

**VIRGINIA BOARD OF DENTISTRY  
BUSINESS MEETING MINUTES  
March 6, 2026**

- TIME AND PLACE:** The meeting of the Virginia Board of Dentistry was called to order at 9:08 a.m., at the Perimeter Center, 9960 Mayland Drive, Board Room 2, Henrico, Virginia 23233.
- PRESIDING:** Sultan E. Chaudhry, D.D.S., President
- MEMBERS PRESENT:** 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.  
Richard Quigg, D.D.S.
- MEMBERS ABSENT:** 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  
Erin L. Barrett, Director of Legislative and Regulatory Affairs  
Donna M. Lee, Discipline Case Manager
- COUNSEL PRESENT:** James E. Rutkowski, Senior Assistant Attorney General
- ESTABLISHMENT OF A QUORUM:** With seven members present, a quorum was established.  
  
Ms. Sacksteder read the emergency evacuation procedures.  
  
Dr. Chaudhry welcomed Dr. Richard Quigg to the Board as a new Board member.
- PUBLIC COMMENT:** Dr. Chaudhry explained the parameters for public comment and opened the public comment period.  
  
Written public comment was received from Paulette Goity, which is contained on page 1 of the agenda packet.  
  
**Benjamin Traynham, General Counsel for Virginia Dental Association**  
– Mr. Traynham stated that the Virginia Dental Association (VDA) disputes the Regulatory Committee Meeting Report contained on pages 13-16 of the agenda, particularly in the topics of artificial intelligence, dentist-in-charge, and scope of practice. The VDA urges the Board to proceed with caution when considering further regulation of the dental profession. There was no regulation, Board recommendation, or petition for rulemaking on any of three topics of concern.

- Artificial intelligence (AI) - The Regulatory Committee did not agree that regulatory guidance was necessary. There were discussions and agreement that AI would be tremendously difficult to regulate, it is evolving at a pace that far exceeds anything the Board could accomplish through regulation at this time, and it would be burdensome for the dentist to inform a patient every time AI is used during treatment.

- Dentist-In-Charge – The Regulatory Committee did not agree to pursue such regulations or any suggestion that they might be necessary. The Regulatory Committee was informed that the boards with a practitioner-in-charge have one because that board regulates the facility in which that practitioner practices, such as the Board of Pharmacy. The Board of Dentistry does not regulate facilities, and legislation would be required to expand its regulatory authority.

- Scope of Practice – The VDA contends that the Regulatory Committee did not appear to agree to explore development of a clarification of scope of dentistry; and it contends that there is no need for further regulatory action or guidance regarding a dentist’s or OMS’s scope of practice.

The only recommendation made by the Regulatory Committee was to repeal the OMS audit requirements. The VDA would again urge the Board to proceed with caution before pursuing broad regulatory changes that could have serious impacts on the everyday practice of dentistry.

Dr. Chaudhry closed the public comment period.

**APPROVAL OF MINUTES:** Dr. Chaudhry asked if there were any edits or corrections to the following minutes: 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; February 5, 2026 Telephone Conference Call; and February 26, 2026 Telephone Conference Call.

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

**DHP DIRECTOR’S REPORT:** Dr. Brown stated that he was delighted to be back as the Director and looked forward to working with the Board. He reminded the Board that there are a lot of changes when there is new leadership in the Governor’s office; however, the job of the Board does not change, which is to protect the public. He welcomed Dr. Quigg as a new Board member and explained it is a working Board, and all work depends on Board member participation. The Board speaks for itself through regulations, case decisions, and guidance documents. He reminded Board members not to speak on behalf of the Board but to refer to Board staff if questioned about Board matters and keep the Board’s Executive Director in the loop.

**BOARD COUNSEL REPORT:** Mr. Rutkowski reported that the Board filed a motion to dismiss the lawsuit that claimed the Compact violated civil rights; motion was granted. An appeal affirmed the Compact. Dr. Salartash was a case the Board heard and entered an Order that she treated patients outside the scope of practice.

Dr. Salartash appealed to Henrico Circuit Court, and the court affirmed the Board's order. Dr. Salartash could appeal to the Court of Appeals. Dr. Zunka appealed to Henrico Circuit Court, and the Board prevailed. Dr. Zunka appealed the circuit court decision, and the matter is pending in Court of Appeals.

**LIAISON & COMMITTEE REPORTS:**

**Nominating Committee** - Dr. Hutchison informed the Board that on November 7, 2025, the Nominating Committee met. The Committee members were Mr. Martinez, Ms. McLennan, and him. The Committee voted on the following slate of nominations to present to the Board:

Board President – Dr. Chaudhry  
Board Vice-President – Ms. Lemaster  
Board Secretary-Treasurer – Dr. Hendricksen

Ms. Sacksteder stated that since Dr. Hendricksen is no longer on the Board, she would recommend that the Board leave the secretary-treasurer nomination open until the Nominating Committee meets in August 2026.

Mr. Martinez moved that the Board accept the President and Vice-President slate without a Secretary-Treasurer appointment. The motion was seconded and passed unanimously.

Mr. Martinez moved that the Board accept the slate of nominations for President and Vice-President. The motion was seconded and passed unanimously.

**Regulatory Committee Report** – Dr. Chaudhry reported that the Committee discussed a wide range of topics and will remain open-minded about future decisions, as noted in the Regulatory Committee report. At this stage, the Committee is gathering information, and many items are not yet finalized.

The Committee recommended repealing the OMS Audit regulations. Dr. Chaudhry stated that having a dentist-in-charge could improve accountability, identify weaknesses, and strengthen oversight; however, additional research is needed.

The Committee also considered several other issues, including:

- Using an outside agency to conduct continuing education audits
- Developing clearer guidance on scope of practice
- Aligning all professions' regulations related to sexual misconduct
- Reviewing ethics regulations

Staff will research these topics further and present their findings to the Regulatory Committee at a future meeting. The Committee cannot make final decisions; any recommendations it develops will be forwarded to the full Board for consideration in accordance with the APA process.

**LEGISLATION AND  
REGULATION:**

Ms. Barrett reviewed the Legislative Report as of March 4, 2026.

- HB 530 – Dentist and Dental Hygienist Compact; criminal background check. Failed.
- HB 970 – Companion SB178. Dental Assistant; supragingival scaling and coronal polishing, certification. Passed - Pending Governor's

Signature

- HB 1036 – Dental Hygienist Licensure; dentists eligible to practice in a Foreign country or jurisdiction. – Passed – Pending Governor's Signature
- HB 669 – Impersonation of certain licensed professionals by chatbot; definitions, notice, civil liability. Failed.
- HB 782 – Health care providers; caller identification information, civil Penalty. Failed.
- HB 796 – Regulatory boards; adjustment of fees, recovery of disciplinary and monitoring costs, report. Passed.
- HB 1223 – Health professionals; mandatory suicide training required. Failed.

**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.

**Regulatory Actions at the Department of Budget and Planning:**

- 18VAC60-25 – Revision of Dental Hygienist Training and Duties to Eliminate Need for Dual Licensure as a Dental Hygienist and Registration as a DAll; Fast-Track Stage.

**Regulatory Actions at the Office of the Attorney General:**

- 18VAC60-25 and 18VAC60-30 – Regulatory references cleanup; Fast-Track Stage.

Ms. Barrett stated that 18VAC60-30-120, the elimination of direct pulp-capping as a delegable task. It is at the Final Stage; only one comment received. It says "direct pulp-capping" which is a typographical error. It should say "indirect pulp-capping".

Mr. Martinez moved to amend 18VAC60-30-120 by final action. The motion was seconded and passed.

Ms. Barrett explained that 18VAC60-21, training requirements for botulinum toxin injections for cosmetic purposes, emergency regulations in effect. The Final Regulations will replace emergency regulations, no changes. There were no comments presented.

Ms. McLennan moved to amend 18VAC60-21 by final action. The motion was seconded and passed unanimously.

- 18VAC60-15 – Amendment to Allow Agency Subordinates to Hear Credentials Cases; Fast-Track stage. Awaiting Publication.
- 18VAC60-21 – Implementation of the Dentist and Dental Hygienist Compact; NOIRA Stage. Published March 9, 2026. Effective date April 8, 2026.
- 18VAC60-21 – Training and supervision of digital scan technicians. Final Stage. Published February 23, 2026. Effective date March 25, 2026.

**Smiley Petition for Rulemaking** - Ms. Barrett reviewed with the Board Dr. Smiley's Petition for Rulemaking pertaining to 18VAC60-21-350 and 18VAC60-21-370.

After discussion, Dr. Hutchison moved to accept the petition and initiate rulemaking. The motion was seconded and passed unanimously.

**Consideration of Repeal of OMS Audit regulations** – Ms. Barrett informed the Board that the Regulatory Committee at its February 27, 2026 meeting, recommended that 18VAC60-21-390 requiring the OMS audit be repealed.

Ms. Lemaster moved to repeal 18VAC60-21-390 by fast-track action. The motion was seconded and passed unanimously.

**DEPUTY EXECUTIVE  
DIRECTOR'S REPORT:**

**Disciplinary Report** – Ms. Weaver reviewed with the Board the Disciplinary Report for August 15, 2025 – February 12, 2026. She provided an update on the OMS and continuing education audits.

**EXECUTIVE DIRECTOR'S  
REPORT:**

**AADA/AADB Meeting:** Ms. Sacksteder stated that the meeting was held in Texas and there were discussions about artificial intelligence and unlicensed practice; very informative.

**ADEX Annual Meeting Summary 2025** – The meeting reflected a shared commitment to advancing public protection and licensure standards. There were conversations focused on the licensure of internationally trained providers, the practice of non-licensed dentistry, and dental and dental hygiene licensure compacts.

**ADEX Report of Licensure Examinations** – Ms. Sacksteder informed the Board that the CDCA-WREB-CITA and ADEX merger is complete and the unified organization now operates exclusively as ADEX.

**ADA/ADEX Joint Statement** – The ADA, JCNDE , and ADEX have begun a series of collaborative discussion for ADEX to acquire the DLOSCE and DHLOSCE.

**Dental Compact Update:** Ms. Sacksteder advised the Board that 12 states have enacted the Compact. The Rules Committee has not provided a consensus on “clinical assessment”. Permission to conduct background

checks in Virginia has failed, which prevents full participation in the Compact, so Virginia remains non-compliant. There is currently no funding for the administration of the Compact beyond February 2026, which includes no funding to implement a database. Those with Compact privileges do not have to abide by Virginia's continuing education or active practice requirements. Virginia will be able to discipline those with Compact privileges per the Compact language and Virginia adopting the Compact language into law.

There was discussion that a licensee is granted a privilege to practice in Virginia and they must follow the laws. There are tools provided to take disciplinary action. It was mentioned that physical therapists are part of a Compact and if a complaint is filed in Virginia, the same disciplinary process is followed. It was reiterated to the Board that many states are in the developing stages of how to implement the Compact.

**ADJOURNMENT:**

With all business concluded, the Board adjourned at 10:40 a.m.

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

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Jamie C. Sacksteder, Executive Director

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Date

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Date