

**VIRGINIA BOARD OF DENTISTRY  
BUSINESS MEETING MINUTES  
June 16, 2023**

**TIME AND PLACE:** The meeting of the Virginia Board of Dentistry was called to order at 9:00 a.m., on June 16, 2023, at the Perimeter Center, 9960 Mayland Drive, in Board Room 4, Henrico, Virginia 23233.

**PRESIDING:** Nathaniel C. Bryant, D.D.S., President

**MEMBERS PRESENT:** Jamiah Dawson, D.D.S., Vice-President  
J. Michael Martinez de Andino, J.D., Secretary-Treasurer  
Sidra Butt, D.D.S.  
Sultan E. Chaudhry, D.D.S.  
Alf Hendricksen, D.D.S.  
Margaret F. Lemaster, R.D.H.  
Emelia H. McLennan, R.D.H.  
Dagoberto Zapatero, D.D.S.

**MEMBERS ABSENT:** William C. Bigelow, D.D.S

**STAFF PRESENT:** Jamie C. Sacksteder, Executive Director  
Donna Lee, Discipline Case Manager  
Sarah Moore, Executive Assistant  
James Jenkins, Deputy Director, Department of Health Professions  
Matthew Novak, Policy and Economic Analyst, Department of Health Professions

**COUNSEL PRESENT:** James E. Rutkowski, Assistant Attorney General

**ESTABLISHMENT OF A QUORUM:** With nine members of the Board present, a quorum was established.  
Ms. Sacksteder read the emergency evacuation procedures.

**PUBLIC COMMENT:** Dr. Bryant explained the parameters for public comment and opened the public comment period. Correspondence received from Association of Dental Support Organizations (ADSO) was distributed to the Board prior to the meeting regarding the 'Dentists and Dental Hygienists Compact'.  
  
Dr. Bryant advised no one registered for public comments prior to the meeting.

**APPROVAL OF MINUTES:** Dr. Bryant asked for a motion to approve the minutes in a block. Mr. Martinez made the motion, it was seconded and passed unanimously.

The June 2, 2023, Special Session – Telephone conference Call Minutes were distributed prior to start of the meeting.

Dr. Bryant asked if there were any edits or corrections to the March 3, 2023, Board Meeting Minutes; the March 8, 2023, Special Session – Telephone Conference Call Minutes; the April 28, 2023, Formal Hearing Minutes; the May 26, 2023, Special Session – Telephone Conference Call Minutes; and the June 2, 2023, Special Session – Telephone Conference Call Minutes. Hearing none, Dr. Hendricksen moved to approve the minutes as presented. The motion was seconded and passed unanimously.

**DHP DIRECTOR'S  
REPORT**

James Jenkins, Deputy DHP Director, updated the Board regarding the Governor's office's planning stage with all Commonwealth Secretaries for next year. Healthcare will be a significant component with multiple health bills in progress. With a comprehensive analysis of the healthcare workforce, the plan is to provide an improvement of availability of services to patients and resources to health care providers. He also thanked the Board for all their work.

**LIAISON & COMMITTEE  
REPORTS:**

**HOSA Conference Report** – Ms. Sacksteder reported on this great experience, the good partnership, and the excitement of the future for these students in the healthcare workforce. Dr. Bryant explained that they judged the students from various localities. The next step for the students is a national competition in Dallas, TX, with a chance to win prizes and scholarships.

**VDHA Conference** – Ms. Sacksteder commented that the update regarding Healthcare Workforce of Dental Hygienist at this conference went well.

**CDCA/WREB/CITA Meeting Report** – Ms. Lemaster reported that the committee included four examiners and two staff at Danville Community College. There were collaborations and discussions prior to the exam. Three sets of 7 to 8 students participated. The experience went very smoothly, and she would like to attend again in the future.

**Upcoming ADEX 2023 Meeting Report** – Dr. Bryant remarked that he would represent the Board at the upcoming ADEX meeting on July 21 – 22, 2023, in Aurora, Colorado.

**LEGISLATION,  
REGULATION, AND  
GUIDANCE:**

**Status Report on Regulatory Actions Chart** - Mr. Novak reviewed the updated Regulatory Actions chart of the seven ongoing regulatory actions as of May 16, 2023, included in the agenda packet. A synopsis of the progress of the bills was provided.

**BOARD DISCUSSION  
TOPICS:**

**Consideration of Public Comment** – Dr. Bryant advised a discussion of the Public Comment received regarding the ‘Dentist and Dental Hygienist Compact’ received by the Association of Dental Support Organization (ADSO) would follow under the Licensure Compact Discussion.

**2024 Board Calendar** - Ms. Sacksteder presented the proposed 2024 BOD Calendar. Mr. Martinez made a motion to adopt the 2024 Calendar. The motion was seconded and passed unanimously.

**Licensure Compact Discussion** – Ms. Sacksteder reviewed the Department of Defense funded ‘Dentist and Dental Hygienist Compact’ information included in the agenda packet. She referenced the map of the states that already have legislation in place or are pending legislation to be part of the Compact. The Compact becomes effective when seven states have enacted into law the Compact Statute. The Compact has lower license requirements than the current Licensure requirements in Virginia.

Dr. Bryant led a Board discussion of the Compact including the public comment received from ADSO regarding being in favor of the Compact. The Board’s concern is that allowing vastly lower standards to license dentists would put the public at risk and would increase disciplinary cases. The barriers to enacting the Compact in Virginia include requiring a background check. Virginia currently does not require background checks for dentists and dental hygienists. This would be an extreme additional staffing cost to Virginia’s Department of Health Professions. The Compact also does not present clear language about denying licensure. Further, the Compact allows for any clinical assessment, the Board has worked for the last 4 years to show that not all clinical assessments are clinically equivalent, and Virginia currently only accepts the ADEX. There is also an unknown fee for the Board to join the Compact. The biggest concern is allowing dentists who graduate from a non-CODA accredited school to be licensed in Virginia. Virginia currently requires graduation from a CODA accredited school, which is a standard. The Board also expressed concerns about the oversight and control by the Commission of the Compact.

The Board stated that they did not believe that allowing for the Compact would draw more people to work within the state of Virginia. The Board felt in turn it may make more licensees leave the state because of the ease of portability. The Board recognized that the major disparities were in the Southwest region of the state and that having the Compact will not solve this issue. The issue of increasing licensees within the Southwest region of the state is more due economics and the Compact would further negatively impact this issue.

Ms. Sacksteder read a response from the VDA that the VDA has not taken a position on the Compact and has taken no steps to advocate for its adoption in Virginia. The whole purpose of the study is to examine the Compact and currently there is a lack of alignment with Virginia’s requirements for licensure. The VDA looks forward to working closely

with the Board regarding this study.

Ms. Sacksteder stated that she asked for a response and opinion from the VDHA but did not receive one prior to the Board Meeting.

After Board discussion, a poll of the Board was taken and was unanimously not in favor of Virginia joining the Compact due to the current standards written in the presented Compact

**BOARD COUNSEL  
REPORT:**

Mr. Rutkowski updated the Board on one appeal, Dr. Sheta, where DHP prevailed in Circuit Court with no further appeal from the defendant. There are no other pending legal issues at the current date.

**EXECUTIVE DIRECTOR'S  
REPORT:**

**Disciplinary Report** – Ms. Sacksteder reviewed the Disciplinary Report for February 1, 2023, to May 15, 2023.

**Update on HB2251** – Ms. Sacksteder advised a workgroup will take place on July 21, 2023, with representatives from the ADSO, ADA, and VDHA, as well as Dr. Bigelow, Dr. Hendricksen, and Ms. Lemaster to analyze licensure requirements by endorsement for Dentists and Dental Hygienists and provide results to the Board. The Board will report on the outcome of this workgroup in October 2023.

**Update on SB1539** – Ms. Sacksteder advised that the SB1539 Legislation for cosmetic purpose botulinum toxin injections takes effect July 1, 2023. However, dentists are still not allowed to administer botulinum toxin injections cosmetically until the Board promulgates regulations which will be a minimum of 18 months but may be delayed further due to the regulation process. The Board will first establish workgroups consisting of experts in the field of cosmetic injections of botulinum toxin to ensure public safety. The Board will then draft regulations utilizing the expert information. The draft regulations will then be presented to the regulatory committee. The recommendations from the regulatory committee will be presented to the full Board for review. Once the full Board reviews and accepts the regulations the regulations will be proposed for public comment. Ms. Sacksteder stressed that this legislation does not include dermal fillers.

**Update on CE Broker** – Ms. Sacksteder discussed that CE Broker went live on May 19, 2023, with much positive feedback and no negative feedback responses. CE Broker is available for free to licensees and the Board. She also updated the Board on the current CE audit in progress since May 15, 2023, for 1% of dentists and dental hygienists. She reported that the audit is going well.

**Nominating Committee** – Ms. Sacksteder advised the Nominating Committee meeting will take place in August for open executive offices.

Virginia Board of Dentistry  
Board Business Meeting  
June 16, 2023

**ADJOURNMENT:**

With all business concluded, the Board adjourned at 10:19 a.m.

  
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Nathaniel C. Bryant, D.D.S., President

  
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Jamie C. Sacksteder, Executive Director

9 Dec 2023  
Date

12/11/23  
Date