



Council on Peer Review and Quality Assurance

NYSDA Headquarters
Albany, NY
October 27, 2023

Minutes

The Council on Peer Review and Quality Assurance met on Friday, October 27, 2023, virtually via Zoom. Present were Drs. Barry Sporer, Chair; James E. Jacobs, New York County; Man Sing Cheung, Second District; Bettina A. Pels-Wetzel, Fourth District; Gregory B. Sweeney, Fifth District; Kristin J. Clark-Lowell, Sixth District; James S. Sansone, Seventh District; Nina Capretta, Ninth District; Lawrence J. Lehman, Queens County; Martin G. Dominger, Suffolk County; Alyson K. Buchalter, ADA Representative; and Mr. Bill Ketzer, Lay Observer. Also present were: Mr. Lance Plunkett, General Counsel; and Ms. Patricia Marcucia, Administrator. Absent from the meeting were: Drs. Kristina Gallo, Third District; Eugene M. Sibick, Eighth District; Michael P. Vinciguerra, Nassau County; Kathleen E. Szanto, Bronx County; Gregory P. Shank, New Dentist Representative; and Mitchell S. Greenberg, Board Liaison.

Dr. Sporer called the meeting to order at 9:05 a.m. The first order of business was the roll call of Council members and NYSDA staff. Dr. Sporer called for a motion to accept the minutes from the previous meeting, held on April 21, 2023. Dr. Dominger moved approval of the minutes and Dr. Sweeney seconded the motion. The minutes were approved unanimously.

Chairman Report

Dr. Sporer gave a brief report touching on the fact that he is reminded every time we have a Council meeting why he continues to volunteer. He said he enjoys giving back to the profession that's given so much to him and more importantly, he enjoys the camaraderie of his colleagues.

Component Reports and Case Discussion

A fair portion of the meeting was spent discussing specific cases that had been brought to Peer Review in each component. Discussion of such cases is confidential. Council members are allowed to discuss the cases at their local component meetings as long as they redact any identifiers in the cases. No identifying information was used during the Council meeting.

Request for an Appeal

Three appeals were requested from Peer Review hearings that took place at the New York County Dental Society. These cases were discussed in detail. One of the cases Dr. Sporer recused himself from and Dr. Sansone was appointed interim-chair. Two of the appeal requests were denied, and one appeal was granted on the basis of a procedural irregularity.

Peer Review Article

The Council was provided with a copy of Issue 13 of the Third Quarter 2023 MLMIC publication, The Scope, which contained an article co-written by Dr. Sporer and Mr. Plunkett focusing solely on ins and outs of the NYSDA Peer Review Program, including case studies. This article was very well received, and copies are available in the NYSDA office if anyone is interested.

New Business

Council members were asked to submit their names to Ms. Marcucia by the April meeting, if they are interested in becoming Council Chair for the 2024-25 term. This is Dr. Sporer's second term and it ends at the House of Delegates meeting in June 2024.

Term limits for the Council members were discussed. Peer Review is a formal arbitration process that is conducted, and it takes a lot of training and a lot of experience to make a good arbitrator. Therefore, turning experienced people out and replacing them with new inexperienced people is not beneficial to the process on the State level. It is good to train new people on the local level in order to gain experience, but the State level should remain more consistent. Mr. Plunkett explained that in the legal world where arbitration also comes out with the American Arbitration Association, they don't change their arbitrators out every eight years because that would be unreasonable. The Council asked that Mr. Plunkett create an appropriate resolution and background statement for them to review and discuss at their next Council meeting.

The next meeting of the Council on Peer Review and Quality Assurance will take place on Friday, April 5, 2024 at 9:00 a.m. at the NYSDA Headquarters in Albany.

Adjournment

There being no further business, the meeting was adjourned by unanimous consent at 10:45 a.m.