

**VIRGINIA BOARD OF DENTISTRY
REGULATORY COMMITTEE MEETING MINUTES
October 14, 2022**

TIME AND PLACE: The meeting of the Regulatory Committee was called to order at 9:09 a.m., on October 14, 2022

PRESIDING: Jamiah Dawson, D.D.S., Vice-President, Chair

COMMITTEE MEMBERS PRESENT: William Bigelow, D.D.S.
J. Michael Martinez de Andino, J.D.
Emelia McLennan, R.D.H.

COMMITTEE MEMBERS ABSENT: Alf Hendricksen, D.D.S.

STAFF PRESENT: Jamie C. Sacksteder, Executive Director
Sally R. Ragsdale, Executive Assistant
Donna Lee, Discipline Case Manager
David C. Brown, D.C., Agency Director, DHP
Erin Barrett, JD, Senior Policy Analyst, DHP

QUORUM: With four members present, a quorum was established.

Ms. Sacksteder read the emergency evacuation procedures.

PUBLIC COMMENT: Dr. Dawson explained the parameters for public comment and opened the public comment period. Dr. Dawson noted the public comments submitted by the **Virginia Dental Hygienists Association**, pages 1-23.

W. Scott Johnson, Esquire, General Counsel for the Virginia Dental Association commented the VDA approves the recommended changes presented in the agenda packet and that he could be called upon as a resource if needed by the Board.

APPROVAL OF MINUTES: Dr. Dawson asked if there were any edits or corrections to the May 20, 2022 meeting minutes. Hearing none, Mr. Martinez made a motion to approve the minutes as presented. The motion was seconded and passed.

PERIODIC REVIEW: Ms. Barrett stated that it is the Governor's initiative to reduce regulations by 25%. The suggested changes after a periodic review will include removing sections, adding clarifying language, and deleting unnecessary words or redundant material.

Chapter 15 – Regulations for Governing the Disciplinary Process. Ms. Barrett stated that the Board has already begun the periodic review of Chapter 15 on page 26 of the agenda packet. She recommended that the Committee retain the chapter as presented unless there was something

specific the Committee needed to address. The Committee had no recommended changes. Mr. Martinez made a motion to retain Chapter 15 with no edits. The motion was seconded and passed.

Chapter 21 – Regulations Governing the Practice of Dentistry. Ms. Barrett reviewed the suggested changes that were included in the agenda packet. The Committee discussed changes in the agenda packet on pages 30-80.

The Committee recommended the following additional amendments:

- (1) 18VAC60-21-60(A)(1) - The Committee recommended amending the regulations to state: "Maintaining a safe and sanitary practice" and removing the rest of the regulation regarding service animals.
- (2) 18VAC60-21-70(A)(2) – remove the wording "knowingly or negligently" in the first sentence.
- (3) 18VAC60-21-107(A) – remove the entire regulation.
- (4) 18VAC60-21-107(B) – remove the wording "subsection A of this section". After the words "requirement of" and "Section 54.1-3408.02".
- (5) The Committee referred 18VAC60-21-120E.2 to the full board for discussion. The section states dental hygienists shall consent in writing to provide services under general supervision.
- (6) 18VAC60-21-160 (B) - delete and moved to Chapter 25.
- (7) 18VAC60-21-180 – remove the entire regulation.
- (8) 18VAC60-21-190(A)(1) – remove the words "of the grades" from the first sentence.
- (9) 18VAC60-21-190(A)(2) - an "original grade card" was replaced with the word "evidence of."
- (10) 18VAC60-21-190(B) – remove the entire section. Place a reminder on the renewal page directing licensees to a link where they can review the laws and regulations.
- (11) 18VAC60-21-250(A)(1) – remove the entire section. Place a reminder on the renewal page directing licensees to a link where they can review the laws and regulations.
- (12) 18VAC60-21-250(C) – remove the entire section and place in a new guidance document.
- (13) 18VAC60-21-260(H)(2) – after the word "written" insert "or electronic".
- (14) 18VAC60-21-291(D)(2) – after the words "blood pressure" insert "vital signs to include".
- (15) 18VAC60-21-291(E)(2) – after the word "writing" add "and documented in the patient's chart."
- (16) 18VAC60-21-291(E)(3) – replace the word "individual" with "adult".
- (17) 18VAC60-21-320(A) – after the word "days" add "of registration".
- (18) 18VAC60-21-340 – the information will be moved to 18VAC60-21-320(D).
- (19) 18VAC60-21-360 – deleted.

Ms. Barrett suggested adding a new section that stating that a separate permit is not required if an oral and maxillofacial surgeon maintains a membership in AAOMS.

Mr. Martinez made a motion to approve the changes as presented, the

Regulatory Committee will present the recommendations to the full Board in December 2022. The motion was seconded and passed.

Chapter 25 – Regulations Governing the Practice of Dental Hygiene. Ms. Barrett reviewed the proposed changes to the regulations governing the practice of dental hygiene. The Committee discussed the suggested changes as presented in the agenda on pages 81-100.

The Committee recommended the following additional amendments:

- (1) 18VAC60-25-70 – deleted.
- (2) 18VAC60-25-90 – deleted.
- (3) 18VAC60-25-100(B)(1) – Ask the full Board about the number of hours stated for didactic and clinical instruction.
- (4) 18VAC60-25-100(C)(1) – Ask the full Board about the number of hours stated for didactic and clinical hours.
- (5) 18VAC60-25-130(2) – remove words “grade card” and insert “transcript”.
- (6) 18VAC60-25-130(A)(4) - remove the entire section. Place a reminder on the renewal page directing licensees to a link where they can review the laws and regulations.
- (7) 18VAC60-25-150(2) – remove the words “clinical, ethical, and”; after the word active, insert the word “clinical”.
- (8) 18VAC60-25-150(5) – deleted.
- (9) 18VAC60-25-180(A) – remove the words “beginning in January 2022”.
- (10) 18VAC60-25-190(C) - remove and place in a guidance document.
- (11) 18VAC60-25-200(C) – remove the words “March 31 of each year”.

Dr. Bigelow made a motion to accept changes as presented and moved to present the recommendation to the Board in December at the Board Business Meeting. The motion was seconded and passed.

Chapter 30 – Regulations Governing the Practice of Dental Assistants. Ms. Barrett reviewed the proposed changes governing the practice of dental assistants. She restated the earlier changes regarding the delegation of duties that were amended in Chapters 21 and 25. The Committee discussed the suggested changes as presented in the agenda on pages 101-111.

The Committee recommended the following additional amendments:

- (1) 18VAC60-30-70 – remove.
- (2) 18VAC60-30-100(A)(1)(2)(3) – remove.
- (3) 18VAC60-30-110(5) – remove.
- (4) 18VAC60-30-115(3) - remove the entire section. Place a reminder on the renewal page directing licensees to a link where they can review the laws and regulations.
- (5) 18VAC60-30-120(B) – remove the words “and includes all of the following”.
- (6) 18VAC60-30-120(C) – after the word “competencies” and the words “completed in education as set forth below” and move the sentence to 18VAC60-30-120(B).
- (7) 18VAC60-30-140(3) – after the word “certificate” add the words

“from another state”.
(8) 18VAC60-30-140(B)(3) – remove.

Mr. Martinez made a motion to accept the changes as presented and moved to present the recommendation to the Board in December at the Board Business Meeting. The motion was seconded and passed.

PROPOSED GUIDANCE DOCUMENTS:

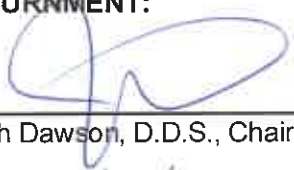
Ms. Barrett reviewed the proposed changes to the guidance documents as presented in the agenda packet. The Committee accepted the changes as presented and move to present the recommendation to the Board in December at the Board Business Meeting. Mr. Martinez made a motion to approve the changes. The motion was seconded and passed.

NEXT MEETING:

The next Board Business Meeting will be held on December 2022.

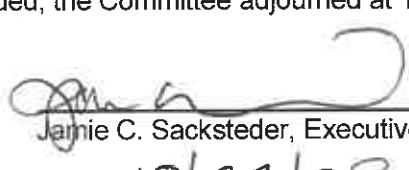
ADJOURNMENT:

With all business concluded, the Committee adjourned at 11:17 a.m.



Jamiah Dawson, D.D.S., Chair
10/27/23

Date



Jamie C. Sacksteder, Executive Director
10/27/23

Date