Dental Society steps up during Jesusita Fire

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Disaster-proofing your practice
Preparation is key

By Peter J. Ackerman, CPA
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CHARACTER COUNTS

By Larry Simpson, D.D.S

In 1945 a friend of my father’s found himself in a little difficulty financially. He needed $500 very quickly. I know that $500 doesn’t sound like much but in 1945, it was a tidy sum. He asked my father to loan him the money.

We were not wealthy by any stretch of the imagination, but in those days, putting money aside for a rainy day was the thing to do. Still is. My father loaned him the money on a handshake. It was going to be paid back as soon as he was able, that was the deal. It was paid back in a timely manner and all was well.

What a wonderful thing trust is! Over a short period of time trust has diminished to almost the point of being nonexistent. Fewer people today believe what they hear, what they see, and believe what they think, they should have an attorney checking everything to make sure that it is O.K.

Our patients should find that the diagnosis we give them is in their best interest, not the best interest of the doctor. In these difficult economic times, trust seems to takes another hit.

Giving patients the opportunity to participate in their treatment decisions gives patients more satisfaction with their outcomes. They become more compliant in their home care and their regularly scheduled return visits. In turn, it allows trust to reenter the picture, and it helps build your character.

Remember: Your Character Counts

By: Janice Sugiyama, DDS

SANTA BARBARA VENTURA COUNTY PAC UPDATE

The November 2009 elections were favorable for SanVenDPAC. Of the 7 local races we were asked to support, 5 candidates were elected including two of our own members. Dr Mark Lisagor was elected to Ventura Board of Education and Dr Tom Glancy was reelected to the Thousand Oaks City Council and appointed Mayor.

We also made contributions to all statewide candidates for the 35th Assembly and the 19th Senate seats. With the May special elections over, the wagons are circling for the 2010 elections. Open seats for the 35th and 37th Assembly seats will be competitive.

The SanVenDPAC Board would like to thank all the members who have contributed $25 for the Pac for 2009. We would like to remind others it is not too late to make a 2009 contribution. You can send a check to SanVenDPAC c/o SBVCDS, 1607 E. Thompson Blvd, Ventura, CA 93001.

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Wyatt A. Harris, DDS

Remember: Your Character Counts
If someone came up to you a few years ago and said there would be three large, devastating fires in Santa Barbara in a 12 month period, you would think that person was crazy. Well, we all know it did happen. The Jesusita fire, our latest fire, was the one that was the most frightening, in my opinion, as it destroyed homes and threatened businesses.

I was driving on State Street near Alamar in Santa Barbara about 4:30 pm on Wednesday, May 6 looking at what appeared to be a wall of fire and smoke blasting high in the sky like Armageddon coming down the mountain toward the heart of Santa Barbara. The fire appeared to be unstoppable and I thought Santa Barbara would burn from the mountains to the ocean, nothing spared. For the next two days the air was smoky, ashy and unhealthy, horribly, homes were burning. The night was so hot even at 11 pm, fear was overcoming me and most people that I knew. ‘What will happen to my home, practice as well as those of my family, friends and colleagues?’, I thought. How will patients who experience dental emergencies be able to see their dentist if the office is on mandatory evacuation or even worse, burned to the ground? What do you do when adversity strikes? What emergency preparedness plan is in place at both office and home?

It is these times of emergency and adversity when community becomes extremely important, in my opinion. Our Dental Society community stepped up and offered assistance in any way possible. I, along with our Trustee, Janice Sugiyama, and the Board members of your Dental Society and others, offered their practices for those who needed help. In addition, our Executive Director, Linda, offered her home for any pets that were evacuated. Dr. Dwyer offered the use of his RV for anyone needing temporary shelter. Your Dental Society posted the available offices and contact people on our website; http://www.sbvcds.org. Thank you to the ones mentioned and the silent many who offered assistance during this crisis.

The SBVCDS scrambled to provide as much support as possible. It would have been easier if there was an existing plan as a reference to guide the way. It would have been helpful having protocols established for a more effective and comprehensive response. These are retrospective thoughts for sure, but past events can guide current plans for future unknown situations. For this reason, the Dental Society will be preparing an Emergency Preparedness Plan so that future catastrophes can be handled quickly and even more efficiently. It will be presented in a future issue of the Newsletter so you will know what to do next time.

What is your emergency preparedness plan for the office and home? I hope this article helps you realize how important it is to be prepared for unknown disasters. Having protocols is crucial. Being present in the moment is also crucial to make the necessary decisions when the unexpected arises.

Now that the Santa Barbara fires are extinguished and past, most people are back to their routines and appear to be “normal.” However, there are others greatly affected physically and/or emotionally still needing the support of our community. The emergency is over and the urgency for a plan no longer seems a priority. However, this is the time for EVERYONE to create their own emergency preparedness plan for both home and office. You never know what can happen tomorrow. BE PREPARED!

Richard J. Nagy, DDS
President, SBVCDS
TRUSTEE’S REPORT

The Road Not Taken

By Dr. Janice Sugiyama, SBVCDS Trustee

As I look back at the last six months, things at CDA have not gone exactly as we thought. We knew revenues would be affected by the worldwide economic conditions and took measures to reduce our costs through a number of measures like canceling annual conferences to biannual and trying to use telephone conferences and webinars as much as possible.

We knew the political climate would affect state supported dental programs, but hoped they would not eliminate them completely. With such a huge state deficit, it is hard to protect Healthy Families and adult Dental. It is clear from the May Special Election, most voters from both parties do not want Sacramento’s problems solved by raising new taxes and fees. As you read this, it is hard to know if there will be a solution by August when the BOT meets again.

But by far the most unexpected outcome was the resignation of our CDA Secretary Phillip Maldonado in May. In August 2008, the BOT elected Dr Ernie Garcia as our Secretary Nominee and this was contested by Dr Maldonado at the November House of Delegates. The House determined in favor of Dr Maldonado. With all due respect to the members of House, the Trustees know information regarding the candidates that they cannot always share and their choices are made in this light. For reasons we do not know and out of respect for Dr Maldonado’s privacy, the BOT were informed of the resignation. You might ask why we did not appoint Dr Garcia to replace Dr Maldonado? While the BOT can appoint any one it wants, we have many laws that govern us to do what is in the best interests of the Association. It was determined the best option was to appoint a former ExCom member who would not seek further office and Dr Matt Campbell will serve as Interim CDA Secretary till the Nov 2009 House of Delegates (plus he lives in Sacramento).

So, the August Election before the BOT include Treasurer, Secretary, Vice President and a 13th District (ADA) Trustee. None of these positions are easy and do take a toll on practices and families. We are fortunate to have more than one candidate per office to choose from and we will do our best to elect the best.

What’s New in All-Ceramics?
Cutting through all the hype and confusion!

Instructed by: Dr. Damon Adams

November 6, 2009 — 9am–5pm
Courtyard Marriott, Oxnard
600 E. Esplanade Drive,
Oxnard, CA 93036

$185 Active Members/$80 Retired Members/$85 Staff/$100 RDH
7 CE Units

COURSE DESCRIPTION:
Our awareness and basic knowledge of today’s dental materials is the key to maximizing the aesthetic and functional success of your all-ceramic restorations. This must include a basic knowledge of the history of these materials, current clinical uses, as well as their strengths and weaknesses. Dr. Adams will discuss the practical knowledge that you need to begin to make the best choices for your all-ceramic restorations including the selective use of indirect composites. He will also highlight some of the technical details that your dental technicians really want the doctor and staff to know in order to help them give you back what you are expecting. Due to Dr. Adams’ experience as a doctor-technician liaison, the role that a great relationship with your dental technicians plays in the functional and aesthetic success of your cases will be emphasized as it relates to the context of this seminar. (This seminar is recommended for doctors, assistants, and dental technicians.)
AB 684 (Ma) Dental Plans-Penalties for Late Claim
Payments: Increases the interest penalties for late claim payments by dental plans and dental insurers, to 20% per annum for uncontested claims not paid within 60 days of receipt, and to 25% for claims not paid within 90 days of receipt. CDA believes that current late payment penalties (10-15% per annum for claims 30-45 days past receipt) are an insufficient incentive for dental plans to reimburse providers in a timely manner.
Status: Senate

AB 745 (Coto) Self-Funded Dental Plans-Patient Disclosure: Requires a third-party administrator (TPA) providing administrative services for a self-funded dental benefit plan to include specific disclosure language informing patients that their dental benefit plan is regulated by federal, rather than state, law, and providing them with the appropriate federal agency contact information if they wish to file a grievance. CDA believes that, with the proliferation of self-funded dental plans in California, patients need to be made aware that those plans are not regulated by California law.
Status: Senate Banking, Fin. & Ins. Committee

AB 667 (Block) Topical Fluoride Application—Fluoride Varnish: Ensures that any person, including a non-healthcare provider, may apply topical fluoride, including fluoride varnish, in public health and school-based settings once a prescription and protocol have been established by the dentist responsible for that program. CDA believes this bill will help expand children’s access to fluoride treatments through school-based and other public health programs.
Status: Senate

AB 1524 (Hayashi) Dental Board/Portfolio Licensure: This bill would abolish the clinical and written examination administered by the Dental Board. The bill would instead replace that examination with a “portfolio” assessment process in which an applicant is assessed while enrolled at an in-state dental school utilizing uniform standards of minimal clinical experiences and competencies and at the end of his or her dental school program. CDA supports AB 1524 in concept, believing that a portfolio model for examining potential licensees during dental school would be preferable to the current “snapshot” clinical exam process. CDA is working closely with stakeholders this year to develop a detailed consensus proposal for legislative action in 2010.

AB 171 (Jones) Dental Services – Commercial Credit Products: Prohibits a dentist, or an employee or agent of that dentist, from arranging for or establishing credit extended by a third party for a patient without first providing a written notice and a written treatment plan. Prohibits the arrangement or establishment of credit with regard to a patient who has been administered or is under the influence of general anesthesia, conscious sedation, or nitrous oxide.
Status: Senate Business, Prof., & Econ. Dev. Cmte.

AB 403 (Fuller) Hygiene WREB: Relates to dental hygienists examinations and licensure. Provides satisfactory performance on the state clinical examination or satisfactory completion of the dental hygiene examination given by the Western Regional Examining Board or any other clinical dental hygiene examination approved by the Dental Hygiene Committee satisfies the clinical examination requirement, and the satisfactory completion of the National Dental Hygiene Board examination satisfies the national testing requirement for licensure.
Status: Senate Business, Prof., & Econ. Dev. Cmte.

AB 657 (Hernandez) Workforce: Requires the Office of Statewide Health Planning and Development, in collaboration with the Workforce Investment Board, to establish the Health Professions Workforce Task Force to assist in the development of a health professions workforce master plan for the state. Requires the task force to submit a complete statewide health professions workforce master plan.
Status: Assembly Appropriations Cmte.

AB 877 (Emmerson) Occupational Study: Requires the Director of Consumer Affairs to appoint a scope of practice committee to perform occupational analyses and prepare written reports on any bills seeking to substantially expand the scope of a healing arts practice.
Status: Assembly Appropriations Cmte.

AB 1218 (Jones) Rate Increases: Requires approval by the Department of Managed Health Care or the Department of Insurance of an increase in the amount of a premium, copayment, coinsurance obligation, deductible and other charges under a health care service plan or health insurance policy. Requires the submission of a rate plan increase application and the review under regulations that would be developed by the departments. Requires notification of the public of rate application and approval. Authorizes a charge for applications.
Status: Assembly Health

SB 43 (Alquist) Cultural Competency: Authorizes healing arts boards to collect information regarding the cultural and linguistic competency of persons licensed and subject to regulation by those boards. Requires that information be used to meet cultural and linguistic concerns of the state’s patient population. Relates to health care workforce data. Requires the Director of the Employment Development Department to permit use of information in order to enable the Office of Statewide Health Planning and Development to obtain specified data.
Status: Senate floor

SB 311 (Alquist) Healthy Families – Dental Only Coverage: Requires the Managed Risk Medical Insurance Board, contingent on the receipt and appropriation of funds, to provide dental-only coverage consistent with the federal Children’s Health Insurance Program Reauthorization Act of 2009 to children who are enrolled in group health care coverage or health insurance coverage offered through an employer and who would otherwise satisfy the requirements for being a targeted low-income child.
Status: Senate Appropriations Cmte. 5/28/09

SB 630 (Steinberg) Reconstructive Surgery: Provides that the requirements imposed in health care service plans and health insurers to cover reconstructive surgery includes dental or orthodontic services that are medically necessary and related to the reconstructive surgery.
Status: Senate Appropriations Cmte. 5/28/09

SB 762 (Aenestad) Healing Arts: Makes it unlawful for a city or county to prohibit a healing arts licensee from engaging in any act or performing any procedure that falls within the profession-ally recognized scope of practice of that licensee.
Status: Assembly
Lines from Linda

Thanks to the kindness of Dr. Larry Simpson, I was able to attend the American College of Dentists’ meeting in May, joining a table shared with Dr. Ron Hunter and Dr. Phillip Snow. As always when I am with Dr. Simpson, I was once again amazed to witness the dedication, altruism and love of dentistry. It was not so long ago, that I was “Jane Q. Public” and was unaware of how the wisdom and generosity of dentists continually adds to the collective good of our society. Done quietly and without fanfare. How I would love for the public to understand that you all, as members of the tri-partite, follow the ADA Code of Ethics, which states among other things that, “qualities of honesty, compassion, kindness, integrity, fairness and charity are part of the ethical education of a dentist and practice of dentistry and help to define the true professional.” What a wonderful world if everyone held to that!

Sadly, there will always be mean people out there, and what do we do when they anonymously say mean or slanderous things about us? Recently I have had several calls from members wondering what they can do when they are slandered online, so please see the following article from TDIC’s Risk Management on how to respond.

Have a safe and celebratory 4th of July and a great summer everyone!

War of Words: What can I do when I discover a patient has posted defamatory comments online?

In today’s ever expanding and developing use of technology, the application of the Web as a communication tool is expanding faster than regulations designed to limit potential abuse of this social media. Web sites like doctoroogle.com, healthgrades.com, ddsreviews.com, and localsearch.com are gaining in popularity and are examples of online venues that encourage users to rate or review dentists. The tendency for health care professionals to challenge these postings is increasing in response to the growing number of patients who choose the Internet as a public means of expressing personal dissatisfaction with services provided. In January 2009, a San Francisco chiropractor successfully settled a lawsuit against a patient who posted inaccurate statements about his office billing practices on yelp.com. The same Web site permitted parents to post claims against a pediatric dentist and, as a result, she has filed a defamation suit against the individuals.

The dentist also attempted to sue yelp.com; however, the federal Communications Decency Act provides protection for Web sites that publish third-party information.

Documentation is an excellent defense against defamatory statements. Charting should be chronological, factual and objective, and provide anyone who reviews the patient record with clear insight into how staff responded to that person’s specific concerns. It is appropriate to have members of the staff document interactions with the patient. For example, if the office manager is the only one to hear a patient comment about how unhappy he is with the treatment he received, he or she should record it in the patient’s chart and immediately notify the dentist. It is the dentist’s responsibility to follow up with the patient and record both the discussion and outcome in the chart.

If dentist and staff strive for good communication and documentation, yet a patient still chooses to write a negative posting online, apply the following guidelines:

Do not attempt to publicly respond or refute the claim on the Web site. There is a common misconception that once the patient has divulged private information, his or her disclosure protects you from violating the patient’s privacy rights if or when you reply. Do not fall prey to that error. You may inadvertently breach patient confidentiality (e.g., John Doe has hepatitis C) or make a libelous...
Check to see if the Web site has a written policy or protocol for removal of potentially libelous postings. Follow the process to request removal of the information.

Ascertain who posted the negative comments then review chart documentation to determine whether information exists that may either corroborate your position or contradict the poster’s claim.

Seek legal advice to determine what type of recourse may be available.

Under section 230 of the Communications Decency Act of 1996, specific protections are afforded Web sites that publish or post information from a third-party online; so there is no direct legal remedy available against Internet domains that post libelous information. A Strategic Lawsuit Against Public Participation (SLAPP) is intended to intimidate defamation defendants into withdrawing their comments by the threat of a costly lawsuit; however, Anti-SLAPP statutes have been passed in Arizona, California, Hawaii, Illinois, Minnesota, Nevada and Pennsylvania to prevent misuse of SLAPP litigation. Anti-SLAPP regulations allow defendants the opportunity to file a special motion to have a court determine whether the comments posted fall under the right of petition or free speech.

It has been suggested dentists have patients sign a document prohibiting the individual from posting defamatory claims on the Internet. Think carefully about what kind of message this sends. The patient may become curious as to whether the practice has received a bad review and speculate that the only reason the dentist has requested he or she sign an agreement is because of poor patient relations or service in the past. Also, the patient may feel the dentist is unfairly requesting the individual give up a basic First Amendment right—freedom of speech.

While a dentist may believe this is a proactive step to combating abuse of the online rating and review system, patients may see it as a license to practice bad dentistry without the threat of disclosure.

Patients pleased with the care they receive will refer friends and acquaintances to the practice, while less-than-satisfied individuals may complain openly about perceived poor service and care to anyone who will listen. Whether the complaints are slanderous or libelous in nature, the best protection a practice can offer itself is to effectively communicate with patients, colleagues and the dental team, and to document these interactions accurately and objectively. If you are unsure about how to handle a situation, please call TDIC’s Risk Management Advice Line, where a risk management analyst can assist you with finding a solution.

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At the 2009 CDA Presents!

Dr. Jeremy Wilgus, a Periodontist practicing in Camarillo, recently became a Diplomate with the American Academy of Periodontology and is now “Board Certified. Congratulations!

Dr. Anthony Perez’s nephew, a Navy pilot, receives Bronze Star! Lt. Cmdr. Matt Mowad, 36, grew up in Ventura and now has been awarded the Bronze Star medal for meritorious service during ground combat operations in Iraq.

This is the nation’s 10th highest military award and fourth highest combat medal, eclipsed only by the Silver Star, Navy Cross and Medal of Honor.

Mowad was awarded it in connection with combat operations against the enemy while serving as an Operational Plans Officer for a Special Operations Joint Task Force. The citation says his contributions ensured the success of a series of ground combat operations of national significance.

While deployed, Mowad also was awarded the Joint Service Achievement Medal for his preparation and execution of an information brief for Iraqi Prime Minister Nuri al-Maliki in support of U.S. strategic objectives and national interests in Iraq. Thank you, Cmdr. Mowad!
5TH ANNUAL GIVING CAMPAIGN

The Santa Barbara-Ventura Counties Dental Care Foundation (SBVC Dental Care Foundation) conducted its Fifth Annual Giving Campaign to support the Oxnard College Dental Hygiene Program, Dental Assisting Programs in both counties, Eastside Dental Clinic and Foundation Programs and Operations.

**PRESIDENT’S CIRCLE**

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<th>Platinum $2,500 or more</th>
<th>Sustaining Life - $1,000/yr for 10 yrs</th>
<th>Gold - $1,000 or more</th>
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**CIRCLE OF FRIENDS**

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<td>Edward Mikowicz, DDS, Patrick B. McDade, DDS, Kathleen Carson, DDS, Richard Ng, DDS, Karen Lin, DDS, Lloyd Suzuki, DDS, Douglas Smith, DDS, Joel Goldenberg, DDS, George Walseth, DDS, Dr. William E. Ashby, Robert Magnuson, DDS, Richard Nagy, DDS, Robert Bankhardt, DDS, Nick Luizzi, DDS, Kent Hollenback, DDS, Richard Mays, DDS, Roy E. Mintzer, DDS, Rodney Resnik, DDS, John H. Phreaner, DDS, Dennis Dwire, DDS, Cecilia Ordonez, DDS, Bryan D. Fisch, DDS</td>
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**MEMBERSHIP OPPORTUNITIES**

**PRESIDENTS’ CIRCLE**

- □ Gold - $1,000 or more
- □ Platinum - $2,500 or more
- □ Sustaining Life - $10,000 may be payable in up to 10 annual installments of $1,000 each
- □ Presidents’ Circle Life - $25,000 may be payable in up to 5 annual installments of $5,000 each

**CIRCLE OF FRIENDS**

- □ Member - $100
- □ Contributing - $250
- □ Sustaining - $500

**NAME:**

(Please list name above exactly as you wish to be recognized in all publications)

**ADDRESS:**

*Mail to:* SBVC Dental Care Foundation, 1607 East Thompson Blvd, Ventura, CA 93001
*Fax to:* (805) 648-5154

**CREDIT CARD #**

Expire:

**AMOUNT ENCLOSED:**

**PHONE NUMBER:**

WWW.SBVCDS.ORG A PUBLICATION OF THE SANTA BARBARA-VENTURA COUNTY DENTAL SOCIETY
What a year this has been. The State’s budget crisis has affected us all in so many ways. I can imagine that your practices have been impacted if you relied on adult Denti-Cal to be part of your practice profile. I am hearing from many of you that you are choosing to see more children under the Denti-Cal program. If that is so...PLEASE...let the Foundation staff know so we can add your name to the referral list that is given out to patients being served by the Mobile Dental Clinic. If you are in Santa Barbara, we would like to add your name to the Adopt-A-School referral list. The number to call is 805 643-3762.

The Foundation has lost a very important grant from the State, “The California Children’s Dental Disease Prevention Program.” You may have been around thirty years ago when this program was introduced as Senate Bill III (SBIII we called it). What a blow to dentistry to have this program put on suspension (dead). It is the only oral health prevention program that the state supported and it has saved so many children pain and suffering of dental disease AND the state countless dollars in restorative care. Hard to see any logic to this decision.

I reported last issue that I would list the names of our volunteers that keep the oral health grants operating in both counties. It is so important to say thank you to the professionals that give of their time and talent to make a difference in each community. I do not know of any other profession that gives so much. I truly feel honored to represent you. The downside to making a list is that I may accidentally miss adding someone’s name. It will not be intentional but to err is human and sometimes I am more human than I want to be. If you are a volunteer and I miss adding your name, I apologize in advance and would appreciate knowing so I can add your name in the next issue.

First 5 Provider Capacity Building
Ventura County
Luz Cubillos, DDS
Josie Dovidio, DDS
Erin Duarte, DDS
Tai Duc Duong, DDS
Bryan Fujii, DDS
David Garber, DDS
Sona Georgian, DDS
Jennifer Graves, DDS
Jinil T. Lee, DDS
Kambiz Mahdavi, DDS
Pezhman Mansourian, DDS
Sean Naffas, DDS
Sandhya Palhan, DDS
Dooley Pansini, DDS
Isabelle Sagat, DDS
Carlos Tamayo, DDS

First 5 Mobile Dental Clinic
Ventura County
Mark Lisagor, DDS, MS – Consultant

Tri Counties Regional Center
Dental Wellness Program
Santa Barbara & Ventura Counties
Camarillo Children’s Dental Group
Andrew Chen, DDS
Sunil Ilopogu, DDS, MS
Oxnard Children’s Dental Group
Yvonne Rochon, DDS
Robert Ruby, DDS, MS
Garrett Toy, DDS

If you don’t see your name on this page or on the Annual Giving page, PLEASE CONSIDER A DONATION TO THE FOUNDATION – IT IS TAX DEDUCTIBLE.
Disaster-proofing your practice

Preparation is key

By Peter J. Ackerman, CPA

Approximately 1,000 dentists retire each year, but more than 1,300 die. Most of them have not adequately prepared their spouses and other heirs to act efficiently and effectively to protect their interests. But with proper planning, you can take steps to avoid disaster for your heirs and leave your practice in sound financial shape.

KNOW WHAT YOU HAVE AND MAXIMIZE IT

Before you can know what to do to safeguard your family, you must know what you have, including the current value of your dental practice. Shop around and select a professional practice broker that you trust, making sure to include your spouse or another heir in your meetings. In addition to providing essential valuation information in the form of an appraisal, your broker will act as your “quarterback,” guiding you and your family through the sometimes daunting process of putting your affairs in order.

The practice appraisal prepares you to assess the factors that drive dental practice values in today’s sales environment. This permits you and your practice broker to take the next step of evaluating any areas of concern about your practice that can then be addressed to increase its value and marketability. It is well worth the time and expense to regularly update your appraisal, and subsequently complete any necessary retooling, at least every three to five years.

PREPARE AN EMERGENCY KIT

To ensure maximum practice value in the event of your death, make sure your paperwork is in order. Your broker will help you compile the documents detailed below, each of which should be reviewed with your attorney (if you do not have a good estate planning attorney, find one). This emergency kit includes the necessary information your family, attorney and broker will need to wind up your affairs, including valuation of your practice and preparation of a prospectus and financing package for the sale. The following documents must be included:

Letter of direction. Recognizing that most non-dental professionals fail to understand the necessity of immediate action following the death of a doctor due to the exponential decrease in practice value over time, this document directs your heirs, executors and those who have the ability to make decisions on your behalf and take all actions necessary for the immediate sale of the practice assets.

Current will and durable power of attorney. A durable power of attorney document authorizes an individual to act for another in the event of incapacity without having a court declare incompetence. Without such a document, an incapacitated dentist could lock up the family’s ability to either operate or dispose of the practice if the dentist is living but unable to communicate his or her wishes.

For co-owners: If you are in a co-ownership relationship, you must review your buy/sell agreement, which should address if, how and at what value you and your co-owners will be required to purchase your shares (corporation) or membership (limited liability company or “LLC”). Make sure that the remaining entity or owners are required to purchase the deceased or disabled shareholder/member’s portion of the practice and all agree as to value and terms.

For solo practitioners: If you are a solo practitioner, you must give the right to either a staff member or a family member to continue the operations of the practice. This means they must have access to the office bank accounts. The practice must be able to continue to pay the bills and accept payments for outstanding balances in the event the dentist is no longer able to do so. In July 2006, the Illinois General Assembly recognized a growing problem and passed a law stating:

“The executor or administrator of a dentist’s estate or legal guardian or authorized representative of a dentist who has become incapacitated may contract with another dentist or dentists to continue the operations of the deceased or incapacitated dentist’s practice. . .”

In order to continue operations under this statute, two conditions must be met prior to the commencement of operations: (i) Proper notice must be given to the Department of Financial and Professional Regulations; and (ii) letters must be sent to all patients of record who had been seen in the previous 12 months, notifying them of the condition of the dentist and how patients may obtain copies of their records. Prior to the passage of this law, the family of a dentist was technically unable to continue the operations of the practice.

Tax returns. Make complete copies of your federal tax returns for the past three years available.

Patient information. Document the number of active patient charts, the number of patients treated in the past two years, the average number of patients treated daily and the number of recall notices sent each month.

Production Information.

Maintain a computerized printout of all production of the most recent year broken down by procedure or code. It should include the quantity of each procedure produced and the total dollar amount for all production for the year for each procedure. If you are not computerized, an estimated percentage breakdown of production by category (such as the percentages of restorative treatments, endodontic treatments, oral surgery, etc.) will suffice.

Fee schedules. Document your current fee schedule and fee schedules for any plans.

Contracts. Include a copy of all contracts with any associates, partners or employees. If you have an associate in your office without a well-drafted “non-compete and non-solicitation” contract, please understand that your heirs will be giving—not selling—the practice to your associate. Review these documents annually and make any changes or additions promptly.

Letter of direction. Recognizing that most non-dental professionals fail to understand the necessity of immediate action following the death of a doctor due to the exponential decrease in practice value over time, this document directs your heirs, executors and those who have the ability to make decisions on your behalf and take all actions necessary for the immediate sale of the practice assets.

Approximately 1,000 dentists retire each year, but more than 1,300 die. Most of them have not adequately prepared their spouses and other heirs to act efficiently and effectively to protect their interests. But with proper planning, you can take steps to avoid disaster for your heirs and leave your practice in sound financial shape.

KNOW WHAT YOU HAVE AND MAXIMIZE IT

Before you can know what to do to safeguard your family, you must know what you have, including the current value of your dental practice. Shop around and select a professional practice broker that you trust, making sure to include your spouse or another heir in your meetings. In addition to providing essential valuation information in the form of an appraisal, your broker will act as your “quarterback,” guiding you and your family through the sometimes daunting process of putting your affairs in order.

The practice appraisal prepares you to assess the factors that drive dental practice values in today’s sales environment. This permits you and your practice broker to take the next step of evaluating any areas of concern about your practice that can then be addressed to increase its value and marketability. It is well worth the time and expense to regularly update your appraisal, and subsequently complete any necessary retooling, at least every three to five years.

PREPARE AN EMERGENCY KIT

To ensure maximum practice value in the event of your death, make sure your paperwork is in order. Your broker will help you compile the documents detailed below, each of which should be reviewed with your attorney (if you do not have a good estate planning attorney, find one). This emergency kit includes the necessary information your family, attorney and broker will need to wind up your affairs, including valuation of your practice and preparation of a prospectus and financing package for the sale. The following documents must be included:

Letter of direction. Recognizing that most non-dental professionals fail to understand the necessity of immediate action following the death of a doctor due to the exponential decrease in practice value over time, this document directs your heirs, executors and those who have the ability to make decisions on your behalf and take all actions necessary for the immediate sale of the practice assets.

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An increasing percentage of potential patients neglect their dental health and avoid the dentist due to:

- Anxiety or apprehension
- Lengthy or extensive procedures/surgeries
- Hyper-reactive gag reflex
- A reluctant child
- Physical, mental, or developmental challenges

Typically these patients need the most care and do not seek treatment regularly. Now you can treat this untapped market of patients in your office with intravenous sedation/general anesthesia.

For further information, please call:

Andrew H. Chen, D.D.S., FADSA
(805) 480-0092
Unique Clinical & Lab Services in Oral and Maxillofacial Pathology

Lan Su, DMD, PhD
Diplomate, American Board of Oral & Maxillofacial Pathology
31332 Via Colinas, Suite 109
Westlake Village, CA 91362
Telephone: 818 865 1039

We provide the following services for your patients:

- Biopsy or related microscopic diagnostic services
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- Diagnosis of ambiguous white/red lesions (oral cancer/precancer) and clinical follow-up programs
- Radiographic consultations of intraosseous lesions
- Comprehensive care of prior/post radiotherapy for head/neck cancers
- Neuropathic pain and TMJ disorders
Disaster-proofing your practice. Preparation is key

Continued from page 11

unnecessarily dissipate. Instead, I urge you to spend a few moments and follow the steps outlined above. Not only will you maximize the value of your estate for your loved ones, but you will give them the gift of removing the burdens and stresses that unprepared families must handle.

Mr. Ackerman is president of The Dental Marketplace Inc., and past president of ADS Transitions. Contact him at (312)240-9595 or pjackerman@aol.com.

THE SEVEN DEADLY SINS

1. You’re young and healthy. You won’t need a will or durable power of attorney until sometime in the future. You can always take stock of your practice “next year.”

2. Keep your spouse in the dark regarding your business; it’s not as if he/she can understand the workings of the practice. Anyway, the practice is paying the bills and making a profit. What could possibly go wrong?

3. You’re not buying or selling a practice, so you don’t need the services of a professional practice broker.

4. Assume your partner or co-owner will treat your spouse fairly should you die or become disabled. Assume your best friends will step in and run the practice in your absence.

5. Your office manager will know without being instructed how you want the practice managed should you die or become disabled.

6. You are pretty sure your spouse keeps old tax records and your college transcripts in a box under the bed with other family memorabilia, bills, receipts and deeds.

7. Your patients are loyal to you and they will be loyal to your survivors. They’ll stay with your practice no matter what, in deference to you.

—Elizabeth Giangrego
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CALENDAR OF EVENTS

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul 10</td>
<td>CE-Crown Length- Tim Hempton, DDS</td>
<td>$185</td>
</tr>
<tr>
<td>Jul 16</td>
<td>Goleta Study Club - Lecture on implants (Holiday Inn)</td>
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<tr>
<td>Jul 21</td>
<td>CPR Renewal</td>
<td>$55</td>
</tr>
<tr>
<td>Jul 28</td>
<td>Implant Study Club</td>
<td>$50</td>
</tr>
<tr>
<td>Aug 7</td>
<td>Infection Control/ DPA</td>
<td>$150</td>
</tr>
<tr>
<td>Aug 27</td>
<td>Radiology Safety Course (Call for Availability)</td>
<td>$350</td>
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<tr>
<td>Sep 10</td>
<td>Radiology Safety Course (Call for Availability)</td>
<td>$350</td>
</tr>
<tr>
<td>Sep 11</td>
<td>CDA Scientific Sessions [800-232-7645]</td>
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<tr>
<td>Sep 15</td>
<td>CPR Renewal</td>
<td>$55</td>
</tr>
<tr>
<td>Sep 17</td>
<td>Radiology Safety Course (Call for Availability)</td>
<td>$350</td>
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<tr>
<td>Sep 24</td>
<td>Radiology Safety Course (Call for Availability)</td>
<td>$350</td>
</tr>
<tr>
<td>Sep 30</td>
<td>ADA Sessions 312-440-2876 or <a href="mailto:exhibit@ada.org">exhibit@ada.org</a></td>
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</tbody>
</table>

Implant maintenance is essential to the long-term success of dental implants. This course will present assessment strategies and treatment technologies available to implement a successful implant maintenance program.

Lecture sponsored by Dentsply.

Goleta Study Club!

Holiday Inn Goleta
5650 Calle Real
Goleta, CA 93117
July 16, 2009, 6:30 pm to 9:30 pm

Come join your local colleagues for a fun & informative meeting.
Contact your SB Area Director,
Dr. Kevin Miller at 805-967-0272 or kevinmiller80@gmail.com
Dr. Russell Wright lived a full life from August 17, 1919 until his passing on Feb. 22, 2009. Born to a father who was both a teacher and Quaker, he had a “belief in humility and service” that were essential to Russell’s character. He enlisted in the Navy and by the end of the World War Two, he had been promoted to lieutenant.

After the war, Russell graduated from the University of Louisville School of Dentistry. He worked for the U.S. Public Health Service in San Francisco, where his responsibility included serving as a dentist on Alcatraz. It was in San Francisco that he met and married Marcia Perry of Santa Barbara. Their family finally settled in Ventura in 1953.

His service in the Navy provided a lifetime of war stories, which he regaled captive patients with, and a love of the ocean, jazz, basketball, and sweets! He was also an active member of Community Presbyterian Church.

Surviving family includes his wife, Marcia; sons, Robert and Roger (wife, Kate); daughter, Lynn Bartosh (husband, Robert); grandchildren, Trevor and Desiree Wright, and Haley Bartosh; and generations of smiles. In lieu of flowers, please floss.

New Members

David Y. Hakimi, DDS
911 Hampshire Rd
Westlake Village
805.497.9585

Sajid Jivraj, BDS
Prosthodontics
300 Esplanade Dr., Ste. 1600
Oxnard
805.488.8985
Univ. of Manchester U.K./USC

Keisha Renae Morehead, DDS
330 E. State St.
Santa Barbara
323.819.4865
UCSF/Harbor UCLA

Vanessa Lai Si West, DDS
2955 N. Moorpark Rd., Ste.B
Thousand Oaks
805.492.5050
University of Washington

Roger H. West, DDS
2955 N. Moorpark Rd., Ste.B
Thousand Oaks
805.492.5050
Univ. of the Pacific

Bob S. Perkins, DDS
3090 Cochran, Ste. E
Simi Valley
805.955.0181

Mystery Member

Can you ID this member who volunteered during the fire?

Give us a call! Prize for first one to get it right! 656-3166

Whew... Glad you put off buying that 3-D Scanner?
Still want quality 3-D imaging of your patient?

A Dental CBCT Scan incurs much LESS Radiation Exposure than a Medical CT Scan

- Implant planning
- Orthodontic studies
- TMJ studies
- Airway volume studies

Choose an i-CAT 3-D Scan for your patients

Kathleen Cox, RN, DLRT

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CLASSIFIEDS

PARTNERSHIPS / ASSOCIATESHIPS / POSITIONS

Seeking to Share: Santa Barbara Specialist desires to share a dental office with specialist/general dentist in Santa Barbara starting August 1st. Need 2 operatories on Monday only. Call (805)680-7550.

Seeking Space To Rent: 1 or 2 days /wk in SB area. Have own supplies, etc. or will share. fehull@cox.net or contact Dr. Hull @ (805) 845-5370.

Assoc./ Partnership: Associate/ Partnership considered call Dr. Bruce A. Pence (805)485-1605 Fax (805)485-9838 or email pencedd@aol.com

Seeking Associate: Modern, well established dental office with a great patient base and experienced team is looking for a P/T Associate. This would be the environment to work in. Please call Radhika at (805)483-9537 or email at radpuri@yahoo.com

Associate to Partnership Needed: Small office in Oxnard Medical Center, same owner for 14 years, adults and cosmetic only, 11am to 7pm, any day, Dr. Pansini (805)988-8888 x2

Seeking Associate to Join Camarillo Practice: 40 - 50 % payrate, PPO, cash office. All interested parties, please call Dr. Eric Yum (805)746-2508

Endodontist: Dentist looking for endodontist to work 1 day a week at newly renovated Valencia office. Please call Dr. Kelly Smudde at (661)510-5515.

Got Staff?

Your Dental Society maintains lists of applicants seeking dental positions. On our website (www.sbvcds.org), click on "Staff Applicants" and enter your ADA number as both your username and password, or call us at (805)656-3166 for a FAX.

SPACE OFFERED

For Sale: Fully-equipped dental office on Loma Vista Rd in Ventura. Two ops, 740 sq. ft. Rent is $1008/mo. Asking $15k. Great low-cost startup or second office opportunity. Call Dr. Ray Faulstich (805)642-7443

To Share: Santa Barbara-New High tech office to share. Fully computerized, Cerec, Lasers, etc. Great staff. Could be new or established practice. Call Dr. Thompson 805-730-5515.

FREE Human Resources HOTLINE

1-800-399-5331

We ALL have questions Now you can get some answers!

Santa Barbara-Ventura County Dental Society has partnered with California Employers Association to provide all SBVCDS members with access to a FREE Human Resources HOTLINE!

The HOTLINE is available NOW! Protect your business from costly fines and penalties. Pick up the phone and call!
MISSION STATEMENT
The mission of the Santa Barbara-Ventura County Dental Society is to serve the needs and issues of its members, advance the art and science of dentistry, and promote the improvement of the health and education of the public.

REQUICKED COURSES!!
Infection Control & Dental Practice Act

Presented by: Noel Kelsch, RDH

August 07, 2009 — 9am–1pm
Westlake Village Inn, Westlake Village
4 CE Units - $150 per attendee

Ever sit through an infection control classes and wish you had a pillow? Noel Kelsch RDH decided to change that using her warped sense of humor and cutting edge information. Here are some quotes from her audiences:

“Noel has taken an other wise dry subject and turned a fascinating day of learning.”
Debbie S.

“This course focuses on keeping patients safe and teaches how to keep the practitioner safe and healthy. My only question is when is she coming back?”
Cindy K.

“You will go away laughing but, more over you will go away having learned the joy of infection control. Her passion is contagious.”
Brenda R.

“This course not only leaves you laughing and crying but, it meets both OSHA requirements. For the first time in my career I wanted to know more about infection control!”
David M.

To reserve your spot, call the Dental Society at (805) 656-3166 or fax (805) 648-5154, or email admin@sbvcds.org