



**RESOLUTIONS**

**HOUSE OF DELEGATES**

**June 5-6, 2026**

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**1H-2026 – Adopted**

**Resolved**, that the agenda as printed in the *2026 Manual of the House of Delegates and Supplemental Information* be adopted as the official order of business for this session, and be it further

**Resolved**, that the Speaker be authorized to alter the order of the agenda as deemed necessary in order to expedite the business of the House.

**2H-2026 – Adopted**

**Resolved**, that the preliminary and supplemental list of referrals submitted by the Speaker of the House of Delegates be approved.

**3H-2026 – Adopted**

**Resolved**, that the nominees for membership on NYSDA councils, submitted by the Board of Trustees, be elected.

**4H-2026 – Adopted**

**Resolved**, that the nominations for Second Trustee District delegates and alternate delegates to the 2026 House of Delegates of the American Dental Association, as submitted by the component dental societies and as preliminarily approved by the Board of Trustees, be ratified.

**5H- 2026 – Adopted**

**Resolved**, that NYSDA oppose participation in the Dentist and Dental Hygienist Licensure Compact.

**6H-2026 – Adopted**

**Resolved**, that NYSDA seek to amend NYS Education Law, Section 6610, Section 7, as follows (new language underscored; deleted language ~~strike through~~):

§ 6610. Exempt persons. Nothing in this article shall be construed to affect or prevent:

7. A dentist licensed in another state or country who is visiting an approved dental school or any other entity operating a residency or fellowship program that has been accredited by a national accrediting body approved by the department to receive dental instruction for a period not to exceed ~~ninety days~~ one year from engaging in clinical practice, provided such practice is limited to such instruction and is under the direct supervision of a licensed dentist.

**7H-2026 – Adopted**

**Resolved**, that if AI is used by dental benefit plans as a tool to assist with claims processing or adjudication, that tool should not be used to diagnose or dictate a treatment plan that interferes with the doctor-patient decision process or deny any benefits that the patient is entitled to under their plan; and be it further;

**Resolved**, that any AI tool used by third-party payers should not be used to direct patients to specified preferred providers; and be it further;

**Resolved**, that AI systems should not allow for denial of claims without consultant a dentist's review.

#### **8H-2026 – Adopted**

**Resolved** that a joint task force be formed with members of the board, the Council on Dental Practice and the Council on Dental Education and Licensure, Council on Governmental Affairs, and other interested stake holders. This joint task force will work with the Hygiene and Dental Assisting Associations and with representatives from the State Board of Dentistry to jointly craft recommendations for legislative change to help address licensing issues and scope of practice issues affecting dental assistants in NYS.

#### **9H-2026 – Adopted**

**Resolved**, that NYSDA support and request that the NY Education Law and associated regulations be amended to permit graduates of a recognized Dental School in a foreign country to be able to forego training at a NYS-recognized dental assisting school and instead become eligible to take the DANB in order to become a Registered Dental Assistant in NYS.

#### **10H-2026 – Withdrawn**

#### **11H-2026 – Adopted**

**Resolved**, that the New York State Dental Association will encourage members to ~~establish a standard of care in their dental practices that engages~~ to engage their patients in conversation on the topic of tobacco use and potential treatment as part of a total-patient care approach to improve patient oral health.

And be it further resolved, that the New York State Dental Association will leverage its digital and print communications to promote patient education materials, referral resources, and modern intervention/pharmacotherapy protocols published by the New York State Department of Health, the New York State Quitline, or other experts as a strategy to empower members to incorporate tobacco treatment interventions into their daily dental practice.

And be it further resolved, that the New York State Dental Association will promote continuing education opportunities developed by partner organizations, such as the New York State Dental Foundation, focused on the topic of tobacco treatment workflows in the dental setting, including code utilization and claim submission strategies to optimize dental practice revenue for tobacco treatment services.

#### **12H-2026 – Withdrawn**

**13H-2026 – Adopted:**

**Resolved**, that NYSDA support a Dental Preceptor Pathway for the licensure of graduates of foreign dental schools, as described in the proposal submitted by the Task Force on Expediated Licensure for Foreign-Trained Dentists, and be it further

**Resolved**, that the Council on Dental Education and Licensure be empowered to work with the NYSDA Board, and NY State leaders, on the details required for such pathway, and be it further

**Resolved**, that a report be provided to the 2027 NYSDA House of Delegates, and be it further

**Resolved**, that the Task Force on Expediated Licensure for Foreign-Trained Dentists be dissolved.

**14H-2026 – Withdrawn**

**15H- Adopted**

**Resolved**, that Chapter III., Section 80 of the NYSDA Bylaws be amended as follows (new language is underlined, deleted language is ~~struck through~~):

Section 80. Special Sessions: A special session of the House of Delegates shall be called by the President on a three-fourths (3/4) affirmative vote of the members of the Board of Trustees or on written request of a majority of certified delegates of each component who representing at least one-third (1/3) of the component societies and not less than one-fifth (1/5) of the officially certified delegates of the last House of Delegates. The time and place of a special session shall be determined by the President, provided the time selected shall be not less than fifteen (15) days and not more than thirty (30) days after the request was received. The business of a special session shall be limited to that stated in the official call except by unanimous consent.

To ensure total transparency, whenever a written request for a special session of the House of Delegates is being considered, it must be initiated by a declaration of intent, followed by a thirty (30) day window to obtain the necessary wet or electronic signatures of the affirmative delegates wishing to pursue this endeavor.

**16H-2026 – Referred to the Council on Peer Review**

**Resolved**, That the member benefits of Peer Review be offered only to NYSDA members.

**17H-2026 – Adopted**

**Resolved**, that NYSDA seek to require that contracts the NYS Department of Health enters into with Medicaid managed care organizations (MMCOs) include language that the MMCO must meet or exceed the current New York State Medicaid fee-for-service reimbursement for covered dental procedures.

**18H-2026 – Adopted:**

**Resolved**, that the dues of active members of the New York State Dental Association shall be six hundred sixty-two dollars (\$683), effective January 1, 2027.

**19H-2026 – Adopted:**

**Resolved**, that the proposed changes to the New York State Dental Association Bylaws in the attached appendix be sent to the 2026 House of Delegates for their approval (new language is underlined; deleted language is struck through).

**CHAPTER V. BOARD OF TRUSTEES**

*Section 10.* Composition: The Board of Trustees shall consist of one (1) trustee from each of the thirteen (13) component societies as defined in Chapter II, Section 110, and one new dentist trustee. Such fourteen (14) trustees, the President, the President-elect, the Vice President, and the immediate Past President shall constitute the voting membership of the Board of Trustees. In addition, the Secretary- Treasurer, the Speaker of the House of Delegates, the Trustee representing the Second Trustee District of the American Dental Association and the Executive Director of the Association, except as otherwise provided in these *Bylaws*, shall be *ex officio* members of the Board of Trustees without the right to vote. The President may only exercise the right to vote when the vote is by ballot or when one more vote could alter the outcome.

*Section 20.* Qualifications: Only an active, life or retired member in good standing of this Association who has served at least three (3) years in total that are accumulated from any combination of service in the following capacities: 1) as a delegate in the NYSDA House of Delegates; 2) as an alternate delegate in the NYSDA House of Delegates; or 3) as a chair of a council of the Association shall be eligible to serve as a trustee.

*Section 30.* Term of Office: The term of office of a trustee shall be four (4) years.\* The tenure of a trustee shall be limited to one (1) term of four (4) years. The term of office of the new dentist trustee shall be four (4) years. The new dentist member will be offered a one (1) time exemption from the term limit. The new dentist will be eligible to serve on the board of trustees again for one (1) additional term after an eight (8) year waiting period. This exemption is only in place for the elected, new dentist member of the board of trustees. The tenure of the new dentist trustee shall be limited only for as long as the person remains qualified as a new dentist as defined in Chapter VIII, Section 20, of the Bylaws.\*

*Section 40.* Nomination: The trustee nomination process shall be determined by an elective process established by the component society which shall produce a single nominee for trustee. The New Dentist Committee shall recommend to the House of Delegates the new dentist nominee for the Board of Trustees. All nominations shall be submitted to the Headquarters Office and accompanied by

appropriate documentation in support of the nominee's eligibility. All nominations must be submitted no later than thirty (30) days prior to the annual session. The House of Delegates may vote to reject any such nominee and thereby compel the component society to select a different nominee or thereby compel the New Dentist Committee to select a different nominee. Duly nominated candidates for the office of trustee shall be nominated from the floor of the House of Delegates by a simple declaratory statement. Seconding a nomination is not permitted.

*Section 50. Conflict of Interest:* Each person nominated for the office of trustee shall complete a conflict of interest statement as prescribed by the Board of Trustees and shall file such statement with the Executive Director of the Association to be made available to the delegates prior to election.

*Section 60. Election:* Pursuant to the provisions of Section 40 of this Chapter of the *Bylaws*, the Speaker of the House of Delegates shall declare each nominee elected.

*Section 70. Installation:* The trustee shall be installed by the President or by the President's designee at the last meeting of the annual session of the House of Delegates following election.

*Section 80. Removal for Cause:* The House of Delegates may remove a trustee for cause in accordance with procedures it has established, which shall provide for the notice of the charges and an opportunity for the accused to be heard in his or her defense. The affirmative vote of two-thirds (2/3) of the delegates present and voting is required to remove a trustee from office. If the House of Delegates elects to remove the trustee, that action shall create a vacancy on the Board of Trustees which shall be filled in accordance with Section 90 of this Chapter of the *Bylaws*.

*Section 90. Vacancy:* In the event of a vacancy in the office of trustee, an active, life or retired member may be appointed by the President to fill the unexpired term of the vacancy. The appointment shall be made by the President with the advice and consent of the governing legislative body of the former trustee's component society. In the event an appointment to fill the vacancy has not been made by the time of the next meeting of the House of Delegates following the occurrence of the vacancy, then a successor trustee shall be elected for the remainder of the unexpired term by the

House of Delegates pursuant to provisions of Sections 40 and 60 of this Chapter of the *Bylaws*. If the term of the vacated trustee position has less than fifty percent (50%) of a full four-year term remaining at the time the successor trustee is appointed or elected, the successor trustee shall be eligible for election to a new, consecutive four-year term. If fifty percent (50%) or more of the vacated term remains to be served at the time of the appointment or election, the successor trustee shall not be eligible for another term. Any member of the Board of Trustees may resign at any time by delivering written or electronic

notice to the President. Resignation is effective on the date stated in the notice, or, if no date is stated, immediately upon the date such notice is received by the President. Once effective, a notice of resignation may not be withdrawn.

In the temporary absence of a trustee, the governing body of the component society may designate an active, life or retired member in good standing who is appropriately qualified in accordance with Section 20 of this Chapter of the *Bylaws*, to substitute as an observer for the absent trustee, without the power to vote.

*Section 100. Powers:*

A. The Board of Trustees shall be the managing body of the Association, vested with full power to conduct all business of the Association, subject to the laws of the State of New York, the *Articles of Incorporation*, the *Constitution and Bylaws* and the mandates of the House of Delegates. The power of the Board of Trustees to act as the managing body of the Association shall not be construed as limiting the power of the House of Delegates to establish policy with respect to the governance of this Association in all its activities, except for areas expressly reserved in these *Bylaws* as powers and/or duties of the Board of Trustees, as the same may be amended by the House of Delegates from time to time in accordance with these *Bylaws*.

B. It shall have the power to establish rules and regulations not inconsistent with these *Bylaws* to govern its organization and procedure.

C. It shall have the power to direct the President to call a special session of the House of Delegates as provided in Chapter III, Section 80, of the *Bylaws*.

D. It shall have full discretionary power to cause to be published in, or to be omitted from, any official publication of the Association any article in whole or in part.

E. It shall have the power to establish *ad interim* policies when the House of Delegates is not in session and when such policies are essential to the management of the Association provided, however, that all such policies must be presented for review and consideration by the House of Delegates at its next session.

F. It shall have the power to remove a council member for cause in accordance with procedures established by the Board of Trustees in its *Rules*.

G. It shall have the power to elect honorary and affiliate members.

H. It shall have the power to approve the recipient(s) of the *William Jarvie and Harvey J. Burkhart Award*.

I. It shall have the power to approve the recipient(s) of the New York State Dental Association's *Dr. Mark J. Feldman Distinguished Service Award* for meritorious service.

J. It shall have the power to appoint its members to committees that shall have the power to perform any duty that the Board of Trustees may lawfully delegate.

K. It shall have the interim power to supervise, monitor and guide the activities of all councils and special committees in order to ensure the fulfillment of initiatives and directives assigned to each council or special committee by the House of Delegates or Board of Trustees subject to the requirement that all interim actions of the Board must be approved by the House of Delegates.

L. In accordance with the laws of the State of New York, it shall have the power to transact its business by unanimous consent via mail ballot, including electronic mail; to authorize the councils, commissions and committees of this Association to transact their business by mail ballot; and to establish rules and procedures for itself and for councils, commissions and committees of this Association to govern the use of ballots circulated and returned by U.S. mail, overnight courier, facsimile transmission or electronic mail.

M. It shall have the power to appoint agents and/or other representatives for the purpose of supervising, managing and otherwise conducting business under its direction and in accordance with these *Bylaws* and the laws of the State of New York. No such appointment shall relieve the Board of Trustees of its fiduciary duties as the managing body of the Association as provided in these *Bylaws*.

N. It shall have the power to select for election by the Association as shareholder, the board of directors in any wholly-owned subsidiary of the Association.

O. It shall have the power to select candidates for recommended election to director and management positions in other subsidiary ventures where the Association is not a shareholder.

P. It shall have the power to serve as the court of last appeal of the Association in disputes not otherwise provided for in these *Bylaws*.

*Section 110. Duties:* It shall be the duty of the Board of Trustees:

A. To provide for the lease, purchase, sale, mortgage, maintenance and/or supervision of the Headquarters Office and all other property or offices owned or operated by this Association.

B. To appoint the Executive Director of the Association.

C. To appoint an Editor who shall be Editor-in-Chief of all official journals of the Association, and as such, shall exercise full editorial control over such publications, subject to policies and procedures established by the Board of Trustees and these *Bylaws*. Any active or life or retired member in good standing of this Association is eligible to be appointed as Editor.

D. To determine the date and place for convening each annual session and provide for the management and general arrangements for each annual session.

E. To cause to be bonded by a surety company the Secretary-Treasurer, the Executive Director and employees of the Association entrusted with Association funds.

F. To provide guidelines and directives to govern the Secretary-Treasurer's custody, investment and disbursement of Association funds and other property as provided in Chapter VI, Section 100D, of these *Bylaws*; and to cause all accounts of the Association to be audited by a certified public accountant at least once a year.

G. To prepare a budget for carrying on the activities of the Association for each ensuing fiscal year, and present for action by each House of Delegates, a resolution setting forth the proposed dues of active members for the following year. Notice of such a resolution shall be sent to each component society not less than fifteen (15) days before such session to permit prompt, adequate notice by each component society to its delegates and alternate delegates to the House of Delegates of this Association, and shall be announced to the general membership in an official publication of the Association at least fifteen (15) days in advance of the annual session.

H. To submit to the House of Delegates at the opening meeting of the annual session, in printed form, nominations for membership to the councils, except as otherwise provided in these *Bylaws*.

I. To appoint annually upon the recommendation of the President, the chair of each council, except as otherwise provided in these *Bylaws*, and to act upon council nominations for consultants and advisers except as otherwise provided in these *Bylaws*.

J. To provide interim guidance and supervision to all councils and special committees in order to ensure the fulfillment of initiatives and directives assigned to each council or special committee by the House of Delegates or Board of Trustees.

K. To review the reports of councils and special committees of the Association and to make recommendations concerning such reports to the House of Delegates.

L. To submit an annual report to the House of Delegates of its activities and those of the Secretary-Treasurer and Executive Director.

M. To elect associate members.

N. To establish other funds as divisions of the General Fund in accordance with the provisions of Chapter XII of the *Bylaws*.

O. To appoint special committees of the Association in accordance with Chapter IX, Section 10 of these *Bylaws*.

P. To perform such other duties as are prescribed by these *Bylaws*.

Q. To establish such administrative agencies of this Association as may be necessary to implement the Association's programs, to assign the duties of such agencies through the Executive Director of the Association under whose jurisdiction each shall operate, and to require reports of such agencies through the same channels.

*Section 120. Sessions:*

A. Regular Sessions. The Board of Trustees shall hold a minimum of three regular sessions each year. ~~The number of actual~~ Regular meetings to be held in excess of three ~~for the ensuing~~ in any calendar year shall be determined agreed and scheduled in advance by the Board of Trustees.

B. Special Sessions. Special sessions of the Board of Trustees may be called at any time either by the President or at the request of five voting members of the Board, provided adequate notice is given to each member in advance of the session.

C. Place of Meetings: Regular or special meetings may be held in a single geographic location within or outside the state of New York or from multiple remote locations through the use of a conference telephone or other communications equipment by means of which all members can communicate with each other; provided, however, special meetings held through the use of a conference telephone or other communications equipment may be called by the President or at the request of five voting members of the Board of Trustees for matters of the Association requiring immediate attention. Such meetings shall be conducted in accordance with rules and procedures established by the Board of Trustees.

~~D. Definition of a Meeting. A meeting of the Board of Trustees includes any convening - formal or informal - where a quorum of the Board of Trustees deliberates. Coordinated discussions among members of the Board of Trustees where a quorum of the Board of Trustees is not present and coordinated discussions held without notice to all members of the Board of Trustees where any such discussions are intended to influence Board decisions are improper and subject to review as a violation of these Bylaws.~~

*Section 130. Quorum:* A majority of the voting members of the Board of Trustees shall constitute a quorum.

*Section 140. Officers:*

A. Chair and Executive Director. The Board of Trustees shall be presided over by the President of the Association who shall be the Chair, and the Executive Director of the Association who shall fulfill the duties set forth in this chapter.

In the absence of the President, the office of Chair shall be filled by the President-elect and, in his or her absence, by the Vice President and, in his or her absence, by the

immediate Past President in that order and, in their absence, a voting member of the Board shall be elected Chair *pro tem* to fulfill the duties set forth in this chapter.

In the absence of the Executive Director of the Association, the Chair shall appoint a person *pro tem* to fulfill the duties set forth in this chapter.

B. Duties.

a. Presiding Officer. The Presiding Officer shall preside over all meetings of the Board of Trustees. The President may only exercise the right to vote when the vote is by ballot or when one more vote could alter the outcome.

b. Executive Director. The Executive Director of the Association shall serve as the recording officer of the Board of Trustees and as the custodian of its records. The Executive Director of the Association shall cause a factual record of the proceedings of the Board to be published as the official minutes of the Board.

Section 150. Trustee Confidentiality and Personnel Communication:

A. Confidentiality Duty. Every member of the Board of Trustees and invited staff members shall preserve the confidentiality of all executive session discussions. The aforementioned may not disclose or discuss any such matter outside the Board of Trustees except as expressly authorized by the Organization and Rules of the Board of Trustees.

B. Personal Communication Duty. No member of the Board of Trustees shall discuss or disclose personnel matters of the association, including performance, discipline, hiring, or termination of the Executive Director or any staff, with component societies or any outside party. Official component-level updates may only be made by the President or Executive Director after the Board of Trustees approves and publishes the official minutes of its meeting.

**20H-2026 – Adopted:**

**Resolved**, that the New York State Dental Association urge the New York State Department of Health to revise the Handicapping Labio-Lingual Deviation (HLD) Index to include a Special Considerations category or comparable mechanism for review of clinically significant orthodontic conditions not adequately captured by the current numerical scoring methodology; and be it further

**Resolved**, that the New York State Dental Association urge the New York State Department of Health to recognize that medically necessary orthodontic treatment may be warranted in cases involving impacted posterior teeth, supernumerary teeth, congenitally missing teeth or hypodontia, anterior crossbites less than 3.5 mm with documented functional or periodontal consequences, posterior crossbites associated with functional shifts or skeletal asymmetry risk, and severe crowding producing oral health or functional

impairment, even when such cases do not satisfy existing HLD point thresholds; and be it further

**Resolved**, that the New York State Dental Association urge the New York State Department of Health to establish an appropriate review process for such cases based on diagnostic records, including photographs, radiographs, and study models or digital scans, together with documentation of functional impairment or anticipated harm without treatment and secondary orthodontic review where indicated; and be it further

**Resolved**, that the New York State Dental Association urge the New York State Department of Health to revise the Handicapping Labio-Lingual Deviation (HLD) Index, or its functional equivalent, to recognize clinically significant orthodontic conditions that may not meet existing numerical thresholds but nevertheless represent medically necessary care for Medicaid-enrolled children, and to establish an appropriate review pathway so that coverage decisions more accurately reflect contemporary clinical standards, prevent avoidable long-term oral health complications, and promote fairness and equity in access to orthodontic treatment.

**21H-2026 – Adopted:**

**Resolved**, that the 2027 Preliminary General Fund Budget of revenues and expenses, including net capital requirements, be approved.

**22H-2026 – Defeated**

**RESOLVED:** NYSDA create an online town-hall meeting for the Board of Trustees and the House of Delegates and be it further

**RESOLVED:** Such an interaction occurs mid-year and is informational only and accomplishes the transfer of information for increased collaboration between the HOD and Board, and be it further

**RESOLVED:** A Joint committee of the HOD and Board make recommendations, regarding this resolution, to the Board at its Fall meeting for review and approval.

**23H-2026 – Defeated**

**RESOLVED:** That NYSDA's finances should be presented to them in a clear and high level manner

- Revenue vs detailed expenses in a five-year trend
  - Actual vs. budget
  - Variance explanations
  - Revenue sources
  - Advocacy spending vs. plan
  - Staffing and overhead trends

- Change in net assets
- Cash and investment balance
- Return on investment analysis for each and every program to assess the value of the program
  - Direct revenue
  - Direct & Indirect costs
  - Net income (loss)
  - Strategic value explanation
- Top risks in the future
  - Membership numbers,
  - Personnel costs,
  - Insurance/benefits program volatility,
  - Advocacy costs,
  - CE competition,
  - Technology modernization need

And be it further,

**RESOLVED:** that the same information and the BOT recommendations be distributed to the HOD members in advance of the HOD meeting for discussion during the meeting.

#### **24H-2026 – Defeated**

**Resolved,** that the New York State Dental Association initiate and implement a formal internal audit to strengthen internal controls, enhance risk management, and provide the Board of Trustees and House of Delegates with deeper insight into the financial direction and operational risks of the organization; and be it further,

**Resolved,** that the results of the internal audit be reported to the House of Delegates members within 6 months from the end of this HOD meeting.

#### **25H-2026 – Withdrawn**

#### **26H-2026 – Adopted:**

**Resolved:** That a joint task force be formed with members of the Board and the HOD to evaluate and propose best practices to communicate with membership, increase transparency and maximize member engagement. This committee should consist of six Board members nominated by new NYSDA president Dr. Jacobo. The remaining seven members will be chosen from the seven components not represented by the chosen Board members. The Speaker of the

House will select these members after consultation with the respective component leadership. The Speaker will also appoint a chair. The committee must be seated by August 1, 2026 and issue their report within 6 months. The committee may agree to make recommendations at any time they see fit prior to issuing their final report.

**27H-2026 – Adopted:**

**Resolved:** the NYSDA supports the acceptance of comprehensive continuing education courses addressing dental sleep medicine to ensure dentists have the necessary training to safely screen patients, fabricate and fit oral appliances, manage side effects, coordinate follow-up care, and collaborate with physicians in accordance with established clinical guidelines; and be it further

**Resolved,** that NYSDA recommends that in the interest of public health it would be advantageous for dentists to receive continuing education credit(s), approved by the New York State Department of Education, for coursework accredited by the ADA/CERP or AGD/PACE in the study of sleep apnea.