

NYSDA Council on Dental Education & Licensure

14 September 2012

Meeting Minutes

The NYSDA Council on Dental Education & Licensure met via videoconference on Friday, 14 September 2012. Present were: Dr. Rekha Gehani, Chair; Dr. Michael Turner (NYC); Dr. Richard Oshrain (2); Dr. Anthony Ficara (3); Dr. John Ida (4); Dr. Patricia Carlson (7); Dr. Donald Tucker (8), Dr. Frank Vigliotti (9); Dr. James Fitzgerald (N); Dr. Paul Leary (S), and Dr. Keith Margulis (B). Also in attendance were Dr. Craig Ratner, 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. Ms. Sue Camizzi and Mr. Tom Hanley, representing the NYS Dental Assistants Association, attended a portion of the meeting via conference call.

The meeting was called to order at 10:00 a.m. The Council adopted the minutes as amended from the March 2012 meeting and today's meeting agenda. Dr. Gehani commended Dr. Leary, CDEL past chair, for his leadership and the council members for electing her chair. She also thanked the past members of the council, including Dr. Marc Gainor (NYC), Dr. John Liang (5) and Dr. Ron Laux (6), and welcomed Board liaison Dr. Ratner.

Report from ADA 42H Workgroup

Dr. Feldman provided a 42H Workgroup update. A report on this controversial issue is expected to be distributed to the House of Delegates prior to its upcoming Annual Session. No RFPs have been issued yet 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.

PGY-1 Workgroup

Dr. Leary reported that the PGY-1 Task Force continues to collect information about PGY-1, in order to formulate any changes to the current law should it be proven that PGY-1 has directly resulted in the decrease in dental licensure and to develop 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. The Workgroup has been expanded to include Dr. William Calnon, Dr. Ray Williams, and Dr. David Behrman. The Council discussed the number of residency slots in the State which are available, how to determine the number of graduates who stay in New York State as opposed to move elsewhere, GME funding and the continued viability of limited permits.

Certified Dental Assisting

Ms. Camizzi discussed potential strategies to increase the number of dental assistants seeking certification and potential changes in scope of practice. While there are many

programs, including three online, available for the former purpose, they are expensive and certification doesn't necessarily lead to a significant increase in income. NYSDA supports efforts to ease the pathway to certification and also supports expanded scope of practice for dental assistants. The Dental Assistants Association supports a concept wherein a dental assistant who has worked full time for five years would, upon successful completion of an exam, achieve certification. The Council will continue to study the issue. In the meantime, NYSDA staff will meet with officials of the State Education Department to discuss the possibility of amending the current pathways to certification.

Licensure Issues

Citizenship Requirement – The recent decision by the United States Second Circuit Court of Appeals, *Dandamudi v. Tisch*, means that any person lawfully admitted in the country, whether they intend to stay here or not, can now get a full dental license in New York upon satisfactory completion of other requirements as proscribed by the State Education Department. Previously, only citizens or aliens with permanent US residence could get a full license. The court decision will affect a fair number of people who had gotten a license on citizenship waivers to practice in underserved areas of New York; now these individuals can get that license changed into a regular, full New York State dental license.

Volunteer – The Council discussed whether NYSDA should seek legislative or regulatory changes to the law to enable dentists licensed in other states to volunteer their services in New York State. Currently, New York allows dentists licensed in other states to come in for specific consultations for treatment in New York, but that is more of a one-shot, per-patient exemption. Occasionally, New York authorizes by special legislation dentists and other health care providers from other states to come to practice in New York for specific sporting events, such as the Special Olympics. SED will likely continue to oppose temporary licenses for volunteers from other states, but NYSDA staff will discuss with SED officials the option of providing the opportunity for out-of-state dentists to volunteer at an event such as the 2014 NYS Mission of Mercy.

Anesthesia

NYSDA continues to have serious concerns about the implications of the State Education Department's proposed changes to the anesthesia regulations. All dentists, including dentist anesthesiologists, are able to administer anesthesia commensurate with their education, training, competence, experience, and state rules and regulations. Other concerns are that patient safety could be compromised when dentist anesthesiologists travel to unfamiliar dental offices, use unfamiliar dental personnel, and may not have transfer agreements with nearby support facilities. The additional and separate charges to patients for anesthesia services performed by proposed specialists would likely increase the total cost of the dental procedures and may not be covered by insurance. The proposed regulations could result in exacerbating the current insufficient pool of dental anesthesiologists who can provide care to developmentally disabled, phobic, medically compromised and pediatric patients.

ISTOP

Governor Cuomo has signed into law the Internet System for Tracking Over-Prescribing, or I-STOP, bill which includes the establishment of an advisory committee responsible for recommending model courses for licensed professionals who prescribe pain medications. Dr. Steven Tunick (NYC) has been appointed by New York State Commissioner of Health Nirav Shah to serve on the advisory committee.

Additional

The Council had a brief discussion about Botox, dermal fillers and tooth whitening.

A survey will be emailed to Council members to determine the spring CDEL meeting date.

There being no further business to discuss, the meeting was adjourned at about 12:30 p.m.