



## **Minutes of the 49<sup>th</sup> Annual Session of the California Dental Association (CDA) House of Delegates**

Hilton Anaheim  
 November 9-11, 2018

### **Saturday, November 10, 2018 – First Session**

1. Call to Order: Speaker pro tem Dr. Alan Felsenfeld called the first session of the House of Delegates (house) to order on November 10, 2018 at 8:30 a.m., and led the house in reciting the Pledge of Allegiance.
2. Establishment of Quorum: Secretary Dr. Judee Tippett-Whyte determined that a quorum was present.
3. Approval of the Agenda: The agenda was approved as the official order of business by card vote.
4. Introduction of New Resolutions: The speaker pro tem advised the house that no new resolutions had been submitted for consideration.
5. Adjournment of the First Session of the House: The speaker pro tem declared the first session of the house adjourned at 8:55 a.m.

### **Saturday, November 10, 2018 – Second Session**

1. Call to Order: The speaker pro tem called the second session of the house to order on November 10, 2018 at 11:32 a.m.
2. Establishment of Quorum: The secretary determined that a quorum was present.
3. Elections and Installations: Due to a contested election for the speaker of the house position, the house heard speeches from nominee Dr. Debra Finney and contesting delegate Dr. Gary Glasband, and elected Dr. Debra Finney by vote of 139 (69%) for Dr. Finney to 63 (31%) for Dr. Glasband. This election finalized the action of the house, adopting Resolution 2-2018-H as follows:

Resolved, that the following candidates be elected officers of the California Dental Association for 2019:

Dr. Richard Nagy ..... President-Elect  
 Dr. Judee Tippett-Whyte ..... Vice President  
 Dr. Ariane Terlet ..... Secretary  
 Dr. Debra Finney ..... Speaker of the House

4. ADA President Address: ADA President Dr. Jeffrey Cole addressed the house on programs and initiatives at ADA.
5. ADA Updates: ADA thirteenth district trustee Dr. James Stephens provided an update on ADA activities.
6. Presidential Address: President Dr. Natasha Lee addressed the house reflecting on her year as president.
7. Executive Director Update/Organizational Highlights: Peter DuBois, CDA executive director provided the house with an update on key organizational activities that occurred in 2018.

8. TDSC Update: Jim Wiggett, TDSC interim chief executive officer provided an update on TDSC Marketplace activities and growth strategy.
9. Financial Highlights: Treasurer Dr. Steven Kend presented the 2018 financial highlights and 2019 budget.
10. Legal Matters: Alison Sandman, chief legal officer provided an update on CDA legal matters in open session.
11. Adjournment of the Second Session of the House: The speaker pro tem declared the second session of the house adjourned at 2:36 p.m.

### **Sunday, November 11, 2018 – Third Session**

1. Call to Order: The speaker pro tem called the third session of the house to order on November 11, 2018 at 8:01 a.m.
2. Establishment of Quorum: The secretary determined that a quorum was present.
3. Resolutions Deliberations: The resolutions are reflected in numerical order for ease of reference in the minutes, noting which were adopted on consent and which were taken individually. Reference committee chair Dr. David Forester presented resolutions proposed by the reference committee, with the house's final actions noted below.

- Resolution 1A-2018-H, ADA Bylaws Alignment was adopted by card vote as follows:

Resolved, that CDA membership within a component be assigned based on a member's primary address (home, practice or employment address), and be it further

Resolved, that the CDA bylaws be amended to reflect this change.

Amendments to the CDA Bylaws are reflected in Attachment A.

Resolution 1B-2018-H, ADA Bylaws Alignment recommendations regarding component assignment when a zip code is shared by multiple components was referred by vote of 104 (53%) in favor to 93 (47%) opposed.

- Resolution 3-2018-H, Nomination for CDA Holding Company, Inc. Board of Directors was adopted as part of the consent agenda as follows:

Resolved, that Dr. Leland Panec be selected as the trustee member of the CDA Holding Company, Inc. Board of Directors.

- Resolution 4-2018-H, Deadline for House of Delegates Resolutions was adopted by vote of 140 (81%) in favor to 32 (19%) opposed as follows:

Resolved, that resolutions for the annual House of Delegates be accepted until 10 days prior to the first session, and be it further

Resolved, that resolutions submitted following the 10-day deadline be considered at an annual session of the house, if approved by a majority affirmative vote, and be it further

Resolved, that the CDA bylaws and General Operating Principles be amended to reflect this change.

Amendments to the CDA Bylaws are reflected in Attachment A and amendments to the CDA General Operating Principles are reflected in Attachment B.

- Resolution 5-2018-H, Bylaws Clarification of Governance Allocations was adopted as part of the consent agenda as follows:

Resolved, that the bylaws be amended to reflect that the dentist member numbers be used to determine component allocations for the Board of Trustees and House of Delegates.

Amendments to the CDA Bylaws are reflected in Attachment A.

- Resolution 6-2018-H, Opioid Policy was adopted as part of the consent agenda as follows:

Resolved, that the CDA Opioid Policy be adopted.

The policy is reflected as Attachment C.

- Resolution 7-2018-H, Election of Officers and Nomination of 13<sup>th</sup> District Trustee was defeated by vote of 88 (44%) in favor to 113 (56%) opposed.

- Resolution 8-2018-H, Use of Botulinum Toxin and Dermal Fillers by Dentists was adopted by vote of 152 (90%) in favor to 17 (10%) opposed as follows:

Resolved, that CDA seek a regulatory clarification from the Dental Board of California that the administration of botulinum toxin and dermal fillers in the peri-oral region as part of a comprehensive dental treatment plan is included within the current Dental Practice Act.

- Resolution 9-2018-H, Dental Office Staffing Task Force Report was adopted as part of the consent agenda as follows:

Resolved, that the Dental Office Staffing Task Force report be filed.

- Resolution 10-2018-H, Honorary Membership for Etta Kinney was adopted by card vote as follows:

Resolved, that the San Mateo County Dental Society executive director, Etta Kinney, be elected as an honorary member of the California Dental Association.

- Resolution 11-2018-H, Honorary Membership for Laura Petersen was adopted by card vote as follows:

Resolved, that the Orange County Dental Society executive director, Laura Petersen, be elected as an honorary member of the California Dental Association.

- Resolution 12-2018-H, Honorary Membership for Laurie Torgerson was adopted by card vote as follows:

Resolved, that the Central Coast Dental Society executive director, Laurie Torgerson, be elected as an honorary member of the California Dental Association.

- Resolution 13-2018-H, Authority of House Schedule was defeated by vote of 65 (36%) in favor to 117 (64%) opposed.

- Resolution 14-2018-H, Patient Bill of Rights Concerning Benefits for Diagnostic Oral Health Tests was referred by card vote.

- Resolution 15-2018-H, Defining Support for Nutrition's Effect on Oral Health and Systemic Health was adopted as part of the consent agenda as follows:

Resolved, that CDA support and promote programs to improve dentists' scientific knowledge of nutrition and its impact on oral health and systemic health, and be it further

Resolved, that CDA recognize nutritional evaluation and consultations are an important aspect of prevention and maintenance of good oral health.

- Resolution 16-2018-H, Oral And Dental Hygiene in Schools was withdrawn by the author.
- Resolution 17-2018-H, Consent Agenda was approved by general consent as follows:

Resolved, that the consent agenda be approved as follows:

3	Nomination for CDA Holding Company, Inc. Board of Directors .....	Yes
5	Bylaws Clarification of Governance Allocations .....	Yes
6	Opioid Policy .....	Yes
9	Dental Office Staffing Task Force Report .....	Yes
15	Nutrition's Effect on Oral and Systemic Health .....	Yes 15RC

- Resolution 18-2018-H, Dental Benefit Directive was adopted by card vote as follows:

Resolved, that for the purpose of evaluating potential legal or legislative actions, the appropriate CDA entity be urged to obtain data regarding members' concerns about dental carriers' actions against members, including but not limited to, inappropriate claim delays and denials, and be it further

Resolved, that the Dental Benefits and Economics Task Force be urged to use the collected data to make recommendations about how CDA can advocate and address benefits related issues on behalf of members.

- Resolution 19-2018-H, Dental Benefits and Medicare was adopted by vote of 152 (77%) in favor to 46 (23%) opposed as follows:

Resolved that CDA form a task force to explore the issues relevant to the inclusion of dental benefits into the Medicare program, including implications in California on the aging population and the delivery of care, and be it further

Resolved, that the board of trustees be urged to approve the scope of work and necessary funding for the task force's activity, and be it further

Resolved, that the task force report be presented to the CDA 2019 House of Delegates.

4. Adjournment of the House of Delegates: There being no further business, the speaker pro tem declared the house adjourned sine die at 11:38 a.m.

*Signature on file*

*Dec. 2018*

\_\_\_\_\_  
Speaker Pro Tem Signature

\_\_\_\_\_  
Date Signed

*Signature on file*

*Dec. 2018*

\_\_\_\_\_  
Secretary Signature

\_\_\_\_\_  
Date Signed

## **CDA Bylaws**

**Supporting recommended changes are reflected in red (to be removed) and blue (to be added)**

### **Amendments adopted per Resolution 1-2018-H**

#### Chapter III – Component Societies

##### Section 30. Membership

- A. Membership: The membership of each component society, except as otherwise provided in these bylaws, shall be limited to individuals ~~within the territorial jurisdiction of such component society,~~ who are ~~also~~ eligible for membership in CDA. ~~Membership within a component is assigned based on where the member either resides, or is employed or practices. Should a member's zip code fall with a shared component jurisdiction, the member shall be allowed to choose amongst those components. An individual must maintain membership in the component within whose jurisdiction the dentist conducts the major part of a practice. A full-time dental educator or dental consultant who is also a practitioner must maintain membership in the component which includes the jurisdiction of the dentist's dental practice. A non-practicing dental educator or dental consultant must maintain membership either in the component which includes the jurisdiction of the dental school or consulting office or place of residence. A current dental educator member will not be required to transfer membership. A member who is employed in Federal Dental Service must maintain membership either in the component which includes their residence or the dentist's principal place of federal employment. A dentist without a practice address who applies for membership in the territorial jurisdiction of the component where the dentist resides, shall be approved upon completion of the requirements for membership and shall remain a member of the component where the dentist resides until a permanent practice location is established. If the practice location is established outside the jurisdiction of the component, the member will be required to transfer to the appropriate component based on practice location.~~ Membership within a component is assigned based on where the member either resides, or is employed or practices. Should a member's zip code fall with a shared component jurisdiction, the member shall be allowed to choose amongst those components. An individual must maintain membership in the component within whose jurisdiction the dentist conducts the major part of a practice. A full-time dental educator or dental consultant who is also a practitioner must maintain membership in the component which includes the jurisdiction of the dentist's dental practice. A non-practicing dental educator or dental consultant must maintain membership either in the component which includes the jurisdiction of the dental school or consulting office or place of residence. A current dental educator member will not be required to transfer membership. A member who is employed in Federal Dental Service must maintain membership either in the component which includes their residence or the dentist's principal place of federal employment. A dentist without a practice address who applies for membership in the territorial jurisdiction of the component where the dentist resides, shall be approved upon completion of the requirements for membership and shall remain a member of the component where the dentist resides until a permanent practice location is established. If the practice location is established outside the jurisdiction of the component, the member will be required to transfer to the appropriate component based on practice location.
- B. ~~Removal from One Jurisdiction to Another~~: A member who has changed the location of a dental practice from the jurisdiction of one component society to that of another component society of this association may maintain membership in the component society of which the dentist is a member for the calendar year following that in which the change occurs.

### **Amendments adopted per Resolution 4-2018-H**

#### Chapter IV – House of Delegates

##### Section 100. Rules of Order

- B. Introduction of New Business Not Requiring a Resolution: New business which does not require house action shall be accepted until a time designated and noticed by the speaker, ~~which shall be no earlier than one hour prior to the opening of the session in which voting will occur.~~ The speaker will notify the House of Delegates of any ~~modifications to the originally published deadline for submission of~~ new business prior to the house adopting a revised agenda.
- C. Introduction of New Resolutions: Resolutions for the annual House of Delegates shall be accepted until 10 days prior to the first session. Any resolution submitted following the 10-day deadline will be noticed by the speaker and will require a majority affirmative vote of the house to be considered.

## **Amendments adopted per Resolution 5-2018-H**

### Chapter IV – House of Delegates

Section 10. Delegates: The house shall consist of the following voting members:

- A. Two hundred to 210 delegates from the 32 component dental societies in California. These delegates shall be members of the component societies as specified in Chapter III, Section 30A. These delegates shall be allotted to component societies according to the methods of full allocation and absolute error adjustment. This association's membership report for dentist members dated December 31 of the year immediately preceding the annual session shall be the basis for the allotment of delegates. If any component society is allocated fewer than two delegates, additional delegates will be added to the total and allocated until each component society has at least two delegates. No more than 10 additional delegates may be added in this manner. Each component society shall have at least two delegates.
- B. One delegate shall be allotted to each accredited dental school in California; such delegates must be student members of this association.

### Chapter V – Board of Trustees

Section 10. Composition...

- C. Trustees from the Component Societies (43): One trustee position shall be allocated to each of the 32 component societies, with the remaining 11 trustee positions allocated to the component societies in proportion to their dentist membership on the basis of least proportionate error. Allocation of trustees to be determined every five years, beginning 2018, utilizing December 31 membership data of dentist members of that year for allocation purposes. These individuals are elected by the component and installed as trustees of this association at the house.

## **CDA General Operating Principles**

**Supporting recommended changes are reflected in red (to be removed) and blue (to be added)**

### **Amendments adopted per Resolution 4-2018-H**

Chapter XI. House of Delegates

#### C. Operation of the House of Delegates

##### 3. Resolutions and Reports

- a. The component societies, delegates, councils, committees, task forces, subsidiaries and affiliates, and the board may submit resolutions to the house ~~before noon on the second day of the house.~~ Occasionally, the house will receive a recommendation on a resolution from an outside organization, such as a specialty group in the field of dentistry or from a civic or philanthropic organization. Acceptance of such resolutions for consideration by the house will be determined by the speaker subject to the approval of the house.

#### D. Procedures of the House of Delegates

5. Agenda and Priority Agenda: The proposed agenda for the house is prepared by the speaker of the house. A priority agenda and a consent agenda are prepared by the speaker in consultation with the reference committee chairs. Any delegate may remove any resolution from the consent agenda. ~~New business Resolutions shall be accepted until noon of the second day~~ until 10 days prior to the first session of the house. Any resolution submitted following the 10-day deadline will be noticed by the speaker and will require a majority affirmative vote of the house to be considered.

## **CDA Opioid Policy**

CDA recognizes that dentists play a pivotal role in providing quality care, ensuring patient safety, and supporting the improvement of public health. The misuse and abuse of opioids has resulted in epidemic levels of addiction and death in California and nationally. As prescribers of opioids for dental pain management, dentists have a professional responsibility to reduce the misuse and abuse of opioids, and through education and advocacy, CDA has been a leader in responding to this public health crisis.

CDA will continue to demonstrate proactive leadership in addressing the opioid crisis through education and promotion of evidence-based acute pain management practices, and collaborative partnerships with specialty dental organizations, dental schools, patients and parents of patients to both reduce reliance on opioids for dental pain management and to minimize minors' first exposure to opioids.

CDA will promote the use of prescription drug monitoring programs, substance use disorder education, and enhanced collaboration between dentists and their medical colleagues to assist in identifying a patient's full medication profile and potential substance use disorders prior to prescribing an opioid.