

CANADIAN DENTAL REGULATORY AUTHORITIES FEDERATION

MINUTES OF MEETING BOARD OF DIRECTORS

Wednesday, September 5, 2018
Lord Elgin Hotel, 100 Elgin Street, Ottawa, ON

A meeting of the CDRAF Board of Directors took place on Wednesday, September 5, 2018 at 8:30 a.m.

PARTICIPANTS:

Dr. Maurice Coady, Registrar, Dental Council of Prince Edward Island
Dr. Randall Croutze, Chief Executive Officer, Alberta Dental Association and College
Ms. Caroline Daoust, Directrice générale et secrétaire, L'Ordre des dentistes du Québec
Mr. Irwin Fefergrad, Registrar, Royal College of Dental Surgeons of Ontario
Dr. Martin Gillis, Registrar, (CDRAF Vice-Chair) Provincial Dental Board of Nova Scotia
Mr. Dan Leger, Registrar, (CDRAF Treasurer) New Brunswick Dental Society
Dr. Patti Ling, Registrar, Manitoba Dental Association
Dr. Chris Hacker, Acting Registrar, College of Dental Surgeons of British Columbia
Dr. Paul O'Brien, Registrar, (CDRAF Chair) Newfoundland and Labrador Dental Board
Dr. Bernie White, Registrar, College of Dental Surgeons of Saskatchewan

STAFF:

Dr. Jack Gerrow, CDRAF Executive Director
Ms. Angie Sherban, CDRAF Executive Assistant

OBSERVERS:

Mr. Frédéric Duguay, Director, Commission on Dental Accreditation of Canada

1. CALL TO ORDER

The Chair, Dr. O'Brien, called the meeting to order at 8:30 a.m. He welcomed Maurice Coady, appointed Registrar of the Dental Council of Prince Edward Island following the retirement of Ray Wenn.

2. APPROVAL OF AGENDA

There were no items added to the agenda and it was approved, as circulated.

MOTION #1: White/Ling

THAT the agenda for the CDRAF Board meeting of September 5, 2018 be approved, as circulated.

CARRIED
(Unanimously)

3. APPROVAL OF MINUTES

The minutes of the CDRAF Board meeting of June 6, 2018 were approved electronically following the meeting and were provided in the resource materials for information.

Dr. Gerrow advised that in future the draft minutes will be provided electronically to Board members for their review. A form will also be included and he asked that members indicate on the form any revisions to the minutes and sign indicating approval. If there are any major revisions made to the minutes, the Chair may decide to recirculate again for the Board's approval.

4. BUSINESS ARISING

4.1 Royal College of Dentists of Canada (RCDC)

Dr. Gillis reported on this file and referred Board members to the correspondence to and from RCDC since the last Board meeting on June 6, 2018.

He summarized the discussion at the June 6, 2018 meeting when Peter McCutcheon, Executive Director of RCDC, attended and presented on the Third-Party Assessment Service Agreement. During the June 6 meeting, Mr. McCutcheon reviewed the agreement in detail and answered questions from the Board. Dr. Gillis added that the Board felt it was a productive and positive meeting and agreed to a one-time funding of \$10.00 per dentist per province to establish the reserve fund of

\$200,000.00. The Board members also unanimously agreed to recommend that their DRA adopt the RCDC Third-Party Assessment Service Agreement.

Seven weeks following the June meeting, CDRAF received a letter from RCDC dated June 27, 2018 (erroneously dated and should have been July 27, 2018) indicating RCDC budgetary concerns with a fee increase for National Dental Specialty Examinations (NDSE) to \$9,500 for 2019. With this 45% increase, RCDC predicted there will still be a large ongoing deficit and stated that the Component II examination was unsustainable. There was no mention of this fee increase, the large deficit or the unsustainability of the Component II during the presentation or discussion at the June 6, 2018 meeting.

A teleconference was arranged for the Registrars to discuss the contents of the RCDC letter. Dr. O'Brien was asked to send a response to RCDC requesting that it reconsider its decision to increase the NDSE fees for 2019 and to eliminate Component II.

Following the Registrars' teleconference, the Royal College of Dental Surgeons of Ontario (RCDSO) and L'Ordre des dentistes de Québec (ODQ) considered the issue and sent separate letters to RCDC advising that they would be looking at alternative options to the RCDC examination for their members.

Dr. Gillis reported that RCDC was invited to attend the Board meeting and that Mr. McCutcheon and other members of the RCDC Board would be attending in the afternoon to discuss this matter further.

Mr. Fefergrad reported on past history with RCDC and concerns with its governance structure. For provinces that have a Fairness Commissioner, any connection with membership advocacy is seen as a conflict. He reminded the Board of the RCDC's strategic plan which concentrated on member services as opposed to improving the NDSE.

He explained that RCDSO staff was given instructions from the RCDSO Executive Committee to actively look at other alternatives. He stated that it would be beneficial to have a unified voice and he hoped the CDRAF

Board would also join Ontario for a national approach because of the Labour Mobility Agreement. Elected members of RCDSO met recently with elected members of ODQ and both regulators are looking at other options.

The CDRAF Board thanked RCDSO and ODQ for their leadership and agreed that CDRAF needs to have a unified voice. To that end, Mr. Fefergrad suggested CDRAF create a working group to look at alternative options to the RCDC examination and bring a proposal back to the Board for its consideration. There was a discussion on implications this would have on the Memorandum of Understanding.

It was agreed to have further discussion on this item following the afternoon discussion with RCDC.

4.2 Working Group on National Competency Standards for Dentists

Dr. Gerrow confirmed that Chris Hacker is now a member of the working group, replacing Jerome Marburg. The CDRAF Board was provided with a summary of the proposed process and expectations for the workshop scheduled in Montreal on November 9 and 10, 2018. He reviewed the list of suggested attendees and asked for feedback from the Board.

The attendees listed will be:

- | | |
|--------------------------------|--|
| • Independent facilitator: | Laura Newman, ret'd (ADA) |
| • CDAC/CDRAF representative: | Dr. Martin Gillis |
| • Observer/expert: | Dr. Benoit Soucy |
| • DRAs: | Dr. Patti Ling, Irwin Fefergrad,
Dr. Chris Hacker, Dr.
Sébastien Greiche, Dr. Larisa
Naderiani, Caroline Daoust |
| • ACFD: | Dr. Ed Yen and two Associate
Deans, including one from a
Québec program |
| • Royal Canadian Dental Corps: | Dr. Jean-Pierre Picard |
| • NDEB: | Dr. Marie Dagenais |
| • CDRAF: | Dr. Jack Gerrow |

5. FINANCE

The CDRAF Board was provided with the following financial information:

- Fund Balance vs Budget Report, July 31, 2018
- Bank Reconciliation, July 31, 2018
- Draft Budget for 2019

Dr. Gerrow reported the total revenue received to-date was \$129,433. He advised that this amount was less than was anticipated because the annual fees were reduced after the 2018 budget was approved.

He reported that he and staff have worked hard to keep expenditures low and reduce costs where possible.

(a) Policy on Restricted Net Assets

Dr. Gerrow reminded the CDRAF Board of its motion at the June 6, 2018 meeting to approve the Policy on Restricted Net Assets in the total amount of \$500,000. He recommended that in order to sustain the budget at a fee of \$6.00 per member, the "Initial Funding for Identified National Initiatives" be reduced from \$300,000 to \$100,000, thus having a total of \$500,000.

If more funding is required during the year, he would go back to the Board with a request.

Some members preferred having the fee raised because they did not want to have to go back to their Boards/Councils for additional funding. The consensus was to approve a total of \$300,000 at this time and build the fund up over the next five years.

MOTION #2: Leger/Daoust

THAT the Restricted Net Asset Policy be amended to a total of \$300,000, as circulated.

CARRIED
(Unanimously)

(b) Budget 2019

Dr. Gerrow reported that the recommendation for 2019 fees is \$6.00 per member per province. This is a 50 cent increase from 2018. There was discussion on funding over the following two years.

Dr. Gerrow noted that the estimated balance of the Internally Restricted Net Assets at the end of 2018 would be \$195,000. If the fee is \$6.00 per member plus working group costs of \$5,000, there will be an approximate deficit of \$73,139. He recommended increases over the next two years to reach a satisfactory level of comfort. The Board was in agreement with this recommendation.

The Board asked Dr. Gerrow and Ms. Sherban to leave the room for it to have a private discussion. Mr. Duguay also left the meeting for this discussion.

6. CDRAF WEBSITE

Dr. Gerrow advised that when he joined CDRAF as Executive Director, he reviewed the website and removed all information that was outdated or inaccurate. He provided the CDRAF Board with a summary of overall traffic statistics on the CDRAF website currently.

The website is hosted by the company used by Enginess, the same company used by RCDSO, at a cost of approximately \$400 per month. He asked CDRAF Board members what information and resources it wished to have available on the future website.

The CDRAF Board unanimously agreed that it is necessary for a national organization to have a website for the public.

Dr. Gerrow reported that he has obtained an estimate to have a smaller website developed that will be more cost effective and asked the Board for its direction to proceed with engaging the new web designer. Mr. Fefergrad offered the assistance of the RCDSO's webmaster if required.

Dr. Gerrow asked Ms. Daoust for her assistance with checking information translated into French.

The CDRAF Board agreed for Dr. Gerrow to engage the new web designer and make necessary changes to the CDRAF website.

7. ITEMS TABLED UNTIL OCTOBER 2018

The following items were tabled until October 2018:

- Restrictive Permits (ACFD)
- National Repository (NDEB)
- English Proficiency Assessment (NDEB)
- Review of Equivalency Process (NDEB)
- Guidelines on Sedation (CDRAF)
- Update on Strategic Planning Process (CDAC)

8. CDRAF REPRESENTATIVES AND OBSERVERS AT OTHER MEETINGS

The CDRAF Board was provided for its information with a list of upcoming stakeholder meetings and conferences that will be attended by CDRAF representatives.

9. CDRAF BY-LAWS

This document was provided as resource material.

10. CDRAF STRATEGIC PLAN

This document was provided as resource material.

11. NEW BUSINESS

11.1 International Society of Dental Regulators (ISDR)

Mr. Fefergrad provided an update on ISDR. He reminded the Board that initially the founding members of ISDR included individual Canadian provinces (Ontario, Québec and British Columbia). Later on, it was agreed that those provinces would abandon their memberships and CDRAF would become a member of ISDR to represent the Canadian regulators.

He reported that he has been Executive Director of ISDR since its inception some five years ago. After five years, the membership is not increasing, despite a lot of promotion globally. It is financially solid and has hosted good conferences each year.

He added that the President, Dr. Barry Dolman, and he started discussions with FDI who was interested in having ISDR as a regulatory arm to its own organization. Through those discussions, it became clear that there would be an interest in establishing a relationship and having ISDR run a regulatory program at conferences, while maintaining its own independence. FDI is organizing a major conference in San Francisco in 2019 and it was hoped that ISDR could be part of that event.

ISDR applied for supporting status in FDI and this was to be approved at its Board meeting held in Buenos Aires, Argentina in September. Dr. Dolman attended the meeting, but unfortunately the request for membership was denied.

The next meeting of the General Assembly is scheduled in Montreal on December 8, 2018 and a decision will need to be made on whether or not to dissolve ISDR or have discussion on how it can continue.

Mr. Fefergrad advised that Dr. Dolman was very disappointed at the decision as he had put tremendous effort into trying to grow the organization. Dr. Gerrow was asked to forward to letter to Dr. Dolman expressing the appreciation of CDRAF for his efforts with ISDR.

The CDRAF Board agreed to pay the 2018 membership fees to ISDR at an amount of \$2,750.00.

MOTION #3: Daoust/Leger

THAT the CDRAF Board approves payment to the International Society of Dental Regulators (ISDR) in the amount of \$2,750 for the 2018 membership fee.

CARRIED
(Unanimously)

Dr. Gerrow advised that he will attend the General Assembly meeting on December 8, 2018 on behalf of CDRAF.

11.2 CEO/Registrars' Conference

A copy of the agenda for the CEO/Registrars' conference on December 5-7, 2018 was provided to the CDRAF Board for its information. This year Ontario is hosting the conference in Montreal.

Dr. Gerrow advised that the CDRAF Board will have a meeting on the afternoon of Friday, December 7 from 1pm to 4pm.

11.3 Smile Direct Club

Mr. Fefergrad reported that he has received many complaints from orthodontists regarding Smile Direct Club. However, as a regulator, he advised that he has yet to see where there is patient harm as a result of this organization. He added that he is looking into the legalities of Smile Direct Club. He learned that there are dentists involved, but it is non-dentists who are actually in the business of providing treatment planning.

This item has been added to the agenda for the CEO/Registrars' conference for discussion on a national level.

12. **REPORTS**

12.1 PGY1

Dr. White reported that the report on PGY1 is expected in six months. Currently, it is being reviewed by the student engaged for this project. There have not been any working group meetings since June.

12.2 American Association of Dental Boards (AADB) Conference

Mr. Fefergrad reported that he attended this conference in Chicago in April 2018. He found it well worthwhile with many interesting discussions around patient privacy in relationship to the "cloud", cyber-security, non-licenced dentists interpreting radiographs, etc.

Dr. Gerrow suggested that in the future CDRAF consider sending the Executive Director and Chair to the AADB conference and share information in the event it may be of interest to the Registrars.

12.3 National Caries Risk Assessment Tool Review Working Group

Dr. James Taylor, Chief Dental Officer of Health, provided minutes of this working group's meeting dated May 5 and 6, 2018 in Ottawa. It was received for information.

13. NEXT MEETINGS

A list of upcoming meetings of the CDRAF Board and Member Representatives for 2018-2019 was provided to the CDRAF Board for information.

Dr. Gerrow reminded the CDRAF Board that the meeting in October 2018 will be the first meeting of the Member Representatives under the revised governance structure. In reviewing the agendas for the two meetings scheduled for October 11 and 12, 2018, he and the Chair recommended that they be held on the same day: the Member Representative meeting in the morning and the Board meeting in the afternoon. The CDRAF Board agreed with this suggestion.

There was discussion on having reports included in the materials from each of the provinces, but it was agreed this was not necessary and only include reports from third-party providers.

Dr. Dolman will be asked for a written report on ISDR and Dr. Mock will be asked to report on Opioids.

It was agreed to change the date of the Board meeting on February 1, 2019 to February 8, 2019.

14. CORRESPONDENCE

14.1 Feedback from Nova Scotia's Question re Immunization Requirements

Dr. Gillis reported that he received some responses from registrars on immunization requirements in their respective provinces. To assist him in preparing a summary of all provinces, he reminded those who had not responded to send their information to him in due course.

Dr. White suggested that this type of information would be informative to include on the newly-designed website. It was noted that a 'Members' Only' site would be more costly.

14.2 Survey from ODQ re Refresher Training

Dr. O'Brien included this for information and asked if any results had been published. There was no further discussion on this.

14.3 CDRAF Report to Third-Party Providers

A copy of the 2018 CDRAF Report to Third-Party Providers was included in the resource materials for information. Dr. Gerrow added that similar reports have been provided to RCDC and NDEB for inclusion in their Annual General meeting materials.

15. OTHER BUSINESS

15.1 Controller

Dr. Gerrow asked the CDRAF Board for its approval to proceed with engaging Business Sherpa Group for handling the accounting for CDRAF. He added that Ms. Kelly Tripp, the Controller at RCDSO who has currently been doing the work, did an excellent job, but it would be more efficient to deal with an organization in Ottawa in closer proximity to his home. Business Sherpa Group charges an hourly rate.

If the CDRAF Board was agreeable, he would advise Ms. Tripp and continue to pay her until the end of the year for her services, and engage Business Sherpa Group. He also asked for approval to add Ms. Kristine

Erdman and Jenny Patterson of that organization to be added as signing authorities for CDRAF.

The CDRAF Board was in agreement with Dr. Gerrow's request.

MOTION #4: Leger/Ling

THAT Business Sherpa Group be engaged to provide financial support to the Executive Director of CDRAF and that Kristine Erdman and Jenny Patterson be added as signing authorities for CDRAF.

CARRIED
(Unanimously)

16. ROYAL COLLEGE OF DENTISTS OF CANADA

Following lunch break the meeting resumed at 1:00 p.m., the following members of RCDC attended the meeting: Dr. Chris Robinson, President; Dr. Adel Kauzman, Vice-President; Dr. Ben Davis, Examiner-in-Chief; and Peter McCutcheon, Executive Director. Dr. O'Brien thanked them for attending and welcomed them to the meeting.

Dr. O'Brien reported on the CDRAF Board meeting on June 6, 2018 when Mr. McCutcheon attended to present on the Third-Party Assessment Service Agreement. Mr. McCutcheon satisfactorily answered questions from Board members on the document. At the conclusion of the meeting, the regulators agreed to sign the agreement pursuant to getting approval from their individual Boards/Councils. The Board felt it was a positive meeting and there was momentum to proceed.

He stated that Board members were shocked to receive the letter from RCDC dated June 27, 2018 with the information about a fee increase of the RCDC examination in 2019 of some 45%. It raised significant concerns of regulators, particularly in Ontario, Québec, Manitoba and Nova Scotia, where there are Fairness Commissioners.

Dr. O'Brien asked RCDC to elaborate on its letter and the request from CDRAF dated August 7, 2018. He asked for information on the

circumstances and how things changed since Mr. McCutcheon's attendance at the CDRAF Board meeting in June.

Dr. Robinson responded on behalf of RCDC. He thanked CDRAF for inviting RCDC to participate in the discussions.

He advised that with respect to the examination in 2019, RCDC will deliver the National Dental Specialty Examination (NDSE) at a fee of \$6,500.00. RCDC will cover all potential overruns. He added that RCDC has an obligation to specialty candidates who are in their final year of training and it would honour that obligation.

Dr. Robinson advised that the 2019 budget was not presented at the CDRAF Board meeting in June because it was not available at that time.

At the beginning of 2018, RCDC learned that all the DRAs were signatories, although the approval of Boards/Councils was required, and they would be required in recovering potential financial losses. In June, RCDC had no assurance that all DRAs were going to sign the Agreement. RCDC had a skeletal budget.

Dr. Robinson added that RCDC wished to implement the conditions of the Agreement which specify how the budget is to be developed and how the examination is developed. The NDSE needs to be delivered on a cost recovery basis, and the costs segregated separately from the RCDC.

Dr. Robinson apologized to the CDRAF Board for not communicating this information earlier. Further, there was no intent to mislead regulators and RCDC did not expect the reaction it received from CDRAF. He noted that the letter from RCDC dated June 27, 2018 was dated incorrectly and it should have read July 27, 2018.

Dr. Davis addressed CDRAF's request to eliminate Component II of the examination. He advised that RCDC could move to a single examination. June would be a better time in 2019 to allow examination teams to develop the exams, as well as negotiate contracts with site venues. RCDC would need to get confirmation from the Chief Examiners that it would be valid and defensible.

RCDC confirmed that there would be refunds paid to those candidates who have already paid the higher examination fee.

With regard to appeals, Dr. Davis advised that if an appeal is successful, RCDC would offer a separate examination. For those unsuccessful, they would be encouraged to apply for the NDSE in 2019.

RCDC was asked why they did not raise the concern that DRAs may not sign the Agreement during the meeting in June. It was reported that because of the lack of notification about the examination fee increase, DRAs are now lacking confidence in RCDC.

Dr. O'Brien reminded RCDC that at the June meeting, the outcome was stable and all ten DRAs were prepared to sign the Agreement. Mr. McCutcheon confirmed that he relayed that information to the RCDC Board.

Mr. McCutcheon confirmed that the budget was in development at the time of the CDRAF Board meeting in June and the full costing for 2019 and 2020 was not available. He was not able to present the audited financial statements at that time because they were not available.

He added that a commitment has been made to provide more training to examiners and increase workshops. A psychometrician has been hired full-time. He outlined other factors that contributed to the increase in costs.

Dr. Davis also apologized for the breakdown in communication to DRAs and hoped RCDC could re-establish their trust. He welcomed CDRAF members to the RCDC Annual General meeting in Fredericton in September. He advised that the schedule was being rearranged and that there would not be a NDSE Board meeting as originally planned. Dr. Robinson agreed to provide CDRAF with notes of RCDC's presentation.

At 2:10 p.m., RCDC left the meeting. Dr. O'Brien thanked Drs. Robinson, Kauzman, Davis and Mr. McCutcheon for attending.

The meeting was moved *in-camera* for discussion on this issue. After the *in-camera* discussions, there was unanimous support for the establishment of a CDRAF Working Group on options for Specialty Certification. RCDSO agreed to organize the meetings of the Working Group. CDSBC, ADA&C, CDSS, MDA, RCDSO, ODQ and PDBNS will support participants on the Working Group. The remainder of the DRAs indicated that they supported the creation of the Working Group, but did not need representatives on the group. All DRAs will be kept informed of the Working Group's progress. All Board members indicated that their DRA would not be signing the RCDC Third-Party Assessment Service Agreement.

17. ADJOURNMENT

Following the *in-camera* session, the meeting was adjourned at 3:00 p.m.