

Board Meeting  
19 February 2016  
Agenda Item 2 b.

**BOARD MEETING**  
**Friday, 19 February 2016**

**The Hyatt Regency Hotel**  
**655 Burrard Street, 34<sup>th</sup> Floor, “English Bay Room”**  
**Vancouver BC**

**MINUTES**

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The meeting commenced at 8:35 am

**In Attendance**

Dr. David Tobias, President	Ms. Julie Johal
Dr. Erik Hutton, Vice-President	Mr. Samson Lim
Dr. Hank Klein, Treasurer	Ms. Elaine Maxwell
Dr. Ben Balevi	Ms. Sherry Messenger
Dr. Pamela Barias	Mr. Dave Pusey
Mr. Dan De Vita	Dr. Mark Spitz
Dr. Dustin Holben	Dr. Jan Versendaal
	Dr. Eli Whitney

**Regrets**

Dr. Chris Callen  
Ms. Melanie Crombie  
Mr. Richard Lemon

**Staff in Attendance**

Mr. Jerome Marburg, Registrar & CEO  
Mr. Greg Cavouras, Staff Lawyer & Senior Policy Analyst  
Ms. Nancy Crosby, Manager of CEO's Office  
Ms. Leslie Riva, Senior Manager: CDA Certification and QA  
Ms. Roisin O'Neill, Director of Registration and HR  
Ms. Anita Wilks, Director of Communications  
Ms. Carmel Wiseman, Deputy Registrar  
Mr. Dan Zeng, Director of Finance and Administration

**Invited Guests**

Dr. Peter Stevenson-Moore, CDSBC Ethics Committee  
Dr. Toby Bellamy, Chair, CDSBC Sedation and General Anaesthetic Services Committee



## 1. Meeting Called to Order and Welcoming Remarks

The President provided an outline of on-going issues the organization is working on and spoke of our capable CEO and staff with particular reference for him being a catalyst for a lot of positive changes in the organization and in general.

## 2. Consent Agenda

- a. Approve Agenda for 19 February 2016 (*attachment*)
- b. Approval of Board Minutes of 28 November 2016 (*attachment*)
- c. Reports from Committees (*attachments*)
- d. Committee Membership (*attachment*)

### **MOTION: Pusey/Lim**

**That the items on the Consent Agenda for the 19 February 2016 Board meeting be approved.**

**Carried**

Ms. Joan Rush made a presentation to the Board in November 2015 on the challenges of getting treatment time and space for developmental disadvantaged patients. A Board member asked a follow-up question regarding the presentation by Ms. Joan Rush, and whether we had sent a letter to the government. The Registrar had followed up with the Executive Director of the BCDA and informed the Board that the BCDA will be taking the lead on this issue as they have more intimate knowledge of the network as three ministries are involved.

## 3. Business Arising from the Consent Agenda

There were no items arising from the consent agenda.

## 4. 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 has been working on making changes to these reports, and incorporating these documents into the governance manual. They will not be minimized, just put into better terminology.

Executive Limitation Reports (*attachments*):

- EL2: Treatment of Public
- EL3: Registration, Certification and Monitoring
- EL4: Treatment of Staff
- EL5: Financial Planning/Budgeting
- EL6: Financial Condition and Activities
- EL7: Emergency Registrar Succession

**MOTION: Versendaal/Spitz**

**That the Board receives the following Monitoring Reports:**

**EL2: Treatment of Public**

**EL3: Registration, Certification and Monitoring**

**EL4: Treatment of Staff**

**EL5: Financial Planning/Budgeting**

**EL6: Financial Condition and Activities**

**EL7: Emergency Registrar Succession**

**Carried**

A few questions were asked, such as why the increase in people taking out temporary registrations? The Registrar advised that this was due to people coming in for courses.

A conversation took place regarding the lower number of complaints and if this was a trend. The Registrar responded saying while too early to tell if it was a trend (which would be most welcomed) it could be due to the education sessions CDSBC has been undertaking regarding the avoidance of complaints. It could also be due to the expanded complaints information we have on our website with instructions, such as speaking with one's dentist first before lodging a complaint, and that CDSBC cannot obtain financial reimbursement for complainants.



## 5. President's Report

On the national scene, a new CEO for CDRAF was hired last fall and she began her term in January. The President, Vice-President and Registrar will all be attending the national CDRAF Board meeting in Ottawa middle of April and will be able to provide an update at the June Board meeting.

In January, at the Discipline Committee training session, we presented Mr. Martin Gifford and Dr. Michael Wainwright with a Certificate of Appreciation for the work they continue to do on our committees. We also had the opportunity of presenting this certificate to Mr. Oleh Ilnyckyj who has supported the Ethics Committee and has led a Board workshop.

In January the Board Officers attended a public speaking training session with Ms. Della Smith of Q Workshops.

Drs. Tobias and Hutton attended a dinner meeting with the President of the Vancouver and District Dental Society which resulted in an invitation to speak to their Board. Drs. Tobias, Hutton, Klein and Balevi attended one of their Board meetings and presented the work the College has been doing.

## 6. Management Report

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

### **MOTION: Messenger/Pusey**

**That the Board receive the management report.**

### **Carried**

The Registrar highlighted two things from the management report:

1. The College has been accepted as presenters at the Council on Licensure, Enforcement & Regulation (CLEAR) Conference being held in Portland, Oregon in September 2016. This is a large conference with over 600 international attendees, and received over 80 submissions by prospective presenters. Carmel Wiseman, Greg Cavouras and Alastair Wade will be presenting the session on behalf of CDSBC, in the area of effective entry to practise and a person's reputation.



2. Another highlight relates to all the presentations/talks we are continuing to organize for registrants and now two of our staff dentists, Drs. Chris Hacker and Garry Sutton, are presenting at Study Clubs. Study Club feedback has been very positive and complimentary.

**This concluded the open portion of our meeting. ENDED AT: 9:40 am**  
**Staff were asked to leave until 10:30 am**

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

## CDSBC Committee Report to Board For Public Agenda

**Committee Name**                      Audit Committee and Finance & Audit Committee  
Working Group

**Submitted by**                         Mr. Samson Lim, Chair

**Submitted on**                         3 February 2016

**Meeting Frequency**                7 May 2015  
7 October 2015  
4 November 2015  
2 February 2016

### Matters Under Consideration

- Each committee/working group member continues to receive and review the monthly financial statements as prepared by management. From a financial perspective, the year-to-date results continue to appear to be in good order.
- The Audit Committee Chair has met with the SR engagement Partner to discuss the concerns over whether or not the external auditors appear completely independent if the same team has been engaged over a consecutive number of years. The Chair and Partner have agreed there is no issue. However, to address the request, we have agreed that SR will introduce a new concurring Audit Partner to review and sign off on the engagement along with the Engagement Partner, as well as utilizing a different Audit Manager to lead the engagement. Hence, there should be no further concerns over the appearance of independence for the next few years.

### Future Trends

- A one-page narrative to accompany quarterly reports for Board meetings, like a “state of the nation”, i.e., stipulating the big financial themes that are occurring, an overview of the most material positive and negative factors in play, and a statement describing the forecasted year-end results, will be provided.
- The Committee/working group is working with management to develop meaningful key performance indicators (KPI’s) that will quickly convey some of the improvements, challenges and trends for the CDSBC over the current and prior years. These KPI’s will



need to be objectively developed to adjust for unusual items occurring in each year that will otherwise compromise comparability.

## CDSBC Committee Report to Board

### For Public Agenda

<b>Committee Name</b>	CDA Advisory Committee
<b>Submitted by</b>	Susanne Feenstra, Chair
<b>Submitted on</b>	19 February 2016
<b>Meeting Frequency</b>	This Committee met 18 February 2016.
<b>Matters Under Consideration</b>	Educational programs and restricted activities
<b>Future Trends</b>	Module Updates: Orthodontic Module Infection Control requirements



## **CDSBC Committee Report to Board**

### **For Public Agenda**

<b>Committee Name</b>	CDA Certification Committee
<b>Submitted by</b>	Ms. Bev Davis, Chair
<b>Submitted on</b>	19 February 2016
<b>Meeting Frequency</b>	This Committee has not met since the last Board meeting
<b>Matters Under Consideration</b>	
<b>Future Trends</b>	Further discussion with regard to what are recognized continuous practice hours

<b>Committee Name</b>	Ethics Committee
<b>Submitted by</b>	Dr. Kenneth Chow, Chair
<b>Submitted on</b>	2 February 2016
<b>Meeting Frequency</b>	The Committee met on the following dates: <ul style="list-style-type: none"><li>• 14 January 2015</li><li>• 12 May 2015</li><li>• 19 November 2015</li><li>• 25 January 2016</li></ul>

### **Matters Under Consideration**

- **Advertising and Promotional Activities**

A working group of the Ethics Committee was formed for the purpose of carrying out the Board's request to provide interpretive guidelines to the new Bylaw 12. The working group's recommendations were then considered by the full committee which has recommended them to the February Board meeting for approval.

- **Code of Ethics**

When the dental profession became regulated under the *Health Professions Act*, the Rules made under the *Dentists Act*, including Article 5 of the Code of Ethics, lost their legislative backing. There were apparently plans to consider another document to go along with the updated Code of Ethics document of Core Values and Principles, to address the concepts in the old Article 5, but this was never done. Communication from the College at the time seemed to indicate that the principles in Rule 5 would somehow survive, but again there is no evidence of further work being done in this area.

A working group has been formed with Drs. Chow, Wong, Stevenson-Moore, Kwon, and Rick Lemon to review Article 5 of the old *Dentists Act*. It will be analyzed for relevant components that are not covered in the present Code of Ethics document and may then be considered in another document. A report will be forwarded to the Board when ready.

- **Corporate Structures**



Information on health profession corporations will be collected during the registration renewal for 2016/17. This will enable the College to meet its legislative mandate of maintaining up-to-date information of all dental corporations.

The data will allow the Ethics Committee to analyze and consider any trends in corporate ownership that may emerge.

### **Connection to Strategic Plan**

- Following the Mission statement – “in the public interest”
- Following the Mandate – “Establishes, monitors, and regulates standards of practice, guidelines for continuing practice and ethical requirements for all dentists and CDAs”

## CDSBC Committee Report to Board For Public Agenda

<b>Committee Name</b>	Inquiry Committee
<b>Submitted by</b>	Dr. Greg Card, Chair
<b>Submitted on</b>	19 February 2016
<b>Meeting Frequency</b>	From 31 October 2015, the date of the last report, until 15 January 2016, the Inquiry Committee as a whole met on the following dates:

- 24 November 2015
- 12 January 2016

Inquiry Committee Panels met on the following dates:

- 10 November 2015
- 16 November 2015
- 24 November 2015
- 11 December 2015
- 22 December 2015

The Inquiry Committee also received and reviewed by email 3 complaints dismissed by the Registrar pursuant to s.32(3) of the HPA.

In addition, a Panel of the Inquiry Committee meets weekly electronically to review and accept new complaints received and direct how each new file is to be handled (normally through investigation or early resolution).

### Matters Under Consideration

Inquiry Committee Panels have files involving six dentists under review. 3 of those registrants have been referred to a Panel because the files are complex and the College is seeking direction on how to proceed with the investigation.



### **Connection to Strategic Plan**

The Board's strategic plan requires CDSBC to have a transparent, fair, effective and defensible complaints resolution process and procedures and to take active steps to help registrants enhance the standard of care they provide. The complaints process is designed to collect the information necessary to properly investigate and dispose of complaints. If minor concerns with a registrant's practice are noted they are given practice advice. More serious concerns are addressed by agreement with the registrant whenever possible. Such agreements are tailored to the particular concerns raised. When the complaint files are closed, the complainants receive a comprehensive letter outlining the investigative steps taken, what the investigation revealed and how CDSBC has disposed of the complaint. A complainant has the right to request the HPRB review any Inquiry Committee disposition of a complaint short of a citation.

### **Statistics/Report**

48 files were opened and 60 were closed between 01 November 2015 and 15 January 2016.

## CDSBC Committee Report to Board

### For Public Agenda

**Committee Name** Nominations Committee

**Submitted by** Dr. Peter Stevenson-Moore, Chair

**Submitted on** 3 February 2016

**Meeting Frequency** The Committee met on:

- 14 August 2015
- 8 October 2015 (teleconference)

A teleconference is scheduled for 7 March to go over the details of the awards ceremony.

**Matters Under Consideration** The Committee is in the process of administering the CDSBC awards program on behalf of the Board.

The Board approved the list of recommended award winners submitted by the Committee at the November 2015 meeting. Five award winners will be honoured at the annual awards ceremony on Thursday, 17 March.

Seven recipients of the Certificate of Appreciation were also identified by the Committee. Two of those will be honoured at the awards ceremony, three have already received their certificates personally by the President, and the remaining two presentations are to be arranged in the near future.

The planning of the Awards Ceremony is well underway and will take place at the Fairmont Waterfront Hotel Vancouver. Board members are encouraged to attend the ceremony to meet and celebrate the outstanding individuals who work so diligently on its behalf.

**Future Trends** The current Bylaws require this committee retain some responsibility for the recruitment of candidates for the election under Section 4.14 (2)(a). Given the plan for this responsibility to be taken over by the Governance Committee when the new Bylaws are passed, the Nominations committee plans to liaise closely with the Table Officers to ensure that a full slate of candidates are available.

## CDSBC Committee Report to Board For Public Agenda

<b>Committee Name</b>	Quality Assurance Committee
<b>Submitted by</b>	Dr. Ash Varma, Chair
<b>Submitted on</b>	19 February 2016
<b>Meeting Frequency</b>	Met 27 November 2015. QA Working Group met 28 November 2015 21 January 2016
<b>Matters Under Consideration</b>	PDC Course approval. Reviewed a Study Club Application. Discussed what constitutes continuous practice hours. Update from the QA Working Group.
<b>Future Trends</b>	1) Competency verification processes 2) Discussion of innovative ways to obtain CE

Quality Assurance Working Group consists of:

Dr. Ben Balevi  
Ms. Catherine Baranow  
Mr. Paul Durose  
Dr. Andrea Esteves  
Dr. Ash Varma, Chair  
Dr. David Vogt

## CDSBC Committee Report to Board For Public Agenda

<b>Committee Name</b>	Quality Assurance CE Subcommittee
<b>Submitted by</b>	Dr. Ash Varma, Chair
<b>Submitted on</b>	19 February 2016
<b>Meeting Frequency</b>	Has not met since last Board meeting.
<b>Matters Under Consideration</b>	
<b>Connection to Strategic Plan</b>	This Committee continues to improve professionalism and practice standards of dentists, dental therapists and CDAs.
<b>Future Trends</b>	



## CDSBC Committee Report to Board For Public Agenda

<b>Committee Name</b>	Registration Committee
<b>Submitted by</b>	Dr. Alexander Hird (Chair)
<b>Submitted on</b>	1 February 2016
<b>Meeting Frequency</b>	22 January 2016
<b>Matters Under Consideration</b>	<p>The Registration Committee has sought input from the QA Committee regarding the pathways for 1) re-entry to practice, 2) registration renewal, and 3) change of registration categories in cases where the applicant has not met the QA requirements (usually Continuous Practice Hours, CPH). We have sought to rationalize the process and have over time developed fair and reasonable solutions that seem to work for all the interested parties. However, we wanted some sort of affirmation from the QA Committee that these solutions are satisfactory to them from a QA and competency perspective.</p> <p>We are also working with the QA Committee and UBC to develop an alternate additional pathway for demonstrating/establishing competency. The hope is that it would provide more options to the Registration Committee when tailoring a solution for (CPH-deficient) applicants' individual situations.</p>
<b>Statistics/Report</b>	Two requests for full registration from applicants with insufficient continuous practice hours: decisions pending
<b>Future Trends</b>	As previously reported.

## **CDSBC Committee Report to Board**

### **For Public Agenda**

<b>Committee Name</b>	Sedation and General Anaesthetic Services Committee
<b>Submitted by</b>	Dr. Tobin Bellamy, Chair
<b>Submitted on</b>	19 February 2016
<b>Meeting Frequency</b>	7 December 2015 15 February 2016

#### **Matters Under Consideration**

Updates to the Deep Sedation and General Anaesthetic Standards and Guidelines will be presented at the 19 February Board Meeting for approval.

An inspection process is being developed for parenteral moderate sedation facilities. A working group has been formed to develop the framework for these inspections. The group met in January and reported to the Sedation Committee on 15 February.

#### **Statistics/Report**

Since the last Board Meeting the Committee has approved the tri-annual inspection of one general anaesthesia facility. Seven general anaesthesia facilities are in the tri-annual inspection process.

Since the last Board Meeting the Committee has approved initial inspections for three deep sedation facilities. Tri-annual inspections for three deep sedation facilities were also approved. Three new deep sedation facilities are in the inspection process. Six deep sedation facilities are in the tri-annual inspection process.

Annual self-assessments for 16 facilities were approved at the last meeting.

Registration of qualifications applications were reviewed from 4 dentists, all were approved.

#### **Future Trends**

The process for inspection of moderate parenteral sedation facilities is being developed. The resources required will be determined over the next several months.

Committee memberships were approved by the Board on Saturday, 12 September 2015.  
There is now a vacancy for an Anaesthesiologist on the Sedation and General  
Anaesthetic Services Committee.

The Chair, Dr. Tobin Bellamy, is requesting that Dr. Dean Burrill fill this position.

Dr. Burrill works at Royal Columbian Hospital, Eagle Ridge Hospital, Cambie Surgical  
and New West Surgical.

#### **SEDATION AND GENERAL ANAESTHETIC SERVICES COMMITTEE**

Tobin Bellamy	Oral Surgeon (Chair)
Mike Melo	Oral Surgeon (Vice-Chair)
David Sowden	Oral Surgeon
Michael Henry	Oral Surgeon
Brian Chanpong	Dentist
Dean Burrill	Anaesthesiologist
Scott Yamaoka	Periodontist
Gordon McConnell	Biomedical Engineer
Martin Aidelbaum	Oral Surgeon
James Kim	Anaesthesiologist
Richard Wilczek	Dentist
Mehdi Oonchi	Dentist
Gerald Pochynok	Pediatric

## **POLICY EL 2: TREATMENT OF THE PUBLIC**

**Due Date:** Quarterly - November, December, January

With respect to interactions with the public, the Registrar shall not cause or allow conditions, procedures, or decisions which are unfair, unreasonable or disrespectful.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

<b>Policy</b>		<b>Response/Report</b>
<b>1</b>	<b>Use forms that elicit information for which there is no clear necessity.</b>	<b>Forms collect only the information required.</b>
<b>2</b>	<b>Use methods of collecting, reviewing, transmitting, or storing information that fail to protect against improper access to the material elicited.</b>	<b>CDSBC has secure document storage facilities for all hard copies. Confidential shredding is used throughout the office for destruction of documents with sensitive information when those documents are slated for destruction. Electronic files are protected by industry standard firewalls and end-point security hardware and software.</b>
<b>3</b>	<b>Fail to operate facilities with appropriate accessibility and privacy.</b>	<b>CDSBC offices are accessible to any who need/desire access. Premises are alarmed and monitored. Private offices and meeting spaces are available and used when indicated.</b>
<b>4</b>	<b>Fail to establish with members of the public a clear understanding of what may be expected and what may not be expected from the College, including the processes it employs in adjudicating public complaints.</b>	<b>Registrar reports compliance. Details are included in complaints and discipline reports tabled at the Board meeting by the Deputy Registrar.</b>  <b>The new CDSBC website contains more information about complaints, including a designated "news feed" on the homepage, a complaints form, and a detailed description of the complaints process.</b>  <b>Members of the public who contact the College about how to make a complaint or about the complaint process are provided with information promptly.</b>



## POLICY EL 2: TREATMENT OF THE PUBLIC


**Due Date:** Quarterly - November, December, January

With respect to interactions with the public, the Registrar shall not cause or allow conditions, procedures, or decisions which are unfair, unreasonable or disrespectful.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

Policy		Response/Report
5	Fail to adjudicate complaints as expeditiously as possible.	We have made significant progress in this area. The rate of complaints has slowed and with additional staff, significantly more complaint files have been closed than opened.
6	Fail to deal with public inquiries as expeditiously as possible.	All inquiries from the public are dealt with as expeditiously as possible. The Director of Communications, in consultation with the Registrar/CEO, responds to media inquiries as quickly as possible.
7	Fail to employ alternate dispute resolution where appropriate.	CDSBC resolves approximately 90% of all complaints through alternative dispute resolution. CDSBC has deployed resources to place more emphasis on early resolution through appropriate dispute resolution techniques. Specifically, one staff dentist has taken the role of Early Resolution Officer and will attempt to answer questions and resolve concerns before they become formal complaints or quickly after a formal complaint is received if the matter is susceptible to early resolution.

Respectfully Submitted By:

  
Jerome M. Marburg  
Registrar and CEO

Date:

2 FEBRUARY 2016



### POLICY EL 3: TREATMENT OF REGISTRANTS

With respect to interactions with registrants, the Registrar shall not cause or allow conditions, procedures, or decisions which are unfair, unreasonable or disrespectful.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

Policy		Response/Report
1	Use forms that elicit information for which there is no clear necessity.	Forms (both paper and electronic) collect only relevant/statutory information needed for registration. Personal assurance of registration staff and review of Registrar/CEO are evidence of compliance. The 2016/17 online renewal process includes questions regarding ownership of dental corporations - this will be mandatory for those who own corporations. Other information being requested of dentists which was new as of last year is whether they speak any additional languages. This information is being collected as a courtesy to the public and has been added to the Registrant Lookup.
2	Use methods of collecting, reviewing, transmitting, or storing information that fail to protect against improper access to the material elicited.	CDSBC database is secured with password protection and is located on internal servers behind firewall and industry standard end-point protection. Access to said database is restricted to only those persons requiring access for their job functions. Physical files are kept in locked cabinets wherever personal or sensitive information is present. Disposition of paper documents done by confidential shredding. We are now filing all new applications for registration and certification electronically and storing the paper version on-site for one year. We are working to scan and save all physical registrant files electronically in the months ahead.
3	Fail to register applicants as expeditiously as possible.	Application process generally is completed within 2-3 weeks unless extenuating circumstances present. We are currently working on developing an online registration/application process which will further streamline the application process. We are working to have this up and running by mid-year 2016.



### **POLICY EL 3: TREATMENT OF REGISTRANTS**

With respect to interactions with registrants, the Registrar shall not cause or allow conditions, procedures, or decisions which are unfair, unreasonable or disrespectful.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

<b>Policy</b>		<b>Response/Report</b>
<b>4</b>	<b>Fail to establish with registrants a clear understanding of what may be expected and what may not be expected from the College, including the processes it employs in adjudication of public complaints.</b>	<b>The College communicates its expectations for registrants in a variety of ways, such as publications (electronic and print), through courses and presentations. Recent initiatives include an information sheet and live/webcast information session on complaints and discipline . In fall 2015 College representatives delivered courses in Terrace, Fairmont Hot Springs, Kelowna and Victoria. There are two courses in development: 1) Tough Topics 2 (about informed consent and other topics that can lead to complaints) which will be launched at the Pacific Dental Conference and turned into an online course; and 2) planning is underway for a joint course with the BCDA for new dentists.</b>
<b>5</b>	<b>Fail to adjudicate complaints as expeditiously as possible.</b>	<b>The backlog of complaints has been reduced. The Complaints team continues to target any remaining backlogged files. So far this fiscal year, the College has closed 100 more complaint files than it opened with the result that the inventory is being significantly reduced.</b>
<b>6</b>	<b>Fail to employ alternative dispute resolution where appropriate.</b>	<b>The Complaints team seeks to negotiate solutions when possible on files where concerns have been identified.</b>
<b>7</b>	<b>Fail to respond to registrants' inquiries as expeditiously as possible.</b>	<b>All inquiries, whether from registrants or members of the public, are responded to promptly. When a prompt response is not possible, persons are informed of this fact and when a response may be expected.</b>



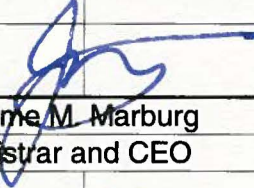
### POLICY EL 3: TREATMENT OF REGISTRANTS

With respect to interactions with registrants, the Registrar shall not cause or allow conditions, procedures, or decisions which are unfair, unreasonable or disrespectful.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

Policy		Response/Report
8	Fail to develop a College communication strategy.	Communications materials support the strategic plan. The new website is the go-to place for CDSBC communications and includes a number of user-friendly features, such as an enhanced directory (Registrant Lookup) and a library of all key documents for easy reference, as well as expanded information and forms for complaints aimed at both registrants and complainants. We are making ongoing enhancements to the site. The College expanded its social media presence and is now using LinkedIn, YouTube and Twitter. The electronic newsletter has been redesigned and is now optimized for viewing on a mobile device, further increasing communications accessibility. Although most communication with registrants is electronic, the College uses other methods when warranted. The College is responsive to trends or issues as they arise.
9	Propose registration fees to the Board without a clear rationale.	All registration fees are tied to budget and budgeting process over which the Board has oversight and through which the Board and Audit/Finance Committee are consulted. The annual report includes a detailed graphic breakdown to illustrate how registrant fees are allocated to the various functions.

Respectfully Submitted By:

  
Jerome M. Marburg  
Registrar and CEO

Date: 25 January 2016



# Quarterly Report

## Registration and Certification

1 November 2015 – 31 January 2016

Prepared for the Board



## **Overview**

The Registration/Certification Team, consisting of the Director of Registration & HR, the Senior Manager, CDA Certification and Quality Assurance and three support staff, are responsible for all aspects of registration of dentists and certification of certified dental assistants. It is also responsible for the CDA Certification Committee, CDA Advisory Committee, Registration Committee, Quality Assurance Committee and the Quality Assurance CE Subcommittee.

The following represents a statistical breakdown of the activity in these areas for the period 1 November 2015 – 31 January 2016 inclusive.

Where available, the previous year's statistics for the same period (1 November 2014 – 31 January 2015) are provided in brackets.

## **Continuing Education Dentists & Certified Dental Assistants**

Continuing education credit submissions are received electronically, by mail and fax and applied to each registrant's Transcript of Continuing Education. Of the more than 10,000 registrants, 3718 have their three-year cycle ending 31 December 2015.

In late August or early September, transcripts are mailed to all registrants with unfulfilled cycles ending that year.



<b>DENTIST STATISTICS</b>		
Practising Dentists - 3441		
<b>NEW REGISTRATIONS</b>		
	1 Nov 2015 – 31 Jan 2016	1 Nov 2014 - 31 Jan 2015
Full Registrations issued (includes Specialists)	11	20
Restricted to Specialty Registrations issued	1	0
Academic Registrations issued	0	0
Limited Registrations issued:		
• Armed services or government	1	0
• Education	0	0
• Post-graduate	0	0
• Research	0	0
• Student practitioner	0	0
• Volunteer	0	0
Temporary Registrations issued	20	7
Non-practising Registrations issued	2	0
<b>GENERAL</b>		
Transfers from Non-practising to Practising	7	2
Transfers from Practising to Non-practising	10	9
Lapsed	0	0
Reinstated	1	1
Resigned/Retired	19	8
Retired (annual \$50 fee)	0	0
Deceased	4	3



<b>CDA STATISTICS</b>		
Practising CDAs - 5953		
<b>NEW CERTIFICATIONS</b>		
	1 Nov 2015 – 31 Jan 2016	1 Nov 2014 - 31 Jan 2015
Practising Certifications issued	34	29
Temporary Certifications issued	8	5
Temporary-Provisional Certifications issued	0	0
Limited Certifications issued	0	0
Non-practising Certifications issued	0	0
<b>GENERAL</b>		
Transfers from Non-practising to Practising	20	15
Transfers from Temporary to Practising	7	3
Transfers from Temporary-Provisional to Practising	0	0
Transfers from Limited to Practising	0	0
Lapsed	8	3
Reinstated	17	16
Resigned/Retired	14	1
Retired (annual \$25 fee)	0	0
Deceased	0	1

## Module designations granted

Orthodontic Module – 0 (1)

Prosthodontic Module –2 (3)

Dental Radiography Module – 11 (24)

## CDA Assessments

Initiated assessments:

- 15 (18)

Certification issued as a result of assessment:

- 6 (8)

## **POLICY EL 4: TREATMENT OF STAFF**

**Due Date:** Annually - End February

With respect to the treatment of staff, the Registrar may not cause or allow unfair or disrespectful treatment or unsafe working conditions.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

<b>Policy</b>		<b>Response/Report</b>
<b>1</b>	<b>Operate without written personnel rules which: (a) clarify rules for staff and (b) provide for effective handling of grievances including the opportunity for alternative dispute resolution.</b>	<b>All CDSBC staff members are provided with an Employee Handbook which is revised/updated as needed to comply with statutory requirements and any operational changes that are made. New employees participate in an orientation session to ensure that they are aware of policies and procedures.</b>
<b>2</b>	<b>Prevent any staff member from expressing non-disruptive dissent.</b>	<b>Monthly staff meetings are held at CDSBC with support staff acting as the rotating chairs. All employees contribute to the monthly meeting agenda and have the opportunity to address the group. Managers also meet with their teams regularly to address any specific work related issues. The Strategic Plan identifies the ongoing goal of the College as a learning and growing organization. The Registrar and senior management are charged/empowered to model and encourage behaviours which encourage staff to be curious about why and how things are done and to bring creative solutions to the table. The Registrar meets with every staff member at least once per year to explore areas of organizational strengths and opportunities.</b>
<b>3</b>	<b>Fail to conduct regular staff developmental discussions.</b>	<b>Management meets with staff on an ongoing basis to discuss work related issues and opportunities. A component of each employee's performance planning is personal and professional development. Explicit dollars for this have been identified in the budget.</b>



## **POLICY EL 4: TREATMENT OF STAFF**

**Due Date:** Annually - End February

With respect to the treatment of staff, the Registrar may not cause or allow unfair or disrespectful treatment or unsafe working conditions.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

<b>Policy</b>		<b>Response/Report</b>
<b>4</b>	<b>Fail to provide opportunities for professional development.</b>	<b>An annual training allowance is included in the budget reviewed and approved by the Board. Management meets and works with staff to encourage enrollment in courses that benefit them in their work. Specific training is provided to staff to enhance their efficiency in working with software used at the College (Outlook, WORD, Excel, Powerpoint). Staff is requested to provide feedback on the courses attended that may be beneficial for other team members.</b>
<b>5</b>	<b>Fail to involve staff in decision-making relating to their particular responsibilities.</b>	<b>Changes in position responsibilities are discussed with staff and job descriptions are approved by both management and the staff member. Performance planning documentation includes organization design components. Department/Team meetings are held on a regular basis to discuss all aspects of individual and team responsibilities, including problem-solving and improvements to existing processes.</b>
<b>6</b>	<b>Fail to acquaint staff with all Board and College rules and policies relevant to their employ.</b>	<b>All new staff members participate in an in-depth orientation covering who and what the College is and does and under what legislation it operates. They are also provided with the Employee Handbook and copies of the <i>Health Professions Act</i>, the Regulations, and the CDSBC Bylaws. At the staff meeting following each Board meeting the CEO/Registrar informs all staff of the issues discussed at the meeting and any actions required by staff to support the Board in its decisions.</b>



## POLICY EL 4: TREATMENT OF STAFF


**Due Date:** Annually - End February

With respect to the treatment of staff, the Registrar may not cause or allow unfair or disrespectful treatment or unsafe working conditions.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

Policy		Response/Report
7	Fail to seek to continuously improve the College's organizational culture.	Team building functions are held to foster improved working relationships. In addition to that, team lunches are held periodically for staff to promote team interaction. CDSBC provides two events each year to allow staff to socialize outside the office environment. Management have been charged and empowered by the Registrar to model an open, collaborative, learning and growing organizational culture, and they are held accountable for this.

Respectfully Submitted By:

  
Jerome M. Marburg  
Registrar and CEO

Date:

29 Jan 2016

## POLICY EL 5: FINANCIAL PLANNING/BUDGETING


**Due Date:** Quarterly - Jun, Sep, Dec, Feb

Financial planning for any fiscal year shall not deviate materially from the Board's Ends priorities, risk fiscal jeopardy, or fail to be derived from a business plan.

Further, without limiting the scope of the foregoing by this enumeration, the Registrar shall not plan in a manner that:

Policy		Response/Report
1	<b>Risks the organization incurring those situations or conditions described as unacceptable in the Board's policy Financial Condition and Activities.</b>	Registrar/CEO reports compliance per EL 6 report.
2	<b>Fails to include credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.</b>	Monthly financial statements, forecast, and Budget are evidence of compliance.
3	<b>Fails to maintain a contingency reserve.</b>	Registrar/CEO reports compliance per EL 6 report.

Respectfully Submitted By:

  
Jerome M. Marburg  
Registrar and CEO

Date:

21 Jan 2016



## **POLICY EL 6: FINANCIAL CONDITIONS AND ACTIVITIES**

**Due Date:** Quarterly - Jun, Sep, Dec, Feb

With respect to ongoing financial condition and activities, the Registrar shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Board priorities established in Ends policies.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

<b>Policy</b>		<b>Response/Report</b>
<b>1</b>	<b>Expend more funds than have been received in the fiscal year to date unless the debt guideline (see 2 below) is met.</b>	<b>CDSBC does not debt finance. Financial statements reported monthly show that expenditures do not exceed revenues.</b>
<b>2</b>	<b>Indebt the organization in an amount greater than 5% of the annual revenue.</b>	<b>CDSBC does not debt finance.</b>
<b>3</b>	<b>Use any contingency reserves except as authorized by an extraordinary motion of the full Board.</b>	<b>No transfers are undertaken without a Board motion. No contingency reserves have been utilized since last report.</b>
<b>4</b>	<b>Fail to report to Board at the earliest opportunity the amount by which any item in the approved operating or capital budget is forecasted to exceed the budget for a category.</b>	<b>Monthly financial statements are reviewed with the Board Officers and variances are discussed. Monthly financial statements are also shared with the Audit Committee and Finance &amp; Audit Working Group, and the latest financial statements are received at each Audit Committee and Finance &amp; Audit Working Group meeting. Financial statements are tabled at each Board meeting showing performance against budget.</b>



## **POLICY EL 6: FINANCIAL CONDITIONS AND ACTIVITIES**

**Due Date:** Quarterly - Jun, Sep, Dec, Feb

With respect to ongoing financial condition and activities, the Registrar shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Board priorities established in Ends policies.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

<b>Policy</b>		<b>Response/Report</b>
<b>5</b>	<b>Authorize the payment of any item that was included in the approved operating or capital budget in an amount that will exceed the approved budget for that category by more than \$50,000.</b>	<b>Registrar/CEO reports compliance.</b>
<b>6</b>	<b>Fail to obtain authorization from Board before committing the College to any operating or capital expenditure not included in the approved operating or capital budget that exceeds \$25,000 or that creates or increases a cash flow deficiency for the current fiscal year.</b>	<b>Registrar/CEO reports compliance.</b>
<b>7</b>	<b>Fail to settle payroll and debts in a timely manner.</b>	<b>Registrar/CEO reports compliance. All payroll obligations are being met.</b>

## POLICY EL 6: FINANCIAL CONDITIONS AND ACTIVITIES


**Due Date:** Quarterly - Jun, Sep, Dec, Feb

With respect to ongoing financial condition and activities, the Registrar shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Board priorities established in Ends policies.

Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

Policy		Response/Report
8	Allow tax payments or other government ordered payments or filings to be overdue or inaccurately filed.	Registrar/CEO reports compliance.
9	Acquire, further encumber or dispose of real property.	Registrar/CEO reports compliance.
10	Fail to aggressively pursue receivables after a reasonable grace period.	All receivables are recovered in a timely manner.

Respectfully Submitted By:

  
Jerome M. Marburg  
Registrar and CEO

Date:

29 Jan 2016




## **POLICY EL 7: EMERGENCY REGISTRAR SUCCESSION**

**Due Date:** Annually - End February

In order to protect the Board from sudden loss of Registrar services, the Registrar shall not have fewer than one other staff executive familiar with Board and Registrar issues and processes.

The Senior Management team meets weekly to discuss a range of management issues. As such all are informed of College matters. In addition, the Deputy Registrar, having acted as interim CEO, is fully aware of Board and Registrar issues and processes and meets with the Registrar frequently as a sounding board and confidante. Should the Registrar not be able to act, the Deputy Registrar is fully equipped and authorized to act.

Respectfully Submitted By:



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Jerome M. Merburg  
Registrar and CEO

Date:

26 JANUARY 2016

## **MANAGEMENT REPORT**

### **BOARD MEETING - Public**

**19 February 2016**

#### **Presentations to Fourth-year UBC Dentistry Students**

On 13 January 2016, Greg Cavouras and Dr. Patti-Anne Jones of the BC Dental Association delivered a joint presentation titled “CDSBC, BCDA, and the Courts – What’s the Difference?” to the fourth year dental class at UBC as part of the Professionalism and Community Service (PACS) curriculum. The presentation was well-attended and well-received.

The College is leading two other presentation in this series:

- “The Privilege of Self-Regulation,” delivered by Registrar/CEO Jerome Marburg and Deputy Registrar Carmel Wiseman (9 February)
- “Professionalism in Practice,” delivered by our Complaint Investigators Dr. Chris Hacker and Dr. Meredith Moores (11 March).

#### **Online Sedation Course**

Staff are in the final stages of preparation for a new online course that provides an overview of the updated Standards & Guidelines for Minimal and Moderate Sedation. This course was delivered in person last fall by Dr. Mike Henry from the Sedation Committee, and Krista Fairweather, Sedation Program Coordinator. The content is complete and the IT team is programming the course completion and payment steps to ensure a smooth process for course users. (As with other CDSBC online courses, it is free for anyone to access and there is a small fee for those requiring proof of completion.)

Here is a screen shot from the online course:



## Presentation (running time 31:41)



**Download** a copy of the *Overview of the Minimal & Moderate Sedation Standards presentation slides* (PDF)

### **New Course at Pacific Dental Conference (PDC) – 18 March**

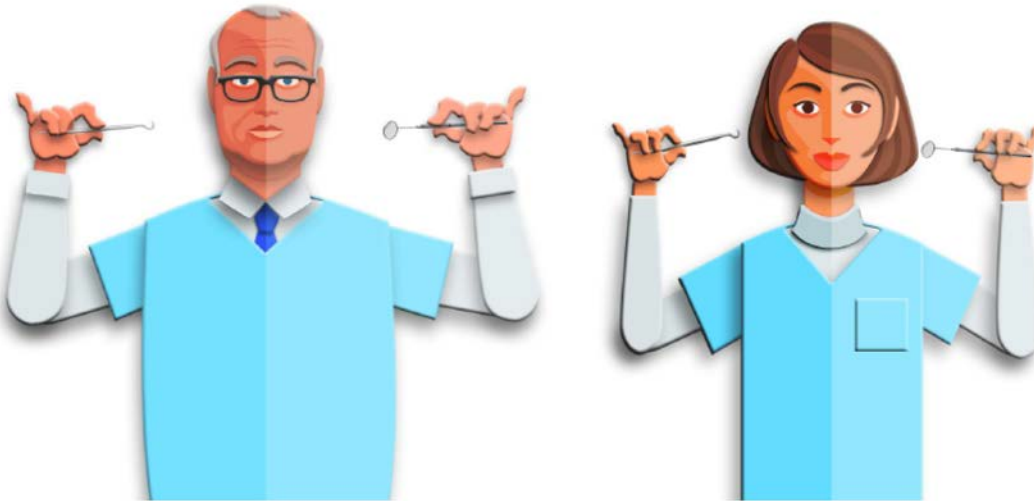
This course will be presented by three of CDSBC's Complaint Investigators, and will discuss tough topics and provide advice for handling problems with patients, staff and dental colleagues.

A project team of five staff members assembled to develop this course. The team comprises three Complaint Investigators (Dr. Alex Penner, Dr. Chris Hacker, Dr. Meredith Moores), one CDA (Leslie Riva, Senior Manager: CDA Certification and Quality Assurance) and a member of the Communications team (Bethany Benoit-Kelly, Communications Specialist).

This course centers around four key topics, which were identified in response to issues commonly noted in the resolution of complaint files:

- Informed Consent
- Interpersonal Difficulties
- Fraud/Billing
- Health/Wellness

It features case studies of real complaint files throughout the course, as well as animated scenarios which illustrate the key topic areas. The project team is supported by experts in curriculum development and visual design.



*Above: Early prototypes of the main characters (principal dentist and associate dentist) created for the animated portions of the upcoming More Tough Topics course.*

Following its launch at PDC, the course will be converted to an interactive online course, available to registrants to complete no matter where they are located in the province. It is intended to replace an existing course called Tough Topics, which lives on our website as a video series and is a key resource in the complaints resolution process.

### **Discipline Training Session**

The Discipline Committee training program took place January 22, 2016 at the Sutton Place Hotel. Catharine Herb-Kelly QC, who often acts as counsel to College Discipline Committee panels, and Iain MacDonald of the BC Council of Administrative Tribunals gave presentations in the morning. The afternoon was taken up with a mock hearing with David Martin QC serving as counsel to two different panels: Dr. Karl Denk, Dr. Bert Smulders and Leona Ashcroft served on the first panel; Dr. Arne Steinbart, Dr. David Speirs and Tony Soda served on the second. College staff played able counsel, unrepentant registrant and scorned office manager.

### **New Report Calls for Action to Reduce Harm from Pharmaceutical Opioids** (attachment)

The College is one of several health regulators named in a November 2015 report about how to address the threat to the public from pharmaceutical opioids. The report, called



*Together, we can do this: Strategies to address British Columbia's prescription opioid crisis*, is endorsed by over 70 of BC's leading addiction and public health physicians.

On 27 January, the Board Officers, two staff dentists and senior staff attended a phone meeting with addiction medicine physician Dr. Keith Ahamad to discuss the report's recommendations and possible next steps. While more information is needed to have a better understanding of dentistry's role in addressing this issue, some options were identified:

- Importance of access to PharmaNet for all prescribers --and a requirement for prescribers to check PharmaNet when prescribing opioids (the report states that less than 30% of BC physicians are currently enrolled to use PharmaNet, the electronic system that allows prescribers to check if patients are receiving duplicate or dangerous co-prescriptions)
- Ensuring that dentists learn appropriate prescribing practices for opioids and benzodiazepenes while in dental school
- Continuing education for practising dentists on how to prescribe appropriately and how to recognize opioid disorders

A plain language summary of the report is attached below.

- News release: [bit.ly/OpioidSafetyNR](http://bit.ly/OpioidSafetyNR)
- Full report: [bit.ly/OpioidSafetyReport](http://bit.ly/OpioidSafetyReport)

## **Legal Update**

Two important court decisions were recently released in the area of professional regulation. These cases, summarized below, are of particular interest to the College.

### *a. Sobeys West*

*"The College can prohibit incentive programs ... inducements from pharmacists [are] a matter of public interest and professional standards."*

--Excerpt from decision of Honorable Madam Justice Newbury

In *Sobeys West Inc. v. College of Pharmacists of British Columbia*, 2016 BCCA 41 the BC Court of Appeal overturned the BC Supreme Court's decision to strike down a bylaw passed by the College of Pharmacists. At issue were bylaws passed by the College that prohibited pharmacies or registrants from offering incentives to the public (for example, Air Miles or bonus "points").





The Supreme Court held that the bylaws were overbroad and that their net effect was harmful to the public interest in obtaining prescriptions at the lowest price. The Court held that the College's concerns in enacting the bylaws were "conjectural" and in the absence of actual corroboration (through discipline records or otherwise), the bylaws were outside the range of acceptable outcomes.

The Court of Appeal overturned this decision. A panel of three judges unanimously held that regulatory bodies' bylaws are entitled to deference, and specifically that the College is not obliged to provide evidence of actual harm to justify its bylaw-making decisions. Bodies such as the College of Pharmacists must be free to take preventative measures before harm occurs. The Court of Appeal held that the question to be asked is whether the bylaws lay within the range of reasonable measures available, given the concerns stated and in light of the particular expertise of the College's council ("council" is the College of Pharmacists' equivalent to CDSBC's Board).

b. *Mihaly*

*"...the tribunal's decision with regard to Mr. Mihaly, were it to stand, would have had significant negative impacts on the ability of regulators – and not just in engineering but in geoscience, medicine, law, dentistry, and accounting to name but a few – and would have resulted in an unacceptable increase in risk to public safety and well-being."*

--Mark Flint, P.Eng., CEO of The Association of Professional Engineers and Geoscientists of BC

In *Association of Professional Engineers and Geoscientists v. Mihaly*, 2016 ABQB 61 the Alberta Court of Queen's Bench (Alberta's equivalent to the BC Supreme Court) overturned a decision of the Alberta Human Rights Commission tribunal which found that APEGA's requirement that a foreign-trained engineer from an unaccredited program be required to complete confirmatory examinations was unjustifiable discrimination.

The Court found that APEGA's equivalence examination requirements were reasonable and justifiable. The evidence was that the examinations test knowledge that graduates of accredited programs are expected to have. It was reasonable (and indeed necessary) for APEGA to test applicants from unaccredited schools to verify that they have the knowledge that is the basis of their profession, and doing so is not unjustifiable discrimination.



## CDSBC Selected to Present at CLEAR Annual Education Conference

In keeping with the College's growing national and international reputation as a regulator, we are pleased to announce that we have been selected as a presenter at the 2016 annual education conference for CLEAR (the Council on Licensure Enforcement and Regulation). This year's conference will be held in Portland Oregon between 12-14 September. We have been informed that the Program Committee reviewed over 80 proposals as they finalized the conference program. Our proposal, "Your Reputation Precedes You - The Requirement for Good Character and Reputation in Applications for Admission, Reinstatement, or Transfer," was one of the few that were selected as worthy for presentation as a session.

The annual conference is attended by more than 600 members of the regulatory community from across North America, Europe, Australia and New Zealand.

Conference content is developed by and for members of the regulatory community and focuses on four areas of inquiry:

- Compliance and discipline
- Testing and examination issues
- Entry to practice issues
- Administration, legislation and policy

## Registrants Invited to Celebrate Volunteers at 2016 Awards Ceremony



*Please join us in recognizing your colleagues  
for their contribution to the College*

### **Honoured Member Award**

Dr. Bruce Ward

### **Distinguished Service Award**

Dr. Scott Stewart

### **Award of Merit**

Ms. Catherine Baranow, CDA

Ms. Sandra Harvey, CDA

Dr. Kerim Özcan

### **Certificate of Appreciation**

Ms. Lynn Carter

Mr. Robbie Moore



**CDSBC** | College of Dental Surgeons  
of British Columbia



All dentists, dental therapists and certified dental assistants received an invitation to attend the College's 2016 Awards Ceremony, to be held on Thursday, 17 March in conjunction with the Pacific Dental Conference.

RESEARCH TO COMMUNITY

## Report: **Together, we can do this: Strategies to address British Columbia's prescription opioid crisis**

### What is the report **about**?

- This report is an urgent call to action to reduce overdose death and related harms from the pharmaceutical opioid crisis in BC.
- Over 70 of BC's leading addiction and public health physicians, practitioners and researchers as well as the province's largest private addiction treatment programs have endorsed this report.

### QUICK FACT:

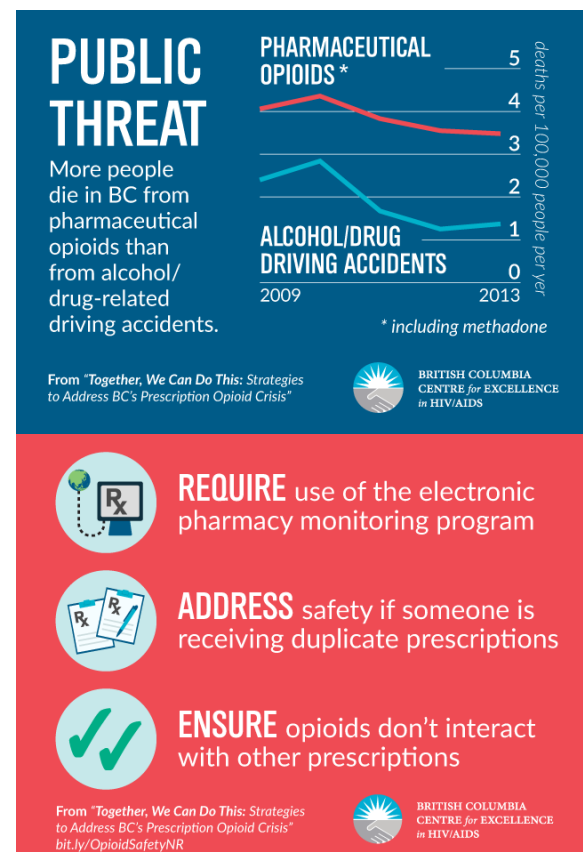
Less than 30% of BC physicians are currently enrolled to use PharmaNet, BC's electronic system that allows prescribers to check if patients are receiving duplicate or dangerous co-prescriptions..

### What are the **key points**?

- Opioids are often prescribed to treat pain, but are increasingly being used non-medically, which has led to high rates of fatal overdose in BC.
- Inappropriate opioid prescribing practices are common in BC, such as overprescribing, duplicate prescribing, or co-prescribing with potentially dangerous medications such as benzodiazepines.

### What does the report **recommend**?

- Collective action is needed to immediately address the pharmaceutical opioid epidemic in BC.
- All clinicians should be required to check PharmaNet when prescribing opioids.
- Other recommendations include safety measures for benzodiazepine prescription and maximum opioid dosing, and investing in addiction care and education.



**Together, we can do this: Strategies to address British Columbia's prescription opioid crisis.** November 2015.  
[bit.ly/OpioidSafetyReport](http://bit.ly/OpioidSafetyReport)