



## NDC (National Dental Commission) 'Setting new pathways for dental education'

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### Abstract

An Act to regulate the profession of dentistry in the country, to provide for quality and affordable dental education, to make accessible high quality oral healthcare and for matters connected therewith or incidental there to is called National Dental commission act. The bill revokes the Dentists Act, of 1948 and proposes to set up (i) the National Dental Commission, (ii) the Dental Advisory Council and (iii) three autonomous Boards for regulating education and standards of dentistry.

**Keywords:** Dental education, national dental commission, oral healthcare, regulation, dentists act 1948

### Introduction

Dental profession in India is facing multiple challenges with regard to education, practice and employment. India has the second-highest number of dentists in the world; 3 lakh are registered with the Dental Council of India (DCI). Although India has more than the recommended dentist-to-population ratio ie. WHO recommends a dentist-to-population ratio of 1:7500. The dentist-to-population ratio of India, which was 1:300,000 in the 1960s, now stands at 1:10,000<sup>[1]</sup>.

The problem lies in the distribution of dentists, access to oral healthcare, and lack of public institutions amongst others. There is a shortage of government colleges with only around 60 registered government colleges as a result, there is an increase in the number of private colleges. Privatisation of education has raised questions on standardisation of education, fee hikes, quality of education, accessibility of dental education. The National Dental Commission Act proposes setting up a Commission to oversee the integrated development of education and maintenance of the standards of delivery of services.

The National Dental Commission Bill, 2023 was introduced in Lok Sabha on July 24, 2023, and passed on July 28, 2023 subsequently it was passed in Rajya Sabha on August 8, 2023. The act finally received the assent of the President on 11th August 2023. The act regulates the profession of dentistry in India, provides quality and affordable dental education and to make high-quality oral healthcare accessible.

### The National Dental Commission Bill constitutes<sup>[2,3]</sup>

#### 1. The National Dental Commission:

The National Dental Commission would comprise 33 members with a chairperson, 8 Ex-officio members and 24 part-time members appointed by the central government on the recommendation of a Search-cum-Selection Committee. Search-cum-selection committee will comprise the cabinet secretary, three experts, one member and the secretary to the government of India in charge of the Ministry of Health and Family Welfare as a convener. The centre holds the power to remove from office the Chairperson or any other member in

situations such as abuse of power, conviction of an offence, or declared incompetent or physically and mentally incapable.

#### 2. The Dental Advisory Council:

The Council shall be constituted by the central government. The main functions of the council include raising concerns in front of the commission in shaping the overall agenda, policy and action relating to dental training and education. The Council will be chaired by the Chairperson of the Commission. Ex-officio members of the Commission will also be ex-officio members of this Council

#### 3. Three Autonomous Boards for regulating dental education and standards of dentistry:

The Act will empower three distinct Autonomous Boards: the Undergraduate and Postgraduate Dental Education Board, the Dental Assessment and Rating Board (DARB), and the Ethics and Dental Registration Board (EDRB). These boards will carry out specific assigned functions, contributing to a comprehensive regulatory framework.

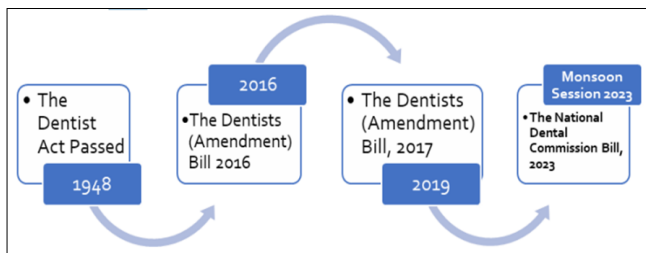
### Background

The National Dental Commission Bill of 2023 aims to update the Dentists Act of 1948, taking into account the advancements made in dental education since that time. The aim of the new legislation is to improve and revitalise the field of dentistry by repealing the Dentists Act of 1948 and dissolving the Dental Council of India. The Act of 1948 was an overarching legislative framework governing dental education, profession, and ethical conduct in the country. Its primary points included allowing the government authorities to approve the creation of dental colleges, broadening the scope of higher education in this field, and increasing the number of students who could enrol. This legislation explicitly provided definitions for pivotal roles within the dental domain, namely dental hygienists, mechanics, and dentists. Furthermore, it empowered the designated council to exercise its prerogative in recognising degrees and

diplomas in dentistry, facilitating the registration of dental practitioners, and undertaking inspections to ensure compliance with stipulated standards. This document aims to analyse the timeline of drafting the Bill, its significant highlights, and the areas of discussion surrounding it [4].

### Timeline

The National Dental Commission Bill, which was formulated by the Ministry of Health and Family Welfare in 2020, has been due for almost three parliamentary sessions as it was to be introduced during the Winter Session of 2022. A pre-legislative note was prepared for the subject matter. The proposed Bill was presented during the Monsoon Session of Parliament to replace the Dentist Act of 1948 [4].



### Objective of The Bill

The National Dental Commission Bill, 2022 proposes for setting up a National Dental Commission and to repeal the Dentists Act, 1948. The National Dental Commission Bill, 2022 aims to improve access to good-quality and affordable dental education, availability of dental professionals and their services in all parts of the country, periodic and transparent assessment of dental institutions and facilitate maintenance of a national dental register. It also aims to enforce high ethical standards in all aspects of dental services. It proposes the formation of a new regulatory body, called the National Dental Commission (NDC), to draft policies and maintain quality standards in dental education and the profession. The Bill also seeks to standardize the procedure for graduates to enroll in the state dental registers, obtain licenses to practice dentistry and to seek admission into graduate programmes through a National Exit Test (Dental). The preamble of the new Bill envisages a dental education system that improves access to education, dentists and oral healthcare for all and maintains ethical standards. While the Dentists Act 1948 recognises services and procedures related only to restoring or replacing teeth, the new Bill covers the breadth of oral health care services dentists can provide as well as tobacco cessation activities [5].

### Key Highlights of The Draft 2023 Bill [6]

- The Dentists Act of 1948 confines its purview solely to the recognition of services and procedures pertaining to tooth restoration or replacement; the newfound Bill encompasses an expanse of oral healthcare services that dentists can efficaciously dispense, augmenting its efficacy manifold [7].
- The proposed National Dental Commission Bill 2023 endeavours to establish the National Dental Commission (NDC) as the principal entity responsible for regulating dental education practising within the confines of India. The Dental Advisory Council will assist the Commission in doing the same. The

composition of the NDC is laid out comprehensively in the proposed Bill wherein 30 individuals, including a chairperson, 7 ex-officio members, and 22 part-time members responsible for carrying out the following functions and responsibilities [8].

- Chapter II of the proposed legislation makes mention of the several functions of the National Dental Commission wherein Section 10 (2) (c) states that the commission shall articulate policies governing the regulation of dental institutions, dental research facilities, and dental professionals, accompanied by the necessary regulatory framework. Section 10 (2) (g) of the Bill allows NDC to assess the needs of dental healthcare, including the required human resources and healthcare facilities, and develop a plan to meet those requirements.
- In Chapter III of the Bill, the constitution of an advisory body is mentioned, namely the Dental Advisory Council. This Council will act as the main platform for States and Union territories to voice their opinions and concerns to the Commission regarding dental education and training. It will also assist in shaping the overall agenda, policies, and actions in this area.
- Chapters IV and V of the Bill outline the criteria for administering national entry and exit exams for students who wish to pursue dentistry at the undergraduate and postgraduate levels. These functions will also fall under the purview of the Commission.
- In Chapter VI, the constitution of four Autonomous boards is established. These boards include:
  - **Undergraduate Dental Education Board (BDS):** To establish the criteria for dental education at the undergraduate level.

**Post Graduate Dental Education Board (MDS):** In order to evaluate the quality of dental education in postgraduate programs, we need to establish specific standards.

**Dental Assessment & Rating Board:** The objective is to establish a procedure for evaluating and grading dental institutions according to the standards set by the Undergraduate Dental Education Board or the Postgraduate Dental Education Board. Additionally, permission will be granted to establish new dental colleges or increase the number of seats available.

**Ethics & Dental Registration Board:** The NDC will oversee the conduct of dental professionals and uphold ethical standards. They will also keep a record of all licensed dentists practising in India.

- The primary aim of the NDC is to ensure that these boards work in harmony and coordinate effectively to carry out their respective functions.
- Within one year of this Act's commencement, the State Government is required to take necessary measures to establish a State Dental Council as stipulated in Chapter VII of the Bill. Chapter VIII of the Bill specifies that the Ethics and Dental Registration Board will be responsible for maintaining a National Register for Dentists. This register will be available online and updated in real time. It will include the name, address, and all recognized qualifications of licensed dentists, along with any other details required by regulations.

- While Chapter IX of the proposed legislation outlines policies aimed at maintaining quality and high standards in dental education. It also proposes the implementation of necessary regulations to achieve this goal.

### Functions <sup>[1]</sup>

The National Dental Commission's functions include

- Laying down policies and regulations for the governance of education, examination and training.
- Promote the adoption of additional degrees or diplomas, in higher education, including the development of soft skills for the advancement of the career of the dentists.
- Ensuring admission to undergraduate dental courses through the National Eligibility cum Entrance Test under the National Medical Commission Act 2019
- Assess the requirements of oral healthcare including human resources for dental health, career progression of dentists and dental auxiliaries and healthcare infrastructure.
- Ensuring admission to postgraduate courses through the National Exit Test (NExT-Dental)
- Promote preventative dental care services
- Ensuring coordination among the autonomous board
- lay down policies and codes to ensure observance of professional ethics in the dental profession and to promote ethical conduct during the provision of care by dentists
- Frame guidelines for determination of fees and all other charges in respect of fifty per cent of seats in private dental institutions and deemed to be universities which are governed under the provisions of this act

### Salient Features of The Bill <sup>[9]</sup>

- The Bill proposes to repeal the Dentists Act, 1948.
- It proposes to dissolve Dental Council of India (DCI) and replace with a dental Commission.
- It proposes to set up a National Dental Commission (NDC)- which shall consist of the following persons to be appointed by the Central Government, namely: – Chairperson; Seven ex-officio Members; and Twenty two part-time Members.
- National Exit Test (Dental) for final year under graduate students for granting license to practice dentistry, as a basis for admission to PG (MDS) and for obtaining license to practice in India for the person having foreign dental qualification <sup>[10]</sup>.
- It will provision setting up of four Autonomous Boards under National Dental Commission –
  - Under Graduate Dental Education Board (BDS) shall determine standards of dental education at undergraduate level
  - Post Graduate Dental Education Board (MDS) shall determine the standards of dental education at the postgraduate level <sup>[11]</sup>.
  - Dental Assessment & Rating Board determine the procedure for assessing and rating the dental institutions with the standards laid down by the Under-Graduate Dental Education Board or the Post-Graduate Dental Education Board; to grant permission to establish new dental college or increase seats <sup>[12]</sup>.
  - Ethics & Dental Registration Board shall regulate professional and promote dental ethics; and shall maintain National Register of all licensed dentists in India.

- Bar to Practice- No person other than a person who is enrolled in the State Register or the National Register, shall-
  - Be allowed to practice dentistry as a qualified dentist: <sup>[13]</sup>
  - Hold office as a dentist or any other office, by whatever name called, which is meant to be held by a dentist;
  - Be entitled to sign or authenticate a medical or fitness certificate or any other certificate required by any law to be signed or authenticated by a duly qualified dentist.
  - Be entitled to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872 on any matter relating to dentistry.

### Areas which Require Further Deliberation

The National Dental Commission Bill 2023 can encounter the following challenges:

- Representation and Autonomy: The Bill raises concerns regarding the significant empowerment of the central government through its authority to appoint the chairperson and ex-officio members of the NDC. Some worry that this heavy reliance on the central government for the selection of all commission members could result in an undue concentration of power and control in the hands of the central government <sup>[14]</sup>.
- Feasibility and Cost-effectiveness: Establishing a distinct dental commission when a National Medical Commission already exists to oversee a branch of medicine encourages a multilayered bureaucratic system. Creating a new commission, particularly during economic downturns, will have multiple challenges pertaining to adequate resource allocation.
- Lack of attention to Dental Auxiliaries: The Dentist Act of 1948 recognizes two categories of auxiliaries: dental hygienists and dental mechanics. However, the present situation is unfortunate, with only 6,605 dental auxiliaries in India, indicating neglect of these allied health professionals. The current Bill overlooks the crucial role of dental auxiliaries and fails to provide adequate acknowledgement and definition for their role <sup>[14]</sup>.

### Benefits

The National Dental Commission Bill 2023 is expected to bring some reforms to the stakeholders, including significant improvements in the quality of dental education and practice <sup>[15]</sup>.

### They are detailed below:

- Promoting Uniform and Excellent Dental Education: The Bill aims to achieve consistency and excellence in dental education and training nationwide. This will result in the development of highly skilled and proficient dental graduates capable of meeting societal needs and aspirations effectively <sup>[16]</sup>.
- Fostering Ethical and Professional Dental Care: One of the primary objectives of the Bill is to instil ethical conduct and professional behaviour among dental practitioners. By adhering to a comprehensive code of conduct, dental professionals will ensure the delivery of top-notch care to their patients <sup>[17]</sup>.
- Encouraging Innovation and Research: The Bill's positive impact extends to stimulating innovation and research within the dental field. Prioritising research

will promote evidence-based practices, elevating the overall quality of dental services.

- Fortifying Dental Education and Practice: With thoughtful provisions, the Bill will strengthen the groundwork of dental education and practice in India. By ensuring standardised and competent dental training, it will enhance the reputation and prominence of the dental profession across the nation <sup>[18]</sup>.

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