

**VIRGINIA BOARD OF DENTISTRY
MINUTES
June 9, 2017**

TIME AND PLACE: The meeting of the Board of Dentistry was called to order at 9:05 a.m. on June 9, 2017, at the Department of Health Professions, 9960 Mayland Drive, Suite 201, Board Room 4, Henrico, Virginia 23233.

PRESIDING: A. Rizkalla, D.D.S., President

BOARD MEMBERS PRESENT: John M. Alexander, D.D.S
Tonya A. Parris-Wilkins, D.D.S.
Nathaniel C. Bryant, D.D.S.
Augustus A. Petticolas, Jr., D.D.S.
Tammy C. Ridout, R.D.H.
Patricia B. Bonwell, R.D.H., PhD
James D. Watkins, D.D.S.
Bruce S. Wyman, D.M.D.

BOARD MEMBER ABSENT: Carol R. Russek, JD

STAFF PRESENT: Sandra K. Reen, Executive Director for the Board
Elaine J. Yeatts, DHP Senior Policy Analyst
Kelley Palmatier, Deputy Executive Director for the Board
Sheila Beard, Executive Assistant for the Board

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

OTHERS PRESENT: David E. Brown, Director, DHP

ESTABLISHMENT OF A QUORUM: With nine members of the Board present, a quorum was established.

Ms. Reen read the emergency evacuation procedures.

Dr. Rizkalla explained the parameters for public comment and opened the public comment period.

PUBLIC COMMENT: Written comment requesting that a PGYI program be accepted for licensure was received as information.

APPROVAL OF MINUTES: Dr. Rizkalla asked if there were any corrections to the March 9, 2017 Formal Hearing minutes. A motion by Dr. Watkins to adopt these minutes was seconded and passed.

Dr. Rizkalla asked if there were any corrections to the March 10, 2017 Business Meeting minutes. A motion by Dr. Petticolas to adopt these minutes was seconded and passed.

Dr. Rizkalla asked if there were any corrections to either set of May 12, 2017 Formal Hearing minutes. A motion by Dr. Petticolas to adopt these minutes was seconded and passed.

**DHP DIRECTOR'S
MINUTES:**

Dr. Brown complimented and thanked the Board for its work on emergency regulations which address prescribing opioids for acute and chronic dental pain. He added that Secretary Hazel will convene a work group for the purpose of creating a course curriculum on pain management, opioids and addiction to be taught in schools training health professionals who will prescribe or dispense medication. Also, legislation was passed which requires all prescriptions for opioids to be done by e-prescribing by the year 2020.

Dr. Brown welcomed Michelle Schmitz as the new Director of Enforcement at DHP.

**LIAISON/COMMITTEE
REPORTS:**

ADEX. Dr. Bryant said he will be attending the annual conference on August 11-13, 2017 in Chicago, IL.

SRTA. Dr. Watkins stated the licensure exams are going well and the annual meeting will be held August 4-6 in Myrtle Beach, SC. He said VCU, University of South Carolina, and University of Louisville have pulled out of SRTA and SRTA is actively pursuing other schools. He added that SRTA has expanded the test sites for the hygiene exam. He also reported the Executive Director of SRTA, Kathleen White, will be retiring in December.

Advisory Panel on Opioids. Dr. Alexander reported that work on the Board's regulations continues. He also showed the cover of a recent AARP magazine which addresses how the Opioid crisis is affecting the elderly.

Regulatory-Legislative Committee. Dr. Wyman stated the Committee will be looking at the RAP's recommendations for changing the education requirements for Dental Assistants II (DAII) at its June 30, 2017 meeting because there are very few registrants in Virginia as compared to Pennsylvania and other states. He said using a DAII frees up dentists from doing basic restoration treatments.

AADB. Dr. Wyman said the recent conference he attended with Dr. Rizkalla and Ms. Reen in Chicago, IL was very lively and that he

was impressed by AADB's efforts to improve its meetings and to increase its membership. He then noted highlights from his report.

Dr. Rizkalla reviewed his report then addressed the discussion which occurred regarding the ADA's development of a licensing exam using a Power Point presentation.

Exam Committee. Dr. Watkins noted that a motion from the Committee to accept PGY1 for licensure will be addressed later in the agenda then asked if there were any questions about the information in the Committee's April 28, 2017 minutes.

LEGISLATION AND REGULATIONS:

Status Report on Regulatory Actions. Ms. Yeatts reported on the following Regulatory Actions:

- The comment period on the NOIRA to replace the Emergency Opioid regulations ends on June 14, 2017, noting the Board would consider the comments received and amendment of the regulations at its next meeting.
- Amending the emergency regulations for Opioid Prescribing to clarify when the required course could be taken. Following discussion, a motion by Ms. Ridout to adopt the proposed amendment was seconded and passed.
- Amend to conforming to the ADA Guidelines for teaching moderate sedation and to add capnography equipment to the requirements for moderate sedation, deep sedation and general anesthesia ended on June 14, 2017.
- Amending the remote supervision regulations to conform to changes in the Code of Virginia. Following discussion, a motion by Dr. Wyman to adopt the proposed amendment was seconded and passed. The Regulatory-Legislative Committee was charged with developing language to address the length and content of the required continuing education course and to address what constitutes an emergent circumstance.

BOARD DISCUSSION/ACTION:

Adding PGY1 Pathway for Licensure. Dr. Watkins offered the Exam Committee motion to add another pathway to qualify for licensure by accepting completion of a one-year post graduate advanced residency. Discussion followed about assuring that an acceptable post graduate program would be a full year and it was agreed that 12 months should be specified rather than one calendar year. It was also agreed that applicants qualifying by PGY1 would not need to pass a clinical examination to qualify for licensure. The question was called and the motion to add completion of a PGY1 program as a pathway was passed. Ms. Yeatts stated she would draft the proposed regulation for review at the September meeting.

Continuing Education Tracking Services. Dr. Rizkalla stated there are various boards in many states that are utilizing tracking services for continuing education. Ms. Reen provided information on other states' tracking programs and indicated she would be contacting the companies that manage the services to get comparative information.

OSCE Presentation. Dr. Rizkalla discussed his findings from his recent trip to Canada to observe the administration of the Canadian OSCE (Objective Structured Clinical Examination) indicating the test is a multiple-choice question test that does assess cognitive knowledge but not fine hand-motor skill. He then explained the interaction that has occurred between AADB and the ADA prior to, at, and after the April AADB meeting regarding the ADA's development of the Dental Licensure Objective Structured Clinical Examination (DLOSCE). He concluded by saying he didn't think now is the time for the Board to send a letter to the ADA.

The Board discussed adding the term "patient-based" in the regulations addressing the requirement for a clinical competency examination but took no action.

Proposed New ADA Agency Comment. Ms. Reen reviewed the May 17, 2017 announcement of a proposed new ADA agency, the National Commission on Recognition of Dental Specialties and Certifying Boards. The announcement invites comments on the proposed agency for consideration by the ADA Task Force on Specialty and Specialty Certifying Board Recognition. She noted that comments are due by June 30, 2017.

**BOARD COUNSEL
REPORT:**

Mr. Rutkowski explained that the Board needs to adopt an expert admissibility standard then reviewed the two options, the traditional Virginia Standard and the Virginia Medical Malpractice Standard. He responded to questions and recommended adoption of the Virginia Standard. Ms. Ridout moved to adopt the Virginia Standard. The motion was seconded and passed.

**REPORT ON CASE
ACTIVITY:**

Ms. Palmatier reviewed her report noting that from January 1, 2017 through May 19, 2017, 126 cases were received and 135 were closed. She also noted that in Q3 of 2017 62 patient care cases were received and 69 were closed for a 111% clearance rate; which is down from the 171% in Q2 of 2017. She added that between February 24, 2017 and May 22, 2017, the Board summarily rescinded the stay of one dental license.

**EXECUTIVE
DIRECTOR'S
REPORT/BUSINESS:**

2018 Calendar of Meetings. Ms. Reen asked the Board to adopt the meeting calendar for 2018 that had been sent to each member

Virginia Board of Dentistry
Board Business Meeting
June 9, 2017

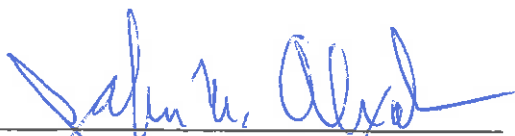
for review in advance of the meeting. In response to a question, Ms. Palmatier said Special Conference Committee "A" had agreed to switch its meetings to Monday. Ms. Reen said staff would change the scheduled dates for Special Conference Committee "A" to Mondays based on conference room availability then send out a revised calendar, noting that it may not be possible to change all the dates. Dr. Petticolas moved to adopt the calendar to include the available Monday dates for the Special Conference Committee "A". The motion was seconded and passed.

CLOSED SESSION: **Review Proposed Law Exam Questions.** Dr. Alexander moved that the Board go into a closed session pursuant to Section 2.2-3711.A(11) in order to review the proposed law exam questions.

OPEN SESSION: Dr. Alexander moved to certify that the Board 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 as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

Ms. Ridout moved the adoption of the law exam questions as amended by the Board. The motion was seconded and passed. The Board agreed with Ms. Reen's request to evaluate having the examination administered by staff before pursuing request for proposals.

ADJOURNMENT: With all business concluded, the meeting was adjourned at 12:44 p.m.




A. Rizkalla, D.D.S., President



Sandra K. Reen, Executive Director



Date



Date