

## FINAL MINUTES

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

MAY 9-10, 2018

**Call to Order:** Dr. Charles Norman, interim chair, called a regular meeting of the National Commission on Recognition of Dental Specialties and Certifying Boards to order on Wednesday, May 9, 2018 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, Dr. Ralph Cooley, Dr. Robert Delarosa, 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.

**Trustee Liaison:** Dr. Billie Sue Kyger, Seventh 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):** Mr. J. Craig Busey, general counsel, Ms. Karen Hart, director, Council on Dental Education and Licensure, Mr. Michael Kendall, senior associate general counsel, Dr. Kathleen O'Loughlin, executive director, Ms. Wendy Wils, deputy general counsel, and Dr. Anthony Ziebert, senior vice-president, Education and Professional Affairs.

### Preliminary Business

**Meeting Overview:** Dr. Charles Norman welcomed the Commissioners and provided them with a brief overview of the meeting.

**Welcome Comments on Behalf of Dr. Crowley:** Dr. Billie Sue Kyger, Seventh District Trustee delivered welcome comments of behalf of American Dental Association (ADA) President Dr. Joseph Crowley.

**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. Commissioners disclosed the following affiliations during the course of the meeting:

- Dr. Mark Zust- Member, Board of Delta Dental in Missouri

### **Fiduciary Reminder and Reminder of Professional Conduct Policy and Prohibition Against**

**Harassment:** Mr. C. Michael Kendall, 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.

**Roles and Responsibilities of the National Commission:** Dr. Anthony Ziebert, Senior Vice President, Education and Professional Affairs, ADA, gave a presentation to the Commissioner's related to the roles and responsibilities of the National Commission on Recognition of Dental Specialties and Certifying Boards.

## Commission Business

**Consideration of the Rules of the National Commission on Recognition of Dental Specialties and Certifying Boards:** With adoption of Resolution 30H-2017, the ADA House of Delegates established the National Commission on Recognition of Dental Specialties and Certifying Boards. After careful consideration, the National Commission considered the proposed *Rules* of the National Commission on Recognition of Dental Specialties and Certifying Boards.

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed *Rules* presented in **Appendix 1**.

**Adoption of ADA Policies Related to Dental Specialties, Certifying Boards and Specialty Definitions:** The National Commission on Recognition of Dental Specialties and Certifying Boards considered the ADA's policy statements on recognition of the dental specialties and certifying boards and the Council on Dental Education and Licensure's (CDEL) definitions of each dental specialty. The National Commission discussed that with the implementation of the National Commission as the body that recognizes the dental specialties and certifying boards, the policy statements and definitions are now under the purview of the National Commission.

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the policy statements recognizing each of the dental specialties as presented in **Appendix 2**.

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the policy statements recognizing each of the dental specialty certifying boards as presented in **Appendix 3**.

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the definitions of each of the dental specialties as presented in **Appendix 4**.

**Proposed Policies and Procedures for the National Commission on Recognition of Dental Specialties and Certifying Boards:** The National Commission on Recognition of Dental Specialties and Certifying Boards considered the proposed policies and procedures presented in the Policy and Procedure Manual as they relate to the operational functions of the National Commission. The National Commission considered the following policies and procedures:

- Policy on Development of Administrative and Operational Policies
- Policy on National Commission and Commission Meetings
- Policy on Review Committees and Review Committee Meetings
- Policy on Nomination of Public Members
- Policy on National Commission Standing Committees
- Policy on Confidentiality
- Policy on Conflict of Interest
- Policy on Simultaneous Service
- Policy on Annual Fees
- Policy on Failure to Comply with Request for Information
- Policy on Referral of Policy Matters to the Appropriate Committee
- Policy on Periodic Review of Dental Specialty Education and Practice
- Policy on Application Process for Recognition of Dental Specialty Sponsoring Organizations
- Policy on Application Process for Recognition of Dental Specialty Certifying Boards
- Policy on Third Party Comments
- Policy on Due Process
- Policy on Function and Procedures of the Appeal Board

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Boards adopts the proposed Policy and Procedure Manual as presented in **Appendix 5**.

**Staggering the Terms of the Inaugural Commissioners:** With adoption of Board of Trustees Report 7 to the ADA House of Delegates and Resolution 30H-2017, the House of Delegates established the National Commission on Recognition of Dental Specialties and Certifying Boards. The term of office of members of the National Commission, shall be four (4) year terms, except the terms of the inaugural Board of Commissioners shall be staggered, based on a lottery. In accordance with the ADA *Bylaws* and ADA Governance and Organizational Manual, the National Commission on Recognition of Dental Specialties and Certifying Boards conducted a lottery to establish the inaugural term of each Commissioner.

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Boards established the following terms of the inaugural Board of Commissioners:

Commissioner	Term Expiration Year
Dr. Wayne Aldredge	2021
Dr. Don Altman	2020
Dr. Joseph Battaglia	2021
Dr. James Benz	2021
Dr. James Boyle	2020
Dr. Ralph Cooley	2018
Dr. Robert Delarosa	2019
Dr. Alan Friedel	2018
Dr. Anita Gohel	2021
Dr. Kevin Henner	2019
Dr. Denise Hering	2020
Dr. William Johnson	2018
Dr. Roger Kiesling	2020
Dr. Andrew Kwasny	2020
Dr. Charles Norman	2021
Dr. Frank Tuminelli	2018
Dr. John Wright	2019
Dr. Mark Zust	2019

**2019 Budget:** That National Commission on Recognition of Dental Specialties and Certifying Boards considered the proposed 2019 budget with regard to the annual contribution made by the dental specialty sponsoring organizations, which is matched by the ADA. The National Commission also considered the proposed recognition application fees. The National Commission further considered correspondence from the American Association of Public Health Dentistry. The National Commission noted that the current annual sponsoring organization contribution structure may place an undue financial burden on smaller disciplines, which may create a financial barrier to all specialties participating in the National Commission.

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Board postpones action on the proposed 2019 budget and directs the Finance Committee to develop two (2) to three (3) best practices related to proposed fee sharing arrangements for the recognized specialties, with an update to the National Commission prior to the end of June 2018.

The National Commission further directs staff to communicate with the American Association of Public Health Dentistry upon Commission review and approval of a proposed fee sharing arrangement.

**Election of Chair and 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 Chair and Vice-Chair who are active, life or retired member of the American Dental Association.

**Commission Action:** The National Commission elects Dr. Charles Norman to serve as its chair for 2017-2018.

**Commission Action:** The National Commission elects Dr. James Boyle to serve as its Vice Chair for 2017-2018.

**Legal Update on Specialty Recognition Matters in States:** The National Commission on Recognition of Dental Specialties and Certifying Boards considered a presentation by Mr. Craig Busey and Mr. C. Michael Kendall on litigation updates and other specialty recognition matters related to the state dental boards.

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

**Annual Reports of the Dental Specialty Certifying Boards:** The National Commission on Recognition of Dental Specialties and Certifying Boards considered an information report outlining the process related to the submission of the Annual Reports of the Dental Specialty Certifying Boards. Prior to 2017 and the creation of the National Commission on Recognition of Dental Specialties and Certifying Boards, the ADA delegated authority to the Council on Dental Education and Licensure (CDEL) to study and make recommendations on the recognition of dental specialties and certifying boards, based on the *Requirements for Recognition of Dental Specialties and National Certifying Boards for Dental Specialists*. In February 2018, the chairs of CDEL and the National Commission sent notification to the executive directors of the nine (9) recognized dental specialty certifying boards requesting assistance with the 2018 *Report of the ADA-Recognized Dental Specialty Certifying Boards*. Beginning in January 2019, the *Annual Survey of the Recognized Dental Specialty Certifying Boards* will be conducted by the National Commission.

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

**Request of the ASDA to Recognize 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 approve dental anesthesiology as a dental specialty. The National Commission also considered a letter from the ASDA requesting that the National Commission waive the application fee.

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Boards acknowledges the receipt of the American Society of Dentist Anesthesiologists (ASDA) application and fee waiver request and postpones action, directing the Review Committee on Specialty Recognition to review/revise the specialty recognition application.

The National Commission further directs that upon completion of revision of the recognition application staff contact the ASDA and other recognized organizations to notify them of the new application process and fees.

**Strategies and Communications with Dental Boards Regarding the National Commission on Recognition of Dental Specialties and Certifying Boards:** The National Commission on Recognition of Dental Specialties and Certifying Boards considered strategies in communication with the State Dental Boards related to the establishment of the National Commission. The National Commission further discussed urging the State Dental Boards to review their rules and regulations as appropriate to reference the National Commission for specialty recognition matters rather than the American Dental Association.

**Commission Action:** The National Commission on Recognition of Dental Specialties and Certifying Boards directs staff work with legal to develop communication to the State Dental Boards related to the creation of the National Commission including its role and duties.

**Future Meeting Dates:** The National Commission on Recognition of Dental Specialties and Certifying Boards reviewed the meeting dates of the 2019 and 2020 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 8:55am, Thursday, May 10, 2018.