

BOARD MEETING
Friday, 14 June 2019
10:00 a.m. – 4:30 p.m.

Terminal City Club
837 West Hastings St. Vancouver, BC
“Skidmore/Wilson Beck Room”, Level 2

MINUTES

The meeting commenced at 10:07 a.m.

In Attendance

| | |
|---------------------------|------------------------------|
| Dr. Peter Lobb, President | Ms. Dorothy Jennings |
| Dr. Doug Conn, Treasurer | Ms. Cathy Larson |
| Dr. Richard Busse | Ms. Sabina Reitzik |
| Dr. Ken Chow | Ms. Shirley Ross |
| Dr. Jeff Coil | Mr. Carl Roy (until 1:30 pm) |
| Dr. Heather Davidson, PhD | Dr. Masoud Saidi |
| Ms. Dianne Doyle | Dr. Mark Spitz |
| Ms. Barb Hambly | Mr. Neal Steinman |
| Dr. Dustin Holben | (arrived at 11:00 a.m.) |
| Mr. Oleh Ilnyckyj | Dr. Lynn Stevenson, PhD |

Regrets

| | |
|-------------------------------------|-------------------|
| Dr. Patricia Hunter, Vice-President | Mr. Gurdeep Bains |
| Dr. Deborah Battrum | |

Staff in Attendance

Dr. Chris Hacker, Registrar and Chief Executive Officer (CEO)
Ms. Nancy Crosby, Manager of CEO's Office
Ms. Joyce Johner, General Counsel
Dr. Meredith Moores, Acting Director of Professional Practice
Ms. Róisín O'Neill, Director of Registration and HR
Ms. Leslie Riva, Sr. Manager, CDA Certification and QA
Dr. Peter Stevenson-Moore, Dental Policy Advisor
Ms. Anita Wilks, Director of Communications
Mr. Dan Zeng, Director of Finance and Administration

Invited Guests:

Mr. John Dinner, Board Governance Services
Dr. Mike Melo, incoming Board Member
Dr. Brandon Schiffner, incoming Board Member



Preparation of Minutes:

Jessi Connaughton, Raincoast Ventures. Ltd.

1. Call Meeting to Order and Territorial Acknowledgement

President Peter Lobb called the meeting to order at 10:07 a.m. and acknowledged the territory on which the meeting was being held.

2. Welcoming Remarks

The President offered welcoming comments, led a round of self-introductions, and welcomed members of the audience and incoming Board members.

The President also thanked outgoing Board members Dr. Patricia Hunter, Vice-President, Dr. Mark Spitz, Dr. Dustin Holben and Dr. Deborah Battum for their years of service and dedication.

3. Declarations of Interest and Register of Interests

President Lobb introduced consultant John Dinner, Board Governance Services. Mr. Dinner commended the group on the Annual General Meeting (AGM) held prior to the Board meeting. He noted that the Cayton report is a watershed moment, and a great point in time opportunity. Significant concern was expressed in the report, and the obligation to act in the public's best interest is clear.

The first job of Board directors is to protect the public and promote health by regulating the dental profession, as per the CDSBC Mission. Conflict of interest is about ensuring the integrity of decision-making on the part of the Board. Mr. Dinner defined Conflict of Interest as "a competing professional or personal interest, and when in place, the best interests of the CDSBC are not able to be met".

Mr. Dinner noted that the CDSBC is at risk of regularly being conflicted due to the structure of the Board, as this risk is inherent with a stakeholder/representative Board. CDSBC's mission is compromised when this risk is not addressed. The purpose of declaring a conflict is to protect the CDSBC, and to protect individuals who are in conflict.

Mr. Dinner reviewed the fiduciary duty and duty of care for Board members, and discussed the importance of guarding against conflict. All Board members are to be independent, objective, aligned with and committed to the mission, and will put aside interests of other people and organizations.

Independence of a Board member is in place if that member has no direct or indirect material relationship with the organization that can interfere with their independent judgement. After a period of time has lapsed, there may be an idea that a director has



lost independence. As a general rule, maximum tenure to remain independent is 9-12 years.

Mr. Dinner noted that a Board member's first responsibility is the integrity of CDSBC's mission, and adhering to a proactive process by identifying, acknowledging, declaring and acting on personal Conflict of Interest. The process was outlined in the following four steps:

1. Sign a declaration
2. Include conflicts in the registry
3. Declare conflicts at the start of the meeting
4. Recuse oneself: refrain from speaking to the issue, refrain from voting on the issue, and absent oneself from the meeting while the conflict exists.

Following the presentation, the Board discussed:

- Every Board director brings skills, knowledge and experience to the table, and filtering these attributes to ensure decision making is purely in the public interest is what maintains independence
- Whether 'terms' for serving on the Board is the best approach to maintaining independence
- Ensuring and upholding accountability is dependent on functioning relationships on the Board, where candour and integrity is maintained.

President Lobb noted that Board members have filled out the Board Registry, and asked if any other Conflicts of Interest should be disclosed.

- Dr. Holben informed that he runs his own practice and therefore receives income from that practice; it was unclear if this information was necessary to include in the Registry
- Dr. Chow will update his membership list to include all memberships.

4. Approve Agenda for 14 June 2019

President Lobb informed that the In-camera Agenda Item 20 deserves discussion from all present Board members, and suggested that the meeting move in-camera from 11:30 a.m. to 12:30 p.m. The open portion of the Board meeting will resume at 1:15 p.m.

CONSENSUS DECISION: The amended agenda for the 14 June 2019 Board meeting was accepted by consent.

5. Consent Agenda #1

- a. Approval of Board Motions by Teleconference or Electronic Vote ([attachment](#))

President Lobb informed that the following approved Board motions made by teleconference or electronic vote between March 2019 and May 2019 will be included in this meeting's minutes to go on the record.



Board votes were held on 26 March 2019 via teleconference to constitute the Nominations Committee and to give the Committee direction. Motions passed were as follows:

MOTION:

That the Nominations Committee be reconstituted with a minimum of five members by appointing one dentist from the Board who is not a Board Officer and one public member from the Board who is also a member of the Governance Committee.

MOTION:

That Dr. Ken Chow be appointed to the Nominations Committee.

MOTION:

That Dianne Doyle be appointed to the Nominations Committee as the public member of the Board who is also a member of the Governance Committee.

MOTION:

That Dr. Myrna Halpenny be appointed as Chair of the Nominations Committee

MOTION:

That the Board direct the Nominations Committee to consider either Dr. Richard Busse or Dr. Mark Spitz for the Treasurer position for 2019/2020

A Board vote was held on 12 April 2019 via teleconference to accept the Harry Cayton Report. The Motion passed was as follows:

MOTION:

That the Board accept the Harry Cayton report and request and support the Registrar and staff to draft a response to the Ministry of Health with appropriate engagement from the Board.

Board votes were held on 16 April 2019 via teleconference. The Motions passed were as follows:

MOTION:

To engage Bruce Rozenhart to assist in developing the action plan in response to Minister Dix's directive to CDSBC for up to \$50,400.

MOTION:

To engage Harry Cayton to provide service in connection with the implementation of the recommendations coming out of the review, for an estimated budget of \$36,000.

MOTION:

That the Board has received and approved the Action Plan as so outlined.



MOTION:

The Board supports the Registrar and CEO and college staff in our efforts to:
1) address all the recommendations and unmet standards in Part 1 of the Cayton Report; and 2) support the BC Health Regulators towards modernizing the framework for health professions regulation in keeping with Part 2 of the Cayton Report. We are guided by the following foundational principles:

- 1. Everything the College does must clearly link to protection of patients and the public. If it does not, we will stop doing it.*
- 2. The College belongs to the public of British Columbia. Dentists do not own the College.*
- 3. The Board recognizes and respects the professional staff as trusted partners in public protection.*
- 4. Leadership at the Board and committee level is shared between the public and health professionals regulated by the College — current and future.*
- 5. Transparency is our default position.*
- 6. The involvement of patients and the public in College activities is invited and expected.*
- 7. A shift in culture is required. This means asking ourselves hard questions and moving away from old ways of thinking.*

I, <NAME OF BOARD MEMBER>, through these guiding principles commit to making the College an independent, effective, efficient, fair and patient-focused regulator, accountable to the citizens of British Columbia. I hold a public office, and understand that I am responsible to the public for my decisions and my conduct in that office. The new College starts now.

MOTION:

That the Board approves the foundational Guiding Principles which would begin with the amended preamble (“and college staff in our” ...) and to include all of the guiding principles and to be signed by Board members only.

Board votes were held on 7 May 2019 via teleconference to approve Draft 3 of the Action Plan for approval and finalization. The Motions passed were as follows:

MOTION:

That the Board approve Action Plan: Draft 3 as the Action Plan for submission to the Minister of Health on May 13, 2019 along with appropriate supporting documents as the response to the Minister’s directive issued to and received by the CDSBC Board on April 12, 2019.

MOTION:

That the Board requires that the financial impact of the Action Plan being implemented will be forthcoming as part of college budgeting.

A Board vote was held 9 May 2019 via electronic vote to pass the following Resolution:



As a regulator working in the public interest, CDSBC welcomes public attendance at CDSBC Board meetings and Annual General Meetings (AGM). A public session will be a standing item on our agendas at Board meetings and at the AGM and both the public and registrants will be able to participate with relevant questions or comments to the Board.

A Board vote was held on 21 May 2019 via teleconference to approve the Audited Financial Statements. The Motion passed was as follows:

MOTION:

It was moved and seconded that the Board approve the Audited Financial Statements for the fiscal year ending 28 February 2019 and authorize the President and Treasurer to sign on behalf of the Board.

CONSENSUS DECISION: The Consent Agenda #1 for the 14 June 2019 Board meeting was accepted by consent.

6. Public Attestation of the Guiding Principles by all Board members as per the April 16 motion [\(attachment\)](#)

Dr. Chris Hacker referenced the following Motion from April 16, 2019:

MOTION

That the Board approves the foundational Guiding Principles which would begin with the amended preamble (“and college staff in our” ...) and to include all of the guiding principles and to be signed by Board members only.

Dr. Hacker informed of the importance of having all Board members in attendance on the record to attest to the Motion. He referred to Tab 6 in the Agenda Package with room for signature.

Discussion ensued on the appropriateness of having only the Board attest to the guiding principles. In order to include staff signature on the guiding principles, the Motion would need to be amended.

CONSENSUS DECISION: Dr. Hacker will take time to consider whether or not to move forward with an amendment on the Motion from April 16 to include his signature on behalf of staff.

7. Cayton Report – Action Items [\(attachment\)](#)

- a. Action Plan Items [\(attachment\)](#)
- b. Action Plan [\(attachment\)](#)

Dr. Hacker advised that the release of the Cayton Report included the directive for the CDSBC Board to submit an Action Plan to address all Recommendations and



Unmet Standards within 30 days. On 7 May 2019, the Board approved the Action Plan, and on 13 May 2019 the Plan was submitted to the Ministry of Health.

The meeting proceeded to review the document titled “Action Plan Items for the 2019 June Board Meeting” under Tab 7a of the Agenda package. Each Action Item in the document includes an implementation plan with goals set for three, six, and 12-month intervals.

The following comments were offered:

- Concern about using age as an example of diversity
 - Support to keep the example in place to flag age as an area where the Board requires diversity
- Support for the removal of the term ‘volunteer’ in communications
- Concepts of remuneration to compensate committee members for travel costs are being developed by staff and will be brought to the Board for consideration
- A request was made to receive an interim report on the Action Items prior to the Board meeting in September 2019
- Clarification that American Association of Implant Dentistry would not apply under Action Item 2b-2: *No College board member may simultaneously serve on the board or committee of a provincial or national dental representative organization for registrants*
- The Action Plan includes reduction of the Board size to 8-12 members by December 2019; implementation of this Action is dependent on the Minister’s response.

President Lobb adjourned the open portion of the meeting at 11:45 a.m. to move to an in-camera discussion. He advised observers that the open meeting will resume at 1:15 p.m.

The open meeting reconvened at 1:25 p.m. and resumed discussion of Agenda Item 7.

President Lobb commented that the Board approved the Action Plan in May 2019, and staff requires the Board’s approval to implement the Action Plan. Rather than proceeding with review of each Action Item, Board directors who wish to express concern on the Actions are welcomed to bring them forward to staff.

Clarification was provided that Actions 27 and 28 were not included under Tab 7a in the Agenda Package, as they were not Board Actions, and therefore were not relevant for consideration at today’s meeting.

MOTION:

It was MOVED (Doyle) and SECONDED (Ross)

The College of Dental Surgeons of British Columbia Board resolves to approve the specific Board actions and requests of staff in the implementation plans for the June 2019 Board meeting in the final Action Plan.

CARRIED



8. Repeal Awards Policy *(attachment)*

The President advised of the repeal of the awards policy and the discontinuation of volunteer recognition activities. He asked the Board to consider the following pieces of the awards process:

- Certificates of appreciation offered to those who go above and beyond in their work for the College
- The pin granted to the outgoing President, signifying that they have served on the Board.

MOTION:

It was MOVED (Jennings) and SECONDED (Chow)

The College of Dental Surgeons of British Columbia Board resolves to repeal the awards policy and discontinue volunteer recognition activities.

CARRIED

9. Interim Action to Determine Selection Process for Chair and Vice-Chair Positions

President Lobb informed that Board officers have been elected or acclaimed, and now it is a question of whether the Board wants to move that process ahead, or wait until CDSBC staff develops the change in bylaws. He invited discussion on who will be the Board Chair as of July 1, 2019. However, no further comments were provided.

10. Update on Submission to Government Steering Committee on Part 2 of Cayton Report *(Briefing Note and survey results attachment)*

Dr. Hacker informed of the Steering Committee established by Minister Dix to respond to Part 2 of the Cayton Report. Phase one of the Steering Committee includes public consultation by inviting members of the public and health sector stakeholders to provide written comments in response to Part 2 of the Cayton Report. The CDSBC Board and staff were asked to complete a survey to help draft the College's response to the consultation, and results of that survey are being compiled and formatted by staff, to be submitted to the Steering Committee by the deadline of 14 June 2019.

Dr. Hacker advised that there is no consensus on the response from the BC Health Regulators (BCHR) on the point of reducing the number of regulatory colleges. The submission went in on 14 June 2019 with an indication that colleges could look at what kind of alignments might work. Mr. Cayton is clear that he believes in voluntary alignment and amalgamation, and many of the regulatory colleges have overlapping scope and functions. The submission put together from BCHR speaks to the principles of what a modernized approach might look like, with the indication of a lack of consensus moving forward.



Discussion:

- A copy of the BCHR submission will be distributed to the Board
- CDSBC Board and staff feedback on Part 2 of the Cayton Report was not included in all agenda packages and will be redistributed electronically; copies can also be found on the Board Portal and the CDSBC website
- Appreciation expressed to Dr. Hacker for having the difficult conversations and providing updates
- Majority of colleges are sending in their own individual submissions to the Steering Committee.

11. Sedation and General Anaesthetic Services Committee (*Briefing Note and Parenteral Moderate Sedation Facility Framework*)

Dr. Peter Stevenson-Moore advised that the Board has previously approved the authorization of the Sedation and General Anaesthetic Services Committee to inspect parental moderate sedation facilities, and that the proposed motion will include the inspection of oral moderate sedation facilities using the same framework and accreditation process.

In response to a question, clarification was provided that the language of inspection requirements for sedation facilities from the College of Physicians and Surgeons differs from CDSBC.

A reminder was provided that personnel will be required to oversee the onerous responsibility of clinic inspection.

MOTION:

It was MOVED (Saidi) and SECONDED (Holden)

The College of Dental Surgeons of British Columbia Board resolves to authorize the Sedation and General Anaesthetic Services Committee to inspect oral moderate sedation facilities using the same framework and accreditation process as parenteral moderate sedation facilities.

CARRIED

12. Consent Agenda #2

- a. Approval of Board Minutes of 22 February 2019 (*attachment*)
- b. Reports from Committees (*attachment*)
- c. Financial Statements for the period ending 28 February 2019 (*attachment*)
- d. Report from the Acting Director of Professional Practice (*attachment*)
- e. BC Health Regulators and First Nations Health Authority Symposium May 8, 2019 (*attachments*)
- f. Safe & Respectful Workplace Policy (*Briefing Note and Policy attached*)
- g. Sedation and General Anaesthetic Services Committee:
 1. Pediatric Moratorium (*attachments*)
 2. Case Requirement Updates for Oral Moderate Sedation Mentors (*attachments*)



3. Revised Essential Drug List for Deep Sedation and General Anaesthesia *(attachments)*
4. Biomedical Equipment Requirements *(attachments)*
5. CPR-HCP Now Referred as Basic Life Support and Requires Annual Retraining *(attachments)*
- h. Registration, Certification and Monitoring Quarterly Report *(attachment)*
- i. Committee Membership List for Approval *(Committee List and Briefing Note sent electronically)*

The President informed that a new Committee Membership List was created yesterday with a few additional names added to it.

With respect to item 12e, it was requested that staff look at the recommendations on cultural sensitivity and report back at the September 2019 Board meeting.

MOTION:

It was MOVED (Busse) and SECONDED (Coil)

That the items in the Consent Agenda #2 for the 14 June 2019 Board meeting be approved.

CARRIED

13. Business Arising from Consent Agenda

No business arising.

14. Invite Public Questions or Comments

Dr. Gordon Jones introduced himself as a clinical dental services provider in the BC Correctional system. He expressed concern regarding the current state of services and lack of resources, that are exceeded by demand and are detrimental to inmates in the system. Inmates currently have limited options for their oral health, and as a society we have a duty to provide care at no cost to them. Dr. Jones' assessment is that this care is not happening at an adequate level, and as part of his duty to report, he is requesting the opportunity to make a more detailed presentation to the Board, and/or appropriate members of CDSBC on this matter.

Dr. Hacker commented that the CDSBC struggles with access to care, and struggles with the College's authority of where they can and cannot act. The College has a role in providing fair access, and in this lies the role of advocacy in government. The College hears Dr. Jones' concerns and is happy to seek opportunities to provide assistance and advocacy.

In response to a question of whether this was more of an issue with lack of funding or lack of providers, Dr. Jones informed that the issue is largely due to how funding is distributed, and how dentistry is viewed within the larger scope of health professions.



It was suggested that this points to the larger issue that MSP does not cover dental care, and a suggestion was made to write a letter expressing concern to Minister Dix, and perhaps CDSBC could consider writing a letter of support as well.

Ms. Arlene Cearns from the Certified Dental Assistants of BC (CDABC) requested that the College investigate the number of unlicensed staff providing chair side assistance in BC. She expressed concern that many offices are feeling effects of a shortage of certified staff and are using the services of people who have not received adequate training to perform certain tasks, such as that of a sterilization assistant.

Dr. Hacker informed that the dentist regulation lays out a dentists' scope of practice and defines restricted activities. The College certifies to accredit a person to do those restricted activities under supervision. The College recognizes the issue of lack of oversight in terms of certification, and can make commitment to improve that, as well as increase data collection.

Sterilization is not a restricted act under the current regulation and dentists take on the responsibility of infection provision and control protocols. A suggestion was made that it would be important to look into standardized training for infection control for public safety.

Ms. Kristine Mulligan, President of CDABC, added that there are programs in place that train for the sterilization of equipment. CDABC is looking for a commitment for the dental assistant profession to move toward formal education and nationally trained standards for sterilization of equipment in a dental office. It is the hope that this would occur as a reaction to understanding how many unlicensed people are working in this field.

This concludes the open portion of the meeting. The meeting ended at 2:32 p.m.

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

At 4:20 p.m., the Board Only meeting considered the following items under the open portion of the Board Meeting Agenda:

6. Public Attestation of the Guiding Principles by all Board members as per the April 16 motion ([attachment](#))

President Lobb read aloud the following motion put forward on 16 April 2019:

That the Board approves the foundational Guiding Principles which would begin with the amended preamble ("and college staff in our" ...) and to include all of the guiding principles and to be signed by Board members only.

President Lobb put forward the suggestion to rescind the motion and amend it to remove the line "and to be signed by Board members only".



MOTION:

It was MOVED (Jennings) and SECONDED (Hambly)

That the 16 April 2019 be rescinded and amended to read “*That the Board approves the foundational Guiding Principles which would begin with the amended preamble (“and college staff in our” ...) and to include all of the guiding principles*”.

CARRIED

7.Cayton Report – Action Items - Continued *(attachment)*

MOTION:

It was MOVED (Doyle) and SECONDED (Ross)

The College of Dental Surgeons of British Columbia Board resolves to approve the specific Board actions and requests of staff in the implementation plans for the June 2019 Board meeting in the final Action Plan.

CARRIED

President Lobb suggested that the Board approve the Action Plan motion, with a request that if there are any concerns to send a message to the Registrar within the next week, to identify the action item and the specific concern.

Discussion ensued on:

- Clarification that staff is being given authority to action items 1-32
- The implementation plan speaks to what will be accomplished by each meeting
- The agendas moving forward should be structured to outline what Board responsibilities are, and what staff is accountable for in the action plan
- All actions are sequential and will build off of previous actions
- A progress report would be helpful prior to the September 2019 meeting.

MOTION:

It was MOVED (Spitz) and SECONDED (Larson)

The College of Dental Surgeons of British Columbia Board reconfirm its resolve to approve the specific Board actions and requests of staff in the implementation plans for the June 2019 Board meeting in the final Action Plan

CARRIED

This concludes the open portion of the meeting.