

MINUTES

NATIONAL COMMISSION ON RECOGNITION OF DENTAL SPECIALTIES AND CERTIFYING BOARDS ADA HEADQUARTERS BUILDING, CHICAGO

MARCH 11, 2019

Call to Order: Dr. Charles Norman, chair, called a regular meeting of the National Commission on Recognition of Dental Specialties and Certifying Boards to order on Monday, March 11, 2019 at 8:30am in the Executive Board Room of the ADA Headquarters Building, Chicago.

Roll Call: Dr. Wayne Aldredge, Dr. Don Altman, Dr. Joseph Battaglia, Dr. James Benz, Dr. James Boyle (vice-chair), Dr. Renee Broughten, Dr. Ralph Cooley, Dr. Alan Friedel, Dr. Anita Gohel, Dr. Kevin Henner, Dr. Denise Hering, Dr. William Johnson, Dr. Roger Kiesling, Dr. Andrew Kwasny, Dr. Charles Norman (interim chair), Dr. Frank Tuminelli, Dr. John Wright, and Dr. Mark Zust were present. Dr. Robert Delarosa participated in the meeting via conference call.

Trustee Liaison: Dr. Linda Edgar, Eleventh District Trustee, American Dental Association (ADA).

Commission Staff: Ms. Cathy Baumann, director; Mr. Nicholas Salerno, manager.

ADA Staff (for all or portions of the meeting): Ms. Cathryn Albrecht, senior associate general counsel, Mr. C. Michael Kendall, senior associate general counsel, Ms. Wendy Wils, deputy general counsel, and Dr. Anthony Ziebert, senior vice-president, Education and Professional Affairs.

Preliminary Business

Adoption of Agenda: The National Commission on Recognition of Dental Specialties and Certifying Boards adopted the agenda and authorized the chair to alter the order of agenda items as necessary to expedite business.

Disclosure of Relationships: Dr. Norman directed the Commission's attention to the ADA Conflict of Interest Policy and reminded commissioners of their obligation to make disclosures as appropriate. No disclosures were reported.

Fiduciary Reminder and Reminder of Professional Conduct Policy and Prohibition Against Harassment: Ms. Cathryn Albrecht, ADA Senior Associate General Counsel, reminded the Commissioners of their fiduciary responsibilities to the National Commission. The Commissioners were also reminded of the Professional Conduct Policy and Prohibition Against Harassment.

Mail Ballots Since Last Commission Meeting: The Commission approved for the record, six (6) mail ballots related to commission business, which had been considered since the May 2018 meeting.

Commission Business

Consideration of Electronic Survey Tool for National Commission on Recognition of Dental Specialties and Certifying Boards Annual Survey of the Recognized National Certifying Boards: The National Commission on Recognition of Dental Specialties and Certifying Boards considered a presentation related to the implementation of an electronic reporting tool for the Annual Report of the Recognized National Certifying Boards to aid in the consistency of data collection. The National Commission determined the electronic tool would also be beneficial for the Periodic Review of Dental Specialty Education and Practice Report that will be conducted in 2020/2021.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards directs staff work with the American Dental Association Health Policy Institute to develop the electronic survey tools for the Annual Report of the Recognized Dental Specialty Certifying Boards and the Periodic Review of Dental Specialty Education and Practice Report to be implemented in 2019.

Consideration of National Commission on Recognition of Dental Specialties and Certifying Boards Process Related to Specialty Recognition: The National Commission on Recognition of Dental Specialties and Certifying Boards considered proposed policy and procedures presented in the Application Process for Recognition of a Dental Specialty related to the granting of specialty recognition. The National Commission noted there is nothing specific in either the ADA and/or the National Commission governance documents related to the mechanism of increasing the number of commissioners and the timing in the appointment of commissioners. The National Commission discussed the proposed policy revisions and there were no recommendations for further modification.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed policy and procedures presented in the Application Process for Recognition of a Dental Specialty as presented in **Appendix 1**, with immediate implementation.

Report of the Review Committee on Specialty Recognition: The report of the Review Committee on Specialty Recognition can be found in **Appendix 2**. Below are the actions taken by the National Commission related to the Report of the Review Committee on Specialty Recognition:

Consideration of Draft 2021 NCRDSCB Periodic Review of Dental Specialty Education and Timeline: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the report of the Review Committee on Specialty Recognition related to the 2021 Periodic Review of Dental Specialty Education and Practice. The National Commission noted that the last Periodic Review of Dental Specialty Education and Practice was conducted by the Council on Dental Education and Licensure (CDEL) in 2010 and finalized 2011; therefore the periodic review will be conducted during 2020 with final review by the National Commission in 2021. The National Commission further noted that the modifications were mostly editorial in nature and consisted of removing references to CDEL. The National Commission discussed the proposed revisions and there were no recommendations for further modification.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed 2021 National Commission Periodic Review of Dental Specialty Education as presented in **Appendix 3**, with immediate implementation.

The National Commission on Recognition of Dental Specialties and Certifying Boards further considered the proposed timeline of the Periodic Review of Dental Specialty Education and Practice:

- The National Commission will notify the recognized specialty sponsoring organizations on **September 1, 2019** that the Periodic Review of Dental Specialty and Practice will be conducted in 2020.
- The National Commission will forward an electronic template of the report **January 1, 2020** to each of the specialty sponsoring organizations.
- Specialty Sponsoring Organizations will have have nine (9) months from the official notice to submit a draft of their report to the National Commission by **September 1, 2020**.
- The Review Committee on Specialty Recognition will review the draft reports for completeness in **late October/early November 2020**. Reports needing clarifications, additional information, and/or revision will be returned to the specialty sponsoring organization for revision with information due in **December 15, 2020**.
- Draft reports are to be finalized in **February 2021** prior to the **March 2021** annual meeting of the National Commission.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed 2021 National Commission Periodic Review of Dental Specialty Education timeline with immediate implementation.

Consideration of Request by American Society of Dentist Anesthesiologists to Recognized Dental Anesthesiology as a Dental Specialty: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the request and application submitted by the American Society of Dentist Anesthesiologists (ASDA) to recognize dental anesthesiology as a dental specialty. The Board of Commissioners were provided with an overview of the Review Committees review process of the application and the rationale behind the committee's recommendation that dental anesthesiology be recognized as a dental specialty. Some commissioners believed the dental anesthesiology application did not meet Requirement #3; however, many commissioners indicated during the discussion that the application had sufficient documentation to show that all the *Requirements for Recognition for Dental Specialties* were met. The National Commission voted via paper ballot and achieved the necessary 2/3rds majority to recognize dental anesthesiology as a dental specialty.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards grants the American Society of Dentist Anesthesiologists request to recognize dental anesthesiology as a dental specialty effective immediately.

Report of the Standing Committee on Strategic Planning and Policy Review: The report of the Standing Committee on Strategic Planning and Policy Review can be found in **Appendix 4**. Below are the actions taken by the National Commission related to the Report of the Standing Committee on Strategic Planning and Policy Review:

Consideration of National Commission on Recognition of Dental Specialties and Certifying Boards Rules Article II. Officers and Staff: The National Commission on Recognition of Dental Specialties and Certifying Boards considered proposed revisions to the *Rules* of the National Commission related to the annual election of the vice-chair who automatically succeeds to the position of chair the ensuing year. The National Commission discussed the proposed revisions and there were no recommendations for further modification.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed revised *Rules* presented in **Appendix 5** with immediate implementation.

Consideration of Current Term Length for National Commission Chair and Vice-Chair: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the directive from the National Commission at its August 21, 2018 conference call to provide clarification of the current term length of the National Commission Chair and Vice-Chair.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards reaffirms that Dr. Charles Norman will serve as chair and Dr. James Boyle will serve as vice-chair until the close of the House of Delegates meeting in 2019.

The National Commission on Recognition of Dental Specialties and Certifying Boards considered proposed revisions to the *Rules* of the National Commission: Article 1, Commission, Section 3. Term of Office and Article II Officers and Staff, Section 1 Officers. The proposed *Rules* revision is related to the start and expiration of terms for Commissioners and Commission chairs and vice-chairs. The National Commission discussed the proposed revisions and there were no recommendations for further modification.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed revised *Rules* presented in **Appendix 6** with immediate implementation.

Consideration of Draft National Commission on Recognition of Dental Specialties and Certifying Boards Mission, Vision, and Values Statements: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the draft Mission, Vision and Values statements. The National Commission discussed the proposed Mission, Vision and Values statements and sought guidance related to transparency and what information is considered confidential. The National Commission discussed the proposed statements and there were no recommendations for further modification.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the draft Mission, Vision, and Values statements as presented in **Appendix 7**, with immediate implementation.

Information Report on Revised Requirements for Recognition of Dental Specialties and National Certifying Boards for Dental Specialists: The National Commission on Recognition of Dental Specialties and Certifying Boards considered an informational report regarding the revised *Requirements for Recognition of Dental Specialties and National Certifying Boards for Dental Specialists* that were adopted by the American Dental Association (ADA) House of Delegates in October 2018. The National Commission noted that the modifications were mostly editorial in nature and consisted of removing references to the the Council on Dental Education and Licensure (CDEL) and the ADA House of Delegates in the recognition process. The National Commission further noted substantial revisions to the *Requirements for Recognition of a Dental Specialty Requirement* requiring advanced education programs to be accredited by the Commission on Dental Accreditation and in the *Requirements for Recognition of National Certifying Boards for Dental Specialists* related to the following of Standards for Educational Psychological Testing, including validity and reliability evidence.

Commission Action: This report is informational in nature and no action was taken.

Consideration of Proposed Revisions to the National Commission on Recognition of Dental Specialties and Certifying Boards Policy and Procedure Manual: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the proposed revised policies and procedures presented in the Policy and Procedure Manual as they relate to the operational functions of the National Commission. The National Commission noted most of the revisions were housekeeping in nature to provide clearer interpretation and transparency. The National Commission noted that the policies related to Confidentiality, Application Process for Recognition of a Dental Specialty and Application Process for Recognition of a Dental Specialty Certifying Board were revised to include language related to public notice an application has been received, the receipt of two (2) or more applications for recognition and examples of a close working relationship. The National Commission discussed the proposed revisions and there were no recommendations for further modification. The National Commission considered the following revised policies and procedures:

- National Commission and Commission Meetings- Composition and Criteria
- Policy on Nomination of Public Members- Nomination Criteria
- Review Committees and Review Committee Meetings of the National Commission- Structure
- Policy on Confidentiality
- Policy on the Annual Report of the Certifying Board
- Policy on Application Process for Recognition of a Dental Specialty
- Policy on Application Process for Recognition of a Dental Specialty Certifying Board
- Due Process Related to Review Committee Special Appearances

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the revised proposed Policy and Procedure Manual as presented in **Appendix 8**, with immediate implementation.

Report of the Standing Committee on Finance: The report of the Standing Committee on Finance can be found in **Appendix 9**. Below are the actions taken by the National Commission related to the Report of the Standing Committee on Finance:

Consideration of 2019 Budget Fee Allocation and Communication from the Dental Specialty Group Related to Proposed Fee Sharing: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the October 1, 2018 communication from the Dental Specialty Group (DSG) related to the specialty sponsoring organizations decision to not consider changes to the fee-sharing arrangement that is currently in place.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards reaffirmed the current fee sharing structure for the recognized specialty sponsoring organizations.

The National Commission on Recognition of Dental Specialties and Certifying Boards further considered the October 1, 2018 communication from the DSG requesting an end-of-year, detailed summary of the 2018 budget versus the actual expenses for the National Commission. The National Commission determined that its budgetary information contains proprietary information that is deemed confidential; therefore, this information is not released to the communities of interest. The National Commission learned that aside from the ADA's annual contribution to the National Commission, the ADA also provides an additional yearly in-kind grant to the National Commission to cover all indirect operating costs and any budget shortfalls that may occur. The National Commission noted that each of the dental specialties have an appointee on the Board of Commissioners to communicate to the sponsoring organizations that, as Commissioners, they thoroughly review the budget on an ongoing basis and monitor whether the National Commission is conducting business in a responsible manner.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards denied the DSG request for detailed, annual budget information, as budget information contains proprietary information which is considered confidential.

The National Commission on Recognition of Dental Specialties and Certifying Boards further directs staff to communicate with the DSG related to the National Commission decision to deny the release of the 2018 budget information.

Consideration of Application Fees for Dental Specialty Recognition for Sponsoring Organization and Certifying Board: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the Application Fees for Specialty Recognition of Sponsoring Organizations and Certifying Boards based on actual costs associated with the in-person review conducted in November 2018 of a recent application for recognition. The National Commission noted the current application fees were in alignment with actual costs and there were no recommendations for further modification.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards reaffirmed the current \$15,000 Application fee for the Sponsoring Organization, \$10,000 Application Fee for the Certifying Board and and the \$10,000 Appeal fee.

Consideration of 2020 Budget: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the proposed 2020 budget. The National Commission noted the 2020 budget proposed a \$363 increase in the annual fee for each of the dental specialty sponsoring organizations from \$9,700 to \$10,063 for a total of \$90,571, which is matched by the American Dental Association (ADA). The National Commission further noted the 2020 budget reflects an increase in direct expenses projected for 2020 of \$45,285 for an overall budget of \$181,141. The National Commission discussed the estimated indirect costs (office space, legal, HR, IT, etc.) and the impact on the National Commission's annual budget. The National Commission learned that recently the ADA and the Commission on Dental Accreditation signed a shared services agreement and that it is the ADA's intent to develop shared services agreements with each of the other commissions, including the National Commission, by the end of 2019. The National Commission discussed its support for a shared services agreement.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Board adopts the 2020 draft budget as presented in **Appendix 10**.

Report of the Review Committee on Specialty Certifying Board Recognition: The report of the Review Committee on Specialty Certifying Board Recognition can be found in **Appendix 11**. Below are the actions taken by the National Commission related to the Report of the Review Committee on Specialty Certifying Board Recognition:

Consideration of 2018 National Commission on Recognition of Dental Specialties and Certifying Boards Annual Report of the Recognized Dental Specialty Certifying Boards: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the 2018 Annual Report of the Recognized Dental Specialty Certifying Boards. The National Commission noted that while some minor inconsistencies in the data required follow-up; overall, the data reported by the nine (9) recognized dental specialty certifying boards as compared to previous reports remained relatively consistent.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the 2018 Annual Report of the Recognized Dental Specialty Certifying Boards as presented in **Appendix 12**.

Consideration of Draft Application for Recognition of Dental Specialty National Certifying Boards: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the proposed draft Application for Recognition of Dental Specialty National Certifying Boards. The National Commission noted that the draft application proposed removal of language, policies and procedures related to the Council on Dental Education and Licensure (CDEL) and the insertion of language related to the National Commission's policies and procedures based on the revised *Requirements for Recognition of Dental Specialties and National Certifying Boards for Dental Specialists* adopted by the American Dental Association House of Delegates in October 2018. The National Commission further noted the insertion of examples of evidence related to determining aid in the determination of what a "close working relationship" is between the sponsoring organization and certifying board. The National Commission further noted the addition of policy related to the receipt of two (2) or more applications from the same area of dentistry to ensure the process was clear and well defined. The National Commission discussed the draft application and there were no recommendations for further modification.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed Application for Recognition of Dental Specialty National Certifying Boards as presented in **Appendix 13**, with immediate implementation.

Consideration of 2019 National Commission on Recognition of Dental Specialties and Certifying Boards Annual Report of the Recognized Dental Specialty Certifying Boards: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the 2019 Annual Report of the Recognized Dental Specialty Certifying Boards. The National Commission learned that four (4) of the nine (9) recognized specialty certifying boards submitted their report by the February 1, 2019 deadline and that after follow-up with the executive directors, the remaining five (5) reports were submitted; however, one (1) report remained incomplete and further follow up was required. The National Commission further learned that the Review Committee requested follow up on eight (8) of the nine (9) reports for supplemental information related to responses such as "not applicable", "uncertain" and/or blank responses so that the committee could determine whether these responses were appropriate. The National Commission discussed concerns related to the missed deadlines for the submission of the reports and the amount required follow-up. The National Commission noted that in comparison to previous reports, the data in the 2019 Annual Report remained relatively consistent.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the 2019 Annual Report of the Recognized Dental Specialty Certifying Boards as presented in **Appendix 14**.

The National Commission on Recognition of Dental Specialties and Certifying Boards further directs the Strategic Planning and Policy Committee to develop policy related to missed deadlines.

Consideration of the Draft 2020 National Commission on Recognition of Dental Specialties and Certifying Boards Annual Report of the Recognized Dental Specialty Certifying Boards: The National Commission on Recognition of Dental Specialties and Certifying Boards considered the proposed 2020 National Commission Annual Report of the Recognized Dental Specialty Certifying Boards. The National Commission noted the proposed revisions were based on the revised *Requirements for Recognition of Dental Specialties and National Certifying Boards for Dental Specialists* adopted by the American Dental Association (ADA) House of Delegates in October 2018. The National Commission further noted the insertion of expanded language related to the required submission of certification and re-certification examination content including documentation related to test construction, evaluation, validity and reliability. The National Commission noted concerns related to whether all of the certifying boards are currently collecting this type of data and if not, how long it will take for them to come into compliance with the requirement. The National Commission further discussed the need for the National Commission to take into consideration the granting extensions to achieve compliance.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed 2020 National Commission Annual Report of the Recognized Dental Specialty Certifying Boards presented in **Appendix 15**, with immediate implementation.

The National Commission on Recognition of Dental Specialties and Certifying Boards further directs the Strategic Planning and Policy Review Committee to develop policy related to requests for compliance extensions.

Election of Vice Chair of the Commission: In accordance with the *Rules* of the National Commission on Recognition of Dental Specialties and Certifying Boards, the Board of Commissioners elects a Vice-Chair who is active, life or retired member of the American Dental Association.

Commission Action: The National Commission elects Dr. Alan Friedel to serve as its Vice Chair for 2019-2020.

Consideration of American Dental Association Manual, Bylaws, and Standing Rules for Councils and Commissions Changes Related to all Commissions: The National Commission on Recognition of Dental Specialties and Certifying Boards considered a presentation related to proposed changes to the American Dental Association (ADA) Governance Manual, Bylaws and Standing Rules for Councils and Commissions as it relates to all Commissions that will be presented to the ADA Board of Trustees in 2019 for adoption. The National Commission noted that the four (4) Commissions housed within the ADA governance structure are semi-autonomous agencies with the sole authority to administer a specific program as outlined in the ADA Bylaws. Each commission administers a program that involves a public trust, which requires the programs be administered, and decisions be made, in a consistent manner that is free from bias and conflict of interest. The National Commission further noted the mechanisms that safeguard the Commissions from conflict of interest include the delegation of certain governance rights and procedures to the commissions within the ADA Bylaws, the ADA *Governance and Organizational Manual*, and the ADA *Standing Rules for Councils and Commissions*. The National Commission learned that because the commissions were each established at different points in time; the governance structure amongst each commission is not consistent and is a reflection of the understanding of controlling for conflict of interest at the time each commission was formed. This has led to a perception among some communities of interest, including the public, that the ADA has an undue influence on commission decisions. The National Commission discussed the importance that all commissions operate in a consistent manner to control for perceptions of conflict of interest and are free from bias. The national Commission supported the proposed changes without further modification.

Commission Action: The National Commission on Recognition of Dental Specialties and Certifying Boards supports the proposed changes to the American Dental Association Governance Manual, Bylaws and Standing Rules for Councils and Commissions.

Future Meeting Dates: The National Commission on Recognition of Dental Specialties and Certifying Boards reviewed the meeting dates of the 2020 and 2021 meetings.

Commission Action: This report is informational in nature and no action was taken.

Adjournment: The National Commission on Recognition of Dental Specialties and Certifying Boards adjourned at 2:19pm, Monday, March 11, 2019.