

NYSDA Council on Dental Education & Licensure
30 March 2012
Meeting Minutes –*Final*

The NYSDA Council on Dental Education & Licensure met at NYSDA headquarters on Friday, 30 March 2012. Present were: Drs. Paul Leary, Chair; Anthony Ficara (3); John Ida (4); John Liang (5); Ron Laux (6); Patricia Carlson (7); Donald Tucker (8), Frank Vigliotti (9); James Fitzgerald (N); Rekha Gehani (Q), and Keith Margulis (B). Also in attendance were Dr. David Miller, NYSDA Board of Trustees Liaison to CDEL; Dr. Mark J. Feldman, NYSDA Executive Director; Ms. Laura Leon, NYSDA Assistant Executive Director, and Ms. Lou Carol Lecce, Development Manager. Dr. Brian Kennedy, Second Trustee District representative to the ADA Council on Dental Education & Licensure addressed the Council via conference call.

The meeting was called to order at 9:30 a.m. The Council adopted the minutes from the September 2011 meeting and today's meeting agenda.

Report from ADA 42H Workgroup

Dr. Kennedy reported that the ADA 42H Workgroup met via conference call on 26 March. An RFP has been issued regarding the development of a portfolio-style examination for licensure purposes designed to assess a candidate's clinical competence with a third-party assessment that is valid and reliable psychometrically, including a complementary written/interactive examination to assess issues not deemed adequately addressed in the portfolio model, such as ethics and professionalism. The American Board of Dental Examiners has formed an alliance with the Southern Regional Testing Agency, which will administer the ADEX Dental Exam instead of the SRTA exam beginning in 2013. The Council discussed the California model, which includes faculty review. Questions remain about what constitutes a portfolio approach and to what level should faculty be recruited to oversee and evaluate? This is an ongoing issue which will not be 'solved' in the imminent future, but it bears CDEL's continued review.

CERP Updates

The ADA's new regulations with respect to the CERP program are strict and require that all components which are "umbrella'd" under the NYSDA's CERP Extended Approval process program adhere to new guidelines. Failure by any component to comply with ADA procedures may jeopardize NYSDA's standing with the ADA CERP and the EAP.

Mid-Level Providers

Dr. Leary, Dr. Feldman and Ms. Leon will meet with Ms. Sue Camizzi of the NYS Dental Assistants Association about ways to increase the number of individuals seeking certification and potential changes in scope of practice. DANB's proposed pilot study to determine if completion of a one year non-CODA approved dental assistant training

program could satisfy partial completion of the requirements for taking the DANB Certified Dental Assistant Exam has been dropped.

Passage by the Legislature of the Governor's Primary Care Service Corps Loan Program, which will provide loan forgiveness to dentists and dental hygienists who agree to practice in underserved areas.

The Dental Hygienists Association of the State of New York (DHASNY) has introduced legislation in the Assembly to allow a broader definition of the collaborative agreement than that which NYSDA has supported.

Anesthesia

The State Education Department has rescinded its initial draft anesthesia regulations, and continues to work on amendments. Among the recommendations being considered is the inclusion of mandating ACLS for sedation doctors within the state and NYSDA's suggestion that a peer-reviewed member run check system be implemented. SED has planned a meeting in June with NYSDA and other stakeholders to discuss revisions. NYSDA's primary objection to the original draft amendments prepared by SED was that they emphasized the delivery method of sedation over the level of sedation. Also, the proposed regulations imposed far greater impositions in terms of additional training and certification.

Report from PGY-1 Task Force

The PGY-1 Task Force continues to collect information about PGY-1, which has been in effect now for five years. The goal of the Task Force is twofold: 1) the formulation of any necessary changes to the current law should it be proven that PGY-1 has directly resulted in the decrease in dental licensure and 2) the development of contingencies relative to state licensure should external forces such as budget cuts or Federal mandates impose undue hardship on the ability of dentists to become licensed in NY.

Dr. Leary will deliver a report on this topic to the May Trustees meeting and to the House of Delegates in June. He asked the Council to provide input from their various areas of expertise and to offer recommendations to help the Task Force continue to develop productive contingencies.

Botox, Dermal Fillers

The Council had extensive discussion over potential changes in dental scope of practice given certain advancements in diagnostics and treatment. For instance, the use of salivary diagnostics in and of itself could have enormous implications for the profession. The New York State Board for Dentistry has confirmed that, under the current Dental Practice Act, dentists are allowed to use Botox, but as with smoking cessation, the use of Botox has to be related to some aspect of dental health treatment. Pure cosmetic injections into the eyelids or cheeks are not deemed to be dentally related by the State Board.

The next live meeting of the CDEL will include discussion of scope issues. Mr. Roy E. Lasky, NYSDA's lobbyist, will be invited to address the Council and answer questions.

New Business

The Council will be forwarded video of NYSDA General Counsel Mr. Lance Plunkett, who recently spoke to the media regarding the issue of potential price fixing for dentists who offer services via Groupon, Living Social, etc.

Dr. Tucker moved the nomination of Dr. Gehani to succeed Dr. Leary, whose term ends in June, as Council Chair. The Council voted unanimously in favor of this nomination.

The Council thanked Dr. Leary for his outstanding leadership.

There being no further business to discuss, the meeting was adjourned at about 2:00 p.m. The next CDEL meeting will be a video or web-based conference on 14 September 2012.