



## **ERO-Plenary Session**

**2<sup>nd</sup> September, 2010, Salvador, Brasil**  
**Pestana Bahia Hotel**

### ***Minutes***

#### **A     *Welcome / Opening of the session***

Gerhard Seeberger welcomes the delegates to the first plenary session of this mandate. He appreciates that so many delegates are present. A special welcome goes to the guests: Wolfgang Doneus, president of CED, the president, Roberto Vianna, and the president-elect, Orlando Monteiro da Silva, of FDI, which will be with us later. He welcomes as well the delegations from the Nordic countries and expresses his hopes that they will soon be member of ERO again.

We have already been very active with the new board and the members of the working groups, which all have continued with the same enthusiasm as before. The president announces presentations from the WG chairpersons to be shown later in this assembly. We already had our first success thanks to the work of the WG LPDE. Their last statement could be used in a letter addressed to the Israeli government, which has defined a new health care basket that did not include the private practitioners. In the end they decided to re-include every Israeli dentist in this new health care basket. We are very happy for that and Gerhard Seeberger congratulates the national liaison officer of the IDA, Dr. Haim Neuman, for this success.

#### **B     *Agenda of the business meeting***

##### **B.1   Roll call – Verification of the quorum**

Anna Lella does the roll call and reads aloud the list of delegates registered. 51 out of 74 delegates are present, thus the quorum is achieved.

##### **B.2   Approval of the agenda**

The agenda is approved without comments.

##### **B.3   Approval of the minutes of Yerevan**

There are no comments regarding the minutes of the assembly in Yerevan. It is approved unanimously.

##### **B.4   Reports of the Board**

We will be short, as we need time for other discussions, announces the president. We want to be effective and we want ERO to be a support for its members. He is proud to have valid members in the board. Some good work has already been done and it has produced its first successes.

Philippe Rusca welcomes the delegates. Besides of introducing Anna Lella into her new role as General Secretary he was mainly occupied with the modifications of the constitution, which will be discussed in a moment.

Anna Lella suggested at the first meeting that Board members should not be chairpersons of a working group and she therefore asked Nermin Yamalik, who was very active, to take over as chairwoman of the WG “relations between universities and practitioners”. Anna Lella is the supervisor for this as well as the WG “woman in dentistry”. The latter had its meeting here in Salvador and its results will be presented later.

One task of the WG “enlargement and integration” will be its reorganisation, declares Bedros Yavru-Sakuk. The WG “education” is working very hard; Alex Mersel’s report will give proof of it. The ERO region is significant in the FDI. As such we have the duty of getting better organised and having our voices heard at the level of FDI. It is therefore very important to vote in the upcoming elections for our candidates, so that our actions within FDI will become more efficient. Bedros Yavru-Sakuk further agrees with a statement of Peter Engel in the FDI assembly A, that not only sponsorships are very important; we should also create or reinforce partnerships. He thanks for the delegates’ support and cooperation.

Michael Frank feels comfortable in his team; the communication good and the information flow are working well. He has taken over the supervision of the WGs “quality management” and “dental team”. Michael Frank is willing to give his best for ERO and so to contribute to the influence of ERO in FDI matters as well.

### **B.5 Registration of the ERO/changes in the Constitution**

Gerhard Seeberger provides a short introduction into this topic. There are several reasons why we should go ahead with the registration of ERO as proposed by the board: most of the medical societies are at home in Geneva; why shouldn’t we join the family and in the same time benefit from a tax free status? We want the best out of this little, but necessary change of the constitution, he declares, before giving the word to Philippe Rusca.

This subject has been treated for the first time in Yerevan. It is though not a project of the new board; it has already been started by its predecessors. Why now and why Geneva? Switzerland has introduced new and more severe regulations regarding taxes and banking business. ERO has not been registered so far and does not even have a bank account of its own. In this respect, ERO is a small part of the Swiss Dental Association. It is time to have a legal domicile and a recognised identity, like CED. What has been proposed is not a new constitution, but an adaptation to the legal requirements, specifies Philippe Rusca. Geneva seemed to be an interesting solution, because FDI already has its headquarter in this city. He underlines that we are in no way forever tied to stay in Geneva, but we would be tax exempt, a fact that of course attracted him in his previous function as treasurer. There is the possibility to register as a non-profit organisation and we might be a little bit more visible among the big international institutions. For that reason some changes in the constitution will be necessary; e.g. we would need a treasurer (which is not General Secretary at the same time) and an auditor; a function that so far did not exist.

Philippe Rusca explains that the Board is not seeking to start a revolution, but only suggests an adaptation of the constitution to the requirements of the Swiss law.

Gerhard Seeberger hopes that these explanations have provided some clarity and opens the discussion.

Jörg Krainhöfner congratulates the Board for having had the idea to put ERO on a legal basis and to register it as a public corporation. He has two remarks, which he wants to discuss. According to article XIII, point 3.3, the president alone represents the organization. Is this prescribed by the Swiss law? Art. XXII provides a complete exclusion of liability for the Board. This is identical to the FDI constitution and leads to the fact that all actions carried out by a member of the board fall back on ERO. Even in case of the Boards deliberate or gross negligent acting ERO would have to cover up without having a possibility of regress. This hardly can be defined by Swiss law. Why change the constitution this way?

I can understand, that somebody might not accept that hard word „general power“, confirms Gerhard Seeberger. Its origin does not lay in the FDI constitution, but has been taken from other associations’ constitution registered in the canton of Geneva. He would prefer to downsize the

importance of these words by a smoother wording. On the other hand we all want a strong ERO and when we say the president is the head of ERO, it is also the president who stays upfront and takes the responsibility for its actions. But he is also proud of the crew behind and of the real backbone of his association, its members. Regarding the 2<sup>nd</sup> sentence he distinguishes between bureaucratic work, which the president signs, and financial matters. In all organisations at least two signatures are needed (mostly president and treasurer) for financial transactions. He points out, that nothing that will be signed by the president, will be decided by the president alone. The president has a board, this decides after the will of the plenary session. The president is not the alone decider, even if he might be the only one that signs.

Stewart Johnston thinks it should very clearly be stated, that the president should act on behalf of the board only. Art. XXII talks at the end about indemnification and insurance questions. Could you please explain where the funds are, that will indemnify the board members or is there an insurance policy that does?

Philippe Rusca underlines, that for all financial matters there will be more than one person to sign for ERO. Regarding article XIII, point 3.1 – Even though it says that the president is the head of the organisation, it is to be specified that the board is conducting the business and therefore the president does not have a monopole. It is more intended to give him a certain efficiency and competence in leading the day-to-day business that cannot wait to be discussed at the next board meeting.

Michelle Aerden, too, has some concerns regarding the power and the exclusive signature of the president, which she thinks is a bit imprudent. She understands very well the reasons behind this; but the consent of the board and the plenary session (if not before than after the action) is indispensable.

Gerhard Seeberger, fully agrees with her and repeats, that there shall be a clear distinction between bureaucratic and financial matters.

We have to be vigilant, reminds Patrick Hescot. The board is assigned by the plenary session to deal successfully with ERO matters. Within the board the president is the spokesperson. As Michelle Aerden said, today we see no problems with the president, but we do not know what the future brings. With today's communication means there is always the possibility to have a meeting and for the president it is better to know that the board is backing him.

We did discuss this question beforehand, informs Michael Frank and that the term „general power“ might be a bit omnipotent. But he refers to Art. XIII, point 3.8, where it is stated, that the board is responsible for the finances and the work of ERO. There is no doubt that the board could work out rules, which fix how this general power can be used. The president will not receive a “carte blanche”, which entitles him to decide without consent of the board. But of course it makes sense that the president has a certain power of representation and freedom of action. He does not see great danger in it. We could as well add to point 3.1 that for financial transactions exceeding a certain sum a second member of the board must always be consulted. Point 3.8 gives us all possibilities.

Stewart Johnston: if point 3.8 exists, why not just add in point 3.1. „...under the authority of the board“? This gives perfect clarity and cannot be misunderstood. He misses the answer to this second question about Art. XXII.

This is not only about financial matters, adds Michelle Aerden, but also about political questions. There we should be careful as well.

Please do not forget, the president is not deciding on its own, the president is the head of the ERO, reminds Gerhard Seeberger.

Philippe Rusca explains that in non-profit organisations the payment of salaries is not tolerated. The members of the board are entitled to a certain compensation, which is paid by the central pay office. This applies as well for organisations much more important than ours, where all kind of funds are administered.

We are not used to this kind of legal wording, remarks Alexander Tolmeijer. It is difficult to discuss this and he thinks that this is a good opportunity for ERO to be precise. Point 3.8 makes good governance possible. He proposes to vote on the whole constitution when the rules of procedures and regulations mentioned in point 3.8 are ready. Then all would be transparent and we could be a big example for FDI.

The board has been given great trust, remarks Jürgen Fedderwitz. Many colleagues feel uneasy. This may be because of the problems FDI is facing nowadays. Germany has a solution for these problems. Our constitution must be acknowledged by a regulatory authority and we have internal rules of procedure, that describe how to handle things, like e.g. where the limits lie for financial decisions taken by the board or one board member. As far as political decisions are concerned it is a matter of course that the president is bound to respect majority decisions of the board. It looks like some delegates would like to have it written down. That's why he proposes to add internal rules to this constitution.

Many of the people present are not happy with this point 3.1 and for this reason Nikolai Sharkov asks to delete the last sentence in article XIII, point 3.1.

Stewart Johnston would be much happier if the board could assure him that ERO had an insurance policy which covers offices and members against legal actions, remarks Susie Sanderson. She assumes that ERO has such a policy.

This is exactly the point, confirms Gerhard Seeberger. We are a non-profit organisation and we are putting our enthusiasm and our force in it. The decisions are taken by the board and that is fine, but what happens if a decision of the Board or its president has legal consequences?

Susie Sanderson admits that in good faith a decision might be taken which leads to legal difficulties. An insurance policy would give more security.

Exactly this is one of the reasons why we have to register, underlines Philippe Rusca. We need a legal base to be able to sign a contract with an insurance company.

Jörg Krainhöfner fully agrees with Philippe Rusca. But article XXII covers not only the justified liability, but more or less gives the board a „carte blanche“. He proposes that this clause should be modified in a way that it says that only damages caused while acting correctly will be covered. Why was it necessary to change Art. XII point 3.1, why can't it be left the way it was in the old constitution?

Stefaan Hanson asks for a clarification and Michael Frank explains that in Art. 10 the organs of ERO are clearly defined. Then, article XI says that the plenary session is the supreme authority. So the delegates here present have the power. They are deciding the rules; they do the controlling and are responsible for the rules, because only after the plenary session has decided, the board can act. The delegates define the political guidelines. Art. XIII says that the board is authorized to carry out all acts according to the prescriptions of the plenary session.

The proposal of Nick Sharkov is voted and the delegates decide with 1 abstention and 2 votes against to delete the 2<sup>nd</sup> sentence of point 3.1 of Art. XIII. After this the constitution is adopted without a dissentient vote.

Philippe Rusca thanks the delegates for their approval of the constitution. He never intended to create a feeling of unease, this adaptation simply was necessary. He will now contact the Geneva authorities. He once again repeats that the plenary session will stay the supreme authority of ERO.

## **B.6 Working groups**

### **1. Prevention**

Denis Bourgeois gives a short review on the themes his group has treated during the past mandate, which were “cancer and oral health” and “diabetes and oral health”. They produced some

recommendations on these subjects. For the future they plan to reflect on the questions arising around “cardiovascular disease and oral health”. It will be their task to think about how to reach a consensus and to elaborate some guidelines or recommendations on this subject. Questions like “do patients having cardiovascular problems need a special prevention by their dentist?” shall be discussed. Recommendations for the health professionals dealing with cardiovascular diseases shall be elaborated and last but not least, Denis Bourgeois is planning to organise another consensus conference (like the one on oral cancer) on this topic.

## 2. Education

Alex Mersel thanks the members of the WG for their collaboration. The subjects to be treated in the next mandate are: accreditation and self-evaluation system. Evaluation is the first step of accreditation. This consists of finding out the reasons for attendance of the participants; an evaluation after the presentation to know if the expectations have been fulfilled, if the presentation has been clear, etc. Further the facilities and the lecturer himself are evaluated (see presentation on the website). It is also possible to make a rating on every topic. As an example he shows the results of an evaluation done in Georgia. It would be very helpful to have such evaluations; he thanks in advance for the collaboration and support and hopes to be able to present results at the next assembly.

## 3. Relation between dental practitioners and universities

A gap between knowledge/education and the daily dental practice has been noticed. Nermin Yamalik mentions some of the factors that created this gap. The working group believes that the relations between dental practitioners and the academic dentistry must be strengthened by establishing a close contact and an efficient collaboration. The WG intends to cooperate with all parties involved. Currently they are doing a study on vocational training and plan to establish a “platform of contact” between academic dentistry and the NDOs. The 3-level-project should result in publishing a “call for action”. Nermin Yamalik explains the questionnaire that is planned, in order to analyse the nature and extent of the collaboration between NDOs and dental faculties, which hopefully is leading to a better understanding of the recent status of this key partnership; then the counterparts should be brought together and a discussion panel platform should be established in order to produce a statement. Nermin Yamalik and her group are open for suggestions regarding their future work and maybe a “better” name for the WG. (See as well presentation on website.)

## 4. Liberal Dental Practice in Europe

Ernst-Jürgen Otterbach refers to the statement regarding selective contracts with private health insurance companies. Following the discussions in Yerevan some modifications had been made in the last part of the statement. The new wording seems to be better suited to express our main goal, which is to keep the independent choice of doctor and freedom of treatment without influence from the outside. Since there was no reaction on this new version of the statement, Ernst-Jürgen Otterbach assumes, that the delegates do agree with it. The WG discussed the statement once more in its meeting before this plenary session and it was decided to change its headline in order to better express our intentions. He refers as well to the discussion about non including dentists in the health care basket in Israel, where our intervention was successful. This shows the importance of this issue.

There is no discussion about the statement as handed out to the delegates (see as well website). It is voted and adopted without abstention and without a dissentient vote.

Philippe Calfon thinks this statement is important and comes at the right moment. He proposes to add to this document that it has been adopted unanimously by the plenary session of the ERO.

Ernst-Jürgen Otterbach then announces the new topic that will be treated by the WG: “New definitions and new basics of liberal dental practice”. Our basis must always be the little dental practice, he declares. He looks back on the long tradition of this working group.

The challenges are in a steady movement. By now our dental profession can take multiple forms. Step by step we drift into competition between self-employed dentists and commercial dental companies. We have to look at the working conditions in the background of an increasing feminisation of the profession. Advertising becomes more important, and politics are influencing our daily work. He hopes to present results in Sofia.

#### 5. Enlargement & Integration

The working group has continued its activities, remarks Bedros Yavru-Sakuk, at the same time we are in the middle of a process of change. The name has been changed. There are new members in our WG. He had expressed the wish to give his chair-position to another colleague and he announces that the WG has chosen Ashot Gevorgyan. He thanks for the assembly's support.

#### 6. Woman in dentistry

Vesna Barac-Furtinger present two new members: Patrizia Ucci (Italy) and Elena Ivanova (Russia). Anna Lella is acting as supervisor. Vesna Barac-Furtinger announces that they finished the first phase of its work, which consisted of gathering data, establishing a network of women dentists, identifying the differences between men and women practice and their consequences and making the profession conscious about the feminisation of the profession. The main problems were located in a deficient post-graduate education, inequality in specialisations and poor representation on decision making levels. Now they are in phase two and have a new questionnaire, which she explains. (Presentation see as well on the website.) The data collected with that questionnaire will be published in due time. She invites all member associations to participate and she expresses her hope to have some more members from Western Europe and the Scandinavian countries.

#### 7. Quality in dentistry

Roland L'Herron has taken over this WG only a short time ago. He refers to the note about quality security. Quality is very important and in an association as ours it cannot be standardized and there cannot be only one concept valid for all. The group should have some more members which then could try to find out how to define quality criteria and a minimal basis. Once a consensus is reached, a working plan could be established in order to give the member countries means to take to their governments for discussion.

Gerhard Seeberger wishes him luck and invites the delegates to take part in this working group.

#### 8. Dental Team

Edoardo Cavallé presents the last results that the WG has produced. They decided on investigating the profile of the Dental Chair-Side Assistant (DCA)? They tried to find out Europe-wide about their vocational training, basic education, population and society needs, governing body, academic requirements, training, education, etc. and found out that their duties are restricted to assisting the dentist at the chair side, sterilising instrument and undertaking administrative duties. The other question they reflected about is: shall the Dental Chairside Assistant have a comparable training with automatic recognition all over Europe and do we need a regulatory system? The WG agreed that the DCA must have a basic common agreed level and the WG will work on a qualified training profile. This will be a concept that each country then has to develop. The WG is clearly against any kind of compulsory standardisation. Edoardo Cavallé specifies that the DCA is the trained assistant working with the dentist in his operative room and has no relationship with the nurse's profile according to the former EU directives. The basic level of a DCA should be sufficient and also attainable for all EU/ERO countries. She shall work only together with the dentists and always under his supervision and she is not allowed to any independent activity in the mouth of the patient. For the requirements regarding training, education and competences please see the presentation of Edoardo Cavallé. The training ends with an examination and if successful with a certificate. The next meeting of the working group will be on 9<sup>th</sup> October in Vienna.

Gerhard Seeberger thanks all working group members and chairpersons for their precious work. There are no comments and discussions.

### **B.7 Information on FDI matters/elections/candidates**

The candidates for FDI committees and council have the floor to present themselves; these are Alexander Tolmeijer, Vjekoslav Jerolimov, Joël Trouillet, Ralph Wagner, Harry-Sam Selikowitz, Nermin Yamalik, Patrick Hescot, Ashot Gevorgyan and Gerhard Seeberger.

### **B.8 Plenary session 2011 – Sofia, Bulgaria**

The Bulgarian Dental Association and he himself are very proud to host ERO Plenary session in spring 2011 in Sofia, declares Nikolai Sharkov. It will take place in the Kempinski Hotel, where they succeeded in negotiating reasonable prices. It will be on 14<sup>th</sup> / 15<sup>th</sup> April 2011, but he hopes

everybody will stay until Saturday – there will be a free excursion for all Plenary session's participants.

Anna Lella thanks Nikolai Sharkov for his report and the preparations done so far. She is persuaded that it will be a success.

Plenary session 2012 – Prague; a presentation by the Czech delegation will follow in Sofia.

### **B.9 Miscellaneous**

Gerhard Seeberger is looking forward to a common meeting of the CED and ERO boards and a close collaboration. He invites the CED president to say a few words.

Wolfgang Doneus thinks that CED and ERO have quite a series of common points and that it makes sense to work together, e.g. to exchange ideas and views between working groups. He will discuss the topic at their next board meeting. He is rather sceptical as far as the organization of a common plenary session is concerned. He underlines the good will to collaborate and he hopes that both organisations' mutual consent will be an example to FDI and that our influence on FDI will even increase.

Vjekoslav Jerolimov reports on the last week's ADEE-Meeting in Amsterdam. The meeting is very important. Many interesting discussions, conclusions and documents were accepted by the assembly; among others a revised version of the undergraduate curricula was presented and of course the start of the new project that was provided by Brussels regarding lifelong learning was proclaimed. It will last two years and results will be presented; next year he will know more about it. The next meeting will be 2011 in Turkey, then in Lyon and Birmingham. Vjekoslav Jerolimov points out that this is not an organisation of school seniors; all continents, many faculties, many schools from all continents are present and so there are very fruitful discussions and he is able to report much more to the WG which asked me to be a Liaison Officer.

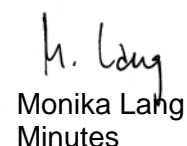
Gerhard Seeberger thanks for the report.

### **C Close of the meeting – adjournment**

The president thanks all the participants and of course the interpreters for their work. At 17.20 he adjourns the meeting by expressing his hope that the „missing“ Nordic dental association will think of re-joining the ERO family.



Dr. Gerhard Seeberger  
President



Monika Lang  
Minutes