

Regional European Organisation of the FDI

National Report

Country:

Association: SPANISH DENTAL COUNCIL

**(Consejo General de Colegios Oficiales
de Odontólogos y Estomatólogos de España)**

Venue: Alcalá, 79-2ª planta 28009 Madrid

Year: 2019

CHANGES IN THE ASSOCIATION AND ITS ORGANISATION:

The Executive Committee is formed by the following members:

President:	Dr Óscar CASTRO REINO
Vice-President:	Dr Francisco José GARCÍA LORENTE
Secretary:	Dr Jaime SÁNCHEZ CALDERÓN
Treasurer:	Dr Joaquín DE DIOS VARILLAS
Executive Director:	Dr Juan Carlos LLODRA CALVO
Vice-Secretary-	
Vice-Treasurer:	Dr Alejandro LÓPEZ QUIROGA
Member:	Dr Luis RASAL ORTIGAS
Member:	Dr Miguel Ángel LOPEZ-ANDRADE
Member:	Dr Guillermo ROSER PUIGSERVER
Member:	Dr Agustín MOREDA FRUTOS
Supernumerary member:	Dr M ^a Concepción LEÓN MARTÍNEZ
Supernumerary member:	Dr Agurtzane MERUELO CONDE
Supernumerary member:	Dr Joan CARRERA GUIÚ
Chairman of the Central Ethics Committee:	Dr Carlos CAÑADA PEÑA

TRENDS AND DEVELOPMENTS:

In professional politics:

- **Advertising:** The scandals that have shaken the dental sector in Spain recently, have left many affected without money and teeth due to the disorderly closure of clinics. As a result of commercialization, poor management of clinics and aggressive advertising that served as a hook for many patients, it has generated a reflective effect on society. In this sense, it seems that efforts are being made at legislative level to draw up a text that allows the

regulation of health advertising, but at the moment it has not yet been released. Both the Council and the Colleges are working to raise awareness of the special treatment and consideration that should be given to health advertising. That is why we are urging the political parties to create a framework legislation that regulates health advertising at state level and the Autonomous Communities, through meetings with heads of administration, to develop legislation in this area in accordance with their competences.

- **Specialties:** the Council is holding meetings and conversations with politicians and Ministries of Health and Education in order to request the creation of specialties based on the need for the citizen and to prevent Spanish dentists from being in an unequal situation compared to specialist dentists in the rest of Europe.
- **Intrusion:** It continues being a problem that notably affects the profession and that also supposes a risk for the citizens. The current regulation of the crime of intrusion in our penal code is insufficient and does not achieve the intended deterrent effect. From the **Collegial** organization we continue fighting in a hardening of the sanctions, since it is an illicit activity that puts in risk the health of the population.
- **A plethora of professionals:** In Spain, there are currently around 36.390 registered professional dentists. We have 22 Faculties of Dentistry, of which 12 are public and 10 private. Therefore, we are the European country with the largest number of Faculties of Dentistry per capita. The new enrolled in the first year totalled almost 1,900 students. The situation is similar to 2018: with a number of registered dentists already exceeding the figure of 36.390, we still cannot get the Regional Governments (who have assumed responsibilities in the areas of Health and Education) to restrict the number of students admitted to the Faculties of Dentistry, establishing a *numerus clausus*. We can find a large number of students from several EU countries (mainly Italy and France) and also international (mainly China) in many private Spanish dental universities.

In health and social politics:

During the last year, legislative activity has been poor due to the political situation in Spain, as no government was created after the general elections.

- **Health legislation:** There is nothing new about the project of the new Law of Professional Colleges and Services.
- Awaiting the transposition of the **Proportionality Test Directive** (which the acting Government has been working on) and the regulatory changes that will be carried out, internally, after the Health Products Regulations come into force.
- **Royal Decree 601/2019, dated 18 October**, on the justification and optimisation of the use of ionising radiation for the radiological protection of persons with medical exposures was approved: The objective of this RD is to establish new rules, guarantees and requirements to increase the protection of patients and professionals from exposure to ionising medical radiation, transposing Directive 2013/59/Euratom of the European Council dated 5 December.

In educational politics: there is no relevant development in this field.

In the insurance system (incl. the public health insurance and private insurance schemes)

- **Portfolio of Public Dental Services:** against our permanent request of progressively increasing oral health benefits in the State's portfolio of public health services, the last years' economic recession in our country has caused cost-cutting in certain state and regional health services. As an example: the cancellations of certain benefits and limitations of the Children Dental Care Plans of some Autonomous Regions.
The Spanish Dental Association and Dental Colleges has requested the extension of dental treatments included in the services portfolio of Spanish Social Security or, at least, for risk groups: children, elderly people and people at risk of social exclusion, mentally disabled, pregnant women, etc.
The political parties have included the extension of dental services in their campaign programmes, but without specifying exactly how this would be done.

In dental care for persons applying for asylum or refugees:

In our country, this issue has an autonomous management with specific programmes and actions. One example is CETI (Immigrant Temporary Stay Centre), in Melilla, where through the regional College of Dentists and the help of FDE, basic emergency dental care is being provided.

CORPORATE DENTISTRY

Problems with dental chains/Position of NDA towards dental chains:

The Spanish Dental Association is concerned about the current situation and urges the Government of Spain to safeguard the rights of patients and professionals. Our organisation calls for legislative changes for the structure of these companies asking for a higher number of dental professional in their partnership in addition to control healthcare advertising.

The Dental organization claims the regularization of the industry to stop this business model that puts economic interests before the health of patients.

Relative to the financing of treatments, the Spanish Dental Association insists on the need to interrupt payment immediately if the dental service is not being respected requesting the debt cancellation. In addition, the patient should have all the information to proceed to that effect.

- **iDental Case:**

A mercantile company created in 2014, made up of a corporate structure made up of a large number of interposed companies. Its business model, the "low cost" clinic, was based on the supposed democratisation of dentistry through very aggressive advertising. They opened 24 clinics throughout Spain: located in industrial estates, with 100,000 square metres and 3,171 employees, 800 of whom were dentists. In October 2017 the business group iDental was sold to the Weston Hill investment fund for more than €25,000,000. The corporate group went bankrupt in 2018, with the consequent cascade closure of all its clinics. This left patients with unfinished treatments and outstanding payments to credit institutions for financing their treatments.

The Central Court of Instruction No. 5 of the Spanish Audiencia Nacional initiated an investigation phase against iDental (corporate group), Weston Hill (corporate group) and their administrators, accumulating all the proceedings in courts throughout Spain for alleged crimes:

- Pyramid Scam
- Misappropriation
- Fraudulent administration
- Forgery in a public document
- Crimes against public health
- Injuries

The procedure is still in the pre-trial phase.

Our organization is personified in the criminal procedure initiated before the National High Court (iDental case), collaborating in every matter we are required for. In addition, the following actions have been raised, at a political level, to prevent the dental sector may be harmed by scandals such as these in the future.

Possible Solutions:

- The Spanish Dental Association stresses that it is absolutely necessary to engage the Government of Spain in the dentistry profession, for a legislative change to get a majority of dental professionals in the partnership of these companies linking the dental service with professional ethics to avoid massive professional activities outside the health sector just to get immediate economic benefits.
- The professional organization urges the Government to regulate health publicity around the country to eradicate cases of misleading advertising and refine health offers because people's health is not on sale.
- Intrusion: Stricter penalties.
- More control of health authorities on health centres, services and facilities.
- Sanctioning procedures, by the collegial organization, to registered members when they incur in ethical misconduct.

FURTHER INFORMATION

Publications:

We continue the editing of our journals: "RCOE", with a purely scientific content, and "Dentistas", with general and informative subjects addressed to professionals and the general public. Both are published in quarterly editions. From 2018 onwards, the RCOE magazine becomes a digital format, maintaining the Dentistas magazine which increases to 6 issues per year.

Campaigns:

A campaign on oral health and pregnancy has been carried out, with 3 main objectives:

- a) The implementation of an online course for dentists, pharmacists and midwives
- b) The creation of an information platform for the general public and for health professionals) (www.saludoralyembarazo.es)
- c) One month of free check-ups for pregnant women (November 2019)

More than 1300 dental clinics throughout the country have participated and 2700 professionals have taken the online course.

Studies:

The Spanish Oral Health Observatory: was created in early 2015, and it is an instrument to quarterly feel the pulse to the dental profession. To obtain the information there is a panel of 150 sentinel dentists who are quarterly surveyed. The result obtained for the years 2015 and 2016 are already available and the Observatory will continue throughout 2019.

White Paper on Oral Health in Spain : the collection of data through a telephone survey to 1000 Spanish families has been completed in order to find out about several aspects related to oral health (oral health habits, use of dental services, quality of oral life, situation in the child population, image of dental clinics, among others). The results will be presented coinciding with the celebration of World Oral Health Day in March 2020.

Performances:

International presence: Our Association has attended several international events:

CED

General Meetings: collaboration in the different working groups and BTF

- Vienna (May)
- Brussels (November)

Working Group meetings:

- CED Oral Health
- CED Safety Patient

FEDCAR

- Paris- November 2019 (General Meeting)
- Porto- May 2019 (Spring Meeting)



FDI

- San Francisco-September 2019 (Congress)

ERO

- ERO Dental Team Sofia 07- 2019
- Frankfurt- April 2019 (Plenary Session)

Our delegates have also participated in various meetings via videoconference.

Professional Directory of Dentists: The update is still in progress and it depends on the Ministry of Health.

Congress of Health Law (Spanish Association of Health Law): Collaborating in round tables and workshops.

Implementation of support programs for collegiate giving up smoking and anti-smoking programs in dental clinics, in collaboration with the National Committee for Smoking Prevention.

MAIN CONCERNS

- **Misleading health advertising**
- **Problems with new models of professional practice (corporate clinics)**
- **Professional plethora**