



Council on Ethics

NYSDA Headquarters
Albany, NY
June 16, 2023

Minutes

The Council on Ethics met on Friday, June 16, 2023, at the NYSDA headquarters in Albany. Present were Drs. Paul W. Teplitsky, Chair; Julie A. Connolly, New York County; Yaela E. Faitlowicz-Gayer, Second District; Christopher S. Arena, Third District; Loren C. Baim, Fourth District; Matthew L. Valerio, Seventh District; Joseph L. Rumfola, Eighth District; Robert B. Amsterdam, Ninth District; Deepak K. Bhagat, Queens County; John E. Lagner, Suffolk County; Kirti Tewari, Bronx County; Lauren Heisinger, New Dentist Representative; and Mr. Shivam Jauhar, ASDA Representative. Also present were Dr. Richard B. Serchuk, ADA Representative; Mr. Lance R. Plunkett, General Counsel; and Ms. Patricia J. Marcucia, Administrator. Absent from the meeting were Drs. Salina S. Suy, Fifth District; Pamela Bouton, Sixth District; and Elyse Patrella, Nassau County; and Mr. Robert Stern, Lay Observer.

Dr. Teplitsky called the meeting to order at 9:05 a.m. The first order of business was the self-introduction of Council members and staff.

Dr. Teplitsky called for a motion to accept the minutes from the previous meeting held on March 10, 2023. The minutes were approved unanimously.

Chairperson's Report

Dr. Teplitsky mentioned that this is his first year serving as chair and he is excited to implement some new agenda items during his term, including adding the agenda item "Good and Welfare." He explained that over his five years on the Council, he has noticed that the meeting has become repetitive. He would like to see the meetings become more exciting, interactive, and spark conversation. He would also like to see each Council member become more active in their components when it comes to ethics so the general membership knows that the Council exists and what their mission is. He shared the American College of Dentists website (www.dentaethics.org) and would like the members of the Council to feel comfortable coming forward with any ideas they might have for upcoming meetings.

ADA Report

Dr. Serchuk updated the Council on the actions taken at the most recent ADA CEBJA meeting. He also encouraged the Council to listen to the ethics podcast presented by CEBJA called "Dental Dilemmas" which can be found at <https://cebja.podbean.com/>. A copy of his report is attached to these minutes.

Ethics Hearings

Two cases were heard under the ethics hearing process, in accordance with the NYSDA Constitution and Bylaws.

Component and ASDA Reports

Council members reported on cases from their districts that they have resolved or are currently investigating. In the future, Dr. Teplitsky would like to see the Council relate their component reports to the specific section of the Code of Ethics that the violation falls under.

Dental Ethics Scenario Videos

The Council was shown two videos on dental ethics. These videos are posted on YouTube by the American College of Dentists. The first video laid out a scenario of potential child abuse and the second was about treating an emergency of a person who shows up in the dental office, with little to no money and is not a patient of the practice. Discussion among the members of the Council took place after each video.

This is a new exercise Dr. Teplitsky would like to conduct at each Council meeting, if time permits. He encouraged the Council members who have affiliations with their local dental schools to encourage students and faculty to put together ethical dilemma videos similar to these that can be shared and discussed by the Council.

Ethics Screening Panel

The Council on Ethics has two screening panels that screen cases of non-compliance with Peer Review and OPD cases to decide if these cases should be sent to the full council for a hearing. There was one vacancy on one of the screening panels and Dr. Valerio volunteered to fill the vacancy. Dr. Teplitsky appointed Dr. Valerio with no objection from the Council.

Code of Ethics Review

It has been a while since the NYSDA Code of Ethics has been updated. Dr. Teplitsky would like the Council to review the Code over a period of time. He asked that they review Section 1 before the next council meeting to determine if there is anything that

needs to be changed or updated in the guiding principles or the advisory opinions. Discussion of Section 1 will take place at the next Council meeting.

Disciplinary Actions

Mr. Plunkett was asked to quickly go over the different disciplinary actions that can be taken during an ethics hearing. He was also asked to provide the Council with these actions in writing. He explained briefly, that the different penalties the Council can take when deciding a case are:

- Dismissal
- Guilty with no further penalty
- Censure and Reprimand
- Probation
- Suspension
- Suspension Stayed
- Expulsion
- Expulsion Stayed

New Business

The Council briefly discussed how to market your dental practice within the parameters of ethics. Ms. Marcucia told the Council that she would send them an article written by past Council on Ethics Chair, Dr. Steven DeCrescenzo, and published in the *NYS Dental Journal* entitled "Marketing Your Practice Legally and Ethically." She also said she would send them an article written by Mr. Plunkett on fee splitting and fees for referrals. Both articles were written a long time ago, but the content is still current.

The next two meetings of the Council on Ethics will be held on Friday, September 29, 2023 at 9:00 a.m. at the NYSDA Headquarters and Friday, December 15, 2023 virtually.

Adjournment

There being no further business, the meeting was adjourned by unanimous consent at 1:05 p.m.