

Newsletter: July 2017

Dental Council - July 2017

Greetings from the Chief Executive

I hope this newsletter finds you all well and keeping warm. We've had a productive few months with significant progress on two of our major projects.

You should have all received an invitation to provide your thoughts on our recertification review. This consultation phase is the first in what we expect will be two consultations dealing with recertification.



As you will know, recertification is the framework, or system that we use to ensure our practitioners are competent and fit to practise. As such, it is fundamental to all that we do, and affects each and every practitioner who is registered in New Zealand, or who wants to register in New Zealand.

When you think of recertification, continuing professional development is probably the first thing that springs to mind for many. However, recertification is much more than that. We can see recertification as a series of connection points between the Council and each practitioner throughout their practising career—the first connection point is when a practitioner first registers with the Council, and then they will continue to connect with us at least yearly when they renew their practising certificate. The four-year CPD cycle represents more connection points, while the random questionnaires and audits that a percentage of practitioners are required to do each year represent further opportunities for us to connect with our practitioners and evaluate their competence and fitness to practise.

The Council also has other tools, such as competence reviews and competence programmes, to use when it has concerns about a practitioner's competence.

All of these components form our overall framework and the consultation process we are currently undertaking is a “big picture” look at the whole lot—we want to know what you think is working, what is not working, what ideas you have about improving the system. We strongly encourage you to come along to one of our forums or join one of our webinars

(<http://www.dcnz.org.nz/i-practise-in-new-zealand/recertification-review/f/>) to hear our thoughts on the system and potential for improvement, ask questions and join the conversation.

The second big project that is now well under way is the upgrade of our information technology (IT) system. This has involved a wide-ranging review of all our IT systems and will result in new workflow processes and online capability for our practitioners. This will allow practitioners to apply for registration, change their personal information and renew annual practising certificates (APCs) online—which we know most of our practitioners want.

Our building displacement set the IT project back by some months, so we will not meet our target of completing the first online APC renewal process in September. However, we expect to implement the new IT system by November, meaning 2017 graduates will be the first practitioners to register online. We will be conducting the first full APC renewal online in March for dental hygienists, dental therapists, oral health therapists, dental technicians and clinical dental technicians.

Enjoy the newsletter—there is lots of information in it, including updates on our consideration of a new practice standard for advanced and new areas of practice and our recent engagement survey.

Marie Warner

Advanced and new areas of practice

As part of the ongoing review of its practice standards, the Council has considered whether a new practice standard for advanced and new areas of practice is needed.

The Council considered the existing practice standards, statements and policies and scope of practice definitions related to this practice area (listed below), alongside the standards framework and other regulatory tools.

- policy on advanced and new areas of practice (May 2007)
- cosmetic dentistry practice standard (May 2009)
- cone beam computed tomography (CBCT) practice standard (May 2011)
- statement on the administration of Botulinum-A by dentists (amended July 2016).

The Council formed the view that the standards framework and scope of practice requirements sufficiently cover, at a principle level, the standards embodied in the above documents.

The Council initiated a targeted consultation with the key professional associations, educational institutions, the Ministry of Health, and the Health and Disability Commissioner. The Council considered all of the feedback, and had further discussions with those who requested clarification in some areas.

The Council concluded that:

- There is no longer a need to retain the four listed documents as the standards framework, related practice standards, and scopes of practice adequately describe practitioner obligations when practising in these areas.
- There is no need to develop a new practice standard for advanced areas of practice.

The four documents have been rescinded with immediate effect, and have been removed from the Council website.

More information on the Council decision and guidance on education and training and administration of Botulinum toxin type A and dermal fillers is available here (</assets/Uploads/Policies/Advanced-areas-of-practice-and-administration-of-Botulinum-type-A-and-dermal-fillers.pdf>).

Understand your obligations related to advanced and new areas of practice

- The ethical principles and professional standards of the standards framework apply to all areas of your practice—including advanced or new areas. Practise within your professional knowledge, skills and competence; and only carry out a task or type of treatment if you have the knowledge and skills to do so competently within your scope of practice.
 - Recognise the relevance of particular practice standards when undertaking advanced or new areas of practice, in particular the informed consent, advertising and record keeping practice standards.
 - Be aware of your obligations under the Health and Disability Commissioner's Code of Rights, especially in relation to the patient's right to be fully informed, their right to make an informed choice and give informed consent, and their right to services of an appropriate standard
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As most of you will be aware, we are currently reviewing the way we recertify our practitioners. Recertification is the way we ensure our practitioners are competent and fit to practise, and so sits at the heart of everything we do.

It affects every single practitioner who registers, or wants to register, in New Zealand.

Last week, we issued an invitation to join a national conversation about recertification. We strongly encourage you to:

- read the discussion document, and any supporting information (<http://www.dcnz.org.nz/i-practise-in-new-zealand/recertification-review/recertification-review-documents-and-background/#Discussion-document>) you are interested in
- come along to one of our national forums or join one of the webinars ([/recertification-review/f/](http://www.dcnz.org.nz/i-practise-in-new-zealand/recertification-review/f/))
- make a submission via online survey (<https://www.surveymonkey.com/r/DentalCouncilRecertification>) by 30 September 2017.

Discussion document

The discussion document sets out our current thinking and breaks down the six potential areas for change the Council has identified.

It contains all the key information you will need to start to engage with the consultation process.

In addition, we have created a new section ([/i-practise-in-new-zealand/recertification-review/](http://www.dcnz.org.nz/i-practise-in-new-zealand/recertification-review/)) on our website which includes all the supplementary information you may need—background information, research and evidence we have relied upon in forming our current view, our literature review and presentations from our March symposium.

Please have a look and feel free to ask us if anything is unclear: recertification@dcnz.org.nz (<mailto:recertification@dcnz.org.nz>).

Forums and webinars

We strongly encourage you to attend one of our forums or webinars—recertification is made up of many components and the discussion document contains a lot of information and ideas that warrant further discussion. Our Chair and Deputy Chair will be hosting the forums and will provide more insight into Council thinking so far and will also be available to answer your questions.

Please click on the links below to register your interest in attending.

North Island	South Island
Whangarei on 12 July at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-whangarei-tickets-35528015250)	Nelson on 24 July at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-nelson-tickets-35551728176)
Hamilton on 17 July at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-hamilton-tickets-35551656963)	Dunedin on 21 August at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-dunedin-tickets-35551889659)
Auckland on 19 July at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-auckland-tickets-35551678026)	Christchurch on 22 August at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-christchurch-tickets-35551917743)
New Plymouth on 26 July at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-new-plymouth-tickets-35551751245)	
Wellington on 31 July at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-wellington-tickets-35551777323)	
Napier on 24 August at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-napier-tickets-35551996980)	
Palmerston North on 28 August at 7.00pm (https://www.eventbrite.co.nz/e/recertification-forum-palmerston-north-tickets-35552013028)	

Webinars	
11 September at 6.30pm (https://www.eventbrite.co.nz/e/recertification-forum-palmerston-north-tickets-35552013028)	13 September at 6.30pm (https://www.eventbrite.co.nz/e/webinar-consultation-on-recertification-tickets-35552231682)

Submission process

This is the first consultation we have undertaken using an online survey tool. We know from our engagement surveys that a lot of you prefer to submit information via online survey, and we hope it will make the process easier for you.

We have set up the survey so you can return to it at any time (until it closes on 30 September) and amend your answers.

Oral medicine prescribed qualification gazette

The DClinDent (oral medicine) was granted accreditation in 2013 as the dental component of the oral medicine prescribed qualification. Following accreditation, the Council consulted on the proposed gazetting of the DClinDent (oral medicine) plus a recognised medical degree as a prescribed qualification for the oral medicine scope of practice. In addition, an administrative amendment to the description of the recognised medical schools was proposed for the oral medicine and oral and maxillofacial surgery prescribed qualifications to reflect the contemporary medical school directory.

In the consultation feedback the need, or otherwise, for a medical degree as part of the prescribed qualification for the oral medicine scope of practice was raised by several stakeholders. At the time the Council deferred its decision on the consultation to allow for investigation on the medical component of the oral medicine prescribed qualifications.

A number of investigations have been completed and considered by the Council since. It is evident that internationally, there is a clear divide in opinion on this issue. The Council agreed that in principle an undergraduate medicine degree is not required for registration in the oral medicine scope of practice—if the dental postgraduate qualification can demonstrate that the appropriate medicine-related knowledge, skills and exposure can be achieved in the programme to ensure competent and safe practise within the oral medicine scope of practice in New Zealand.

At its July 2017 meeting, the Council decided that the investigation on the need, or otherwise, of a medical degree for the oral medicine scope of practice would be managed through the next postgraduate accreditation review, scheduled for 2018, if the Faculty of Dentistry wishes to propose any major change to the current oral medicine programme.

To conclude the earlier consultation on the accredited DClinDent (oral medicine) programme, the Council will gazette the following on Thursday, 13 July:

- the University of Otago DClinDent (oral medicine) programme plus a medical degree from a medical school listed in the World Directory of Medical Schools as a prescribed qualification for the oral medicine scope of practice
- for the oral medicine and oral and maxillofacial surgery scopes of practice: replace all references to a medical degree from a medical school listed in the WHO World Directory of Medical Schools or ECFMG Faimer Directory

with a medical degree from a medical school listed in the World Directory of Medical Schools.

Engagement survey

Many thanks to all those who participated in the engagement survey this year.

We first conducted this survey in 2015 and repeated it this year partly to track progress made since that initial survey and partly to ensure we have a good baseline understanding of what our practitioners and other stakeholders know about the Council, how they view us and how they prefer to be communicated with.

We received 524 responses and our results were consistent with the 2015 survey. Results showed there is generally a good understanding of the Council and most people are positive about the Council and its performance. However, we can continue to improve in some areas, and we will be focusing on these this year.

Key areas we will be focusing on:

- The newsletter: we received several suggestions for improving the newsletter and will be addressing these with the launch of a new format by the end of this year
- The website: some participants noted issues with the website, including the search function. We will be looking into these issues
- Communications material provided by the Council (example consultation material or application forms): some participants noted they simply do not have time to read lengthy documents and sometimes material provided is overly complex or otherwise inaccessible. We are looking at how to improve the accessibility of the material we provide you with, while balancing the need to ensure our processes remain open to scrutiny.

We intend to repeat the survey every three years to measure our progress.

Practitioner's Corner

Oral health practitioners and tongue ties



Recently the Dental Council has been made aware of concerns relating to dentists becoming involved in the treatment of tongue ties - sometimes in very young babies. Although within the scope of an oral health practitioner – as the correction of the condition is within the oro-facial complex – dentists need to be certain that they are clear of the indications for the surgery. Where that indication is for a health condition that is not within the scope of practice of an oral health practitioner to diagnose, a proper referral should be received. We have received anecdotal reports of a number of adverse outcomes, some of a serious nature. Serious complications have included excessive trauma and an admission to hospital with significant haemorrhage. Council has also heard a report of a tongue tie being treated before the baby had received their Vitamin K injection.

To date, we have not received any formal notifications relating to this type of treatment. However, the Council is concerned about these anecdotal reports, particularly given the young age of the patients involved, and the potential for harm.

Although this surgery is within the orofacial complex, those undertaking these procedures need to be able to demonstrate they have the necessary training, qualifications and experience - not just in the technique involved but also, in some cases, the patient management of very young babies.

Most district health boards have procedures in place now for the management of simple tongue ties which are evidence-based and safe. This treatment can also be non-traumatic and mostly effective. However, there is anecdotal evidence of aggressive treatment by some dentists on young babies who are having deep tissue procedures - under the tongue, under the top lip and in some cases, on the cheeks - with scissors or laser.

The management of tongue ties involves a robust diagnosis of the problem. If the problem being addressed is not within the scope of practice of an oral health practitioner, referral from an appropriate

registered practitioner should be received and considered. Difficulty in breast feeding, for example, requires an assessment by an appropriate person who can consider all possible contributing factors before making a diagnosis. It is advisable to undertake these procedures only on the advice of a registered health practitioner experienced in that particular field. This could include a registered midwife, nurse or medical practitioner. Referrals from unregistered lactation consultants should be treated with caution.

Care needs to be exercised over advertising and web-based promotional material. Compliance with the Council's advertising practice standard is of the utmost importance.

Similar soft tissue procedures may be for orthodontic reasons or as part of speech therapy. These patients are not as young but the same principles apply. The diagnosis and treatment plan should be developed by qualified practitioners and the surgery carried out by those with the necessary training and experience.

Key points:

- While some dentists may have the training, qualifications and experience necessary to undertake the treatment of tongue ties, the reasons for addressing the issue are not always within their scope of practice.
 - Anyone practising this type of treatment must be able to demonstrate they have the necessary training, qualifications and experience to be able to do so safely.
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Health Practitioners Disciplinary Tribunal decisions

Dr David Zimmerman (dentist)

David Lyall Edwin Zimmerman, an Auckland dentist, aged 70, has had his registration cancelled. Dr Zimmerman was found guilty by the Health Practitioners Disciplinary Tribunal (the Tribunal) of professional misconduct for continuing to practise dentistry while suspended. His practising certificate was suspended by the Dental Council in July 2014 for reasons related to competence. However, the Tribunal found he had continued to practise in direct contravention to the suspension. The Tribunal found Dr Zimmerman treated at least five patients between 24 July 2014 and 2 February 2016, when “he knew, or ought to have known, that he had been suspended” from practice. The names and identifying details of the patients referred to in the charge are suppressed.

The Tribunal stated, “It is only by a finding of misconduct against Dr Zimmerman in this case that standards can be maintained in the profession and that the public, in respect of whom the finding had earlier been made that Zimmerman posed a risk of serious harm by practising below the required standard of competence, may be protected.”

By way of penalty, the Tribunal ordered that Dr Zimmerman be censured “to express the Tribunal’s significant disquiet about the whole matter”, his registration cancelled, and he pay \$22,500 towards the costs of the hearing (15 percent). The Tribunal ordered that Dr Zimmerman be required to complete a course of education or training as determined by the Dental Council before he could apply for re-registration.

The Tribunal’s full decision can be found here.

(<https://www.hpdt.org.nz/ChargeDetails.aspx?file=Den16/368P>)

Dr Hirron Fernando (medical practitioner)

Another recent Tribunal decision also of interest is a ruling relating to registered medical practitioner Dr Hirron Fernando. The charge alleged that the doctor, while working in the United Kingdom, contacted New Zealand hospitals and falsely claimed he had patients in the UK and requested their health information which he later used for his own private purposes in a UK court.

The Tribunal censured Dr Fernando and cancelled his registration.

Dr Fernando appealed the decision of the Tribunal to the High Court, claiming the Tribunal had no jurisdiction in this case as although he was a New Zealand registered doctor, the charge related to a period while he was living and working overseas, and did not have a current New Zealand practising certificate.

The High Court dismissed the appeal.

Although not an oral health practitioner, the case is of interest as it indicates New Zealand-registered practitioners can still be held to account for their behaviour by the HPDT when living and working overseas.

More information on this case can be found here.

(<https://www.hpdt.org.nz/ChargeDetails.aspx?file=Med16/352P>)

News from the associations



We've had several photos submitted by different associations this issue—representing some of the activities practitioners have been engaged in over recent months.

New Zealand Dental Hygienists' Association

NZDHA President Paula Palmer is standing down as President at this year's AGM and paid tribute to her team and the work they do for the association.

The NZDHA and the New Zealand Dental & Oral Health Therapists' Association are holding their first joint conference this weekend. The Council's Chief Executive, Marie Warner, will address the delegates on Saturday.



Mary Mowbray, of Auckland, was the first winner of the Access Dental NZ Dental Hygienist of the year award for outstanding service and promotion of dental hygiene.

Te Ao Marama



Te Aō Marama is the professional association for Māori oral health professionals.

Collectively, professional represented by Te Aō Marama advocate for 'Hei oranga niho mo te iwi Māori'—Good oral health for Māori, for life.

This year the association's Hui a Tau and AGM was held in Wellington on 26-27 May 2017. The theme for the hui was "Influencing positive change", and keynote speakers were Hone Hurihanganui, Moana Jackson and Dr.Helen Tane.

The conference was held at Te Herenga Waka Marae and Te Wharewaka o Pōneke.

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Website: www.teaomarama.org.nz (<http://www.teaomarama.org.nz/>)

Facebook: <https://www.facebook.com/teaomaramanz>
(<https://www.facebook.com/teaomaramanz>)

New Zealand Dental & Oral Health Therapists Association



These photos were taken at a recent NZDOHTA branch meeting in Christchurch where members were addressed about the association's work programme, professional practice and trans-disciplinary models.

Dates to watch



- 7- 8 July NZDHA and NZDOHTA joint conference 2017, Shed 6, TSB Arena, Wellington. More information here (<http://nzdha.co.nz/conference-2016/>).
- 12 July-22 August Dental Council recertification review forums and webinars (find out more and register your interest in attending here) (<http://www.dcnz.org.nz/i-practise-in-new-zealand/recertification-review/f/>)
- 9-12 August NZDA Conference 2017, SkyCity Convention Centre Auckland. More information here (<https://www.nzda.org.nz/about-us/news/nzda-conference-2017>).
- 22-23 September NZIDT Conference 2017, Dunedin Town Hall. More information here (<https://www.nzidt.org.nz/nzidt-conference-2017>).
- 30 September submissions close on recertification review consultation (</current-consultations/consultation-on-recertification/>)