

# Regional European Organization of the FDI

## ***NATIONAL REPORT***

Potsdam (Germany), April 2013

**COUNTRY: SPAIN**

**ASSOCIATION: SPANISH DENTAL ASSOCIACION**  
*(Consejo General de Colegios Oficiales  
de Odontólogos y Estomatólogos de España).*

**VENUE: Madrid, Spain**

**YEAR: 2012**

### **1. CHANGES IN THE ASSOCIATION AND ITS ORGANISATION:**

There have been no notable changes in the Association this year.

### **2. TRENDS AND DEVELOPMENTS:**

#### **2.1. In professional politics:**

**2.1.1. The entry of unqualified people into the profession:** The national dental technicians' Organization continues with the purpose of being "freely chosen" by patients, after obtaining the prescription of dental prosthesis by the dentist. The complaint they brought before the National Competition Commission has had its effects, and this Commission has imposed a fine to our Association of €200,000 for "anti-competitive activities" against the dental technicians. The truth is that our message to the population was limited to defend that, indeed, the patient will perhaps be able to freely choose the dental technician, but he could never impose a dentist to work with a particular dental technician whose level of quality is unknown by the dentist. The sentence of the National Competition Commission has been appealed before the courts of law.

Meanwhile, dental technicians are using this sentence to continue conducting aggressive disinformation campaigns, which are being counteracted by our Organization with accurate, convincing and more visible information in the media.

By contrast, the Supreme Court has pronounced a sentence that says specifically that dental technicians are health care professionals but cannot take part in clinical acts performed on patients, being the taking of dental impressions and records reserved exclusively to dentists. This sentence has also been publicized immediately by our professional organization.

Also, new sentences are being obtained for professional intrusion against certain dental technicians who act misappropriating the functions of the dentist. Our conversations with the Administration of Justice are producing results, being revised and increased the fines and sanctions for professional intrusion established in the Penal Code.

It has been agreed to increase the harassment to the defense of intrusion, especially made by the most representing leaders of such sectors of dental technicians: administrative complaints before the state security bodies, sending detectives to unmask their actions, lawsuits, etc.

For the future danger of a possible independent set up which might offer direct service to the public, without the direct and immediate control of a dentist, similar actions of opposition to the independent exercise of hygienists (claimed by some Associations of these professionals) have been agreed. Besides, colleagues have been warned not to allow the hygienists to work on patients in the absence of the dentist from the clinic.

**2.1.2. A Plethora of Professionals.** The number of dentists in our country is now close to 30,000. We cannot make neither the Health nor the Educational Regional Governments to restrict either the number of Dental Schools or the amount of students, which continues to grow. Some Official Colleges and our own Association have conducted labor insertion studies that demonstrate the dentists' current unemployment scenario, mainly of those graduates in recent years.

**2.1.3. Advertising.** The dental franchise Vitaldent insists on making dental advertising campaigns that threaten the traditional figure of the dentist. These campaigns have been considered degrading, discriminatory and deceptive by Autocontrol (the Spanish Advertising Self-Regulation Organization). The legal measures brought have not yet had a legal response. It has also been agreed to develop a Code of Advertising Conduct of Dental Services and to request its approval to Autocontrol.

**2.1.4. Specialities.** We continue to develop an intense political activity and lobbying to try to enact the creation of Dental Specialties through a resident model (similar to that of the resident members of the medical staff of a hospital, serving under supervision) foreseen in the draft Royal Decree that approved our Organization and was offered to the authorities from the Ministries of Health and Education, obtaining a good reception.

The creation of our non-official Own Title of Specialist Dentist, established with the intention of showing that a specialty can be developed under a resident system, goes on with the collaboration of the members Scientific Societies which have proposed the specialties of their relevant scientific fields. After the creation of the National Commission and the Specific Committees, the main obstacle is the payment to the training resident specialist dentists. Therefore, our Association is

developing the creation of a School of Postgraduate Studies and an agreement with a University, which could consider the figure of interns.

**2.1.5. Professional Career Development.** The Regulatory Regulations of the Professional Dentist Career was approved in our last General Assembly.

**2.1.6. Budgets for 2013.** In the General Assembly of December, the budget for this year was approved, in the same context of austerity as last year, according to the economic crisis affecting the country.

**2.1.7. Compulsory Membership.** The Law of Professional Services has not yet been enacted. Our reports reflect that “membership” will be mandatory in the health and legal sectors (at least for those who have direct relationships with patients / clients), in response to intense pressure brought to bear on the Administration by professional corporations. Moreover, the Supreme Court has issued a judgment annulling the Autonomic Decrees (Andalusia, Asturias ...) that make possible the voluntary “membership” for professional who work exclusively for public Administrations.

**2.1.8. Membership Fee Waiver.** Practically all the Spanish Official Dental Colleges have frozen or reduced their regular membership fees. There have also been established fee waivers for the members who can certainly prove their unemployment. Besides, the entrance fees to college corporations have been removed or reduced to a simple administrative fee.

**2.1.9. College cohesion.** A Board of College Cohesion has been created to fund projects of general interest, to compensate College limitations or shortcomings because of the volume of its members or just to meet colleagues’ fair needs which have no place in the ordinary social performance of our Spanish Dental Association.

**2.1.10. Associationism:** We have agreed to support professional associative projects related to the development and promotion of self-employed dentists and to the union defense (support to ANDA, National Association of Self-employed Dentists, and SED, Spanish Union of Dentists).

## **2.2. In health politics:**

**2.2.1. Portfolio of Public Dental Services.** Although the decision belongs to the regional authorities (Regional Communities) of our college organization, we are trying to agree on what benefits should be requested to be added or increased in the State's portfolio of dental services funded by public money, and to transfer to the Administration the suggestions of the possible models of the public funding provision to these services.

**2.2.2. Dental Patient Advocate System.** Given the need for austerity in the budgets, the allocation to this System has been considerably reduced, foreseeing that the Ethics Committees and those of Assistance to Patient of each College will assume the study and resolution of the complaints submitted.

**2.2.3. Degree studies.** With the studies fully implemented in the framework of the Bologna Plan, we notice that in several Spanish private dental schools, teaching is offered to a large number of students from different EU countries (mainly Italians), in which, apparently, there are only a few private Universities that provide Dentistry studies.

**2.2.4. State Register of Health Professional:** The Administration is planning the creation of a State Register of Health Professionals in which there will be up to 22 identifying details of each professional, many of which will be of public access.

**2.2.5. Basque Autonomous Council of Dental Colleges:** The last February it was approved the Decree of Creation of this Organization promulgated by the Basque government, which includes the Professional Colleges of Álava, Guipúzcoa and Vizcaya.

**2.2.6. Private Medical Prescription:** In view of the Royal Decree on Medical Prescription and Dispensing Orders, a software framework has been created by consensus of the General Councils of Healthcare Prescribers, the Pharmacy Council and the Ministry of Health. This software framework will ensure the security measures and traceability (through an electronic verification code) in the issuing and printing of the prescriptions on paper through computer means or electronic prescriptions. Pioneered in Europe, this software framework, has been established by mutual agreement, being its use available from mid-January, (the entry into force of the Royal Decree was the 21<sup>st</sup> of that month). Besides, a Directory of Medicines that require prescription has also been established.

### **2.3. In educational politics:**

**2.3.1. Continuing Education Program:** During the past year, over a hundred classroom/ “on-site” courses have been taught to update the dentists’ knowledge and skills, reaching all the country. All these activities are duly accredited by the Commission on Continuing Education of Health Professions of the Ministry of Health or by the respective committees of the Autonomous Communities. Special emphasis has been given to the development of practical activities such as workshops, according to the estimate of its demand through surveys and satisfaction questionnaires.

The number of on-line and blended courses has also been increased, having been requested accreditation for this kind of teaching.

In the same way, the accreditation of Continuing Education has continued, through questionnaires, for scientific articles published in the RCOE Journal (our Association's Journal).

### **3. FURTHER INFORMATION (activities, concerns):**

#### **3.1. Publications**

**3.1.1. Code of Ethics and Professional Deontology:** New edition, revised and updated, according to the new needs and circumstances of the professional practice, by the Central Ethics Commission in collaboration with all College Commissions.

**3.1.2. Magazines:** We continue with the publication of the RCOE Journal, with a purely scientific content (four issues a year), and the journal "Dentists", with professional and informative themes (on a quarterly basis)

**3.1.3. Edition of the monograph "Oral health and pregnancy",** compilation of preventive measures to undertake during pregnancy, and first step in the implementation of an information campaign, sponsored by a leading Spanish laboratory of toothpaste products

**3.1.4. White Paper:** Population survey on "Knowledge, attitude and behavior in relation to Denturism in Spain 2012"

**3.1.5.** Reissuing of the informative book "Kisses"

#### **3.2. Studies**

**3.2.1.** According to the agreement of inviting tenders for studies and research on specific topics, it has been awarded the preparation of the following works: "Possible relationship between masticatory function and hyperglycemia, hyperlipidemia and obesity through dietary changes adapted to the functional deficiency of the stomatognathic system" and "Impact of the economic crisis on the demand of dental care".

**3.2.2.** Job placement: "Current status of the dental profession in Spain: employment quality and professional future of new graduates". The third and final phase has been tackled.

**3.2.3.** Study on "Labour dental market situation with future projections and dynamic simulation techniques".

**3.2.4.** Study stratified by sex, age, socioeconomic status and range of studies on "Perception and social knowledge of dental technicians' powers, functions and training", assessing its relevance in our communication policy.

### **3.3. Performances**

**3.3.1.** Congress of the Spanish Dental Association: it took place last December in Madrid, on its XXXIII National and XIII International edition, coinciding with the celebration of our General Assembly and the Grand Gala of Odontostomatology (in which annual prizes, granted by the College Organization, are awarded). With a program preferably of professional matters and appropriate scientific issues, it has recorded a significant success in attendance and participation of commercial firms.

**3.3.2.** Dentist Professional Directory: The updating of this directory of professionals and clinics, which collects public data of members and their professional addresses, will soon be completed to adapt it to the entry into force of the EU Directive of professional services.

**3.3.3.** Following the public information period, the AENOR UNE 179005 Norm on "Quality of Dental Insurance" has been published. It has been prepared by the Specific Committee of the Spanish Agency for Standardization and Certification (AENOR), in which three members of our Executive Committee are involved.

**3.3.4.** The widespread implementation of the UNE 179004 Norm on "Official Nomenclature of Dental Acts" is being negotiated with the insurance companies, the brand-management chains and the Administration.

**3.3.5.** Participation in the Conference on Standards of Clinical Services organized by AENOR in October 2012

**3.3.6.** Damages Assessment System in professional practice of Dentistry derived of the Professional Liability: the Administration is being insisted to officially establish this assessment system as an alternative to road accident scale which is applied as a substitute.

**3.3.7.** Expertise Course on dental damage, held in the last quarter of last year

**3.3.8.** Celebration in Segovia of the "Conferences of Legal and Forensic Dentistry", in the month of June.

**3.3.9.** Arbitration and Mediation Course, held in September, for the personnel in charge of the Dental Patient Advocate System, the Committees of Ethics and Deontology, and the Patients and Members Service Department.

**3.3.10.** Participation in the Congress of the Spanish Association of Health Law, celebrated in Madrid in October, organizing and moderating a Workshop on "Perspectives of application of the Law on civil mediation in the health sector", and participating, along with all the Presidents of the General Associations of Health Professions in the round table: "The future Law of Professional Services: special regulation for healthcare and legal sectors".

**3.3.11.** Permanent modernization and updating of the Association website information aimed to the Colleges, the members and the general public.

**3.3.12.** Joining social networks to facilitate the circulation of our communication among their main users: the youngest.

**3.3.13.** Implementation of the Dentists Pro Program, the first professional application for the mobile devices of our members (smartphones and tablets with Android and IOS technology), with which they have exclusive and free access to information services such as: calendars, newsletter, alert system, referral service, etc.

#### **3.4. Other business**

**3.4.1.** Incorporation of the President of our Association to the newly created Advisory Council of the Ministry of Health and to the Human Resources and Health Scale of the mentioned Ministry.

**3.4.2.** Various activities organized and studies developed by the Safety Observatory of Dental Patients, promoting its development to build the society confidence in dental services.

**3.4.3.** Presentation at the Ministry of Education of the Statutes of the National Academy of Dental Sciences, for its procedure to public information by the Institute of Spain and the various Academies in the health field.

**3.4.4.** Committed participation in the National Committee to Prevent Smoking, with smoking cessation Programs for members and patients, and health education against smoking.

**3.4.5.** Creation of a sentences database to facilitate classified access to the sentences made in the Association or related to relevant issues for our profession.

Madrid, March 2013