

**VIRGINIA BOARD OF DENTISTRY
BUSINESS MEETING MINUTES
June 12, 2026**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:03 a.m., at the Perimeter Center, 9960 Mayland Drive, Board Room 4, Henrico, Virginia 23233.

PRESIDING: Sultan E. Chaudhry, D.D.S., President

MEMBERS PRESENT: Surya Dhakar, D.D.S.
Margaret F. Lemaster, R.D.H.
J. Michael Martinez de Andino, J.D.
Emelia H. McLennan, R.D.H.
Richard Quigg, D.D.S.

MEMBERS ABSENT: Bruce R. Hutchison, D.D.S.
Jennifer Szakaly, D.D.S.

STAFF PRESENT: Jamie C. Sacksteder, Executive Director
Erin T. Weaver, Deputy Executive Director
David E. Brown, D.C., Director, Department of Health Professions
Matthew Novak, Agency Regulatory Coordinator
Tammie Baker, Executive Assistant
Donna M. Lee, Discipline Case Manager

COUNSEL PRESENT: Sara Blose, Senior Assistant Attorney General

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

PUBLIC COMMENT: Dr. Chaudhry explained the parameters for public comment and opened the public comment period.

Written public comment was received from Derik J. Sven, President, Virginia Dental Hygienists' Association, which was distributed to the Board and the public at the meeting.

Tracey Martin, Dental Hygienist – Ms. Martin read the written statement provided to the Board from Derik Sven, President of the Virginia Dental Hygienists' Association (see attached).

Dr. Chaudhry closed the public comment period.

APPROVAL OF MINUTES: Dr. Chaudhry asked if there were any edits or corrections to the following minutes: March 5, 2026, Formal Hearing AM; March 5, 2026 Formal Hearing PM; March 6, 2026 Board Business Meeting; March 6, 2026 Formal Hearing; March 20, 2026 Telephone Conference Call; and April 2, 2026 Telephone Conference Call.

Hearing none, Mr. Martinez moved to approve the minutes as presented. The motion was seconded and passed.

HEALTH AND HUMAN RESOURCES:

Lauryn Walker, Deputy Secretary, did not attend the meeting.

DHP DIRECTOR'S REPORT:

Dr. Brown addressed the Board regarding the Freedom of Information Act (FOIA) and provided a brochure that explained the policy of FOIA, meeting requirements, and other provisions. Dr. Brown reviewed the portion pertaining to what is considered a meeting under FOIA and what is not a meeting. He provided an example that if three board members were together and discussed board business, then it would be considered a meeting; however, if they were discussing hobbies or vacations, it would not be considered a meeting. Dr. Brown also explained that emails and texts between board members and staff are public records, and if they involve Board business, they cannot be deleted. Applicants, lawyers, anyone can submit a FOIA request that could pertain to emails and texts. Dr. Brown encouraged the Board members to review the FOIA brochure.

Ms. Sacksteder informed the Board that Board counsel has always stated that two Board members being together could be a quorum issue since informal conferences can be held with only two Board members present.

BOARD COUNSEL REPORT:

Ms. Blose was substituting for Mr. Rutkowski so she did not have anything to report.

HEALTHCARE WORKFORCE DATA CENTER:

Dr. Yetty Shobo, Healthcare Workforce Data Center Director, provided a presentation to the Board regarding the workforce survey results of dentists and dental hygienists for 2025.

LEGISLATION AND REGULATION:

Mr. Novak reviewed the Regulatory Actions as of May 4, 2026.

Regulatory Actions in the Secretary's Office:

- 18VAC60-21 and 18VAC60-30 – Training in Infection Control; Final Stage.
- 18VAC60-21 and 18VAC60-25 – Continuing Education Requirements for Jurisprudence; NOIRA Stage.
- 18VAC60-25 – Revision of Dental Hygienist Training and Duties to Eliminate Need for Dual Licensure as a Dental Hygienist and Registration as a DAI; Fast-Track Stage.
- 18VAC60-21 – Exemption from certain requirements for oral and maxillofacial surgeons that perform non-surgical procedures.
- 18VAC60-25 and 18VAC60-30 – Regulatory references cleanup; Final Stage.
- 18VAC60-30 – Elimination of indirect pulp-capping as a delegable task; Final stage.

Regulatory Actions at the Department of Budget and Planning:

- 18VAC60-21- Repeal of requirement to periodically audit oral and maxillofacial surgeons for quality assurance.

Recently Effective Regulations:

- 18VAC60-15 – Amendment to allow agency subordinates to hear credential cases; Effective April 8, 2026.
- 18VAC60-21- Training and supervision of digital scan technicians; effective March 25, 2026.
- 18VAC60-21- Training requirements for botulinum toxin injections for cosmetic purposes; effective May 20, 2026.

Mr. Novak stated that language will be presented to the Board at a future time regarding 18VAC60-21 pertaining to the implementation of the Dentist and Dental Hygienist Compact when more information is known about the compact and staff are able to determine appropriate changes and fees.

Legislative Report:

- HB 530 – Dentist and Dental Hygienist Compact; criminal background check. Failed.
- HB 970 – Dental Assistant; supragingival scaling and coronal polishing, certification. The Board is not involved in this process, and the certification is not issued by the Board.
- HB 1036 – Dental Hygienist Licensure; dentists eligible to practice in a Foreign country or jurisdiction. This matter will require the Board's Regulatory Committee to prepare proposed regulations to present to the Board at its December meeting and the regulations promulgated by the Board of Dentistry pursuant to this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).
- HB 796 – Regulatory boards; adjustment of fees, recovery of disciplinary and monitoring costs, report. This applied to the other boards in DHP and DPOR because the Board of Dentistry was already recovering disciplinary costs; however, the cap under the DHP bill is \$1,500 instead of \$5,000.

Recovery of Disciplinary Costs:

Mr. Novak informed the Board that since they already had the ability to recoup disciplinary costs, the policy document would need to be revised to correct the statutory references and the maximum amount the Board may recover, which is \$1,500. The revised policy will be effective July 1, 2026.

Mr. Martinez moved to amend the Policy on Recovery of Disciplinary Costs that will become effective on July 1, 2026. The motion was seconded and passed.

REVISION OF GUIDANCE DOCUMENT 60-7:

Mr. Novak explained that H970 and SB178 expanded duties of dental assistants. As a result, Guidance Document 60-7 would have to be amended to reflect the expanded duties.

Mr. Martinez moved to adopt the proposed changes to Guidance Document 60-7. The motion was seconded and passed by majority vote. Ms. McLennan and Ms. Lemaster opposed the motion.

BOARD DISCUSSION:

Dr. Chaudhry presented the opportunity for the Board to discuss the public comment submitted. The Board elected not to engage in discussion on the public comment.

2027 Board of Dentistry Calendar – Ms. Sacksteder presented the 2027 Board meeting calendar. Ms. Lemaster moved to adopt the 2027 calendar. The motion was seconded and passed.

DEPUTY EXECUTIVE DIRECTOR’S REPORT:

Disciplinary Report – Ms. Weaver reviewed with the Board the Disciplinary Report for February 12, 2026 – May 12, 2026.

EXECUTIVE DIRECTOR’S REPORT:

Dental Compact Update Ms. Sacksteder reported that 12 states have enacted the Compact, and that Oklahoma is expected to become the 13th member, potentially in November 2026. She noted that the Rules Committee has not yet reached consensus on the definition of “clinical assessment,” but a public hearing on this topic is scheduled for June 26, 2026. She further stated that the ADHA has provided one-time funding of \$15,000, and no additional financial resources have been identified. Due to limited funding, the Compact has not entered into a contract with the selected database vendor, and there remains a significant cost associated with implementing a shared database.

Ms. Sacksteder also informed the Board that she was nominated and elected Vice-Chair of the Commission in May.

ADEX will assume ownership of the DLOSCE and DHLOSCE in August 2026. Beginning in October 2026, these exams will no longer be administered independently but will instead be incorporated as the OSCE component of the ADEX examination.

Board Cash Balance Report: Ms. Sacksteder reviewed the Cash Balance Report as of April 30, 2026 (see attached).

ADJOURNMENT:

With all business concluded, the Board adjourned at 10:15 a.m.

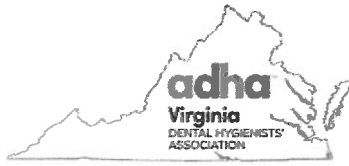
Sultan E. Chaudhry, D.D.S., President

Jamie C. Sacksteder, Executive Director

Date

Date

DERIK J. SVEN, PRESIDENT, VIRGINIA DENTAL HYGIENISTS' ASSOCIATION
WRITTEN STATEMENT DISTRIBUTED AT THE JUNE 12, 2026 BOARD MEETING



June 1, 2026

Dear Ms. Sacksteder,

On behalf of the Virginia Dental Hygienists' Association, I am writing to respectfully request that the Virginia Board of Dentistry issue a public statement regarding the recently enacted scaling assistant legislation, with that statement posted prominently on the Department of Health Professions/Board of Dentistry website.

We also request that the Board send a licensee-wide email outlining the next steps after July 1, including clear guidance on what the legislation does and does not authorize, any required rulemaking or implementation process, and the responsibilities of licensed dental professionals while the Board determines how these provisions will be operationalized.

In addition, we respectfully request that the Board include guidance regarding the steps that must be implemented before internationally trained dentists may apply for licensure under any newly created or amended pathway. This should include clarification that applicants may not begin practicing, applying, or being represented as eligible for licensure until the Board has established the necessary regulatory framework, application procedures, eligibility criteria, documentation requirements, supervision or practice limitations if applicable, and any other safeguards required for lawful implementation.

VDHA has been contacted by multiple concerned professionals and citizens who have reported that dental offices appear to be seeking candidates under these bills. These reports suggest that some offices may be unaware that the legislation does not immediately create a fully operational pathway for unlicensed individuals to perform scaling, nor does it immediately authorize internationally trained dentists to apply for or obtain licensure absent further Board action, regulatory clarity, and appropriate implementation procedures.

Given the potential implications for patient safety, professional accountability, and public understanding, we believe timely communication from the Board is essential. Clear public guidance would help prevent confusion among licensees, employers, prospective workers, internationally trained dentists, prospective applicants, and patients, while also reinforcing the Board's role in ensuring that any changes to dental practice are implemented responsibly and in accordance with Virginia law.

We respectfully ask that the Board consider issuing this clarification as soon as possible and include, at minimum, guidance on the following:

1. Whether any individual may begin performing scaling duties immediately after July 1;
2. What steps the Board must take before any scaling assistant pathway is implemented;



3. What dentists and dental practices should know before advertising for or hiring individuals under these provisions;
4. Whether additional regulations, training standards, supervision requirements, or credentialing processes must be established;
5. What regulatory, application, credentialing, or documentation steps must be completed before internationally trained dentists may apply for licensure under any new or amended pathway; and
6. Where licensees, prospective applicants, employers, and the public should direct questions or concerns.

VDHA appreciates the Board's attention to this matter and its ongoing responsibility to protect the public. We would welcome the opportunity to assist in sharing accurate information with Virginia's dental hygiene community and the broader public.

Respectfully,

Derik J. Sven, DHSC, MBA, MPH, RDH, CDT, FADHA, FAADH

President, Virginia Dental Hygienists' Association

CASH BALANCE AS OF APRIL 30, 2026
DISTRIBUTED AT THE JUNE 12, 2026 BOARD MEETING

FY 2026 Budget / Actual through April 2026
Virginia Department of Health Professions

Cash Balance

4/30/2026
83%
10300
Board of Dentistry
09223

Period Ending:
% of the Year Completed:
Department ID:
Department Name:
Fund

For your reference, here is the Cash Balance one year ago, as of April 30, 2025	\$	3,168,788
Cash Balance as of June 30, 2025	\$	3,062,780
YTD FY 2026 Revenue		2,611,595
Less: YTD FY 2026 Direct & Allocated Expenditures + Cash Transfers		(3,182,046)
Cash Balance as of April 30, 2026	\$	<u>2,492,329</u>