



**Richmond**  
DENTAL SOCIETY



## Virtual RDS Membership Meeting

Thursday, January 21, 2021

6:30 PM Business Meeting

followed by

7 – 8 PM Speaker

**Dr. Aniket Jadhav,**  
Director & Associate Professor  
at VCU School of Dentistry

**“Cone Beam X-Rays Are in Your Future”**

## UPCOMING MEETINGS:

Thursday, March 18, 2021

Virtual RDS Membership Meeting  
featuring  
**William O. Dahlke, Jr., DMD, Chair**  
Department of Pediatric Dentistry, VCU

Friday, March 19, 2021

Virtual All Day CE Course  
featuring  
**Dr. Howard Farran,**  
Founder & Owner of Dentaltown Magazine  
**“Dr. Farran’s One-Day Dental MBA”**

Thursday, May 20, 2021

Virtual Membership Meeting  
Installation of Officers

### Newsletter Deadline

**March/April/May 2021**  
**(February 16, 2021)**

### Contact Us:

Richmond Dental Society  
Linda Simon, Executive Director  
14241 Midlothian Turnpike, #509  
Midlothian, VA 23113  
804.323.5191

[richmonddental@verizon.net](mailto:richmonddental@verizon.net)  
[www.richmonddentalsociety.org](http://www.richmonddentalsociety.org)

January/February 2021  
(Next Deadline: February 16, 2021)



# RDS NEWS

The Richmond Dental Society Newsletter

## Board of Directors

### President

Dr. Elizabeth Miller  
emillerdds@gmail.com

### President-Elect

Dr. Gloria Ward  
gloria@gloriawarddds.com

### Secretary

Dr. Jesse Harris  
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### Treasurer

Dr. Mike Miller  
mmiller@commonwealthofs.com

### Immediate Past President

Dr. Cassidy Turner  
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### VDA Board of Directors

Dr. Marcel G. Lambrechts, Jr.  
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Dr. Benita Miller  
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### Board Members

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## President's Corner



Elizabeth Miller, D.D.S., President

The Richmond dental community remains resilient and strong despite the world constantly changing around us from COVID-19.

None of us were prepared for a pandemic to hit our community and practices however, the pandemic has shown that dentists are willing to stand up to the challenge and use it for the good of our practices and patients.

Many of us can say that since COVID-19 hit, we have made

changes in our practices that we actually prefer to our "old way" of practicing. Some of these changes we will continue to integrate into our dental practices for the foreseeable future. These positive changes help us provide the very best dental care to those in the Richmond community and surrounding areas.

Now that dentists and their teams are successfully navigating how and where to obtain their vaccines, we start to see a light at the end of the tunnel. We applaud you for your perseverance and willingness to navigate an uncharted territory which will ultimately make our practices stronger.

The Richmond Dental Society continues to support local dentists during these trying times. The RDS Board of Directors continue to meet on a monthly basis on Zoom. Please make plans to attend our Virtual RDS Meeting on January 21st with Dr. Aniket Jadhav, Director of Oral and

Maxillofacial Radiology at VCU School of Dentistry, "Cone Beam X-rays Are in Your Future." Looking forward to seeing you all there!

### VDA MEETING DATES

2021 VIRGINIA MEETING  
September 15-19, 2021  
Williamsburg Lodge  
Williamsburg, VA

2022 VIRGINIA MEETING  
September 14-18, 2022  
The Omni Homestead Resort  
Hot Springs, VA



## VDA Board Report

*Submitted by Dr. Marcel Lambrechts*

Greetings and here's to a better 2021! I am hopeful and optimistic that by the end of the year, practices will be running back at

full steam with Covid-19 in the rear-view mirror. The hot topic currently is the Covid-19 Vaccine. Getting it and what to do if some of our staff do not wish or cannot take the vaccine. Look for the FAQs to be up on this subject on the VDA website. Please contact your county health department to gain access to your vaccinations. I happen to know the number to call for Henrico is (804) 205-3501 as that is where I practice.

All of the VDA's councils and committees will be meeting (Zoom) this January and February and the Board is planning to meet on the 15th of January. The VDA Strategic Plan 2025 is planned to be released later this month so keep your eyes peeled for that! We are planning on The VDA ANNUAL MEETING to be IN PERSON in September!! The focus will be fun and engagement. The fact that we will be able to see each other face to face will be amazing. Please begin planning to attend this reunion of your friends and colleagues of the VDA. After over a year of trials and tribulation, this will hopefully be a kick-off to the return to normalcy!

# Board of Director's Meeting Minutes

Submitted by Dr. Jesse Harris, Secretary

## September 14, 2020

- New officers and board members were installed by Dr. Elizabeth Reynolds.
  - The meeting was called to order by Dr. Elizabeth Miller, President. The following members participated in the call. Doctors Reynolds, E. Miller, Vaughan, Lambrechts, Mamrick, Voth, Kreuzer, Ward, Bates, M. Miller, B. Miller, Harris, luorno, Martinez, Glazier, Billingsley, Edwards, Gibberman, and Linda Simon.
  - The Board approved the minutes of the June 22, 2020 Board Meeting.
  - Motion was raised to approval of standing rules with recommended deletion of #3 because we no longer have to submit the names to the VDA. They get the information directly from the ADA data base. Vote to approve rules and remove #3 was unanimous.
  - REPORTS:
    - Treasurer's Report – Dr. Mike Miller
      - o Dr. Miller gave the Treasurer's Report for June 30, 2020. We had many canceled events which resulted in a surplus. With COVID, budget for 20-21 will be difficult to manage and could possibly be very different from previous years.
    - VDA Board Report – Dr. Marcel Lambrechts
      - o Practice session was last weekend, still working out the kinks with ZOOM. House of Delegates meeting should be quick.
      - o Each Delegate has an assigned number for the Zoom call. (Linda has that if you need it.)
    - Casino Night – Dr. Marcel Lambrechts- Will be postponed for now and will talk about it again in April 2021.
    - Executive Director Report - Linda Simon
      - o Dr. Hal Crossley CE Webinar October 2, 2020 – Registrations are going well.
        - currently anticipate over 100 participants.
      - o Dr. Gordon Christensen CE Webinar is scheduled for Friday, November 20, 2020.
      - o Give Kids A Smile – Storage unit has been cleared out and a refund is pending.
- New Business:
- Delegate Caucus to follow this Board meeting.
  - Nothing for Good of the Order
  - Next Board Meeting is scheduled for Monday, October 12 at 6 PM
- There being no further business, the meeting was adjourned at 7pm.

## October 19, 2020

- The meeting was called to order by Dr. Elizabeth Miller, President. The following members participated in the call. Doctors E. Miller, Lambrechts, Mamrick, Kreuzer, Ward, M. Miller, B. Miller, Harris, Martinez, Glazier, Billingsley, Edwards, Gibberman, and Linda Simon. Also present on the call was VDA President, Dr. Frank luorno.
  - The Board approved the minutes of the September 14, 2020 Board Meeting.
  - REPORTS:
    - Treasurer's Report – Dr. Mike Miller
      - o Dr. Miller gave the Treasurer's Report. Budget for 2021-2022 is set and approved by the Board. Will be close to last year's budget. No dues increase planned for next year. Plan to present to the members in January 2020 and vote in March 2021.
    - VDA Board Report – Dr. Marcel Lambrechts
      - o 150th anniversary was this year. Big party was planned, will be pushed to next year.
      - o Voted to keep VDA journal in print and digital
      - o Donated dental services needed extra funding and was approved.
      - o McCarren-Ferguson Insurance Reform Act passed the House
    - VDA President Report-
      - o Looking for someone to fill marketing and communications slot
      - o Plans to update bylaws
      - o Restructure governance for younger dentists to make getting involved easier
    - Executive Director Report - Linda Simon
      - o Dr. Hal Crossley CE Webinar October 2, 2020 went very well, great turnout
      - o Dr. Gordon Christensen CE Webinar is scheduled for Friday, November 20, 2020
      - o Considering Webinar with Dr. Howard Farran in March 2021
- New Business:
- Considering virtual membership meetings January 21, 2021 and March 18, 2021 with CE.
  - Nothing for Good of the Order
  - Next Board Meeting is scheduled for Monday, November 16 at 6 PM
- There being no further business, the meeting was adjourned at 7pm.

continued on page 4

## November 16, 2020

- The meeting was called to order by Dr. Elizabeth Miller, President. The following members participated in the call. Doctors E. Miller, Mamrick, M. Miller, B. Miller, Martinez, Glazier, Edwards, Gibberman, Turner, Vaughan, Bibona and Linda Simon.

- The Board approved the minutes of the October 19, 2020 Board Meeting.

### - REPORTS:

- Treasurer's Report – Dr. Mike Miller-

- o Dr. Miller gave the Treasurer's Report. Budget for 2021-2022 is set and approved by the Board. Will be close to last year's budget. No dues increase planned for next year. Plan to present to the members in January 2020 and vote in March 2021.

- Executive Director Report - Linda Simon

- o Dr. Gordon Christensen CE Webinar is scheduled for

Friday, November 20, 2020. Registrations have been strong and we anticipate a very good return.

- o Considering switching from an in person event to a Webinar with Dr. Howard Farran in March 2021.
- o We will be having a virtual Membership Meeting in January and March 2021.
- o Casino Night sponsors have all been refunded.

### New Business:

- Discussion among Board Members about COVID related issues.
- Nothing for Good of the Order
- Next Board Meeting is scheduled for Monday, January 18, 2021 at 6 PM

There being no further business, the meeting was adjourned.



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## January 15, 2021 Meeting of the VDA Board of Directors

### **Teledentistry**

- VDA is currently executing a communications plan in concert with the VAO to heighten awareness of the new teledentistry law and educate members about their role in needing to report cases to the Board of Dentistry.

### **Board of Dentistry (BOD)**

- License renewal dates will change to birth months beginning in February 2021. Follow instructions when renewing your license.
- Moderate sedation will be a 2-person team in upcoming regulation.
- The BOD is working on the definition of dental scan technician (referred to in Teledentistry Law) as mandated by the General Assembly. The VDA will monitor and weigh-in.
- Mandatory training for dental assistants on infection control (similar to radiology training) is being reviewed. VDA's position: opposed since this training seems redundant.
- Regulation for DAII modifying educational requirements by moving to competency-based program where didactic coursework is followed by clinical training under supervision of a calibrated dentist is pending Governor's signature.
- There is also a petition for rulemaking asking to amend requirement for dental assistant II training. This would create a path for DA's with 5-10 years of experience to take the DAII exam with on-site training only. VDA's position on this petition is that, as written, the proposed regulation lacks appropriate dentist calibration to ensure adequate training has been achieved.

### **Councils/Committees**

- The President has met with all committee and councils discussing the goals of the VDA's new Strategic Plan. Full committee/council meetings have begun. Reports are due to [wisman@vadental.org](mailto:wisman@vadental.org) by May 1<sup>st</sup>.

### **Vaccines**

- Statewide Phase 1a vaccinations began late December, with distribution concerns in many localities. The VDA has been in constant contact with the VDH, Governor's office and serves on the VDH's Vaccine Advisory Workgroup.
- VDA continues to ensure prioritization is given to dentists, hygienists, and staff in vaccine distribution as frontline healthcare workers included in Phase 1a.

### **State Legislative Watch**

- HB 2015 would require employers of essential workers to pay one and one-half times regular rate of pay and provide PPE during a state of emergency declared by the Governor that includes a stay-at-home or shelter-in-place order. The VDA has formally asked that essential healthcare personnel be exempt from this requirement.
- SB 1107 eliminates the medical malpractice caps currently in place in Virginia. The VDA has already formally opposed this proposed legislation.

### **Announcements**

- 2021 Lobby Day and Legislative Reception – In-person events canceled.
  - The Virginia General Assembly will not have the normal visitors and ability for in-person meetings.
  - Virtual activity will be organized by VDA to create outreach opportunities and an update on key issues in the Virginia General Assembly.
- VDA Referral Book to be published and shipped with the April Edition of the VDA Journal. Every specialist that is a VDA member will be included, deadline to be included is March 31<sup>st</sup>.
- The VDA premium on-line CE courses will continue through 2021.
- The Virginia Meeting will be held at the Williamsburg Lodge, Williamsburg, VA September 16 – 19, 2021

### **Ongoing Priorities**

- A Board Task Force has been created regarding the Adult Medicaid dental benefit and to develop a VDA plan moving forward.
- Finalized VDA's Strategic Plan 2025 to debut to membership, February 2021
- Need volunteers for the 2021 Virtual Science Talent Award Program

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# COVID-19 Vaccines in the Dental Workplace: FAQs for Practice Owners

## 1. Can I as a healthcare employer require my employees to get COVID-19 vaccines?

**Answer:** The answer is likely yes, at least with respect to practice staff with direct patient contact in the operatory, including any employed dentists.\* Yet, much remains to be determined, not the least of which includes how available vaccines are and will become (currently, the only vaccines authorized by the Food and Drug Administration are for emergency use and do not have final approval; in addition, they are not yet widely available). [See this FAQ page from the CDC for more information.](#) State health departments are in the process of prioritizing the classes of individuals to receive vaccines as and when they become available. And, even assuming a vaccine were widely available, the question raises a range of potential legal issues, and some practical challenges, you may wish to consider before making a business decision to require some or all of your staff to be vaccinated.

If your practice has 15 or more employees, any staff vaccination requirement would be subject to federal legal requirements to accommodate disabilities, including pregnancy-related disabling health conditions (e.g., preeclampsia, hyperemesis gravidarum) under the Americans with Disabilities Act (AwDA), as well as genuinely held religious beliefs and Title VII of the Civil Rights Act of 1964 (Title VII). On December 16, 2020, [the EEOC revised its March 17, 2020 initial COVID-19 technical assistance guidance to include new FAQs](#) on the circumstances under which an employer elects to require a COVID-19 vaccination as a condition of employment.

With respect to the AwDA, any vaccine requirement must be job-related, consistent with business necessity, and no more intrusive than necessary. Healthcare providers typically meet this standard with respect to COVID-19 as it is generally understood that an individual with COVID-19 might pose a direct threat to the health of the employee and others. Nevertheless, practices must reasonably accommodate staff members with disabilities unless the practice can demonstrate that doing so would pose an undue hardship (significant difficulty or expense) and no viable alternative exists. (See also, FAQs 2 and 3, below.) The parties must engage in an interactive process to determine whether and in what form a reasonable accommodation may be appropriate.

Under Title VII, when a practice is on notice that an employee's religious belief, practice or observance prevents the employee from receiving a vaccine, the employer must provide a reasonable accommodation unless doing so would cause more than a *de minimus* cost or burden. The requirement to accommodate does not require accommodation of personal beliefs that do not rise to the level of sincerely held *religious* beliefs (e.g., vaccine-aversion for other, non-medical personal reasons, personal doubt as to the existence or severity of COVID-19 infection, etc.). *State or local law may also inform the circumstances in which a healthcare employee may be required to receive a vaccination. Health departments may themselves require vaccinations for certain healthcare staff or essential workers. These laws – and the definition of which workers are included -- may vary between states and possibly even localities within a state.*

In addition to legal requirements, practical considerations of who may be required to receive a vaccine – and when – will also come into play, at least in the early stages of the vaccine rollout. Presently, vaccine availability is scarce and the timeline for future vaccine delivery remains in flux. If you do require vaccines in your practice, you may wish to consider differentiating between staff members with direct patient contact versus office staff who have little. Finally, public support for vaccination is not universal at this stage, so a blanket policy may cause morale issues in the practice.

Given the current lack of a definitive roadmap for future vaccine availability (or a clear mandate for its universal use), practices may best be served by following health department requirements and encouraging staff vaccinations when and as available. (Updated 1/4/21)

\*The anti-discrimination laws do not apply to *properly-classified* independent contractors, so some of the legal concerns addressed in this FAQ may not apply. Nevertheless, practice owners may wish to factor in some of the other practical considerations before deciding to require vaccines in this cohort.

# COVID-19 Vaccines in the Dental Workplace: FAQs for Practice Owners

## 2. What kind of disability/pregnancy-related accommodations should my practice consider in evaluating whether a reasonable accommodation is possible?

**Answer:** It is generally assumed that COVID-19 in the healthcare setting might pose a significant risk of substantial harm to the health or safety of the individual or others, at least with respect to staff members who have direct contact with patients in the operatory setting. For those staff members with such close patient contact, the critical question may come down to whether measures taken before the vaccine became available (i.e., masks, gloves, gowns, shields, protective barriers, social distancing, etc.) would constitute a reasonable accommodation to continue with respect to a staff member with a disability or pregnancy-related condition that could be harmed by a vaccine. The same question would also apply to non-operatory adjustments made before a vaccine became available.

If prior measures are deemed insufficient, no longer effective or outdated, the practice should be prepared to document why and how circumstances have changed since the introduction of vaccines such that continuing with those practices would constitute an undue hardship to the practice. The practice must also consider whether other accommodations might be reasonable under the circumstances, including job-adjustment or reassignment, working from home if possible, or providing unpaid leave if the medical or pregnancy-related complication is resolvable over a reasonable time period. (Updated 1/4/21)

## 3. What kind of religious accommodations must I consider?

**Answer:** In the context of COVID-19, the same types of accommodation available for staff members with disabilities must generally be considered. See FAQ 2, above. (Updated 1/4/21)

## 4. If I require staff members to be vaccinated, what proof can I request them to provide?

**Answer:** Practices should take care not to request any verification that reveals any medical condition of the employee aside from vaccination status, as further inquiries may run afoul of federal or state disability laws. You may wish to advise your staff prior to testing the employee not to submit such information. All the practice needs to know is the employee's name and whether a vaccine has been administered (completely in the case of multi-dose vaccines). (Updated 1/4/21)

## 5. If I require my staff to be vaccinated, must I pay for the vaccine and/or provide paid time off for them to receive the shot(s) (or pay for time off in the case of side effects)?

**Answer:** Yes, as appropriate under the circumstances. While the vaccine itself is provided by the federal government through 2021, there may nevertheless be costs associated with administering the vaccine. If staff members are not permitted to opt out of the vaccine requirement, the practice would be responsible for paying the cost of administration as well as any time the employee is required to spend off-duty hours under federal and state wage and hour laws. Some practices may opt to engage a third-party vendor to provide vaccines on-site during regular working hours to defray costs. Some staff members may experience side effects that may keep them out of work for a day or so afterwards. Practices should consider providing paid time off in such a circumstance, if possible, if only for morale reasons. (Updated 1/4/21)

## 6. What should I do if a staff member refuses to be vaccinated? Can I terminate their employment or re-assign them to another position?

**Answer:** If an employee refuses a required vaccination, you should gather information about and document why the staff member is refusing. If the reason for the refusal is a claimed disability or religious belief (and your practice has 15 or more employees), you will need to discuss and document efforts to determine whether a reasonable accommodation is possible. See FAQs 2 and 3, above. You cannot retaliate against a staff member who exercises

# COVID-19 Vaccines in the Dental Workplace: FAQs for Practice Owners

their legal right to a reasonable accommodation, nor can you treat similarly-situated classes of employees differently because of their race, gender, etc. If the staff member resists vaccination for non-disability-related or non-religious, personal reasons, the practice may still wish to consider accommodation should the practice wish to retain the staff member rather than terminating their employment. (Updated 1/4/21)

## 7. What if I require a vaccination and a staff member suffers an adverse reaction?

**Answer:** If a practice requires vaccination as a condition of continued employment, adverse consequences would be compensable to staff under state workers' compensation laws. Properly-classified independent contractors are not generally entitled to workers' compensation, in which case the practice may be liable if the vaccine was administered recklessly or negligently. (Updated 1/4/21)

## 8. May staff members who have been vaccinated refuse to wear a mask and socially distance?

**Answer:** Not for a while. The reality is, it may take weeks for the vaccine to take full effect, particularly in the case of a multi-dose vaccine. If a person is vaccinated while already infected by COVID-19, the vaccine may not prevent the spread of the virus to others. The data also suggests that while the vaccines are seemingly highly effective, none of them have been shown to be 100% effective, meaning there still is a chance of contracting COVID-19. Moreover, we do not yet know how effective or long-lasting the vaccine will prove in the long term, or whether someone who receives the vaccine may nevertheless spread the infection to others. (Updated 1/4/21)

**Disclaimer:** These materials are intended to provide helpful information to dentists and dental team members. They are in no way a substitute for actual professional advice based upon your unique facts and circumstances. This content is not intended or offered, nor should it be taken, as legal or other professional advice. You should always consult with your own professional advisors (e.g. attorney, accountant, insurance carrier). To the extent ADA has included links to any third party web site(s), ADA intends no endorsement of their content and implies no affiliation with the organizations that provide their content. Further, ADA makes no representations or warranties about the information provided on those sites.



**Friday, March 19, 2021 featuring**

**Howard Farran, DDS, MBA**

**Join us for this LIVE Streaming Webinar (6 CE Credit Hours)**

Lecture: 9:00 AM – 12:00 PM

Lunch: 12:00 – 12:30 PM

Lecture: 12:30 – 3:30 PM

**“Dr. Farran’s One-Day Dental MBA”**

**Howard Farran, DDS, MBA –**

- Dr. Farran is a practicing dentist with more than 25 years of clinical experience, Founder and CEO of *Dentaltown Magazine*, which is celebrating 20 years in publication, #1 Best Selling Author of his book *Uncomplicate Business*,
- host of the popular Podcast “*Dentistry Uncensored*” as well as a noted international speaker on faster, easier, more efficient dentistry.
- He has captivated audiences around the world with his innovative, information, off-the-cuff and entertaining lectures for more than two decades. His area of expertise covers many aspects of dentistry, including the business of dentistry and clinical topics. Farran was voted by his peers in the top three on the list of The 32 Most Influential People in Dentistry from 2017-2020. Farran is a graduate of the University of Missouri School of Dentistry and received his Master’s in Business Administration from the Arizona State University.

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**MARCH 19, 2021 WEBINAR REGISTRATION FORM (Registration Deadline March 12, 2021)**

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Address: \_\_\_\_\_ City/State \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Total Enclosed: \$ \_\_\_\_\_

Additional Attendee(s) with their emails: **\*EACH PARTICIPANT MUST PROVIDE AN EMAIL ADDRESS.**

1) \_\_\_\_\_ Email address \_\_\_\_\_

2) \_\_\_\_\_ Email address \_\_\_\_\_

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**Cancellation/Refund Policy:** All Cancellations must be received 3 days prior to scheduled program (Attn: Linda Simon, Executive Director).  
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