



Council on Peer Review and Quality Assurance

NYSDA Headquarters
Albany, NY
April 21, 2023

Minutes

The Council on Peer Review and Quality Assurance met on Friday, April 21, 2023, at the New York State Dental Association headquarters in Albany, New York. Present were Drs. Barry Sporer, Chair; James E. Jacobs, New York County; Man Sing Cheung, Second District; Gregory B. Sweeney, Fifth District; Kristin J. Clark-Lowell, Sixth District; James S. Sansone, Seventh District; Eugene M. Sibick, Eighth District; Nina Capretta, Ninth District; Michael P. Vinciguerra, Nassau County; Lawrence J. Lehman, Queens County; Martin Dominger, Suffolk County; Gregory P. Shank, New Dentist Representative; and Mr. Bill Ketzer, Lay Observer. Also present were: Dr. Wayne S. Harrison, Board of Trustees Liaison; Mr. Lance Plunkett, General Counsel; and Ms. Patricia Marcucia, Administrator. Absent from the meeting were: Drs. Kristina Gallo, Third District; Bettina A. Pels-Wetzel, Fourth District; Kathleen E. Szanto, Bronx County; Alyson K. Buchalter, ADA Representative.

Dr. Sporer called the meeting to order at 9:00 a.m. The first order of business was the self-introduction of Council members and NYSDA staff. Dr. Sporer called for a motion to accept the minutes from the previous meeting, held on October 28, 2022. Dr. Dominger moved approval of the minutes and Dr. Sibick seconded the motion. The minutes were approved unanimously.

Chairman Report

Dr. Sporer welcomed the Council members and thanked everyone for attending. He noted that there was a request for an appeal of a denial letter. He mentioned he wanted the Council's opinion on the request. He will discuss the case in more detail later in the agenda.

Policy Manual Update

The Council reviewed the Peer Review section of the NYSDA Policy Manual from 1983 through 2005. After review, the Council agreed unanimously to delete the following resolutions from the NYSDA Policy Manual because they have either already been

carried out and are now moot or they are living in another NYSDA governance document.

RESOLVED: That the following resolutions be deleted from the NYSDA Policy Manual: 9-D-83; 28a-D-83; 28b-D-83; 28c-D-83; 29-D-83; 16-J-84; 45-D-84; 10-EC-84; 46-M-85; 8-J-86; 59-D-86; 9-J-87; 10-J-87; 11-J-87; 34-J-87; 75-J-87; 25-D-87; 26-D-87; 4-EC-87; 14-J-88; 15-J-88; 16-J-88; 14-D-88; 15-D-88; 17-M-89; 40-D-90; 41-D-90; 44-D-90; 11-D-91; 7-J-92; 8-J-92; 9-J-92; 10-J-92; 13-J-92; 14-J-92; 10-D-92; 26-D-93; 27-D-93; 28-D-93; 29-D-93; 30-D-93; 53-D-93; 21-J-94; 20-N-94; 37-N-94; 5-N-95; 5-EC-95; 6-N-96; 7-N-96; 7-M-97; 18-N-97; 19-N-97; 20-N-97; 6-N-99; 8-N-99; 9-N-99; 15-J-00; 11-N-00; 12-N-00; 13-N-00; 10-N-01; 3-EC-02; 24-M-02; 23-M-03; 12H-2012; and 13H-2012.

Request for an Appeal

There was a request for a Peer Review in New York County Dental Society that was denied. The patient appealed the denial and provided more information to his initial request for an appeal. Dr. Sporer reviewed the records submitted and discussed the case with the Council. Dr. Sporer decided to allow the appeal.

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. No identifying information was used during the Council meeting.

Second District Mediation Workshop

Dr. Cheung told the Council that the Second District Dental Society held a successful Peer Review workshop, specifically geared toward mediation. The workshop was created by past Peer Review council member and chair, Dr. Jeffrey Galler. It was presented by Drs. Galler and Cheung. Dr. Cheung told the Council members that he is happy to share the course with the other Council members so it can be given in their districts as well. He encouraged them to reach out to him if they were interested.

Postmarked Envelopes

Mr. Plunkett explained to the Council the importance of keeping any postmarked envelopes with the Peer Review case materials. Although not common, sometimes deciding if a case should be heard or not based on the Statute of Limitations could come down to the postmark on an envelope. In a recent case, a complaint was made on time according to the postmarked envelope, but wasn't reviewed by the local dental

society until after the Statute of Limitations was up. Proof that the patient filed the complaint before that came by means of the postmark.

New Business

The Council unanimously voted to recommend Dr. Barry Sporer for appointment as Council Chair for the 2023-2024 term to Dr. Anthony Cuomo. This will be Dr. Sporer's second term.

Mr. Bill Ketzer was recommended for appointment as Lay Observer to the Council.

The next two meetings of the Council on Peer Review and Quality Assurance will take place on Friday, October 27, 2023 at 9:00 a.m. via Zoom and Friday, April 5, 2024 at 9:00 a.m. at the NYSDA Headquarters in Albany.

Adjournment

There being no further business, the meeting was adjourned by unanimous consent at 10:50 a.m.