broader role as Director of Policy Development and Communications.

Also new to the Communications Department is **Lena Ross**, Communications Coordinator. Lena keeps the College's website up to date, oversees production and distribution of communications materials such as the Contact bulletin, and provides support for College presentations and events.

Nancy Crosby is the Senior Assistant to the Registrar, Heather MacKay. Nancy has more than 20 years' experience as an executive assistant, and her main duties are handling correspondence that comes into the Registrar's office, scheduling and organizing meetings and events.

Thirteen Honoured at 2009 Awards Ceremony

The College honoured 13 individuals at the CDSBC annual awards ceremony on March 5. The highest award, the Honoured Member Award, was given to Dr. John Fraser of Vancouver.

Distinguished Service Awards, which recognize outstanding and broad contributions to the dental profession in B.C. and to the College over time, were presented to:

- Kathy Boyd, certified dental assistant, Sidney
- Lynn Carter, College public member, Vancouver
- David Kennedy, dentist, Vancouver

Dr. John Fraser received the Honoured Member Award, the College's highest award.

- Bill McNiece, dentist, Kamloops
- Peter Lobb, dentist, Victoria

Awards of Merit, which recognize significant contributions to the practice or the profession of dentistry through extensive involvement with the College, were given to:

- Maureen Leech, College public member, Victoria

- Bernard Legatto, dentist, Kelowna
- Ed O'Brien, dentist, Vancouver
- Bill Phillips, College public member, Vancouver
- Miriam Rosin, PhD, BC Cancer Agency, Vancouver
- Clayton Shultz, College public member, Surrey
- Michele Williams, dentist, BC Cancer Agency and professor, UBC Faculty of Dentistry, Vancouver

A Past President Award was also presented to Dr. Lobb, who served as College president from 2005 until 2008.



Back row, L-R: Dr. David Kennedy, Mr. Clayton Shultz, Dr. Bill McNiece, Ms. Kathy Boyd, Dr. Ed O'Brien, Ms. Miriam Rosin, PhD, Ms. Lynn Carter
Front row, L-R: Dr. Michele Williams, Dr. Peter Lobb, Dr. Ash Varma (President), Ms. Heather MacKay (Registrar), Dr. John Fraser
Missing: Dr. Bernie Legatto, Ms. Maureen Leech, Mr. Bill Phillips

Board Highlights > April 3, 2009

Health Professions Act, CDSBC Bylaws and Regulations

President Ash Varma announced that on this day, the College of Dental Surgeons became regulated under the *Health Professions Act* (HPA). The College Council became the Board of the College of Dental Surgeons of BC and the Board members took their Oath of Office.

The first resolution under the HPA was to adopt the appended Bylaws of the College made under the *Health Professions Act*. The Board then passed a motion to confirm the appointment of Heather D. MacKay as the Registrar of the College.

HPA transition and communication

Margot White, Director of Policy Development and Communications, gave an overview of the plans for transition to the HPA and the communications planned for various stakeholder groups.

Committee appointments

The Registrar described the changes to the committee structure under the HPA. Some committees are new, some are discontinued and others will continue under a different name. The College is also required to have

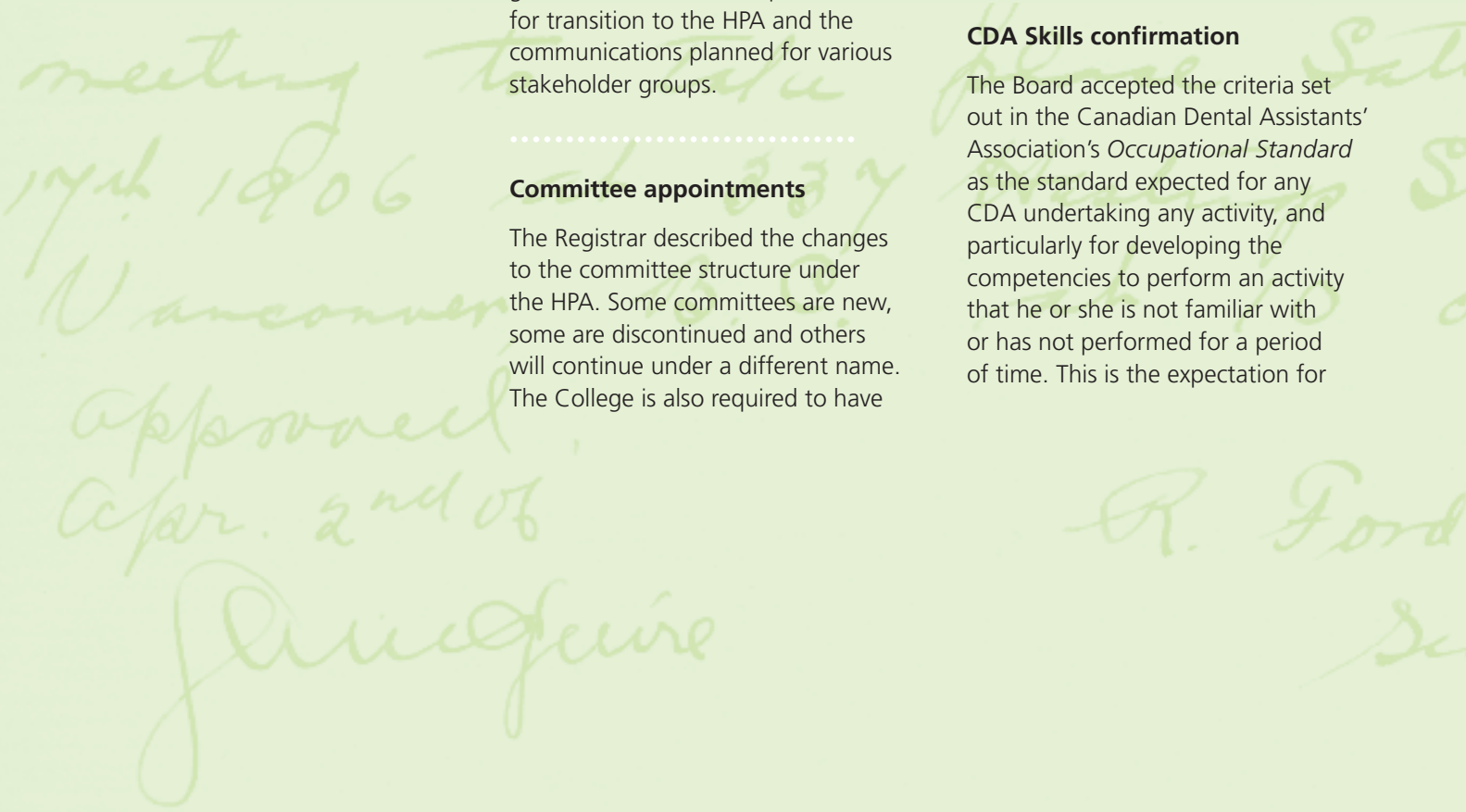
a Patient Relations Committee, the purpose of which is to prevent professional misconduct, including that of a sexual nature. This role will be fulfilled by the CDSBC Board.

Continuous Practice implementation

The Board approved the recommendation to phase in the HPA requirement that a practising dentist must have 900 hours of practice over a three-year period, while a CDA must maintain 600 hours of practice in that timeframe. For the renewal period in 2010, dentists and CDAs will be required to have undertaken some practice over the past three years, but not necessarily the 900/600 hours. For renewal in 2011, the requirement will be fully implemented as written in the Bylaws.

CDA Skills confirmation

The Board accepted the criteria set out in the Canadian Dental Assistants' Association's *Occupational Standard* as the standard expected for any CDA undertaking any activity, and particularly for developing the competencies to perform an activity that he or she is not familiar with or has not performed for a period of time. This is the expectation for



all aspects of practice. The emphasis is on the individual dentist and CDA to ensure that the necessary competency, knowledge and skills are in place before the CDA provides the service.

College PDC session debrief

The College session *Tough Topics for Dentists: Challenges in Practice* received very positive feedback from those who attended. A DVD of the session is being produced for educational purposes.

College finances

Peter Stevenson-Moore, Treasurer, presented the unaudited financial statements for the period ending February 28, 2009.

Legal update

The Registrar updated the Board regarding current legal issues being dealt with by the College.

College Place – in-camera session

An in-camera session took place to discuss issues of a confidential financial nature, pursuant to Section 2.15(9)(a) of the CDSBC Bylaws.

Agreement on Internal Trade update

The Registrar provided an update on the agreement for dentistry under the *Agreement on Internal Trade* (AIT) and the agreement with Alberta under the *Trade, Investment and Labour Mobility Agreement* (TILMA).

*March
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J. J. J.*



IN BRIEF

Criminal record re-check from A to J

All current and new registrants of professional regulatory bodies are required to undergo a criminal record re-check every five years. The re-check is being phased in; this year it will involve dentists and CDAs whose surnames begin with the letters A to J and who have not been checked in the previous four years. These dentists and CDAs can expect to receive a criminal record re-check package from the College this fall.

Dental emergencies toolkit

The College is preparing a package for dentists that explains the College's expectations about responding to dental emergencies. The package, which will be distributed this fall, also includes

tips and resources. This is a joint initiative between CDSBC and the BC Dental Association.

Submit current CE forms only

CE forms are regularly updated, so please ensure that you submit only current forms, available for download at www.cdsbc.org. Older forms may not accurately reflect current eligibility, limits, etc. and may be returned to you.

Do we have your current contact info?

All dentists and CDAs are required to ensure that the College has up-to-date contact information. You can update your contact info online at www.cdsbc.org or by calling our receptionist at 604-736-3621 or toll free at 1-800-663-9169.

Regulating dentists and certified dental assistants in the public interest

The *Sentinel* is published by:

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Readers' questions, comments and content suggestions for the *Sentinel* are welcome and may be forwarded to the Editor, c/o the College.

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The *Sentinel* and other communications circulated by the College are the primary sources of information about regulation for dentists and certified dental assistants in B.C.

Dentists and CDAs are responsible for reading these publications to ensure they are aware of current standards, policies and guidelines.

CDA Presentation at TODS

Earn an hour of CE for free at the Thompson Okanagan Dental Meeting

Thursday, October 22, 5–6 pm
Grand Okanagan Hotel, Kelowna

Dentists and CDAs:

Learn what's new for CDAs in the *Health Professions Act* and College Bylaws, including:

- restricted activities and how they affect dentists and CDAs
- expanded services for CDAs
- continuous practice requirements
- delegation and supervision – what these mean

- understanding the 60-day rule
- CDA involvement in public health

Note: **TODS registration is not required** for this free session.

