

Council on Ethics, Bylaws and Judicial Affairs

Bailey, Meredith A., 2022, Massachusetts, chair
 Burton, Bruce A., 2023, Oregon, vice chair
 Adkins, Chris L., 2024, Georgia
 Clark, Alma J., 2022, California
 Cranford, William D. (Bill), Jr., 2022, South Carolina
 Davis, Gary S., 2023, Pennsylvania
 Depp, Ansley H., 2023, Kentucky
 Foster, Karen D., 2025, Colorado
 Grant, Leslie E., 2025, Maryland
 Johnson, Jay A. (Drew), 2022, Florida
 Mellion, Alex T., 2022, Ohio*
 Nichols, Kathleen M., 2024, Texas
 Pappas, Renee P., 2023, Illinois
 Peters, Debra A., 2024, Michigan
 Reavis, Allen B., 2024, Kansas
 Roth, Kelly A., 2025, Ohio
 Serchuk, Richard B., 2025, New York
 West, Debra S., 2024, Nebraska

Elliott, Thomas C., Jr., director
 Elster, Nanette R., manager

The Council's 2021–22 liaisons include: Dr. Scott L. Morrison (Board of Trustees, Tenth District) and Ms. Heather Moore (American Student Dental Association).

Areas of Responsibility as Set Forth in the Bylaws or Governance and Organizational Manual of the American Dental Association

As listed in Chapter VIII., Section K.6., of the *Governance and Organizational Manual of the American Dental Association (Governance Manual)*, the areas of responsibility of the Council on Ethics, Bylaws and Judicial Affairs (the Council) are:

- a. Ethics and professionalism, including disciplinary matters relating thereto;
- b. The governing documents of this Association, including:
 - i. Review of the constitutions and bylaws of constituents and components to ensure consistency with the Association's *Bylaws*; and
 - ii. To correct punctuation, grammar, spelling and syntax, change names and gender references and delete moot, and to correct article, chapter and section designations, punctuation, and cross references and to make such other technical and conforming revisions as may be necessary to reflect the intent of the House in connection with amendments to the Association's *Bylaws*, *Governance Manual*, *Manual of the House of Delegates*, *Principles of Ethics and Code of Professional Conduct* and *Current Policies* where such revisions do not alter the material's context or meaning upon the unanimous vote of the Council members present and voting; and
 - iii. To report to the House of Delegates any corrections made to the governing documents of the Association pursuant to subsection ii. of this section of the *Governance Manual*; and
- c. Hold hearings and render decisions in disputes arising between constituents or between a constituent and component.

* *New Dentist Member*

Advancing ADA Strategic Goals and Objectives: Agency Programs, Projects, Results and Success Measures

Objective 9: The ADA will be the preeminent driver of trusted oral health information for the public and profession.

Initiative/Program: Provide high quality and trustworthy continuing education programming in ethics to members, constituents, components and dental schools.

Success Measure: Membership and other stakeholder access to excellent ethics education programming.

Target: Highly favorable participant evaluation of continuing education ethics programming and attendance at continuing education course offerings at the Annual Meeting or On-Demand.

Range: Favorable to highly favorable participant evaluation of continuing education ethics programming; registration of 50–100% of venue capacity.

Outcome: In 2021, the Council produced an on-demand course entitled “Conscious and Unconscious Bias in the Dental Practice.” This offering was made in place of an in-person seminar due to the pandemic. Response to the on-demand program was favorable and, thus far, has been downloaded nearly 200 times.

The Council is in the early planning stages for an interactive ethics offering to be launched during SmileCon™ 2022. The Council is also developing facilitator guides to aid in the use of “Ethical Moment” articles authored by Council members as foundations for ethics education and continuing education courses. It is envisioned that the guides will be used by dental school instructors and constituent and component societies in providing educational content to students and continuing education offerings to members. A further report on these projects will be provided in the Council’s 2023 Annual Report.

Objective 9: The ADA will be the preeminent driver of trusted oral health information for the public and profession.

Initiative/Program: Submit and present scholarly research papers in ethics at meetings of professional ethics organizations and collaborate with organizations to develop and present ethics programming.

Success Measure: Participation in ethics programming outside the ADA to position the ADA as a leader in the fields of bioethics and professionalism and enhance the reputation and relevance of the ADA *Principles of Ethics and Code of Professional Conduct* (the ADA *Code of Ethics*).

Target: Submission of at least three abstracts annually to professional ethics organizations on subjects in the fields of bioethics and professionalism, with at least two abstracts being accepted for presentation. Collaborating with other agencies, stakeholders or members to develop two ethics programs annually.

Range: Submission of one to two abstracts with at least one acceptance for presentation; collaborative development of one ethics program.

Outcome: Two abstracts have been submitted to the American Society for Bioethics and Humanities annual meeting in October 2022. One is entitled, “The Ethics of Health Care Organizations’ Apologies for Systemic Racism,” and the other, “Trauma Informed Care in Dentistry.” In addition, the Council staff will be a part of a panel presenting on issues related to Elder Care in Dentistry at the August 2022 ADA Elder Care Symposium. Council staff will also co-present at the 2022 annual meeting of the American Association of Dental Editors and Journalists about writing skills and publication for dental professionals. The Council is also working with the American College of Dentists and the Academy for Professionalism

in Health Care to develop a webinar series on access and interprofessionalism; this will build upon a webinar held in April 2022 entitled “Oral Health as Essential Health.”

Objective 9: The ADA will be the preeminent driver of trusted oral health information for the public and profession.

Initiative/Program: Provide programming that allows members to obtain advice on ethical questions and suggest revisions to the ADA *Code of Ethics* and provide dental students a creative vehicle to examine and propose solutions to ethical dilemmas by reference to the ADA *Code of Ethics*.

Success Measure: Membership access to timely and topical advice concerning ethics questions that commonly arise and Council consideration of suggested changes to the ADA *Code of Ethics*. Sponsorship of a contest open to student members that allows participants to depict solutions to an ethical dilemma in a short video.

Target: Favorable response to and evaluation of a published ethics column and publication of that column in issues of *The Journal of the American Dental Association (JADA)*. Adoption by the House of Delegates of proposed amendments to the ADA *Code of Ethics* and adoption by the Council of proposed Advisory Opinions to the ADA *Code of Ethics*. Submission of at least six student-created ethics videos.

Range: Neutral to positive responses and feedback regarding published ethics material and proposals for amendment of the ADA *Code of Ethics*, including adoption by the House of Delegates of resolutions recommending amendments to the ADA *Code of Ethics*. Positive responses by the Council to any Advisory Opinions proposed for inclusion in the ADA *Code of Ethics*. Publication of ethics column in 75-90% of issues of *JADA* annually. Receipt of at least six student ethics videos.

Outcome: On target at time of submission. With the Council’s ethics column and other published articles in *JADA*, anecdotal feedback has been positive. The process for developing “Ethical Moment” articles by members of the Council has been restructured and, under the new process, two “Ethical Moment” articles have been published as of the date of submission of this report; three additional articles have been submitted to and are under review by *JADA*; and an additional two articles are being reviewed by Council staff prior to submission to *JADA*.

Advisory Opinion: No requests or proposals for Advisory Opinions have been received by the Council since the submission of the Council’s last Annual Report.

Ethical Moment: The Council prepares a column for *JADA* entitled “Ethical Moment.” The topics covered are designed to be timely and topical and often receive favorable response from readers. Where the subject matter is appropriate, the Council collaborates with other agencies or experts to jointly develop “Ethical Moment” articles. Staff and members also write feature articles for *JADA* when a topic deserves more in-depth treatment than an “Ethical Moment” article can provide.

Student Ethics Video Contest: The Council sponsors a student ethics video contest that allows dental students to become familiar with the ADA *Code of Ethics* and provides an opportunity for students to engage in ethical decision making as they prepare to start careers in dentistry. The contest creates greater awareness of the ADA *Code of Ethics* as predoctoral students create fictional scenarios and then apply the principles found in the ADA *Code of Ethics* to achieve ethical solutions. In 2021, the Council awarded the contest grand prize to a student from the University of North Carolina Adams School of Dentistry, while the honorable mention prize was awarded to a team of students enrolled at Boston University Henry M. Goldman School of Dental Medicine. The winning entries in 2021 and those from the past several years are available for viewing [here](#).

The entry period for the 2022 contest has opened and will close in early August 2022. Videos received will be assessed by the Council and the winning videos uploaded to the ADA’s [YouTube Channel](#).

Ethics Podcast: In 2022, the Council began considering new and novel ways to provide ethics programming that would be appealing and attractive to Association members, particularly new

dentists and dental students. To capitalize on the universal availability of “smart phones,” extract additional value from the “Ethical Moment” articles that have been authored by Council members since 2004, and introduce the “Ethical Moment” feature in *JADA* to newer dentists and dental students who may not be familiar with the “Ethical Moment” feature, the Council is developing the concept of an ethics podcast. It is envisioned that the podcast will provide an engaging way to impart information concerning dental ethics to listeners using “Ethical Moment” articles previously published in *JADA* as the foundation for the podcast. The podcast format was chosen to reach students and dentists who may prefer to receive educational content via podcast platforms and cellular phone technology. The Council, using available resources, has recorded a pilot episode of its podcast with former Council chair Dr. Michael H. Halasz that covered ADA *Code of Ethics* sections dealing with Emergency Care, Referrals and Patient Autonomy. That pilot episode is available [here](#). Additional podcast episodes are presently being prepared.

During the podcast research phase, the Council became aware of development work of an “ADA App” that will include a podcast platform. The Council understands the target launch date for the App is October 2022. A copy of the pilot episode of the Council’s ethics podcast series entitled “The Tooth Be Told” has been forwarded to the ADA Communications team working on the ADA app for evaluation and as an example of the Council’s vision for its podcast series. Additional podcast episodes are presently being prepared.

Updates on the status of the Council’s “The Tooth Be Told” ethics podcast series will be provided in the Council’s 2023 Annual Report.

Objective 9: The ADA will be the preeminent driver of trusted oral health information for the public and profession.

Initiative/Program: Periodic review of Council statements to ensure continued accuracy and relevance.

Success Measure: Annually review statements previously developed and adopted by the Council on various ethical issues and providing detailed explanations for the need for Advisory Opinions for the ADA *Code of Ethics*.

Target: Annual review of statements issued by the Council to ensure that the statements remain current and sound, making necessary revisions and updating supporting references as needed. Rescind statements that are no longer relevant and remove such statements from ADA.org. A sufficient number of Council statements should be reviewed each year so that all statements undergo review every five years.

Range: Two to four statements reviewed annually.

Outcome: On target at the time of submission. Several statements underwent periodic review in 2022 by a review panel.

At its first meeting this year, the Council voted to retain as written statements relating to abuse and neglect and unearned nonhealth degrees. A Council subcommittee also considered a request to develop a statement related to homeopathic products and treatments; the subcommittee’s recommendation on that request will be considered by the Council at its July 2022 meeting.

Objective 7: Improve overall organizational effectiveness at the national and state levels.

Initiative/Program: Review ADA governance material to ensure that such material aligns with the current governance policies and operational procedures adopted by the House of Delegates and Board of Trustees and assist tripartite members in amending governance material.

Success Measure: Annually review ADA governance material to conform to amendments to the ADA *Constitution and Bylaws*, *Governance Manual* and *Manual of the House of Delegates* approved by the House of Delegates. Periodically review ADA governance material for technical and editorial revisions.

Assist constituents and component societies with governance questions and revisions when requested, and summarize for the constituent societies ADA governance amendments enacted by the House of Delegates.

Target: Conform the online versions and revise and order print versions of the ADA *Constitution and Bylaws, Governance Manual* and *Manual of the House of Delegates* within 90 days of the adjournment *sine die* of the House of Delegates. Conduct a technical and editorial review of the ADA governance documents by the adjournment *sine die* of the Council meeting immediately preceding the ADA annual meeting. Provide a response to requests for governance assistance received from state and local dental societies within 60 days of receipt. Summarize House of Delegates governance actions within 60 days of the close of the House of Delegates.

Range: Conforming revisions to governance material completed within 60-120 days of the close of the House of Delegates. Editorial and technical review of 20-30% of the ADA *Bylaws and Governance Manual* performed annually. State and local society requests for governance assistance responded to within 45-75 days. House of Delegate governance amendment summaries distributed within 30-75 days of the conclusion of the ADA annual meeting.

Outcome: On target at the time of submission. Revisions to conform the ADA *Constitution and Bylaws and Governance Manual* were submitted in October 2021, within 45 days of the adjournment *sine die* of the 2021 session of the House of Delegates. Additional conforming revisions were unanimously approved by the Council and will be made during the preparation of the next print editions of the ADA *Constitution and Bylaws and Governance Manual* following the 2022 House of Delegates annual session. These amendments are reported to the House of Delegates in **Appendix 1** to this report pursuant to the requirements of Chapter VIII., Section K.6.b.iii., of the *Governance Manual*.

Emerging Issues and Trends

Diversity, Equity and Inclusion: In support of the Association's focus on the issues of diversity, equity and inclusion within the oral health care profession and the Association itself, the Council reviewed the ADA *Bylaws, Governance Manual* and *Code of Ethics* to ensure that the Association's governing documents utilize inclusive language and conform to the Association's values. The Council views these amendments as conforming to the Association's policies, and the revisions were made upon unanimous vote of the Council pursuant to Chapter VIII., Section K.6.b.ii., of the *Governance Manual*. These amendments are reported to the House of Delegates in **Appendix 1** of this report as required.

Responses to House of Delegates Resolutions

106H-2021: Resolution 106H-2021, requesting development of revisions to the House of Delegates periodic delegate allocation methodology to provide each federal dental service with a guaranteed two delegate minimum, was referred to the Council for response. A subcommittee of the Council has conducted a review of the delegate reapportionment methodology and the effects that providing the requested change would have on the overall size of the House of Delegates under several different scenarios. The subcommittee has formulated recommendations to revise the delegate reapportionment methodology to provide the guaranteed minimum representation requested in Resolution 106H-2021. The recommendations will be considered by the Council at its meeting in July 2022 and the response to the referral will be provided to the 2022 House of Delegates in a supplemental report.

Self-Assessment

The Council is next scheduled to conduct a self-assessment in 2024.

Policy Review

Two policies assigned to the Council are undergoing review in 2022 pursuant to the directive of Resolution 170H-2012, Regular Comprehensive Policy Review (*Trans.*2012:370). The subcommittee responsible for conducting policy review for the Council has recommended that both policies – entitled “Guidelines for Dentist Advertising” and “Freedom of Choice” – are in need of amendment. Should the full Council concur in that assessment, resolutions calling for amendments to the policies will be presented to the 2022 House of Delegates in separate reports.

Council Minutes

For more information on recent activities, see the Council’s [minutes](#) on ADA.org.

APPENDIX 1

REPORT ON GOVERNING DOCUMENT AMENDMENTS PURSUANT TO
CHAPTER VIII., SECTION K.6.b.iii. OF THE GOVERNANCE MANUAL

Amendments to Conform Governance Documents to Adopted 2020 Resolutions			
Reference Committee Designations			
Ref. Comm. A: Budget, Business, Membership and Administrative Matters			
Ref. Comm. C: Dental Education, Science and Related Matters			
Ref. Comm. D: Legislative, Health, Governance and Related Matters			
Res. No.	Source	Location*	Reference Committee
68H-2020* 34H-2021	Bylaws, Ch. 1, §20.B.	Page 6, lines 78-86	RC A (68H-2020) RC D (34H-2021)
35H-2021	Bylaws, CH. III, §120, 2 nd subparagraph	Pages 13-14, lines 406-411	RC D
53H-2021	Bylaws, Ch. V., §10	Page 16, lines 491-495	RC D
53H-2021	Bylaws, Ch. V., §40	Page 16, lines 501-502	RC D
53H-2021	Governance Manual, Ch. V., §B	Page 14, lines 398-403	RC D
31H-2021	Governance Manual, Ch. IX., §A.3	Page 25, lines 793-804	RC C

* Page locations are to the PDF versions of the ADA *Bylaws* and *Governance Manual* available on ADA.org.

* Implementation of amendment deferred until the close of the 2021 House of Delegates.

** Page references are to the PDF versions of the documents posted on ADA.org.

Amendments to Governance Documents Made Pursuant to Ch. VIII., Section K.6.b.ii. of the Governance Manual Upon Unanimous Vote of the Council on Ethics, Bylaws and Judicial Affairs (to be implemented with the next printing of the governance documents)				
Page	Line(s)	Section	Revision	Rationale
<i>Bylaws</i> , Chapter VII, APPOINTIVE OFFICER				
No revisions				
<i>Bylaws</i> , Chapter VIII, COUNCILS				
22	742-743	20.	“The composition, selection, and nomination, and election procedures as set forth in the <i>Governance Manual</i> shall be amendable only on <u>with</u> a two-thirds (2/3) affirmative vote of the delegates present and voting.”	Grammar Conform to conventional parliamentary parlance
21	751	30.D.	“Propose new policies, and rescission of and amendments to existing policies, for consideration by the House of Delegates;	Grammar, clarity and consistency
<i>Bylaws</i> , Chapter IX, COMMISSIONS				
21	758	10	“The House of Delegates shall establish commissions as set forth below, each of which shall have the areas of responsibility, composition, and operations that are set forth in these <i>Bylaws</i> and in the <i>Governance Manual</i> .”	Grammar, clarity and consistency
21	771	30.A.b.	“Accredit dental, advanced dental, and allied dental educational programs.”	Grammar, clarity and consistency
21	773	30.A.c.	“Provide a means for appeal from an adverse decision of the accrediting body of the Commission to a separate and distinct body of the Commission whose membership shall be totally	Grammar

			<u>completely</u> different from that of the accrediting body of the Commission.”	
22	787	30.B.e.	“Submit an annual report to the House of Delegates of this Association, and interim reports, on request.”	Grammar, clarity and consistency
22	792	30.C.a.	“Formulate and adopt requirements, guidelines, and procedures for the recognition of continuing dental education providers.”	Grammar, clarity and consistency
22	796	30.C.d.	“Submit an annual report to the House of Delegates of this Association, and interim reports, on request.”	Grammar, clarity and consistency
22	810	30.D.d.	“Submit an annual report to the House of Delegates of this Association, and interim reports on request.”	Grammar, clarity and consistency
<i>Bylaws, Chapter X, COMMITTEES, SPECIAL COMMITTEES AND SUBCOMMITTEES</i>				
23	825	10.C.	“... set forth in the <i>Governance Manual</i> and the rules of <u>the</u> body establishing the committee.”	Grammatical, to insert missing word
<i>Bylaws, Chapter XIII, INDEMNIFICATION</i>				
25	927-937	--	Each trustee, officer, council member, committee member, employee and other agent of the Association shall be held harmless and indemnified by the Association against all claims and liabilities, and all <u>All</u> costs and expenses, including attorney’s fees, reasonably incurred or imposed upon such person in connection with or resulting from any action, suit or proceeding, or the settlement or compromise thereof,	Technical amendments to enhance readability of section without changing intent.

			to which such person may be made a party by reason of any action taken or omitted to be taken by such person as a trustee, officer, council member, committee member, employee or agent of the Association, in good faith <u>are to be covered</u> . This right of indemnification shall inure to such person whether or not such person is a trustee, officer, council member, committee member, employee or agent at the time such liabilities, costs or expenses are imposed or incurred. and, in In the event of such person's death, <u>this right</u> shall extend to such person's legal representatives. To the extent available, the Association shall insure against any potential liability hereunder.	
<i>Bylaws</i> , Chapter XIV, PROCEDURAL MANUALS OF THE ASSOCIATION				
26	952	30.A.	"The <i>Governance Manual</i> is under the authority of the House of Delegates and shall <u>may</u> be amended ..."	Grammar
26	962	30.C.	"The Organization and Rules of the Board of Trustees is under the authority of the Board of Trustees and shall <u>may</u> be amended by a Board of Trustees resolution."	Grammar
26	963-64	30.D.	"D. The Standing Rules for Councils and Commissions is <u>are</u> under the authority of the Board of Trustees and shall <u>may</u> be amended by a majority vote of the members of the Board of Trustees <u>resolution</u> ."	"is to "are" and "shall" to "may": grammar Strike "majority vote of the members of the" and add "resolution" to conform language to Sections 30.A. and 30.B. language and to further refine the <i>Bylaws</i> ."

<i>Bylaws, Chapter XV, PARLIMENTARY AUTHORITY</i>				
No revisions				
<i>Governance Manual, Chapter VII, APPOINTIVE OFFICER</i>				
17	521	A.1.	"Assist the Board of Trustees in supervising, monitoring, and providing guidance to all Association councils, commissions, and committees in regard to their administrative functions and specific assignments;"	Grammar, clarity and consistency
17	524	A.2.	"Systematize the preparation of council, commission, and committee reports; and"	Grammar, clarity and consistency
17	526	A.3.	"Encourage collaboration and the exchange of information concerning mutual interests and issues between councils, committees, and commissions."	Grammar, clarity and consistency
<i>Governance Manual, Chapter VIII, COUNCILS</i>				
18	536-37	A.	Revise section heading from "Members, Selections, Nominations and Elections." to "Composition, Nominations and Election, and Removal for Cause."	Conform to structure of the section
18	543-44	A.1.a.i.(a).	"...this Association, no one of whom shall be ..." to "...this Association, <u>none of whom</u> shall be..."	Grammar
18	546-47	A.1.a.i.(a).	"These members shall be elected by the House of Delegates."	Redundant; specified in <i>Governance Manual</i> Chapter VIII, Section A.3.
18	549-50	A.1.a.i.(b).	"...that body, no one of whom shall be ..." to "...that body, <u>none of whom</u> shall be ..."	Grammar

18	567 and bottom of page	A.1.b.	Delete “***” on line 567 and the footnote	By directive in the footnote.
19 20	579-82 626-41	A.2. and Section E.	<p>Delete subsection A.2. in its entirety, and incorporate the substantive provisions of subsection A.2. in Section E., Term of Office, as follows:</p> <p>E. Term of Office. Except for members of the Council on Members Insurance and Retirement Programs whose 626 term of office shall be three (3) years, the term of office of members of councils shall be four (4) years except 627 as otherwise provided in the <i>Bylaws</i> or this <i>Governance Manual</i>. Except for members of the Council on 628 Members Insurance and Retirement Programs whose tenure on the council shall be limited to two terms of 629 three (3) years, the tenure of a member of a council shall be limited to one (1) term of four (4) years except as 630 otherwise provided in the <i>Bylaws</i> or this <i>Governance Manual</i>. The current recipient of the Gold Medal Award 631 for Excellence in Dental Research shall serve on the Council on Scientific Affairs until the award is bestowed 632 on the next honoree.</p> <p><u>1. The term of office for members of the Council on Members Insurance and Retirement Programs shall be 634 three (3) years, and members’ tenure on the council shall be limited to two (2) three year terms;</u></p> <p><u>2. The term of office of members of the New Dentist Committee elected to serve as members of councils shall be one (1) year, and whose tenure on any one council being limited to four (4) one year terms; and</u></p> <p><u>3. Except as otherwise provided in the <i>Bylaws</i> or this <i>Governance Manual</i>, the tenure of members of a council shall be limited to one (1)</u></p>	For clarity and consistency, so that term specifications for all council members is in a single section.

			<u>term of four (4) years. The current recipient of the Gold Medal Award for Excellence in Dental Research shall serve on the Council on Scientific Affairs until the award is bestowed on the next honoree.</u>	
19	583, 587, 594	A.3. – A.5.	Renumber subsections to account for the deletion of A.2.	Consistency
19	591	A.4.	“Prior to issuance of the decision by the Board of Trustees, no council member shall be excused <u>disallowed</u> from attending...”	Grammar; better word choice
20	624-25	D.2.	Replace Section in its entirety with “ <u>The Executive Director shall employ council staff and select their titles in the event they are employees.</u> ”	Clarity and ease of understanding.
20	626-41	E.	See amendment and comment regarding A.2. and Section E., above.	--
21	668-669	I.	“Privilege of the Floor. Chairs and members of councils who are not members of the House of Delegates shall have the right to participate in the debate on their respective reports, but shall not have the right to vote.	Grammar, clarity and consistency
<i>Governance Manual, Chapter IX, COMMISSIONS</i>				
24	781	A.1.b.	“active” to “current” to avoid ambiguity	Conforming amendment, as subject organization does not have “active” member category
24	785	A.1.c.	“active” to “current” to avoid ambiguity	Conforming amendment, as subject organization does not have

				“active” member category
24	798	A.2.b.	“active” to “current” to avoid ambiguity	Conforming amendment, as subject organization does not have “active” member category
24	801	A.2.c.	“active” to “current” to avoid ambiguity	Conforming amendment, as subject organization does not have “active” member category
25	814-816	A.3.b.	Replace section with: “ <u>One (1) member selected by the American Dental Education Association who is an active, retired or life member of this Association, if eligible, and a current member of the American Dental Education Association.</u> ”	Clarity and ease of understanding.
25	825 and footnote	A.4.c.	Delete footnote	Per the directive in the footnote.
25	827	A.5.	“... vote of delegates present and voting ₁ provided that the ...”	Grammar, clarity and consistency
25	851	E.1.a.	“... evaluations, including site visitations ₇ of predoctoral, advanced and ...”	Grammar
26	894	H.	“... the ADA Headquarters Building, the ADA Washington Offices ₉ or from multiple remote locations ...”	Conforming amendment
27	899	J.	“... shall have the right to participate in the debate on their respective reports ₁ but shall not have ...”	Grammar, clarity and consistency

<i>Governance Manual</i> , Chapter X, COMMITTEES, SPECIAL COMMITTEES AND SUBCOMMITTEES				
No revisions				
<i>Governance Manual</i> , Chapter XVIII, SCIENTIFIC MEETINGS				
No revisions				
<i>Governance Manual</i> , Chapter XVII,				
47	1466-67	C.	“Products <u>and services</u> of the dental trade and dental laboratories and other products <u>and services</u> may be exhibited at each scientific session under the direction of the Board of Trustees and in accordance with rules and regulations established by that body.”	Conforming amendment
<i>Governance Manual</i> , Chapter XIX, PUBLICATIONS				
No revisions				
Diversity, Equity and Inclusion Amendments to Governance Documents Made Pursuant to Ch. VIII., Section K.6.b.ii. of the Governance Manual Upon Unanimous Vote of the Council on Ethics, Bylaws and Judicial Affairs				
Page	Line(s)	Location	Revision	
<i>Bylaws</i> , Chapter I, MEMBERSHIP				
5	59-60	Section 20.A.	A. ACTIVE MEMBER. Any person holding a D.D.S., D.M.D. or equivalent degree* shall be eligible to be an active member of this Association if he or she meets <u>they meet</u> the following qualifications:	
6	78-79	Section 20.B.	B. LIFE MEMBER. Any person holding a D.D.S., D.M.D. or equivalent degree shall be eligible to be a life member of this Association if he or she meets <u>they meet</u> the following qualifications:	
6	88-89	Section 20.C.	C. RETIRED MEMBER. Any person holding a D.D.S., D.M.D. or equivalent degree shall be eligible to be a retired member of this Association if he or she meets <u>they meet</u> the following qualifications:	

*As used in these Bylaws, the term “equivalent degree” means a degree that the jurisdiction involved deems sufficient to allow the degree holder to sit for a full and complete dentist’s licensure examination in the jurisdiction without any additional training

6	106-109	Section 20.E.	<p>E. HONORARY MEMBER. Any person shall be eligible to be an honorary member of this Association if he or she meets <u>they meet</u> the following qualifications:</p> <ul style="list-style-type: none"> a. Has <u>Have</u> made outstanding contributions to the advancement of the art and science of dentistry; and b. Be <u>Are</u> elected an honorary member by the Board of Trustees.
6-7	110-122	Section 20.F.	<p>F. PROVISIONAL MEMBER. An individual is a provisional member of this Association if he or she meets <u>they meet</u> one of the following alternative qualifications:</p> <ul style="list-style-type: none"> a. Has received a D.D.S. or D.M.D. degree within the past twenty-four (24) months from a dental school accredited by the Commission on Dental Accreditation of this Association and is <u>are</u> not eligible for tripartite or any other direct category of membership because he or she has <u>they have</u> not established a place of practice. The provisional membership awarded under this alternative shall terminate December 31 of the second full calendar year following the year in which the degree was awarded; or b. Is <u>Are</u> a graduate of an unaccredited dental school who has been licensed within the past twenty-four (24) months to practice dentistry in a jurisdiction in which there is a constituent and has not established a place of practice. The provisional membership awarded under this alternative shall terminate December 31 of the second full calendar year following the year in which the license was awarded.
<i>Bylaws, Chapter VI, ELECTIVE OFFICERS</i>			
20	634-638	Section 80.G.	<p>G. TEMPORARY INCAPACITY OF THE PRESIDENT: Whenever the Board of Trustees is notified by the President or determines by majority vote that the President is unable to discharge the duties of his or her <u>the</u> office due to temporary incapacity, the President-elect shall assume the duties of the office of President, as Acting President, until the President satisfies the voting members of the Board of Trustees that he or she is <u>they are</u> prepared to resume the duties of the office of President.</p>
<i>Governance Manual</i>			

11	364-367	Chapter II, Section C.5. (1 st ¶)	5. <u>Transfer from One Component to Another</u> . A member who has changed residence or location of practice or employment within the jurisdiction of a constituent so that the member no longer fulfills the membership requirements of the component of which he or she is <u>they are</u> a member may maintain active membership in that component for the calendar year following such change of residence or practice location.
14	404-407	Chapter V, Section C.	C. <u>Removal</u> . The House of Delegates may remove a trustee for cause in accordance with procedures established by the House of Delegates. The procedures shall provide for notice of the charges alleged and an opportunity for the accused to be heard in his or her <u>their</u> defense. A two-thirds (2/3) affirmative vote of the delegates present and voting is required to remove a trustee from office.
16	514-517	Chapter VI, Section E.	E. <u>Removal</u> . The House of Delegates may remove an elective officer for cause in accordance with procedures established by the House of Delegates. The procedures shall provide for notice of the charges alleged and an opportunity for the accused to be heard in his or her <u>their</u> defense. A two-thirds (2/3) affirmative vote of the delegates present and voting is required to remove a trustee from office.
19	Footnote *	Chapter VIII, Section A.1.a.i.(a).	* A person shall be considered to be a full-time member of a faculty if he or she works <u>they work</u> for the school of dentistry more than two (2) days or sixteen (16) hours per week.
36	1172-1173	Chapter XI, Section C.4.b.	b. <u>Purpose</u> . The purpose of the hearing is to provide the accused member with an opportunity to present a defense to the charges brought against him or her <u>them</u> .
36	1211-1213	Chapter XI, Section C.6.	6. <u>Notice of Right to Appeal</u> . A written notice to the accused member informing the accused member of his or her <u>their</u> right to appeal the decision of the hearing panel must accompany the copies of the decision sent pursuant to these procedures
47	1434-1441	Chapter XVII (2 nd and 3 rd ¶¶).	As a condition for selection, each nominee, candidate and applicant shall complete a conflict of interest statement as prescribed by the Board of Trustees, disclosing any situation which might be construed as placing the individual in a position of having an interest that may conflict with his or her <u>their</u> duty to the Association. Candidates for offices of President-elect, Second Vice President, Treasurer, Speaker of the House, nominees for office of trustee, and nominees to councils and commissions shall file such statements with the Secretary of the House of Delegates to be made available to the delegates prior to election. As a condition of

		<p>appointment, consultants, advisers and staff of Councils, Commissions and Special Committees, and each person nominated or seeking such positions, shall file conflict of interest statements with the Executive Director of this Association.</p> <p>While serving in any elective, appointive or employed office or position, the individual shall comply with the conflict of interest policy applicable to his or her <u>their</u> office or position, shall complete and file a conflict of interest statement for each year of service, and shall promptly report any situation in which a potential conflict of interest may arise.</p>
<i>Code of Ethics</i>		
Page	Code Section	Revision
6	2.D.1	<p>2.D.1. ABILITY TO PRACTICE.</p> <p>A dentist who contracts any disease or becomes impaired in any way that might endanger patients or dental staff shall, with consultation and advice from a qualified physician or other authority, limit the activities of practice to those areas that do not endanger patients or dental staff. A dentist who has been advised to limit the activities of his or her <u>their</u> practice should monitor the aforementioned disease or impairment and make additional limitations to the activities of the dentist’s practice, as indicated.</p>
9	4.A.1	<p>4.A.1. PATIENTS WITH DISABILITIES OR BLOODBORNE PATHOGENS.</p> <p>As is the case with all patients, when considering the treatment of patients with a physical, intellectual or developmental disability or disabilities, including patients infected with Human Immunodeficiency Virus, Hepatitis B Virus, Hepatitis C Virus or another bloodborne pathogen, or are otherwise medically compromised, the individual dentist should determine if he or she has <u>they have</u> the need of another’s skills, knowledge, equipment or expertise, and if so, consultation or referral pursuant to Section 2.B hereof is indicated. Decisions regarding the type of dental treatment provided, or referrals made or suggested, should be made on the same basis as they are made with other patients. The dentist should also determine, after consultation with the patient’s physician, if appropriate, if the patient’s health status would be significantly compromised by the provision of dental treatment.</p>
9	4.B	<p>4.B. EMERGENCY SERVICE.</p> <p>Dentists shall be obliged to make reasonable arrangements for the emergency care of their patients of record. Dentists shall be obliged when consulted in an emergency by patients not of record to make reasonable arrangements for emergency care. If treatment is provided,</p>

		the dentist, upon completion of treatment, is obliged to return the patient to his or her <u>the patient's</u> regular dentist unless the patient expressly reveals a different preference.
10	4.C.1	<p>4.C.1. MEANING OF “JUSTIFIABLE.”</p> <p>Patients are dependent on the expertise of dentists to know their oral health status. Therefore, when informing a patient of the status of his or her <u>their</u> oral health, the dentist should exercise care that the comments made are truthful, informed and justifiable. This should, if possible, involve consultation with the previous treating dentist(s), in accordance with applicable law, to determine under what circumstances and conditions the treatment was performed. A difference of opinion as to preferred treatment should not be communicated to the patient in a manner which would unjustly imply mistreatment. There will necessarily be cases where it will be difficult to determine whether the comments made are justifiable. Therefore, this section is phrased to address the discretion of dentists and advises against unknowing or unjustifiable disparaging statements against another dentist. However, it should be noted that, where comments are made which are not supportable and therefore unjustified, such comments can be the basis for the institution of a disciplinary proceeding against the dentist making such statements.</p>
12	5.B.6	<p>5.B.6. UNNECESSARY SERVICES.</p> <p>A dentist who recommends or performs unnecessary dental services or procedures is engaged in unethical conduct. The dentist's ethical obligation in this matter applies regardless of the type of practice arrangement or contractual obligations in which he or she provides <u>they provide</u> patient care.</p>
15	5.F.5	<p>5.F.5. INFECTIOUS DISEASE TEST RESULTS.</p> <p>An advertisement or other communication intended to solicit patients which omits a material fact or facts necessary to put the information conveyed in the advertisement in a proper context can be misleading in a material respect. A dental practice should not seek to attract patients on the basis of partial truths which create a false impression.³</p> <p>For example, an advertisement to the public of HIV negative test results, without conveying additional information that will clarify the scientific significance of this fact contains a misleading omission. A dentist could satisfy his or her <u>their</u> obligation under this advisory opinion to convey additional information by clearly stating in the advertisement or other communication: “This negative HIV test cannot guarantee that I am currently free of HIV.”</p>
15	5.G.	<p>5.G. NAME OF PRACTICE.</p> <p>Since the name under which a dentist conducts his or her <u>their</u> practice may be a factor in the selection process of the patient, the use of a trade name or an assumed name that is false or misleading in any</p>

		material respect is unethical. Use of the name of a dentist no longer actively associated with the practice may be continued for a period not to exceed one year. ³
17	5.H.2	<p>5.H.2. SPECIALIST ANNOUNCEMENT OF CREDENTIALS IN NON-SPECIALTY INTEREST AREAS.</p> <p>A dentist who is qualified to announce specialization under this section may not announce to the public that he or she is <u>they are</u> certified or a diplomate or otherwise similarly credentialed in an area of dentistry not recognized as a specialty area by the National Commission on Recognition of Dental Specialties and Certifying Boards or by the jurisdiction in which the dentist practices unless:</p> <ol style="list-style-type: none"> 1. The organization granting the credential grants certification or diplomate status based on the following: a) the dentist’s successful completion of a formal, full-time advanced education program (graduate or postgraduate level) of at least 12 months’ duration; and b) the dentist’s training and experience; and c) successful completion of an oral and written examination based on psychometric principles; and 2. The announcement includes the following language: [Name of announced area of dental practice] is not recognized as a specialty area by the National Commission on Recognition of Dental Specialties and Certifying Boards or [the name of the jurisdiction in which the dentist practices]. <p>Nothing in this advisory opinion affects the right of a properly qualified dentist to announce specialization in a recognized specialty area(s) or the responsibility of such dentist to maintain exclusivity in the special area(s) of dental practice announced as provided for under Section 5.H of this <i>Code</i>. Specialists shall not announce their credentials in a manner that implies specialization in a non-specialty interest area.</p>
17	5.I.1	<p>5.I.1. GENERAL PRACTITIONER ANNOUNCEMENT OF CREDENTIALS IN INTEREST AREAS IN GENERAL DENTISTRY.</p> <p>A general dentist may not announce to the public that he or she is <u>they are</u> certified or a diplomate or otherwise similarly credentialed in an area of dentistry not recognized as a specialty area by the National Commission on Recognition of Dental Specialties and Certifying Boards or by the jurisdiction in which the dentist practices unless:</p> <ol style="list-style-type: none"> 1. The organization granting the credential grants certification or diplomate status based on the following: a) the dentist’s successful completion of a formal, full-time advanced education program (graduate or postgraduate level) of at least 12 months duration; and b) the dentist’s training and experience; and c) successful completion of an oral and written examination based on psychometric principles; 2. The dentist discloses that he or she is <u>they are</u> a general dentist; and 3. The announcement includes the following language: [Name of announced area of dental practice] is not recognized as a specialty

		area by the National Commission on Recognition of Dental Specialties and Certifying Boards or [the name of the jurisdiction in which the dentist practices].
19	IV. (3 rd ¶)	A member who is found guilty of unethical conduct proscribed by the <i>ADA Code</i> or code of ethics of the constituent or component society, may be placed under a sentence of censure or suspension or may be expelled from membership in the Association. A member under a sentence of censure, suspension or expulsion has the right to appeal the decision to his or her <u>their</u> constituent society and the ADA Council on Ethics, Bylaws and Judicial Affairs, as provided in Chapter XI of the <i>ADA Bylaws and Governance Manual</i> .