

NYSDA Council on Dental Education & Licensure
9 September 2011
Meeting Minutes –Final

The NYSDA Council on Dental Education & Licensure met via videoconference on Friday, 9 September 2011. Present were: Dr. Paul Leary, Chair; Dr. Marc Gainor (NYC); Dr. Richard Oshrain (2); Dr. John Liang (5); Dr. Betsey Clark, substituting for Dr. Ronald Laux (6); Dr. Patricia Carlson (7); Dr. Donald Tucker (8), Dr. Thomas Bloom substituting for Dr. Frank Vigliotti (9); Dr. James Fitzgerald (N); Dr. Rekha Gehani (Q), and Dr. Keith Margulis (B). Also in attendance were Dr. Brian Kennedy, Second Trustee District representative to the ADA Council on Dental Education & Licensure; Dr. Mark J. Feldman, NYSDA Executive Director; Ms. Laura Leon, NYSDA Assistant Executive Director, and Ms. Lou Carol Lecce, Development Manager. Dr. David Miller, NYSDA Board of Trustees Liaison to CDEL, was excused.

The meeting was called to order at 10:00 a.m. A moment of silence was observed in remembrance of Dr. Martin Rubin, longtime NYSDA Chief Dental Consultant for Legal Affairs and former executive secretary of the New York State Board for Dentistry, who passed away earlier in the week.

The Council adopted the minutes from the May 2011 meeting and today's meeting agenda.

Report from ADA CDEL

Dr. Kennedy reported that many of the issues considered by CDEL at the national level have been fraught with concerns, real and perceived, regarding the concept of the mid-level provider. Pursuant to the referral by the ADA House of Resolution 112-2010, the ADA CDEL has discussed with several stakeholders the issue of developing solutions to access problems. Proposals such as utilizing pre-doctoral dental students as an alternative to mid-level providers and moving some of the basic science curricula to undergraduate prerequisites, to name just two, were discussed.

Another issue which has been discussed is that of sending fourth and fifth year students into federally qualified health centers. While such community based service learning plays a vital role in education, it is unclear whether sending less experienced individuals into situation in which they would be treating the most challenging patients with less clinical oversight. Current data does not support this as a viable concept and CDEL has recommended the meeting of potentially communities of interest not be convened at ADA expenses.

With respect to accreditation of a mid-level provider program, such as that which was developed for Minnesota, there are many who see the possibility of CODA accreditation as a bad decision. However, if CODA doesn't, there are other entities potentially willing to undertake the independent accreditation process which is mandated by Minnesota law. This entity could step in, a move that could have serious future repercussions for

accreditation of dental education programs nationwide as CODA is currently the gold standard.

Dr. Kennedy reported that the development continues on some form of nationally recognized licensure process. The Joint Commission on National Dental Examinations has established a Commission on National Dental Examinations to develop and validate a new integrated examination to replace Parts 1 and II of the current NBDE.

The criteria to establish specialty recognition was discussed. There will be major concerns voiced at the upcoming ADA House of Delegates Annual Session regarding public health dentistry. This concern has been generated by support of evaluation of new treatment modes (mid-level providers).

Dr. Kennedy reviewed the resolutions on dental education, licensure and scientific matters which will be introduced at the upcoming ADA House of Delegates.

CERP Updates

The proposal to change the ADA CERP eligibility so that manufacturers would be prohibited from independently providing continuing education will no doubt be a “hot button” issue at the upcoming ADA Annual Session. In addition to industry’s opposition, the ADA Committee on Annual Sessions is reluctant to endorse this concept. Given the state of the ADA’s finances, such concerns will come into play during deliberations.

DANB Update

Since communicating its opposition to 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 now in place to be eligible to take the DANB Certified Dental Assistant (CDA) Exam, ADA CDEK has not received a response. The ADA CDEL, the ADA Council on Dental Practice and NYSDA maintain that opening the door to alternative accreditation would not protect the public. DANB is currently involved in a lawsuit with the Pennsylvania Dental Association and, tangentially, the ADA, over use of the term “certified dental assistant.” DANB is scheduled to make a complete report of its activities to the ADA CDEL at its November meeting.

Anesthesia

In August, several NYSDA members, including Dr. Leary, as CDEL chair, Dr. Douglas Smail, chair, NYSDA Council on Dental Health Planning & Hospital Dentistry, and NYSSOMS members met with officials from the Education Department (SED) to discuss proposed revisions to the New York State anesthesia regulations. NYSDA representatives continued to stress that any changes to the current regulations should focus on the level of sedation, rather than on the route of administration. The discussions, which included Dr. Ralph Epstein, chair, State Board for Dentistry, were very cordial and open.

Our invitation to this discussion represents SED's effort to bring all stakeholders to the table in order to properly address any concerns which revisions to the regulations may raise. Dr. Epstein had presented the preliminary proposed revisions to CDEL at its spring 2011 meeting. He continues to be open to discussion as the revision process continues.

The Council discussed the idea of instituting a peer-reviewed system of evaluation for offices at which procedures involving moderate to deep sedation are conducted. Such a system would be designed to better ensure patient safety. The New York State Society of Oral & Maxillofacial Surgeons has such a program.

The following resolution was unanimously adopted and will be forwarded to the NYSDA Board of Trustees for consideration at its upcoming meeting:

RESOLVED: That the NYSDA Board of Trustees support the concept of a statewide peer reviewed evaluation process for dentists who are performing procedures under moderate to deep sedation.

Licensure Issues

Dr. Leary updated the Council on the establishment of a PGY1 Task Force, pursuant to the following policy:

(NUMBER)

RESOLVED: That the NYSDA President appoint a task force, comprised of members of the NYSDA Board of Trustees, and the Councils on Dental Education & Licensure, Dental Health Planning & Hospital Dentistry, and Governmental Affairs, to explore the current state of licensure in New York State and to develop strategies to respond to the changing landscape of licensure, and be it further

RESOLVED: That this Task Force report its findings to the February 2012 meeting of the NYSDA Board of Trustees.

The members of the Task Force, which is in the process of gathering background information from a variety of potential stakeholders on the issue of PGY1, are: Dr. Leary, Dr. Brendan Dowd (ADA Council on Dental Practice); Dr. Joel Friedman; Dr. Rekha Gehani; Dr. Alan Mazer (NYSDA Council on Governmental Affairs); Dr. David Miller; Dr. Douglas Smail (NYSDA Council on Dental Health Planning & Hospital Dentistry), and Dr. Burton Wasserman. Dr. Leary stressed that the establishment and work of the Task Force should in no way be perceived as an effort to undermine NYSDA's policy with respect to PGY1.

New Business

The Council discussed the issue of general practitioners treating patients with Botox. Such practice must be related to dental treatment; Botox injections totally unrelated to any dental issue are prohibited. NYSDA staff will disseminate past articles on this issue

which ran in the New York State Dental Journal, as well as any other information which might inform the membership.

The Council also discussed the issue of teeth whitening performed by non-dental personnel at hair salons. The New York State Education Department has issued its opinion that even if you are using over-the-counter ingredients, any tooth whitening being placed in a mouth by a third party constitutes the illegal practice of dentistry.

The next meeting of the NYSDA CDEL will take place Friday, 30 March 2012, at NYSDA headquarters in Albany. There being no further business to discuss, the meeting was adjourned at 11:45 a.m.