# RCDSO ANNUAL REPORT 2020



Royal College of Dental Surgeons of Ontario

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### Who we are

The RCDSO licenses and oversees more than 10,500 dentists in the province. We work in the public interest by putting patients first. We are committed to transparency, accessibility, and fairness in all of our work. We protect the public's right to high quality dental services by providing leadership to the dental profession in regulation.

Patients must be able to put their trust in dentists. When a patient visits their dentist, they expect a trained, licensed professional to provide safe, ethical treatment and the highest standard of care. It is our responsibility to ensure that dentists have the necessary qualifications to do just that. The safe care of patients and protection of patients' rights is our first priority and at the heart of everything the College does.

President's Message

# New ways of working in the public interest



The core mandate of the RCDSO is to work in the public interest by putting patients first. In 2020, the first year of the global pandemic (and the second and last of my presidency), I saw first-hand how a dedicated group of Council and non-Council Committee members worked with expert College staff to meet that mandate under difficult conditions.

I am glad to report that everyone concerned rose to the challenge. In the initial months of "the new normal" the College focused on keeping dentists in Ontario up-to-date on the changing conditions. Dentistry, by its nature, includes many aerosol-generating procedures. We were soon informed that these types of procedures had particular risk in the transmission of COVID-19. Keeping patients, staff and dentists safe required a new type of rigour.

I believe the College's emphasis on Infection Prevention and Control, as described in our Standard of care on this issue, had a vital impact as we developed effective COVID-19 guidance for dentists in our COVID-19: Managing Infection Risks During In-Person Dental Care document. Despite heightened risk, cases of COVID-19 related to dental offices were minimal. Dentists and other oral health care workers followed their training, maintained the standards and kept themselves and their patients safe.

As you will read in these pages, a great deal of excellent work was done across the College in 2020, despite stay-athome orders and other restrictions. It is a remarkable story of a remarkable time.

2020, if not busy enough, included two other milestones in the life of our College – the retirement of Irwin Fefergrad after 20 years in the Registrar's chair and the subsequent arrival of Daniel Faulkner to lead the RCDSO. I am lucky to have worked with both and to have had their daily support and expertise at my disposal in 2020.

**D**r. **Flavio Turchet** President Royal College of Dental Surgeons of Ontario

# Inquiries, Complaints and Reports Committee

### Members:

Larry Davidge (Chair) Lucia Ambrochi David Bishop Mindy Cash Ram Chopra David Clark Ali Davoudpour Eleanora Fisher Vivian Hu John Lau

Antony Liscio Keith Morley Christina Oprescu-Havriliuc Harinder Sandhu Masarat Saqib Mehran Shahabi Peter Trainor Jack Wasserman Judith Welikovitch Cam Witmer

### Mandate

The Inquiries, Complaints and Reports (ICR) Committee reviews concerns about dentists that are brought to the College's attention from various sources, such as formal complaints, mandatory reports, and information brought to the attention of the Registrar. Such concerns include allegations of professional misconduct, incompetence, and incapacity.

The ICR Committee meets in panels of three and has 11 standing panels. After investigating a complaint or report, a panel may make any one or more of the following dispositions:

- Refer specified allegations of professional misconduct or incompetence to the Discipline Committee for a hearing.
- 2. Make inquiries into the dentist's capacity and/or refer the matter to the Fitness to Practise Committee.
- 3. Require the dentist to appear before a panel of the ICR Committee to be cautioned.
- 4. Take other appropriate action, such as:
  - require the dentist to complete a specified continuing education or remediation program (SCERP);
  - ask the dentist to voluntarily complete courses, mentoring or practice monitoring;
  - ask the dentist to voluntarily restrict their practice;
  - provide advice and/or recommendations to the dentist.
- 5. Take no action.

In addition to the powers listed, the ICR Committee may, at any time following the receipt of a complaint or upon the Registrar's appointment of an investigator, make an interim Order directing the Registrar to suspend or to impose terms conditions or limitations on a dentist's certificate of registration, if it is of the opinion that the dentist's conduct exposes or is likely to expose patients to harm or injury. When an interim Order is made, the matter must be investigated expeditiously and the ICR Committee must give precedence to the matter. An interim Order remains in place until final disposition of the matter unless lifted/varied by a panel of the ICR Committee.

The ICR Committee uses a <u>Risk Assessment Tool and</u> <u>Framework</u> to guide its decision making process, including interim Orders.

### **Committee Activity**

Panels of the ICR Committee met on 133 occasions during this period, including both in-person and virtual meetings. Since March 16, 2020 all ICR Committee panel meetings were held virtually.

### Complaints

In 2020, the College received 557 formal complaints. A summary of the Committee's dispositions is shown on page three.

### **Dispositions – Formal Complaints**

Number of Decisions Issued <sup>1</sup>	476
No action	215
No action (approval of Alternative Dispute Resolution)	46
Advice and recommendations	158
Remedial agreement	16
Caution	26
Specified continuing education or remediation program (SCERP)	48
Undertaking	3
Referral to Discipline Committee	3
Referral to ICR Panel for incapacity proceedings	0
Complaint deemed frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process	12
Interim Order – Restriction (term, condition and limitation on dentist's certificate of registration)	2
Interim Order – Suspension	0
Interim Order – Lifted/Varied	1

<sup>1</sup> Some decisions contain more than one disposition (e.g. SCERP & Caution). Accordingly, the total number of decisions will not equal the total number of dispositions.

Pursuant to the Regulated Health Professions Act, 1991, S.O. 1991, c.18. (RHPA), the Registrar of the College has discretion to withdraw a complaint at the request of a complainant, if the Registrar believes that the withdrawal is in the public interest. Of the 32 requests from complainants to withdraw their complaint in 2020, 16 were withdrawn by the Registrar for reasons including: identification of the wrong member, minor clerical errors which were quickly resolved and where the complainant did not intend to file a formal complaint.

### **Alternative Dispute Resolution**

The RHPA allows the College to resolve complaints by way of Alternative Dispute Resolution (ADR), unless the complaint involves an allegation of sexual abuse.

ADR is a voluntary, confidential process that uses an informal and direct approach. An independent facilitator, who is an expert in the process of mediation and who has no connection to the College, meets with the complainant and the dentist to help them reach a resolution. ADR resolutions aim to satisfy both parties, while protecting the public interest. If a resolution is reached through ADR, it must be approved by a panel of the ICR Committee.

Not all complaints are suitable for ADR. Only matters assessed as no or low-risk to patient safety may be considered, and can include the following issues:

- poor communication
- administrative errors/dental office management concerns
- failure to transfer records
- minor recordkeeping deficiencies
- rude or unprofessional behaviour that is not indicative of serious practice deficiencies
- isolated standard of treatment concerns, such as common post-operative issues

The RHPA requires ADR resolutions to be reached within 60 days. This timeline can be extended to 120 days with the agreement of the complainant and the dentist, if the Registrar believes that it is in the public interest to do so.

If no agreement is reached within this prescribed time period, the complaint must proceed through the formal process with a full investigation. The panel of the ICR Committee investigating the matter will have no knowledge of the substance of the ADR meeting.

Alternative Dispute Resolution (ADR) Activity	
Cases that proceeded to $ADR^1(agreed\ to\ by\ both\ parties)$	56
Successfully resolved	44
Unsuccessful <sup>2</sup>	6
In progress	6

<sup>1</sup> In the event one or more of the parties do not agree to participate in the ADR process, the complaint is returned to the formal complaint process.

<sup>&</sup>lt;sup>2</sup> In the event the matter is not resolved through an ADR negotiation or within the prescribed time period, the complaint is returned to the formal complaint process.

### Health Professions Appeal and Review Board

The Health Professions Appeal and Review Board (HPARB) is an independent tribunal administered by the provincial government that, upon receiving an application from a complainant or a dentist, reviews the ICR Committee's decision in relation to a complaint. The College is required to make full disclosure of its investigation file to the HPARB.

There is no right of review where the ICR Committee has referred allegations of professional misconduct to the Discipline Committee for a hearing or to a panel of the ICR Committee for incapacity proceedings.

### HPARB Activity

Number of requests for review received	40
Number of decisions issued by the HPARB	41
ICR Committee Decision Confirmed	33
Returned – inadequate investigation; need to reconsider	2
Returned – unreasonable decision	6
Request for review denied	1
Request for reconsideration denied	0
Request for review withdrawn by the applicant	3
Order by the HPARB not to proceed with the review	0
Section 28 inquiry application <sup>1</sup>	1
Section 28 application pending	0
Section 28 application dismissed	0
Section 28 Order	0

<sup>1</sup> A party may apply to HPARB for an Order under Section 28 of the Health Professions Procedural Code, which is Schedule 2 to the RHPA, which states that a panel shall dispose of a complaint within 150 days.

### **Registrar's Reports**

Section 75 of the Health Professions Procedural Code, which is Schedule 2 to the RHPA (Code), provides a mechanism, other than formal complaints, for health regulatory colleges to investigate the conduct of their members. In order for such an investigation to begin, the Registrar must have:

- reasonable and probable grounds to believe that the member has committed an act or acts of professional misconduct, or is incompetent, based on information received; or
- received a request from the Quality Assurance Committee to conduct an investigation.

In these circumstances, the Registrar will appoint an investigator and the ICR Committee must approve the appointment.

In 2020, the College's Registrar made 30 appointments to look into the conduct of dentists based on information received, and made two appointments as requested by the Quality Assurance Committee.

The results of investigations conducted under Section 75 of the Code are reported to the ICR Committee by way of a Registrar's Report. The following is a summary of dispositions in relation to Registrar's Reports.

### Dispositions – Registrar's Reports

Number of decisions issued <sup>1</sup>	48
No action	15
Advice and recommendations	11
Remedial agreement	4
Caution	1
Specified Continuing Education or Remediation Program (SCERP)	8
Undertaking	0
Referral to Discipline Committee	11
Referral to ICR Panel for incapacity proceedings	0
Interim Order – Restriction (terms, conditions and limitations on dentist's certificate of registration)	3
Interim Order – Suspension	0
Interim Order – Lifted/Varied	1
Interim Order – Extension request	0

<sup>1</sup> Some decisions contain more than one disposition (e.g. SCERP & Caution). Accordingly, the total number of decisions **will not** always equal the total number of dispositions.

### **Incapacity Inquiries**

The Code defines "incapacitated" as follows:

"...that the member is suffering from a physical or mental health condition or disorder that makes it desirable in the interest of the public that the member's practice be subject to terms, conditions or limitations, or that the member no longer be permitted to practise."

In 2020, the ICR Committee made an inquiry into the possible incapacity of one dentist. At the end of 2020, this matter is still ongoing.

Also in 2020, the ICR Committee reviewed requests from five dentists for relief from variance to undertakings that were in place from previous incapacity inquiries. Four requests were granted and one request was denied.

### **Monitoring and Enforcement**

### **Practice Monitoring**

A dentist's practice may be monitored for a specified period of time as a result of a decision of the ICR Committee or an Order of the Discipline Committee. The purpose of a monitoring program is to ensure that the dentist is rehabilitated in an area of practice that requires remediation. Periodical monitoring visits take place following the dentist's successful completion of a course or courses. The results of each monitoring visit are reported to a panel of the ICR Committee, which decides when monitoring is no longer necessary.

Practice Monitoring Activity	
Monitoring reports reviewed	174
Ongoing	125
Closed	49

### **Practice Mentoring**

Dentists who have received comprehensive remedial training as a result of a decision of the ICR Committee or an Order of the Discipline Committee may require one-on-one mentoring from an experienced colleague as an extension of the learning process. The goal of a mentoring program is for the dentist to develop a level of independence and skill that allows the dentist to carry on in dental practice without the guidance or direction of a mentor.

# Practice Mentoring Activity

Dentisis in mentoring programs	)
Mentoring reports reviewed	39
Ongoing	32
Closed	7

### Illegal/Unauthorized Practice

From time to time, the College receives information about individuals who are not registered with the College but refer to themselves as dentists who are entitled to practise dentistry in Ontario. The College takes action against persons who are not members of the College who improperly use the title of doctor, dentist or dental surgeon. Such action may include seeking a court order (an injunction) to prevent nonmembers from using the titles, holding themselves out as persons qualified to practise dentistry in Ontario, or from practising dentistry.

In 2020, the College investigated allegations of illegal or unauthorized practice involving five individuals. These cases were either concluded without sufficient evidence or the investigations are currently ongoing.

A list of <u>illegal/unauthorized individuals</u> can be found on the College's website.

# Discipline Committee

### Members:

Richard Hunter (Chair) Vinay Bhide Ian Brockhouse Amelia Chan William Coyne Peter Delean Nancy DiSanto Elaine Fishbein Elliott Gnidec

### Paul Jackson Barbara Carol Janik Manohar Kanagamany (until January 8, 2020) Anthony Markowski Brian Smith (trom July 28, 2020) Roderick Stableforth (trom January 13, 2020) Frank Stechey Marc Trudell Sandy Venditti

### Mandate

The Discipline Committee is responsible for hearing and determining allegations of professional misconduct or incompetence referred to it by the Inquiries, Complaints and Reports (ICR) Committee.

A panel of the Discipline Committee considers each case in an open hearing and decides if the allegations have been proven by the College and, if so, what penalty to impose. A panel is composed of a minimum of three and no more than five persons two of whom must be public members. At least one of the members of a panel must be both a member of the College and a member of the Council. When a panel consists of five persons, two shall be public members. Three members of a panel, one of whom is a public member, constitute a quorum.

In general, where a panel of the Discipline Committee finds a dentist guilty of professional misconduct, it may make one or a combination of the following orders:

- 1. Direct the Registrar to revoke the dentist's certificate of registration.
- 2. Direct the Registrar to suspend the dentist's certificate of registration for a specified period of time.
- Direct the Registrar to impose specified terms, conditions and limitations on the dentist's certificate of registration for a specified or indefinite period of time.
- 4. Require the dentist to appear before the panel to be reprimanded.

- Require the dentist to pay a fine of not more than \$35,000 to the Minister of Finance.
- If the act of professional misconduct was the sexual abuse of a patient, require the dentist to reimburse the College for funding provided for that patient under the funding program.<sup>1</sup>
- If reimbursement of funding is ordered, require the member to post security acceptable to the College to guarantee the payment of any amounts the dentist may be required to reimburse.

In addition to the above, where a dentist is found guilty of professional misconduct in relation to sexual abuse, or found to be incompetent, the Discipline Committee is required by the legislation to make certain Orders which can include a mandatory reprimand, suspension, revocation and/or terms, conditions and limitations on the dentist's certificate of registration, depending on the nature of the finding.

If a panel is of the opinion that the commencement of the proceedings is unwarranted, it may make an order requiring the College to pay all or part of the dentist's legal costs.

In appropriates cases, and where there is a finding of professional misconduct or incompetence, a panel may make an order requiring the dentist to pay all or part of the College's costs and expenses.

<sup>&</sup>lt;sup>1</sup> Section 85.7 of the Health Professions Procedural Code requires the College to have a program to provide funding for therapy and counselling for persons alleging sexual abuse by a member.

### **Pre-Hearing Conferences**

Prior to the formal hearing, the College and the dentist may agree to an informal, confidential and without prejudice meeting, called a pre-hearing conference. In attendance are the dentist, their legal counsel and the College's legal counsel. The meeting is chaired by a presider selected by the Chair of the Discipline Committee. The objectives of the pre-hearing conference are:

- to simplify the issues;
- to reach agreement on some or all of the evidence;
- to reach agreement on some or all of the allegations;
- to resolve any matter that might assist in the just and efficient disposition of the proceedings.

Any agreement reached must be confirmed by a panel of the Discipline Committee. The presider, who may be a member of the Discipline Committee, cannot participate in the Discipline Committee hearing involving that particular dentist.

### **Results of Discipline Proceedings**

As required by the legislation, the results of each proceeding, including the panel's reasons for decision, are contained on the <u>College's Register</u> which is on the College's website. In addition, case summaries are also available to the public on the website after the panel's reasons for decision have been issued.

### **Activity Highlights**

Nine hearings of the Discipline Committee were held in 2020, requiring panels of the Discipline Committee to sit for nine hearing days. There were also 13 pre-hearing conferences held.

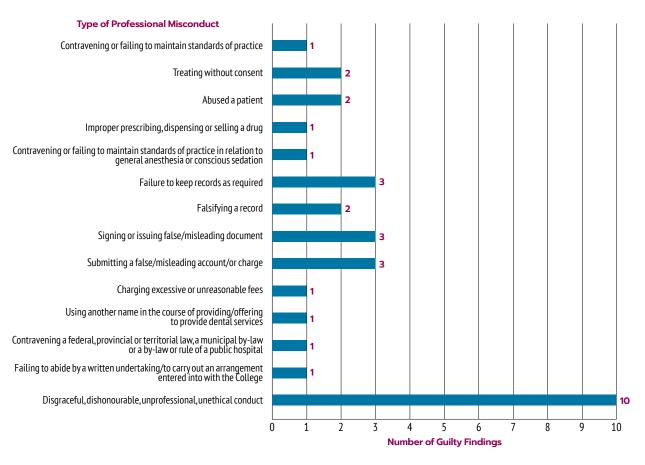
Of the nine hearings held, all nine resulted in a finding or findings of professional misconduct against the dentist.

The findings of professional misconduct made against the 14 dentists, related to:

- Treating without consent
- Submitting a false or misleading account or charge
- Failing to keep records as required by the legislation
- Failing to meet and/or maintain the standards of practice of the profession
- Abusing a patient
- Prescribing, dispensing or selling a drug for an improper purpose or otherwise using inappropriately the authority to prescribe, dispense or sell drugs
- Contravening the standards of practice, as published by the College, in relation to inducing general anesthesia or conscious sedation
- Falsifying a record relating to the member's practice
- Signing or issuing a certificate, report or similar that contains a false, misleading or improper statement
- Charging a laboratory fee for a dental appliance or device that is more than the commercial laboratory cost actually incurred by the member
- Using a name other than the dentist's name as set out in the Register in the course of providing or offering to provide dental services
- Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a public hospital, relevant to the provision of dental care to the public
- Failing to abide by a written undertaking given by the member to the College
- Disgraceful, dishonourable, unprofessional or unethical conduct

Table 1 contains a profile of the number of findings with respect to the above-noted categories of professional misconduct.

### TABLE 1 Profile of Discipline Findings – 2020



### **Penalties**

The penalties imposed by the Discipline Committee included:

- Reprimands 8
- Revocations 1
- Suspensions of dentists' certificates of registration, ranging from one month to 8 months in length - 7
- Courses to be taken by members in the following subject areas 12:
  - Ethics;
  - Recordkeeping/financial recordkeeping/use of billing codes;
  - Informed consent;
  - Appropriate prescribing, including narcotics.
- Mentoring programs 1
- Practice to be monitored 7
- Restrictions on dentists' certificates of registration 3
- Costs awarded to the College, ranging from \$2,000 to \$10,000 - 8

### **Decisions and Reasons**

The 2020 decisions and reasons of the Discipline Committee can be found on the College's Register (website)<sup>2</sup>, which can be accessed by clicking on the links below.

- Dr. Ryan Kirschner
- Dr. Maryam Saatian
- Dr. Daniel Lee
- Dr. Allan Etcovitch
- Dr. Gabor Diosy
- Dr. Sahar Rakhshanfar
- Dr. Nicholas Bekesch
- Dr. Christy Natsis
- <u>Dr. Nelly Himell</u>

<sup>&</sup>lt;sup>2</sup> Section 23(11.1) of the Health Professions Procedural Code states that the Registrar shall refuse to disclose to an individual or post on its website the result of a discipline proceeding where there was no finding of professional misconduct or incompetence and where more than 90 days have passed since the decision of the Discipline Committee was posted on the website. Accordingly, the decision and reasons for the hearing referenced herein, where the allegations of professional misconduct against the member were withdrawn in their entirety, are no longer available on the Register (website).

# Fitness to Practise Committee

### Members:

Peter Delean (Chair) Vinay Bhide Ian Brockhouse William Coyne Nancy Di Santo Elaine Fishbein Elliott Gnidec

Richard Hunter Paul Jackson Barbara Carol Janik Mano Kanagamany *(until January 8, 2020)* Anthony Markowski Marc Trudell

### Mandate

The Fitness to Practise Committee determines if a dentist is incapacitated. "Incapacitated" means that the dentist is suffering from a physical or mental condition or disorder that makes it desirable in the interest of the public that the dentist's certificate of registration be subject to terms, conditions or limitations, or that the dentist no longer be permitted to practise.

If a panel of the Fitness to Practise Committee finds that a dentist is incapacitated, it will make an order doing any one of the following:

- 1. Direct the Registrar to revoke the dentist's certificate of registration.
- 2. Direct the Registrar to suspend the dentist's certificate of registration.
- Direct the Registrar to impose specified terms, conditions and limitation on the dentist's certificate of registration for a specified or indefinite period of time.

### **Committee Activity**

It was not necessary for the Fitness to Practise Committee to hold any hearings in 2020.

# Patient Relations Committee

### Members:

Vivian Hu (Chair) Nancy Di Santo Richard Raymond Harinder Sandhu *(until September 17, 2020)* Masarat Saqib Judy Welikovitch

### Mandate

The Patient Relations Committee is responsible for advising Council with respect to the College's Patient Relations Program. Through its various initiatives, the Committee promotes and enhances relations between the College and Ontario dentists, other health profession regulatory colleges, key stakeholders and the public.

A key part of the Committee's work is addressing the sexual abuse of patients through:

- education for dentists regarding sexual abuse and boundary issues;
- guidelines for the conduct of dentists with their patients;
- training for College staff;
- · education and information for the public;
- funding for therapy and counselling for patients who have been sexually abused by their dentist.

The Committee's work also aligns with numerous "Objects of the College" as set out in the Regulated Health Professions Act (RHPA):

- to develop, establish and maintain standards of professional ethics for the members;
- to develop, establish and maintain programs to assist individuals to exercise their rights under the Code and the RHPA; and
- to promote and enhance relations between the College and Ontario dentists, other health profession regulatory colleges, key stakeholders and the public.

### **Activity Highlights**

The global COVID-19 pandemic had significant adverse impacts on the work of the Patient Relations Committee in 2020. During this time, the College re-allocated resources to adjust to new priorities arising from the pandemic and the need to immediately shift to a remote, digital workforce. As a result, projects of the Committee's strategic plan set in March 2020 were significantly delayed.

### **Sexual Abuse Prevention**

As part of the College's Strategic Plan, the Committee began work to review, revise and re-brand the College's Practice Advisory on the Prevention of Sexual Abuse and Boundary Violations (November 2017) as a Standard of Practice. This work will continue throughout 2021.

The Committee continues to develop fact sheets for complainants or persons inquiring about the College's investigation processes and the support services available to assist them during the investigation. This work is ongoing.

### Access to Care

Following the College's 2019 Access to Care Symposium, the Committee developed various initiatives to promote and help facilitate access to dental care in the province. While the pandemic has certainly impacted access to dental services across the province, as many public health resources were reallocated, the Patient Relations Committee has continued to compile information about various dental programs available across Ontario and worked to develop an educational training program for dentists on treating medically compromised patients, seniors and persons with special needs. The Committee continues to research the ways in which it can work with other health care partners to help increase access to dental care for Ontarians.

### Human Rights Issues in Dentistry

The Committee continued to develop an article on accommodation and service animals in dental offices in an effort to enhance the profession's knowledge around human rights issues. This work will continue into 2021.

### **Requests for Funding and Therapy for Counselling**

No new applications for funding for therapy and counselling were received in 2020.

# Quality Assurance Committee

Members: David Mock (Chair)

Ram Chopra Elizabeth MacSween Anita Moosani Sonica Singhal

### Mandate

The Quality Assurance (QA) Committee is the statutory committee that is charged with the development, administrative review and ongoing evaluation of the College's QA Program. This program, which is mandated under the RHPA, is designed to ensure that the knowledge, skill and judgment of Ontario dentists remains current throughout their careers, and that they continue to provide safe, effective, appropriate and ethical dental care to their patients.

### **Activity Highlights**

In March 2020, the QA Committee unanimously agreed to suspend the QA Program due to the COVID-19 pandemic. As a result, the selection of dentists for review of their e-Portfolio and the Practice Enhancement Tool (PET) was suspended, and the College extended timelines for those dentists already selected and in the process of completing the review of their e-Portfolio or the PET.

In addition, all in-person meetings of working groups were rescheduled as virtual meetings or postponed. QA department staff responded to a large increase in telephone and email enquiries from the public and the profession. QA department staff, which includes the Practice Advisory Service, assumed a leading role and was the main service point for the College with respect to questions related to the COVID-19 pandemic, as well as attending daily teleconferences with the Ministry of Health. In December 2020, the QA Committee unanimously agreed to restart the QA Program, effective January 2021, including the selection of dentists for review of their e-Portfolio and the PET.

### **Quality Assurance Program**

All Ontario dentists with a general or specialty certificate of registration are required to participate in the College's QA Program. As outlined in the QA Regulation, the key components of the QA Program are:

**Continuing Education and the e-Portfolio:** All Ontario dentists are required to pursue continuing education (CE) activities as part of their commitment to the profession and lifelong learning. This includes obtaining at least 90 CE points in each three-year cycle. There are three categories in which dentists may obtain CE points: core courses, courses offered by approved sponsors and other courses.

The QA Committee receives course proposals from numerous organizations for review and consideration in the core course category, the highest CE category. Dentists may choose from over 140 approved core courses, which can be found listed on the College website.

In addition, all Ontario dentists are required to record their CE activities in their online e-Portfolio, and retain original documents (e.g. course certificates and other proof of attendance documents) that provide evidence of their successful participation in CE activities for five years from the end of each three-year cycle.

From April 1, 2015 to December 31, 2020, the College randomly selected 1,975 dentists to have their e-Portfolio reviewed. A summary of their status is reflected in the following table.

### Current Status of Dentists Randomly Selected for Review of their e-Portfolio for the Period April 1, 2015 to December 31, 2020

Total number of dentists randomly selected	1,975
Removed from selection list*	43
Active review (in progress)	0
Completed – successful review	1,644
Completed – unsuccessful review (shortfall of CE points)	288
Under review by Committee	10
Explanation accepted/No further action	183
Assigned for review of next CE cycle	95
Total number of dentists assigned for review	28
Removed from assigned list (resigned)	5
Active review (in progress)	0
Completed – successful review	14
Completed – unsuccessful review (shortfall of CE points)	9
Under review by Committee	1
Explanation accepted/No further action	1
Required to participate in peer assessment	6
Referred to ICR Committee	1
Total number of dentists required to participate in peer assessment	8
Active assessments	0
Under review by Committee	1
Remedial Agreement/Assigned for review of e-Portfolio	4
Referred to ICR Committee	3

\* Dentists may be removed from the random selection list for full-time graduate/post-graduate programs, registration in a specialty and other reasons that result in a reset of their CE cycle.

In May 2020, the QA Committee agreed to extend the current CE cycles for all Ontario dentists by one year due to the COVID-19 pandemic. In July 2020, the e-Portfolio was updated to accommodate this change.

**Practice Enhancement Tool:** This is an online selfassessment program that allows dentists to evaluate and assess their practice, knowledge, skill and judgement based on peer-derived standards. All Ontario dentists are required to complete an assessment at least once every five years.

From July 9, 2018 to December 31, 2020, the College randomly selected 3,263 dentists to complete the PET. A summary of their status is reflected in the following table.

### Current Status of Dentists Selected to Complete the PET for the Period July 9, 2018 to December 31, 2020

Total number of dentists selected	3,263
Removed for retirement/resignation	72
Removed for full-time post-graduate program	17
Active (in progress)	0
Completed – successful (1st attempt)	3,063
Completed – unsuccessful (1st attempt)	5
Completed – successful (2 <sup>nd</sup> attempt)	49
Completed – unsuccessful (2 <sup>nd</sup> attempt)	1
Failed to complete	1
Extension	0
Deferral	41
Request for consideration	0
Undertaking/Agreement	9
Refer to ICR Committee	2
Practice assessment	3

Work was completed on the development of two new specialty versions of the PET: one in the specialty area of dental anesthesia and one in the combined specialty areas of oral medicine, oral pathology and oral radiology. However, due to the suspension of the QA Program, the full launch of these specialty versions of the PET was postponed until 2021. As well, the development of new questions for the PET at the specialist and generalist levels was postponed, and a meeting of the PET Advisory Group was cancelled. **Practice Enhancement Consultant**: A consultant is available to assist dentists at any time with interpreting and discussing the results of their assessment, and identifying appropriate continuing education or professional development activities, regardless of the outcome.

**Annual Declaration:** All Ontario dentists are entrusted with the responsibility of self-declaring whether they are in compliance with the QA Program requirements when completing their annual membership renewal form.

### **Review of College Standards and Guidelines**

### Standard of Practice on Electronic Records Management

The Electronic Records Management working group held several virtual meetings in 2020 to review the Guidelines on Electronic Records Management and provide recommendations for revising and rebranding it as a Standard of Practice. Additional virtual meetings of the working group have been scheduled for 2021.

### Standard of Practice on Teledentistry

The Teledentistry working group was scheduled to hold a meeting in March 2020 to continue work on the draft document. Due to the COVID-19 pandemic, the meeting was postponed, and the draft document was adapted to create interim guidance for dentists regarding the use of teledentistry during the pandemic for the remote assessment, triage and provision of dental care where possible and appropriate. Meetings of the working group will resume 2021.

### Standard of Practice on the Performance of Intra-Oral Procedures that are Not Controlled Acts by Preventive Dental Assistants, Level II Dental Assistants and Registered Dental Hygienists

The proposed document was circulated to dentists and other stakeholders for comment, along with a survey to provide feedback. Numerous submissions were received and a staff working group was convened to review the feedback. The working group held two virtual meetings in 2020 to finalize recommendations for appropriate changes to the proposed document. The revised document will be presented to Council in 2021.

### Standard of Practice on the Dental Management of Obstructive Sleep Apnea and Snoring with Oral Appliances

The Sleep Dentistry working group was expected to begin work on the development of a guidance document in the second half of 2020. However, due to the COVID-19 pandemic, the work was postponed. In the meantime, resources and additional materials continue to be gathered.

### **Opioid Prescribing by Ontario Dentists**

In 2019, the College requested and obtained Narcotic Monitoring System (NMS) data for 2017 and 2018, which were provided to an epidemiologist, Dr. Gordon Thompson, for analysis and comparison to previous years in order to assess progress and compliance.

The College observed a gradual deterioration in the quality of the NMS data since 2014, and have been working with staff at the Ministry of Health to address this issue. Once the work is completed, the extraction and analysis of NMS data will be repeated to generate more accurate findings.

# Registration Committee

Members:

Sandy Venditti (Chair) Peter Delean Eleanora Fisher Elizabeth MacSween

### Mandate

The Registration Committee reviews all applications for registration referred to it by the Registrar. The Registrar is required to refer an application if they have doubts that the applicant meets the legislated requirements, considers imposing terms, conditions, and limitations, or intends to refuse the application.

The Committee provides each applicant with an opportunity to make written submissions prior to rendering its decision. In addition, it routinely offers applicants the opportunity to personally attend to make oral submissions should they wish to do so. The Committee's decisions are subject to review by the government-appointed Health Professions Appeal and Review Board (HPARB).

The Registration Committee is also responsible for setting registration policies, advising the College's Council on entry to practice and reinstatement requirements, and on national issues related to registration.

### **Activity Highlights**

### COVID-19 Pandemic and Remote Meetings

When the College began to work remotely in March 2020 as a result of the COVID-19 pandemic, the Registration Committee successfully pivoted to remote meetings. The Committee held five remote meetings throughout 2020 and continued to offer applicants the opportunity to make oral submissions during these meetings by virtual attendance.

### **Reduced Fee for Volunteer Dentistry**

The Registration Committee proposed an amendment to the College's Fees By-laws to clearly set out that the intent of the reduced fee was to improve access to oral health care and that only dentists seeking to perform charitable/ volunteer dentistry on an unpaid basis while supporting access to care should be eligible for the reduced fee. The proposed amendment was approved by Council.

### Short Duration Certificate of Registration – Statement of Principles

The Registration Committee recommended to the College's Council that they approve a Statement of Principles to be used when a "body" seeks their approval to sponsor courses for the purpose of participants obtaining a Short Duration Certificate of Registration. The recommendation was approved by Council.

### **Registration Committee Statistics from January 1, 2020 to December 31, 2020.**

The Registration Committee convened on six occasions in 2020. There were 12 requests for registration and/or reinstatement considered by the Registration Committee. After reviewing these applications, reports from the jurisdictions where the applicants were currently licensed or registered (if applicable) and other information related to each applicant, the Committee:

- approved seven applications for a general certificate of registration;
- approved two applications for a specialty certificate of registration;
- approved one application for an education certificate of registration;
- approved one application for reinstatement of a general certificate of registration with a voluntary undertaking/agreement;
- deferred one application for a general certificate of registration.

### Statistics (as at December 31, 2020)

#### Additions to the Register

·····	
University of Toronto (NDEB) (general)	84
Western University (NDEB) (general)	48
Other Canadian graduates (NDEB) (general)	30
U.S.A. (NDEB) (general)	46
International graduates (NDEB) (general)	237
Specialty certificates	28*
Academic Visitor	1
Graduate certificates	4
Education certificates	5
Post-Specialty Training certificates	3
* Of this total 15 were newly registered dentists with the College and 13 were gener	al

Of this total, 15 were newly registered dentists with the College and 13 were general dentists adding a specialty certificate. As a result of the COVID-19 Pandemic, the administration of the National Dental Specialty Examination (NDSE) was deferred from June 2020 to late September 2020, which affected the number of specialty certificates issued in 2020.

### **Specialty Certificates Granted**

The College granted 28 Specialty certificates during 2020 in the following dental specialties:

Dental Anesthesiology	0
Endodontics	7
Oral and Maxillofacial Surgery	4
Oral Medicine	0
Oral Pathology	0
Oral Radiology	2
Orthodontics and Dentofacial Orthopaedics	5
Pediatric Dentistry	3
Periodontics	3
Prosthodontics	3
Public Health Dentistry	1
Removals and Reinstatements	
Deceased	10
Resigned	78
Revoked – conditions expired	19
Reinstated	25
	23
Total Membership Certificates by Category	
General certificates	10,535
Specialty certificates	282
General/Specialty (combined) certificates (Already counted in General total)	1,407
Academic certificates	19
Academic Visitor	1
Graduate certificates	24
Education certificates	10
Post-Specialty Training certificates	4
Total Number of Membership Certificates	10,875

# The Professional Liability Program Committee

#### Members:

Joseph Richards II (Chair) Alexis Clark Neil Gajjar James Posluns Reza Termei Jennifer Tse

### Mandate

The College's Professional Liability Program (PLP) obtains errors and omissions protection from an insurance carrier which applies to each member of the College.

This protection extends to current, former, retired, and deceased members, as well as dental partnerships and health profession corporations holding a valid certificate of authorization from the College. In obtaining this protection for all Ontario dentists, to the extent reasonably possible, the College ensures mechanisms are in place to protect the public in the event of injury resulting from the dental negligence of dentists.

PLP is separate from the regulatory arm of the College. The PLP Committee oversees the policies and practices of the Program. It reviews settlements reached within the limit of the authority delegated by Council, approves all settlements exceeding the delegated authority, provides authorization for legal actions to proceed to trial and approves the appeal of adverse trial decisions. The Committee also provides guidance with respect to PLP enhancements, including risk management and practice improvement initiatives.

### **Activity Highlights**

### **Incidents Reported**

Between January 1, 2020, and December 31, 2020, dentists reported 1,249 incidents to PLP, a decrease of 347, or 21.7 per cent, from the previous year. Reports decreased significantly from March 2020 to June 2020 in the early months of the COVID-19 pandemic which corresponded with dental office closures and limited treatment offered during that time. The reports involved adverse incidents, demands/requests for compensation, receipt of lawyers' letters and service of lawsuits.

Table 1 shows the number of reports for the ten-year period 2011-2020.



### TABLE 1 INCIDENTS REPORTED TO PLP: 2011-2020

During this period, 93.75 per cent of the reports received were closed with no payment made by PLP. This figure includes matters handled by PLP that were ultimately dropped with no expenses incurred by PLP and incidents which did not develop into claims for compensation or litigation. It also includes matters in which advice to dentists was given, correspondence for dentists to use with patients was drafted, and releases for out-of-pocket refunds or reimbursements for dentists wishing to resolve situations themselves were prepared. The remaining 6.25 per cent of matters involved claim payments made by PLP.

### **Contract Renewal**

The College's policy with Victor Canada was renewed for 2020. The risk retention is \$2 million per occurrence with an aggregate deductible of \$10 million. Once the aggregate deductible has been reached, the College is protected by Victor Canada up to an additional annual aggregate limit of \$20 million.

#### **Excess Malpractice Protection**

Excess malpractice protection up to \$23 million above the \$2 million provided through PLP is available to Ontario dentists from the College's broker and other sources. The College is not involved in the retailing of excess protection.

#### **Financial Performance**

PLP undergoes annual actuarial evaluations by an accounting firm. The 2020 evaluation report includes reference to matters which have the potential for significant payouts. The accounting firm has confirmed PLP is adequately supported to absorb these losses. The projected payouts for previous years have increased as older files develop, resolve and proceed to an adjudicated conclusion. The estimated total projected payouts for matters reported in 2020 decreased compared to other years due to the lower number of reports. The average claim cost per dentist remains stable.

#### **Risk Management**

PLP emphasizes incident prevention and risk management. A number of presentations addressing risk management issues are offered at no charge to local dental societies, dental students and other groups. PLP also has four Category 1 Core courses: "The Big Picture", "Communication Breakdown", "Patient Safety Incidents and Adverse Events" and "Changing Times...Changing Needs". Due to the COVID-19 pandemic, PLP presented less in 2020 compared to other years. Eight presentations were delivered; two Category 1 core courses and four Category 2 courses were presented in person before the middle of March 2020, and two Core courses were presented virtually thereafter. In addition, PLP's website continues to be the primary platform used by dentists to contact PLP for assistance when incidents occur, and is a resource for risk management and other relevant information.

December 31, 2020

# Independent Auditor's Report on Summary Financial Statements

### To the Members of Royal College of Dental Surgeons of Ontario

### Opinion

The summary financial statements, which comprise the summary statement of financial position as at December 31, 2020, the summary statement of operations for the year then ended, and the related note, are derived from the audited financial statements of the Royal College of Dental Surgeons of Ontario for the year ended December 31, 2020.

In our opinion, the accompanying summary financial statements are a fair summary of the audited financial statements on the basis described in the note to the summary financial statement.

### **Summary Financial Statements**

The summary financial statements do not contain all the disclosures required by Canadian accounting standards for not-for-profit organizations. Reading the summary financial statements and the auditor's report thereon, therefore, is not a substitute for reading the audited financial statements and the auditor's report thereon. The summary financial statements and the auditor of events that occurred subsequent to the date of our report on the audited financial statements.

### The Audited Financial Statements and Our Report Thereon

We expressed an unmodified audit opinion on the audited financial statements in our report dated May 20, 2021.

### Management's Responsibility for the Summary Financial Statements

Management is responsible for the preparation of the summary financial statements on the basis described in the note to the summary financial statements.

### Auditor's Responsibility

Our responsibility is to express an opinion on whether the summary financial statements are a fair summary of the audited financial statements based on our procedures, which were conducted in accordance with Canadian Auditing Standard (CAS) 810, *Engagements to Report on Summary Financial Statements*.

A Q WEP

Tinkham LLP Chartered Professional Accountants Licensed Public Accountants TORONTO, Ontario May 20, 2021

As at December 31	2020	2019
Assets		
Cash	\$ 11,740,046	\$ 2,827,846
Accounts receivable	19,972,784	1,043,294
Prepaid expenses	720,438	700,462
Investments	39,529,167	66,383,375
Pension plan asset	3,272,200	2,398,880
Capital assets	9,937,088	8,472,218
	\$ 85,171,723	\$ 81,826,075
Liabilities		
Accounts payable and accrued liabilities	\$ 2,972,181	\$ 2,884,063
Deferred revenue	27,978,668	27,149,370
Accrued claims liability	20,823,615	18,986,132
Post-retirement benefit plan liability	3,980,800	3,541,100
Pension plan obligation	1,170,300	1,194,000
	56,925,564	53,754,665
N		
Net assets	25 222 222	22242442
Internally restricted	25,030,370	27,217,663
Unrestricted	3,215,789	853,747
	28,246,159	28,071,410
		, ,
	\$ 85,171,723	\$ 81,826,075

### SUMMARY STATEMENT OF OPERATIONS

Year ended December 31	2020	2019
Revenues		
Registration and annual fees	\$ 29,551,882	\$ 27,731,883
Investment income	1,618,489	1,920,891
Other income	283,937	1,355,572
	31,454,308	31,008,346
Expenses		
Staffing costs	16,993,610	16,327,665
Professional liability program	5,955,426	5,456,552
Corporate services	4,299,177	5,393,344
External providers	2,864,541	2,744,391
Council and committees	984,995	1,051,305
Faculty payments and fees	404,010	452,497
	31,501,759	31,425,754
Excess of expenses over revenues for the year	\$ (47,451)	\$ (417,408)

May 20, 2021

# Note to the Summary Financial Statements

The preparation of these summary financial statements requires management to determine the information that needs to be included to ensure they are consistent in all material respects with, or represent a fair summary of, the audited financial statements.

Management prepared these summary financial statements using the following criteria:

- a) The summary financial statements include a statement for each statement in the audited financial statements, except the statement of changes in fund balances and statement of cash flows, which can be obtained from the complete set of audited financial statements;
- b) The information in the summary financial statements is in agreement with the related information in the audited financial statements;
- c) Major subtotals, totals and comparative information from the audited financial statements are included; and
- d) The summary financial statements contain the information necessary to avoid distorting or obscuring matters disclosed in the related audited financial statements, including the notes thereto.

The audited financial statements may be obtained from the Royal College of Dental Surgeons of Ontario at <u>www.rcdso.org</u>

# **Distribution of Dentists**

Distribution of Dentists Practising in Ontario By Age Range, County and Electoral District

COUNTY	LESS THAN 31	31-40	41 - 50	51-60	61-65	OVER 65
District 1						
Dundas	2	2	1	0	2	0
Frontenac	3	33	26	25	7	10
Glengarry	0	2	1	0	0	0
Grenville	3	4	5	0	2	1
Lanark	2	11	10	4	2	2
Leeds	1	5	6	7	5	5
Lennox Addington	1	0	3	3	0	0
Ottawa Carlton	65	189	226	196	60	63
Prescott	0	1	6	3	2	1
Renfrew	15	21	16	6	3	11
Russell	3	6	4	2	0	2
Stormont	4	11	11	3	3	4
District Total: 1,133	99	285	315	249	86	99
District 2						
Durham	23	110	100	109	35	37
Haliburton	1	0	1	1	1	1
Hastings	4	26	18	13	2	9
Northumberland	2	14	6	7	3	3
Peterborough	3	17	23	17	4	2
Prince Edward	0	3	2	0	1	0
Victoria	1	10	4	8	0	2
York	128	238	321	245	94	82
District Total: 1,731	162	418	475	400	140	136

COUNTY	LESS THAN 31	31-40	41 - 50	51-60	61-65	OVER 65
District 3						
Algoma	3	23	7	15	3	7
Cochrane	4	8	6	7	1	5
Kenora	3	7	8	8	4	2
Manitoulin	0	4	1	1	0	0
Nipissing	2	13	7	8	5	7
Rainy River	1	3	2	4	1	0
Sudbury	5	21	18	18	10	10
Thunder Bay	8	34	17	20	5	7
Timiskaming	3	8	3	1	2	3
District Total: 373	29	121	69	82	31	41
District 4						
Halton	30	143	172	111	45	35
Peel	98	297	341	251	93	97
District Total: 1,713	128	440	513	362	138	132
District 5						
Bruce	5	11	5	7	0	7
Dufferin	4	7	5	4	3	7
Grey	4	13	12	8	5	9
Huron	3	5	9	4	2	1
Muskoka	1	6	10	8	4	7
Parry Sound	0	7	3	3	1	1
Simcoe	13	77	86	60	22	26
District Total: 475	30	126	130	94	37	58
District 6						
Elgin	0	11	12	4	4	3
Essex	25	64	71	74	23	35
Kent	3	12	14	8	1	1
Lambton	8	27	15	4	8	9
Middlesex	42	102	122	78	36	42
District Total: 858	78	216	234	168	72	90

COUNTY	LESS THAN 31	31 - 40	41 - 50	51-60	61-65	OVER 65
District 7						
Brant	2	25	22	13	5	12
Haldimand Norfolk	2	9	12	5	1	7
Oxford	2	14	20	12	4	10
Perth	2	13	8	6	1	4
Waterloo	31	108	106	85	26	27
Wellington	10	44	29	32	12	15
District Total: 736	49	213	197	153	49	75
District 8						
Hamilton Wentworth	26	101	103	78	30	56
Niagara	13	44	61	48	24	32
District Total: 616	39	145	164	126	54	88
District 9						
Metro Toronto	68	123	134	169	76	133
District Total: 703	68	123	134	169	76	133
District 10						
Metro Toronto	30	142	136	173	62	104
District Total: 647	30	142	136	173	62	104
District 11						
Metro Toronto	62	163	126	155	61	92
District Total: 659	62 62	163	126	155	61	92 92
District lotal: 039	02	105	120	100	01	92
District 12						
Metro Toronto	59	170	207	249	103	139
District Total: 927	59	170	207	249	103	139
PROVINCIALTOTALS: 10,571	833	2,562	2,700	2,380	909	1,187
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### RCDSO Data - as of December 31, 2020

(These figures represent all classes of certificates of registration for dentists with a registered practice address in the province of Ontario.)

# **Presidents and Registrars**

### Presidents

**B.W. Day** April 1868 – June 1870

H.T. Wood June 1870 – July 1874

C.S. Chittenden July 1874 – May 1889

**H.T. Wood** May 1889 – March 1893

**R.J. Husband** March 1893 – April 1899

**G.E. Hanna** April 1899 – April 1901

**A.M. Clark** April 1901 – April 1903

**H.R. Abbott** April 1903 – April 1907

**R.B. Burt** April 1907 – April 1909

**G.C. Bonnycastle** April 1909 – May 1911

W.J. Bruce May 1911 – May 1913

**D. Clark** May 1913 – May 1915

W.C. Davy May 1915 – May 1917

**W.C. Trotter** May 1917 – May 1918

**W.M. McGuire** May 1918 – May 1921

**M.A. Morrison** May 1921 – May 1923

**A.D. Mason** May 1923 – May 1925

**E.E. Bruce** May 1925 – May 1927

**R.C. McLean** May 1927 – May 1929

S.S. Davidson May 1929 – June 1931 **S.M. Kennedy** June 1931 – May 1933

**H. Irvine** May 1933 – May 1935

**G.H. Holmes** May 1935 – May 1937

**E.C. Veitch** May 1937 – May 1939

**L.D. Hogan** May 1939 – May 1941

**F.A. Blatchford** May 1941 – May 1943

**G.H. Campbell** May 1943 – May 1945

**S.W. Bradley** May 1945 – May 1947

H.W. Reid May 1947 – May 1949

**S.J. Phillips** May 1949 – May 1951

**R.O. Winn** May 1951 – May 1953

**C.M. Purcell** May 1953 – May 1955

**R.J. Godfrey** May 1955 – May 1957

**M.C. Bebee** May 1957 – May 1959

**M.V. Keenan** May 1959 – May 1961

**A.H. Leckie** May 1961 – April 1963

**W.G. Bruce** April 1963 – April 1965

**J.P. Coupland** April 1965 – February 1967

J.D. Purves February 1967 – January 1969

H.M. Jolley January 1969 – January 1971 N.L. Diefenbacher January 1971 – January 1973

P.P. Zakarow January 1973 – January 1975

R.P. McCutcheon January 1975 – January 1977

E.G. Sonley January 1977 – January 1979

A.J. Calzonetti January 1979 – January 1981

C.A. Doughty January 1981 – January 1983

**R.L. Filion** January 1983 – January 1985

G.E. Pitkin January 1985 – January 1987

G. Nikiforuk January 1987 – January 1989

WJ. Dunn January 1989 – January 1991

**R.M. Beyers** January 1991 – March 1994

**G.P. Citrome** March 1994 – February 1997

**M. Yasny** February 1997 – January 1999

**T.W. McKean** January 1999 – January 2001

E. Luks January 2001 – January 2003

C.A. Witmer January 2003 – January 2007

F.M. Stechey January 2007 – January 2011

W.P. Trainor January 2011 – January 2015

**R. M. Yarascavitch** January 2015 – January 2019

F. Turchet January 2019 - January 2021

### Registrars

J. O'Donnell April 1868 – July 1870

J.B. Willmott July 1870 – June 1915

**W.E. Willmott** July 1915 – May 1940

**D.W. Gullett** May 1940 – July 1956

W.J. Dunn

July 1956 – February 1965 K.F. Pownall

February 1965 – July 1990 R.L. Ellis July 1990 – November 1996

M.H. Stein November 1996 – January 2000

I.W. Fefergrad June 2000 - August 2020

**D. Faulkner** August 2020 -



Royal College of Dental Surgeons of Ontario

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