

## Summary of Decisions

From the Dental Council meeting 12 August 2019

The Dental Council (Council) is the statutory body constituted under the Health Practitioners Competence Assurance Act 2003 (the Act) to maintain the health and safety of members of the public by providing mechanisms to ensure that health practitioners are competent and fit to practise. Council endeavours to keep its key stakeholders up to date with key decisions.

This document is a summary of Council's decisions from the meeting held in August 2019.

### Emerging area of practice - remote orthodontic treatment

The Council has been made aware that global commercial enterprises – such as SmileDirectClub and WonderSmile, are being introduced to the New Zealand market, offering direct-to-consumer customised teeth aligners.

Several queries have been received from health practitioners concerned about an emerging area of practice providing 'remote' orthodontic treatment to New Zealand consumers.

Council recognises that the oral health industry is constantly evolving with opportunities provided by technology. However, the Council does not have jurisdiction over commercial enterprises offering dental equipment or services; nor does it have jurisdiction over non-registered practitioners. Our key responsibility is to regulate registered practitioners in the interests of protecting the health and safety of the New Zealand public. If restricted activities were performed in New Zealand by non-registered persons, then it would become a matter for the Ministry of Health to investigate.

Council will address this issue in a future newsletter, but in the meantime the Ministry of Health has been notified of this issue to raise awareness of the potential public safety issue if restricted activities are being performed by companies such as SmileDirect Club and WonderSmile.

### Proposed regulatory principles

The draft regulatory principles document was considered by the Council and it was agreed that further refinements would be made before finalisation.

### Naming policy

Section 157 of the Health Practitioners Competence Assurance Act 2003 provides Council with the discretion to publish a notice setting out the effect of any order or direction it has made; a summary of any finding it has made; and, the name of the practitioner concerned. Section 157 has been rarely used by health regulatory authorities and only once by the Dental Council.

The Health Practitioners Competence Assurance Amendment Act 2019 introduced new sections 157A to 157I requiring Council to develop, consult on and adopt a Naming Policy by 12 April 2020. The policy must outline Council's decision-making process around releasing the names of practitioners, when it will do so, and what it will consider when making that decision.

Council agreed that it would respond appropriately to Parliament's direction to improve transparency for the public, including ensuring that internal processes support consideration of naming whenever an order or direction was made.

Claro Law will prepare a draft Naming Policy for consideration at Councils September 2019 meeting.

#### [University of Otago DClinDent \(paediatric dentistry\) condition report](#)

The ADC/DC(NZ) Accreditation Committee considered the University of Otago's DClinDent (paediatric dentistry) condition report at its meeting August 2019 meeting. The Committee agreed that the condition has been met and requested further updates around placements will be provided in the programme's 2019 Annual Report.

#### [University of Otago – building report \(1 April 2019 – 30 June 2019\)](#)

Council accepted the University of Otago's building report for the 1 April 2019 – 30 June 2019 period.