

VIRGINIA BOARD OF DENTISTRY
BOARD BUSINESS MEETING AGENDA
DECEMBER 5, 2025

<u>TIME</u>		<u>PAGE</u>
9:00 a.m.	Call to Order – Sultan E. Chaudhry, D.D.S., President	--
	<ul style="list-style-type: none"> • Welcome New Board Member 	--
	Public Comment – Dr. Chaudhry	
	Approval of Minutes	
	<ul style="list-style-type: none"> • September 12, 2025, Board Business Meeting • September 12, 2025, Public Hearing • September 12, 2025, Special Session • October 30, 2025, Telephone Conference Call • November 13, 2025, Telephone Conference Call 	1-4 5 6 7 8-9
	DHP Director’s Report – Arne W. Owens	--
	Board Counsel Report – Mr. Rutkowski	--
	Liaison & Committee Reports	
	<ul style="list-style-type: none"> • Nominating Committee – Dr. Hutchison 	--
	Legislation and Regulation – Ms. Barrett/Mr. Novak	
	<ul style="list-style-type: none"> • Chart of regulatory actions • Final action for DAIs and removal of pulp capping • Electronic participation policy 	10-11 12-16 17-19
	Board Discussion	
	<ul style="list-style-type: none"> • Consideration of Public Comments 	--
	Deputy Executive Director’s Report – Ms. Weaver	
	<ul style="list-style-type: none"> • Disciplinary Report • Discipline Process Updates 	20-21 --
	Executive Director’s Report – Ms. Sacksteder	
	<ul style="list-style-type: none"> • AADA/AADB Meetings • ADEX Annual Meeting Summary 2025 • ADA/ADEX Joint Statement 	-- 22-23 24-25

**VIRGINIA BOARD OF DENTISTRY
BUSINESS MEETING MINUTES
September 12, 2025**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:12 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: Alf Hendricksen, D.D.S., Vice-President
Surya Dhakar, D.D.S.
Bruce R. Hutchison, D.D.S.
Margaret F. Lemaster, R.D.H.
J. Michael Martinez de Andino, J.D.
Emelia H. McLennan, R.D.H.
Jennifer Szakaly, D.D.S.

MEMBERS ABSENT: William C. Bigelow, D.D.S.
Jayson C. Smith, D.M.D.

STAFF PRESENT: Jamie C. Sacksteder, Executive Director
Erin T. Weaver, Deputy Executive Director
Arne Owens, Director, Department of Health Professions
Matthew Novak, Agency Regulatory Coordinator
Donna M. Lee, Discipline Case Manager

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

ESTABLISHMENT OF A QUORUM: With eight members present, a quorum was established.

Ms. Sacksteder read the emergency evacuation procedures.

Dr. Chaudhry welcomed Dr. Bruce Hutchison to the Board as a new Board member.

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

No one registered for public comment.

Dr. Chaudhry closed the public comment period.

APPROVAL OF MINUTES: Dr. Chaudhry asked if there were any edits or corrections to the June 13, 2025, Board Business Meeting Minutes. Hearing none, Dr. Hendricksen moved to approve the minutes as presented. The motion was seconded and passed unanimously.

DHP DIRECTOR'S REPORT:

Mr. Owens stated that this January there was a change of administration in Washington and next January there will be a change of administration in Richmond; however, the focus at DHP is its internal management and becoming more efficient as an agency to ensure it's a good steward of the fees paid by licensees.

Mr. Owens informed the Board that DHP will present some legislation to the January 2026 General Assembly. He also stated that even though DHP is a non-general fund agency, a biennial budget still must be submitted to show what is required at DHP, and the final phase is with the Department of Planning and Budget.

BOARD COUNSEL REPORT:

Mr. Rutkowski reported to the Board that there are three pending cases: two appeals and one writ of mandamus. Regarding Dr. Zunka's appeal, Mr. Rutkowski stated that the Circuit Court agreed with the Board's interpretation of the practice of dentistry. Dr. Zunka may appeal against the decision in the Court of Appeals. Dr. Salartash's appeal is pending in Circuit Court, and oral arguments are scheduled for November 7, 2025. Dr. Kiely filed a Writ of Mandamus, but he has recently signed a consent order so it will probably be withdrawn.

LIAISON & COMMITTEE REPORTS:

Ms. Sacksteder addressed the Board regarding the postponement of the Nominating Committee meeting and stated that the Board is waiting to hear about the re-appointment of Dr. Hendricksen. She stated that the Committee would meet in November or December, and a slate of nominees would be presented at the Board's December meeting.

Dr. Hendricksen moved to postpone the Nominating Committee meeting until the Board receives all Board Member appointments; and if not, the Nominating Committee will meet in November or December, with nominations presented at the December Board meeting. The motion was seconded and passed unanimously.

LEGISLATION AND REGULATION:

Mr. Novak reviewed the Regulatory Actions as of August 19, 2025.

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.
- 18VAC60-15 – Amendment to Allow Agency Subordinates to Hear Credentials Cases; Fast-Track stage.
- 18VAC60-21 – Implementation of the Dentist and Dental Hygienist Compact; NOIRA Stage.
- 18VAC60-21 – Training Requirements for Botulinum Toxin Injections For Cosmetic Purposes; Proposed Stage.

Regulatory Actions at the Office of the Attorney General:

- 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.

Mr. Novak stated that 18VAC60-30, the elimination of direct pulp-capping as a delegable task, the public hearing was today, and the comment period closes on October 10, 2025.

Final Stage Action for Digital Scan Technicians - Mr. Novak reviewed with the Board the draft changes to 18VAC60-21 pertaining to the Final Stage Action regarding Training and Supervision of Digital Scan Technicians. He also provided the Board with a copy of the public comments provided on Town Hall.

Ms. Sacksteder stated that the definition for digital scan, digital scan technician and digital work order are defined in the Code of Virginia at 54.1-2700 and only referred to in code at 54.1-2708.5. Ms. Sacksteder explained that this digital scan regulation was proposed to address concerns of digital scans in various pharmacies and organizations operating in malls that did not have appropriate training and did not have oversight of a licensed dentist; not those working in dental offices because assistants in dental offices can scan. The Virginia Code requires the Board to create regulations for training, which is what this regulation is addressing. This training is not for dental assistants.

Mr. Novak and Ms. Sacksteder reiterated that the definition is in the Code and digital scan technicians would only be used in teledentistry practice in accordance to the code. 54.1-2708.5 is the only time the term “digital scan technician” is utilized and states “No person other than a dentist, dental hygienist, dental assistant I, dental assistant II, digital scan technician, or other person under the direction of a dentist shall obtain dental scans for use in the practice of dentistry”. This reiterates that a “digital scan technician” does not take the place of a dental assistant or dental hygienist. The code then goes on to state how a digital scan technician will be utilized in teledentistry.

After discussion, Mr. Martinez moved to adopt the final stage regulatory amendments to 18VAC60-21 as presented. The motion was seconded and passed unanimously.

Fast-Track Action to Correct Outdated Regulatory References – Mr. Novak reviewed with the Board the draft changes to 18VAC60-25 and 18VAC60-30 to correct outdated regulatory references. He explained that during the last round of periodic review actions, the Board repealed sections of regulations, however, references to those sections were not removed. He stated this action would clean up and correct those references.

Dr. Hendricksen moved to amend 18VAC60-25 and 18VAC60-30 by fast-track action to correct outdated regulatory references. The motion was seconded and passed unanimously.

**DEPUTY EXECUTIVE
DIRECTOR’S REPORT:**

Disciplinary Report – Ms. Weaver reviewed with the Board the Disciplinary Report for June 1, 2025 – August 15, 2025. She stated there were no summary suspensions issued or revocations for this period. Ms. Weaver explained there was an increase in cases received in July because of the

Oral Maxillofacial Surgeon (“OMS”) audit conducted by the Board. She also informed the Board that an update will be provided on the OMS and continuing education audits at the December Board meeting.

EXECUTIVE DIRECTOR’S REPORT:

Upcoming Conferences: Ms. Sacksteder informed the Board she will be attending the following:

- CLEAR Conference – September 15 - 18, 2025 in Chicago.
- AADA/AADB Meetings – October 15 -19, 2025 in Dallas.

Update on DDH Compact: Ms. Sacksteder advised the Board that there has not been a lot of progress on the Compact. She stated she is on three separate committees, and she is in meetings on average, three times a week to discuss various aspects of the Compact. She further stated there is push back for a hands-on requirement; issues on how to be compliant with the required background checks because Virginia does not do background checks and the current Code does not allow for the Board to conduct background checks; and that the Board was misled to believe that changes could be made to the Compact regarding a requirement for hands-on component for the exam and also, that there could be changes made to require active practice to participate in the compact. There are still discussions about requiring a hands-on component of the exam but there will be no active practice requirements to participate in the compact. So, someone can get a license in a state one day and seemingly apply for a compact privilege in several other states with no required active practice requirements. The Compact will also not require those with a privilege to comply with CE requirements of the state(s) they hold privileges in. The Compact will require a privilege holder to take a jurisprudence exam if the state requires it, however, Virginia is one of the only states that does not have a jurisprudence exam.

Update on SB1475 Licensure Workgroup Meeting: Ms. Sacksteder informed the Board that the Workgroup met on August 22, 2025. The Committee did not make recommended changes to the active practice requirements for credentialing/endorsement/reciprocity of dentists and dental hygienists. The Committee could not come to a consensus to make recommendations to create a pathway for internationally trained dentists to work as dental hygienists. A report will be sent to the General Assembly once it is reviewed.

ADJOURNMENT:

With all business concluded, the Board adjourned at 9:54 a.m.

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

Jamie C. Sacksteder, Executive Director

Date

Date

VIRGINIA BOARD OF DENTISTRY
PUBLIC HEARING MINUTES
September 12, 2025

TIME AND PLACE: The Virginia Board of Dentistry convened a Public Hearing at 9:15 a.m., on September 12, 2025 at the Perimeter Center, 9960 Mayland Drive, Board Room 4, Henrico, Virginia 23233, to receive comments on proposed amendments to 18VAC60-30 to eliminate direct pulp capping as a delegable task for a Dental Assistant II.

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

MEMBERS PRESENT: Surya Dhakar, D.D.S.
Alf Hendricksen, D.D.S.
Bruce R. Hutchison, D.D.S.
Margaret F. Lemaster, R.D.H.
J. Michael Martinez de Andino, J.D.
Emelia H. McLennan, R.D.H.
Jennifer Szakaly, D.D.S.

STAFF PRESENT: Jamie C. Sacksteder, Executive Director
Erin T. Weaver, Deputy Executive Director
Arne Owens, Director, Department of Health Professions
Matthew Novak, Agency Regulatory Coordinator

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

Ms. Sacksteder read the emergency evacuation procedures.

PUBLIC COMMENT: None.

Dr. Chaudhry stated that written comments can be emailed to Matt Novak or posted on Town Hall. The comment period will close on October 10, 2025.

ADJOURNMENT: The Public Hearing concluded at 9:20 a.m.

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

Jamie C. Sacksteder, Executive Director

Date

Date

UNAPPROVED

VIRGINIA BOARD OF DENTISTRY

**MINUTES
SPECIAL SESSION**

- CALL TO ORDER:** The meeting of the Board of Dentistry was called to order at 11:00 a.m., on September 12, 2025, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Board Room 4, Henrico, VA 23233.
- PRESIDING:** Sultan E. Chaudhry, D.D.S., President
- MEMBERS PRESENT:** Surya Dhakar, D.D.S.
Alf Hendricksen, D.D.S.
Bruce R. Hutchison, D.D.S.
Margaret F. Lemaster, R.D.H.
J. Michael Martinez de Andino, J.D.
Emelia H. McLennan, R.D.H.
Jennifer Szakaly, D.D.S.
- QUORUM:** With eight members present, a quorum was established.
- STAFF PRESENT:** Jamie C. Sacksteder, Executive Director
Erin T. Weaver, Deputy Executive Director
Donna M. Lee, Discipline Case Manager
- OTHERS PRESENT:** James E. Rutkowski, Senior Assistant Attorney General, Board Counsel
Rebecca E. Smith, Adjudication Consultant
- Kevin D. Kiely, D.D.S.
Case No.: 219990** The Board received information from Ms. Smith regarding a proposed consent order pertaining to Dr. Kiely in lieu of proceeding with the formal hearing.
- DECISION:** Ms. Lemaster moved that the Board accept the proposed consent order for the permanent voluntary surrender of Dr. Kiely's license to practice dentistry in the Commonwealth of Virginia in lieu of proceeding with the formal hearing. Following a second, a roll call vote was taken. The motion passed.
- ADJOURNMENT:** With all business concluded, the Board adjourned at 11:05 a.m.

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

Jamie C. Sacksteder, Executive Director

Date

Date

UNAPPROVED

VIRGINIA BOARD OF DENTISTRY

MINUTES

SPECIAL SESSION – TELEPHONE CONFERENCE CALL

- CALL TO ORDER:** The Board of Dentistry convened by telephone conference call on October 30, 2025 at 5:15 p.m.
- PRESIDING:** Sultan E. Chaudhry, D.D.S., President
- MEMBERS PRESENT:** Surya Dhakar, D.D.S.
Alf Hendricksen, D.D.S.
Bruce R. Hutchison, D.D.S.
Margaret F. Lemaster, R.D.H.
J. Michael Martinez de Andino, J.D.
Jayson C. Smith, D.M.D.
Jennifer Szakaly, D.D.S.
- MEMBERS ABSENT:** Emelia H. McLennan, R.D.H.
- QUORUM:** With eight members present, a quorum was established.
- STAFF PRESENT:** Jamie C. Sacksteder, Executive Director
Donna M. Lee, Discipline Case Manager
- OTHERS PRESENT:** James E. Rutkowski, Senior Assistant Attorney General, Board Counsel
Rebecca E. Smith, Adjudication Consultant
- John C. Carter, D.D.S.**
Case Nos.: 240339, 248624,
247189, 249863 The Board received information from Ms. Smith regarding a proposed consent order pertaining to Dr. Carter in lieu of proceeding with the formal hearing.
- DECISION:** Dr. Hendricksen moved that the Board accept the proposed consent order for the permanent voluntary surrender of Dr. Carter’s license to practice dentistry in the Commonwealth of Virginia in lieu of proceeding with the formal hearing. Following a second, a roll call vote was taken. The motion passed.
- ADJOURNMENT:** With all business concluded, the Board adjourned at 5:25 p.m.

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

Jamie C. Sacksteder, Executive Director

Date

Date

UNAPPROVED

VIRGINIA BOARD OF DENTISTRY

**MINUTES
SPECIAL SESSION**

- CALL TO ORDER:** The Board of Dentistry (“Board”) convened by telephone conference call on November 13, 2025 at 5:16 p.m., to consider a possible summary suspension in case numbers 241029, 242468, 245004, and 24182, pursuant to Virginia Code § 54.1-2408.1(A). The Board also convened to consider a consent order for resolution of case number 242128.
- MEMBERS PRESENT** Sultan E. Chaudhry, D.D.S., President – **Presiding**
Alf Hendricksen, D.D.S.
Bruce R. Hutchison, D.D.S.
Margaret F. Lemaster, R.D.H.
J. Michael Martinez de Andino, J.D.
Emelia H. McLennan, R.D.H.
Jennifer Szakaly, D.D.S.
- MEMBERS ABSENT:** Surya Dhakar, D.D.S.
Jayson C. Smith, D.M.D.
- POLLING OF BOARD MEMBERS:** The Board members were polled prior to scheduling the telephone conference call as to whether they could attend the meeting in Richmond.
- QUORUM:** With seven members present, a quorum was established.
- STAFF PRESENT:** Jamie C. Sacksteder, Executive Director
Donna M. Lee, Discipline Case Manager
- OTHERS PRESENT:** James Rutkowski, Senior Assistant Attorney General, Board Counsel
Rebecca Smith, Adjudication Consultant
- Daniel Chun, D.D.S.**
Case Nos.: 241029, 242468,
245004, and
245182 The Board received information from Ms. Smith to determine if Dr. Chun’s practice of dentistry constituted a substantial danger to public health or safety. Ms. Smith reviewed the case and responded to questions.
- CLOSED MEETING:** Dr. Hendricksen moved that the Board convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Daniel Chun. Additionally, Dr. Hendricksen moved that Ms. Sacksteder, Ms. Lee, and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Board in its deliberations. The motion was seconded and passed.
- RECONVENE:** Dr. Hendricksen moved that the Board certify that it heard, discussed, or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the

motion by which the closed meeting was convened. The motion was seconded and passed.

DECISION:

Dr. Hendricksen moved that the Board summarily suspend Dr. Chun's license to practice dentistry in the Commonwealth of Virginia in that his practice of dentistry constituted a substantial danger to public health or safety; and schedule a formal hearing. Following a second, a roll call vote was taken. The motion was passed.

**Matthew S. Mower, D.M.D.
Case No.: 242128**

The Board received information from Ms. Smith regarding a proposed consent order pertaining to Dr. Mower in lieu of proceeding with the formal hearing.

DECISION:

Dr. Hendricksen moved that the Board accept the proposed consent order for the permanent voluntary surrender of Dr. Mower's license to practice dentistry in the Commonwealth of Virginia in lieu of proceeding with the formal hearing. Following a second, a roll call vote was taken. The motion was passed.

ADJOURNMENT:

With all business concluded, the Board adjourned at 5:56 p.m.

Sultan E. Chaudhry, D.D.S., Chair

Jamie C. Sacksteder, Executive Director

Date

Date

Board of Dentistry
Current Regulatory Actions
As of November 6, 2025

In the Governor's Office

None.

In the Secretary's Office

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC60-21 18VAC60-30	Final	Training in infection control	7/5/2022	1220 days (3.3 years)	Amendments require specific training in infection control for dental assistants. Promulgated in response to a petition for rulemaking.
18VAC60-21 18VAC60-25	NOIRA	Continuing education requirements for jurisprudence	7/12/2022	1213 days (3.3 years)	Board is considering amendments to Chapters 21 and 25 to require jurisprudence continuing education for dentists and dental hygienists.
18VAC60-15	Fast-Track	Amendment to allow agency subordinates to hear credentials cases	9/16/2024	80 days	Conforms agency subordinate regulation to statutory changes from 2023 General Assembly session.
18VAC60-21	NOIRA	Implementation of the Dentist and Dental Hygienist Compact	6/25/2025	127 days	Enters Virginia into the Dentist and Dental Hygienist Compact
18VAC60-21	Final	Training and supervision of digital scan technicians	10/14/2025	8 days	Creates training for digital scan technicians pursuant to 2020 General Assembly legislation
18VAC60-21	Proposed	Training requirements	9/16/2024	34 days	Pursuant to legislative directive.

		for botulinum toxin injections for cosmetic purposes			This action will replace emergency regulations that will be in effect until 5/4/2026.
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At DPB

None.

At OAG

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC60-25	Fast-Track	Revision of dental hygienist training and duties to eliminate need for dual licensure as a dental hygienist and registration as a DAI	6/16/2025	143 days	Removes the requirement for dental hygienists to maintain registration as a DAI to perform certain function.
18VAC60-25 18VAC60-30	Fast-Track	Regulatory references cleanup	9/15/2025	52 days	Cleans up regulatory references from previous actions.

Recently effective, published, or awaiting publication

VAC	Stage	Subject Matter	Publication date	Effective date/ next steps
18VAC60-30	Proposed	Elimination of direct pulp-capping as a delegable task	8/11/2025	Final stage language to be considered

Agenda Item: Consideration of Final Action Regarding Pulp Capping for DAIs

Included in your Agenda Package:

- Final amendments to 18VAC60-30-120
- TownHall comment received during the proposed stage

Action Needed:

- Motion to amend 18VAC60-30-120 by final action.

Project 7061 - Final

Board of Dentistry

Elimination of direct pulp capping as a delegable task for a Dental Assistant II 18VAC60-30-120. Educational requirements for dental assistants II.

A. A prerequisite for entry into an educational program preparing a person for registration as a dental assistant II shall be current certification as a Certified Dental Assistant (CDA) conferred by the Dental Assisting National Board or active licensure as a dental hygienist.

B. To be registered as a dental assistant II, a person shall complete a competency-based program from an educational institution that meets the requirements of 18VAC60-30-116. An applicant may be registered as a dental assistant II with specified competencies completed in education as described in this subsection:

1. Didactic coursework in dental anatomy that includes basic histology, understanding of the periodontium and temporal mandibular joint, pulp tissue and nerve innervation, occlusion and function, muscles of mastication, and any other item related to the restorative dental process.
2. Didactic coursework in operative dentistry, to include materials used in direct and indirect restorative techniques, economy of motion, fulcrum techniques, tooth preparations, etch and bonding techniques and systems, and luting agents.
3. Laboratory training to be completed in the following modules:
 - a. No less than 15 hours of placing, packing, carving, and polishing of amalgam restorations, placement of a non-epinephrine retraction cord, and indirect pulp capping procedures and no less than six class I and six class II restorations completed on a manikin simulator to competency;
 - b. No less than 40 hours of placing and shaping composite resin restorations, placement of a non-epinephrine retraction cord, and indirect pulp capping procedures, and no less than 12 class I, 12 class II, five class III, five class IV, and five class V restorations completed on a manikin simulator to competency; and
 - c. At least 10 hours of making final impressions, placement of a non-epinephrine retraction cord, final cementation of crowns and bridges after preparation, and adjustment and fitting by the dentist, and no less than four crown impressions, two placements of retraction cord, five crown cementations, and two bridge cementations on a manikin simulator to competency.
4. Clinical experience applying the techniques learned in the preclinical coursework and laboratory training in the following modules:
 - a. At least 30 hours of placing, packing, carving, and polishing of amalgam restorations, placement of a non-epinephrine retraction cord, and no less than six class I and six class II restorations completed on a live patient to competency;
 - b. At least 60 hours of placing and shaping composite resin restorations, placement of a non-epinephrine retraction cord, and no less than six class I, six class II, five class III, three class IV, and five class V restorations completed on a live patient to competency; and
 - c. At least 30 hours of making final impressions; placement of non-epinephrine retraction cord; final cementation of crowns and bridges after preparation, adjustment, and fitting by the dentist; and no less than four crown impressions, two placements of

retraction cord, five crown cementations, and two bridge cementations on a live patient to competency.

5. Successful completion of the following competency examinations given by the accredited educational programs:

- a. A written examination at the conclusion of didactic coursework; and
- b. A clinical competency exam.



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Agency Department of Health Professions

Board Board of Dentistry

Chapter Regulations Governing the Practice of Dental Assistants [18 VAC 60 - 30]

Action	<u>Elimination of direct pulp capping as a delegable task for a Dental Assistant II</u>
Stage	<u>Proposed</u>
Comment Period	Ended on 10/10/2025

[Back to List of Comments](#)

Commenter: Ryan Dunn, Virginia Dental Association

9/9/25 3:33 pm

Proposed Regulations Eliminating Direct Pulp Capping as a delegable task for DAIIs

Dear Ms. Sacksteder and Members of the Board of Dentistry:

In creating the regulatory framework and educational requirements for Dental Assistant IIs more than fifteen years ago, the Virginia Board of Dentistry (Board) considered over 1,000 public comments, convened an ad hoc committee of experts including representatives from the Virginia Dental Assistants Association, the Virginia Dental Hygienists' Association, the Virginia Dental Association (VDA), and faculty from the CODA-accredited dental assisting program at J. Sargeant Reynolds Community College.

In the petition to remove direct pulp capping from the duties that can be delegated to a Dental Assistant II (DAII), the Board has not demonstrated to the general public or communities of interest that there has been any harm caused to Virginia patients in the 15 years in which this procedure has been allowed.

The Board has not provided any evidence of the inadequacy of the educational curriculum at Virginia's two Dental Assistant II programs.

The Board has not provided any indication that the current scope of practice of a DAII exceeds the intent of legislators who passed enabling legislation to create the position to help better address the oral healthcare needs of Virginians.

The Board has not provided any indication that it has sought expert advice from the directors of the accredited programs in Virginia at which DAIIIs can be educated or from any dental practices that employ the dental assistant IIs whose educational curriculum included direct pulp capping.

Rather than proposing to amend educational standards to satisfy the board that a DAII can perform direct pulp capping safely, the Board's actions instead suggest that DAIIIs as a class of persons can no longer be educated to safely perform this procedure, which has been within their scope for 15 years.

We ask the Board to bear in mind that a DAII practices under the supervision of a dentist. If the dentist is concerned during a prep, he or she has the responsibility of intervening and treating that

patient using their best professional judgement.

Many direct pulp caps may be best placed by the dentist, but mainly so that the exposure is sealed as quickly as possible during the procedure. Time is of the essence and, for fifteen years, appropriately trained DALLs in Virginia have helped address exposures during the prep with four-handed dentistry, to allow them to be better isolated.

The VDA asks the Board to reconsider this proposed regulatory amendment, which comes at a time when the Board is aware of well-documented shortages in Virginia's dental workforce that impact access to essential dental care.

Sincerely,

Ryan Dunn

CEO, Virginia Dental Association

CommentID: **237095**

Agenda Item: Readoption of electronic meeting policy

Included in your agenda package:

- Electronic participation policy.

Staff notes: Virginia Code § 2.2-3708.3(D) requires public bodies to adopt electronic participation policies. The attached policy is consistent with the law and is applied across DHP.

Action needed:

- Motion to readopt the electronic participation policy.

Virginia Department of Health Professions

Meetings Held with Electronic Participation

Purpose:

To establish a written policy for allowing electronic participation of board or committee members for meetings of the health regulatory boards of the Department of Health Professions or their committees.

Policy:

Electronic participation by members of the health regulatory boards of the Department of Health Professions or their committees shall be in accordance with the procedures outlined in this policy.

Authority:

This policy for conducting a meeting with electronic participation shall be in accordance with [Virginia Code § 2.2-3708.3](#).

Procedures:

1. One or more members of the Board or a committee may participate electronically if, on or before the day of a meeting, the member notifies the chair and the executive director that he/she is unable to attend the meeting due to:
 - a. a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
 - b. a medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance;
 - c. the member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
 - d. the member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter.

No member, however, may use remote participation due to personal matters more than two meetings per calendar year or 25% of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

2. Participation by a member through electronic communication means must be approved by the board chair or president. The reason for the member's electronic participation shall

be stated in the minutes in accordance with Virginia Code § 2.2-3708.3(A)(4). If a member's participation from a remote location is disapproved because it would violate this policy, it must be recorded in the minutes with specificity.

3. The board or committee holding the meeting shall record in its minutes the remote location from which the member participated; the remote location, however, does not need to be open to the public and may be identified by a general description.



August 15, 2025 – November 14, 2025

The table below includes all cases that have received Board action since August 15, 2025 through November 14, 2025.

Year 2025	Cases Received	Cases Closed No Violation	Cases Closed W/Violation	Total Cases Closed
August	20	5	19	24
September	59	2	60	62
October	65	6	47	53
November	14	6	16	22
TOTALS	156	19	142	161

Closed Case with Violations consisted of the following:

Patient Care Related:

- **6 Standard of Care: Diagnosis/Treatment:** Instances in which the diagnosis/treatment was improper, delayed, or unsatisfactory. Also, include failure to diagnose/treat & other diagnosis/treatment issues.
- **2 Drug Related, Patient Care:** Dispensing in violation of the Drug Control Act (to include dispensing for non-medicinal purposes, excessive prescribing...)
- **2 Standard of Care: Malpractice Reports:** A judgment or settlement as well as other malpractice related issues.
- **1 Fraud, Patient Care:** Performing unwarranted or unjust services or the falsification or alteration of patient records.

Non-Patient Care Related:

- **4 Business Practice Issues:** Recordkeeping or continuing education.
- **1 Reinstatement:** Application for reinstatement granted with a finding of violation.

CCA's

There were **13** CCAs issued from August 15, 2025 through November 14, 2024.



Suspensions/Revocations

There has been 1 Summary Suspensions issued from August 15, 2025 through November 14, 2025. There have been 3 voluntary permanent surrenders from August 15, 2025 through November 14, 2025. There have been 0 Revocations from August 15, 2025 through November 14, 2025.

Continuing Education Audit – 2024 Renewals

77 dentists and 60 dental hygienists were randomly selected for an audit of continuing education compliance for renewal of their licenses in 2024.

- **78%** Compliant – of those, 7 received an Advisory Letter and 4 were issued a CCA
- **16%** Non-compliant and will be subject to public discipline.

Cosmetic Procedure Quality Assurance Audit

37 registered OMS hold cosmetic procedure certificates. Of those, 24 reported performing cosmetic procedures in the preceding 3 years and were subject to the audit.

- 3 fully compliant
- 12 Advisory Letters issued regarding failure to annually updated OMS profile
- 9 CCAs issued for failure to update OMS profile and minor recordkeeping
- **NO public discipline**



It was wonderful to see so many of you at the 2025 Dental Testing and Regulatory Summit and Educators Conference, held October 16 - 18 at the Gaylord Texan Resort in Grapevine, Texas. Now in its second year, this event brought together more than 700 attendees and 100 guests, serving as the site of Annual Meetings for three organizations (the American Association of Dental Administrators (AADA), American Board of Dental Examiners (ADEX), and the American Association of Dental Boards (AADB)) as well as the ADEX Educators Conference.

The energy throughout the weekend reflected a shared commitment to advancing public protection and licensure standards. We are pleased to share the following highlights from this year's ADEX Annual Meeting with those who were unable to attend.

State Board Presidents, Vice Presidents & Executive Directors Forum

Always a popular session, Executive Directors, Presidents, and Vice Presidents from 29 jurisdictions participated in a special forum dedicated to issues facing boards of dentistry today. Conversations focused on the licensure of internationally trained providers, the practice of non-licensed dentistry, and dental and dental hygiene licensure compacts.

Participants also discussed opportunities for each state to appoint both a dentist and a dental hygienist to serve on the **ADEX** Council on Examinations, ensuring direct board involvement in the ongoing development of licensure assessments. In the past year, 21 new board members from 13 jurisdictions have become ADEX licensure examiners. An additional communication regarding this opportunity will be shared with you very soon.

General Assembly

The General Assembly featured an annual update from Chair Dr. Mark Armstrong. He emphasized that the recent merger of CDCA-WREB-CITA and ADEX has strengthened relationships with state boards, candidates, and dental education programs while reinforcing fairness, reliability, and board oversight. A panel discussion titled "*Becoming the American Board of Dental Examiners*" brought together leaders from the Board of Directors and the Council on Examinations to reflect on two decades of organizational advancements and the milestones that shaped ADEX's national impact.

An insightful report from the Assignment Committee detailed the scope of operations across the ADEX network as it stands in 2025:

- **607 total sites:** 292 Dental (48%) and 315 Dental Hygiene (52%)
- **5,609 individual examiner assignments**
- **1,281 active Examiners**
 - Dentist: 813 | Hygienist: 456 | Public Member: 12

ADEX Dental and Dental Hygiene exams are accepted or required by law for initial licensure in 51 US jurisdictions. Due to its accessibility and nationwide portability, the ADEX examination standard serves 98% of dental licensure candidates and 85% of dental hygiene licensure candidates in the U.S.. During his address, Dr. Benjamin Wall, Director of Examinations, noted that from January to September 2022, more than **6,700 dental** and **5,300 dental hygiene** candidates challenged ADEX examinations. Additional results for Dental Therapy, Local Anesthesia, EFDA, and Dental Hygiene Restorative exams were presented. Dr. Wall also offered detailed exam performance statistics that demonstrated and validated the importance of standardized assessments in confirming readiness for safe and competent practice. Key technological developments in testing administration were also shared.

Elections for Treasurer, Secretary, and seven At-Large board positions took place. Dr. Mark Armstrong (OH) and Dr. Rudy Ramos (TX) began their last year as chair and vice chair, respectively. For Bios and more details of all board members, please visit our [website](#). *(Italics indicate first-time members of the Board)*

Chair: Dr. Mark Armstrong (OH)

Vice Chair: Dr. Rudy Ramos (TX)

Treasurer: Dr. Wesley Thomas (DC)

Secretary: Diane Klemann, RDH (MT)

Dental Members At Large:

Dr. Kevin Collins (NC)

Dr. Robert Lauf (ND)

Dr. Jonna Hongo (OR)

Dr. Melodie Jones (AL)

Dr. Merlin Young (NC)

Dental Hygiene Members At Large:

Heather Hardy, RDH (AZ)

Susan Johnston, RDH (OH)

Council on Examinations:

Dr. Conrad McVea (LA)

Dr. Renee McCoy-Collins (DC)

ADEX Educators Conference

ADEX Examinations are available to every graduating dentist and dental hygienist, and the American Board of Dental Examiners is committed to preparing faculty supporting these individuals. On Saturday, October 19th, educators from across the country also gathered for a series of sessions focused on calibrating and preparing candidates to challenge the 2025-26 examinations. Attendees in the dental hygiene track heard from peer panelists who discussed trends in the dental hygiene landscape.

Looking Ahead

The American Board of Dental Examiners invites all members of state boards interested in becoming examiners to reach out regarding onboarding opportunities. Your state's involvement continues to shape the national standard for dental and dental hygiene licensure, upholding our shared mission of protecting the public through fair, valid, and reliable assessments.

We deeply appreciate the ongoing partnership and input of every board across the country and look forward to continued collaboration in the year ahead.

American Dental Association and American Board of Dental Examiners Announce Collaborative Discussions to Advance Clinical Licensure Competency Examinations

The American Dental Association (ADA), the Joint Commission on National Dental Examinations (JCNDE) and the American Board of Dental Examiners (ADEX) have begun a series of collaborative discussions focused on enhancing the standards and delivery of clinical licensure competency examinations for dental professionals.

The discussions reflect a shared commitment by these organizations to ensure that dental licensure assessments continue to evolve alongside advancements in clinical education, technology, and patient care. Through this collaboration, the ADA and ADEX aim to identify opportunities for alignment in examination content, evaluation methods, and candidate experience—ultimately strengthening the process by which new dentists demonstrate their readiness for practice.

“By working together, we are advancing our mutual goal of ensuring every licensed dentist enters the profession with proven competence and the highest standards of patient safety,” said Dr. Richard Rosato, President, ADA.

ADEX Chair Dr. Mark Armstrong added, “Our dialogue with the ADA highlights our commitment to a modern, equitable licensure standard—grounded in rigorous clinical hand skills assessment and reflective of today’s dental practice.”

The ADA and ADEX anticipate continued engagement over the coming months as both organizations explore best practices and potential innovations to further the dental licensure examination standards nationwide.

About the American Dental Association

The not-for-profit ADA is the nation's largest dental association, representing 154,000 dentist members. The premier source of oral health information, the ADA has advocated for the public's health and promoted the art and science of dentistry since 1859. The ADA's state-of-the-art research facilities develop and test dental products and materials that have advanced the practice of dentistry and made the patient experience more positive. The ADA Seal of Acceptance has long been a valuable and respected guide to consumer dental care products. The Journal of the American Dental Association (JADA), published monthly, is the ADA's flagship publication and the best-read scientific journal in dentistry. For more information about the ADA, visit ADA.org. For more information on oral health, including prevention, care and treatment of dental disease, visit the ADA's consumer website MouthHealthy.org.

About the American Board of Dental Examiners (ADEX)

The American Board of Dental Examiners (ADEX) is a not-for-profit organization dedicated to supporting dental boards in their mission to protect the public through the licensure of qualified oral health professionals. Established in 1969, ADEX administers independent competency

examinations developed and approved by representatives of state dental boards. ADEX examinations are accepted or required by law in 51 U.S. jurisdictions and serve as the initial licensure pathway for 98% of dental and 85% of dental hygiene candidates nationwide. Through ongoing collaboration with dental boards and educators, ADEX continues to advance innovative, evidence-based assessment methods that uphold the highest standards of fairness, clinical competence, and public protection. Learn more at adextesting.org.