



## **Council on Peer Review and Quality Assurance**

NYSDA Headquarters

Albany, NY

April 8, 2022

### **Minutes**

The Council on Peer Review and Quality Assurance met on Friday, April 8, 2022, at the New York State Dental Association headquarters in Albany, New York. Present were Drs. Christian E. Mathiesen, Chair; Barry Sporer, New York County; Kristina Gallo, Third District; Bettina A. Pels-Wetzel, Fourth District; Gregory B. Sweeney, Fifth District; Kristin J. Clark-Lowell, Sixth District; James S. Sansone, Seventh District (by telephone); Eugene M. Sibick, Eighth District; Nina Capretta, Ninth District; Lawrence J. Lehman, Queens County; Martin G. Dominger, Suffolk County; Gregory P. Shank, New Dentist Representative; and Mr. Bill Ketzer, Lay Observer. Also present were: Dr. Steven L. Essig, Board of Trustees Liaison; Mr. Lance Plunkett, General Counsel; and Ms. Patricia Marcucia, Administrator. Absent from the meeting were: Drs. Man Sing Cheung, Second District; Michael P. Vinciguerra, Nassau County; Kathleen E. Szanto, Bronx County; and Eugene G. Porcelli, ADA Representative.

Dr. Mathiesen called the meeting to order at 9:00 a.m. The first order of business was self-introductions of Council members and NYSDA staff. Dr. Mathiesen called for a motion to accept the minutes from the previous meeting, held on November 5, 2021. Dr. Sporer moved approval of the minutes and Dr. Sweeney seconded the motion. The minutes were approved unanimously.

### **Chairman Report**

Dr. Mathiesen welcomed the Council members and thanked everyone for attending. He noted that this was the first in-person meeting since the start of the pandemic nearly two years ago. He told the Council that the first Peer Review Workshop took place in Rochester on April 1. More discussion on the training workshop will be discussed later in the agenda. He mentioned that this meeting will be his last meeting. He said he really enjoyed his many years on the Council and has learned a lot. Working on Peer Review changed the way he practiced in his own dental practice. He said he will continue to participate on the local level. He also briefly mentioned that he has now retired from private practice and is enjoying his retirement thus far.

## **Component Reports and Case Discussion**

A fair portion of the meeting was spent discussing specific cases that had been brought to Peer Review in each component. Discussion of such cases is confidential. Council members are allowed to discuss the cases at their local component meetings as long as they redact any identifiers in the cases.

## **Peer Review Appeals**

There were two appeals since the last Peer Review meeting. Both appeals were denied as neither case offered a procedural irregularity or significant new evidence that couldn't have been made available at the time of the hearing.

Two items of discussion took place while discussing the Peer Review appeals. The first was the clinical examination of the patient. As council members have learned from a past appeal that was granted for a procedural irregularity, the chair of the hearing is not allowed to examine the patient. The conversation this time was based more around who should be allowed in the room when a patient is being examined by the committee members. Although it is not specific in the Manual, best practices would be for only the patient and the examiner to be in the room while the patient is being examined. The examiner should not make any comments regarding the treatment one way or another. Any discussion of the treatment should be saved for when the committee gathers after the hearing to come to a decision. Keeping the examinations private between the committee member and the patient helps to avoid any misinterpretations and a possible appeal.

The second item of discussion was regarding Peer Review committee worksheets and who should be entitled to see them. Mr. Plunkett explained that these worksheets are exactly that, *worksheets*. They aren't to be shared with anyone other than the Committee members. These worksheets help the Chair to write the decision. The decision is the final communication on the action that was taken by the Committee.

## **Peer Review Workshop Recap**

The first of three Peer Review workshops, approved by the NYSDA House of Delegates, was held on April 1, 2022 in Rochester, NY. These training workshops have been done in the past and committee members and staff found them to be very useful. This particular workshop had 18 participants, consisting of NYSDA Council members, local committee members and staff. Dr. Mathiesen provided the participants with an outline of the Peer Review Manual. He also went through the Power Point presentation that the Council put together in preparation for these workshops. The participatory part of the presentation was held at the end when the attendees partook in a number of case scenarios, allowing for questions and answers. Dr. Mathiesen told the Council that this group stayed very engaged and it was a great first run for these workshops. He also mentioned that Drs. Sweeney, Sansone and Sibick were in attendance and thanked them for helping with the presentation. The next two workshops will be held on May 13 in Albany and May 20 in Queens.

## **New Business**

Dr. Sporer expressed an interest in serving as chair of the Council. Council members unanimously voted to recommend Dr. Sporer to Dr. Galati for consideration for appointment as Chair of the Council from June 2022-June 2023. This will be Dr. Sporer's first term.

Bill Ketzer is recommended as the appointee for the position of lay observer.

The next meeting of the Council on Peer Review and Quality Assurance will take place on Friday, October 28, 2022 at 9:00 a.m. via ZOOM.

## **Adjournment**

There being no further business, the meeting was adjourned by unanimous consent at 12:08 p.m.