
TIME& PLACE: This virtual Regulatory-Legislative Committee meeting was called to order at 9:44 AM, on October 23, 2020 at the Perimeter Center, 9960 Mayland Drive, Henrico, Virginia 23233.

COMMITTEE MEMBERS PRESENT BY TELEPHONE: Sandra Catchings, D.D.S., Chairing, Board Vice President
Augustus A. Petticolas, Jr., D.D.S, Board President
Patricia B. Bonwell, R.D.H., PhD
Sultan E. Chaudhry, D.D.S
Margaret F. Lemaster, R.D.H
J. Michael Martinez de Andino, J.D.

OTHER BOARD MEMBERS PRESENT BY TELEPHONE: Nathaniel C. Bryant, D.D.S., Board Secretary
Jamiah Dawson, D.D.S.
Perry E. Jones, D.D.S.

STAFF PRESENT AT THE PERIMETER CENTER: Sandra K. Reen, Executive Director
Jamie C. Sacksteder, Deputy Executive Director
Kathryn E. Brooks, Executive Assistant

STAFF PRESENT BY TELEPHONE: Elaine J. Yeatts, Senior Policy Analyst
James E. Rutkowski, Assistant Attorney General

ESTABLISHMENT OF A QUORUM: With all Committee members participating, a quorum was established.

PUBLIC COMMENT: Dr. Catchings explained the parameters for public comment then opened the public comment period by calling on the registered commenters as follows:

Thomas Glazier, DDS (VCU Associate Professor) stated the concerns about the proposal to require a third person on the treatment team for moderate sedation. He said there is a 99% success rate with a two-person team. He explained that a two-person team is the standard of care set by the American Society of Anesthesiologist and American Dental Association in guidelines which are available online. He also said adding a third person is unnecessary and would be an additional cost for treating children with dental disease.

Barrett Peters, DDS (President VAPD) addressed the concerns of the American and Virginia Academies of Pediatric Dentistry about developing

regulations by an age range for pediatric patients to dental treatment under sedation to be performed in a hospital setting. He said there are not enough services for children now and that treatment in a hospital would increase costs and add another barrier to access to care for children in need of treatment. He asked the Board to move forward based on science. Dr. Peters responded when Dr. Tran was called on to comment. He said he commented in lieu of Dr. Tran.

Ryan Dunn (Executive Director, Virginia Dental Association) addressed the VDA's concerns about developing sedation regulations for a specific age range for dental procedures to be performed in a hospital setting because it will create barriers for access to care. The current ADA guidelines provides thorough guidelines and provide an evidence-based foundation for treatment under sedation.

Jonathan L. Wong, DMD (Virginia Dentist Anesthesiologist) addressed his appreciation for the professional dental organizations coming together to address the proposal to limit treatment of young children under sedation to a hospital setting would be disastrous and would delay or prevent treatment of young children. He said pediatric dentists are not getting the OR time they once did. He added that access to ambulatory surgery centers is also an issue because dental treatment is not profitable and creates an access to care. He urged at looking at science to keep patients safer.

Shravan Renapurkar (President, Virginia Society of Oral Maxillofacial Surgeons) addressed VSOMS's concerns about developing regulations younger children to have sedation procedures to be performed in a hospital setting because it will create huge access to care issues. Medical complexity is a significant factor in determining who can be treated in a hospital. He said the Board should rely on the professional guidelines in setting policy.

Dr. Catchings said the written comments received were provided to Board members and will be included in the meeting minutes for today's meeting. Dr. Catchings asked if there were corrections to the posted draft minutes. Hearing none, Dr. Petticolas moved to accept the minutes for February 28, 2020 as presented. The motion was seconded by Dr. Bonwell and passed unanimously.

COMMITTEE

REGULATORY ACTION ON PEDIATRIC SEDATION

DISCUSSION/ACTION:

Dr. Catchings called for discussion on developing separate regulations for treating pediatric patients under sedation to include setting an age range in which sedation and treatment would be performed in a hospital setting.

Each member of the Board was called on to speak to this proposal. All members opposed developing separate pediatric regulations based on the comments received. Discussion moved to addressing the concerns for safety, access to care and the information needed for future discussions. This discussion led to action on the following motions recommended by Ms. Yeatts.

Dr. Catchings asked for a motion for the Committee to recommend that the Board not proceed further with regulatory action on pediatric sedation at this time. Dr. Bonwell so moved and the motion was seconded. A roll call vote was taken and the motion passed with all in favor.

Dr. Petticolas - Aye
Dr. Bonwell - Aye
Dr. Chaudhry - Aye
Ms. Lemaster - Aye
Mr. Martinez - Aye
Dr. Catchings - Aye

Dr. Catchings asked for a motion to recommend that the Board direct staff to develop a methodology to gather statistics and aggregate data on past disciplinary cases addressing pediatric morbidity/mortality in dental offices in Virginia so the findings could be used to track specific information on sedation records to assist the Board in making policy decisions. Mr. Martinez so moved and the motion was seconded.

Discussion followed on if the information is currently available, how this information would be used and on whether the staff could collect the information or if a dental expert is needed. Dr. Catchings explained that information on the drugs used, the quantity administered and other information in case records are not being tracked. She said having that information in aggregate form would assist in future cases and in developing policies. Ms. Reen explained that a dental expert is needed for consistency in the information collected and for explaining the findings. Dr. Catchings Asked for a vote on the motion. The motion passed with all in favor.

Dr. Petticolas - Aye
Dr. Bonwell - Aye

VIRGINIA BOARD OF DENTISTRY
REGULATORY LEGISLATIVE COMMITTEE MEETING MINUTES
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Dr. Chaudhry - Aye
Ms. Lemaster - Aye
Mr. Martinez - Aye
Dr. Catchings - Aye

PULP CAPPING BY DA II'S

Dr. Catchings asked for discussion on removing pulp capping from the scope of practice of DAs II as requested by the Board.

The Committee and other Board members unanimously agreed that this procedure should only be done by dentists because it a delicate procedure and the risks far outweigh the benefits. Ms. Yeatts stated this is a long-standing regulation. The change could be addressed in the standard regulatory action which is a long process. She suggested considering a fast track action. She asked if staff could determine how many DA II's are currently performing this procedure. Ms. Reen said she could look at the procedures each DA II is registered to perform for the December Board meeting.

Dr. Catchings asked for a motion. Dr. Petticolas moved that the Board remove, from the scope of practice, pulp capping for DAs II as a fast track action. The motion was seconded. After a comprehensive discussion, a roll call vote was taken, and the motion passed with a unanimous vote.

Dr. Petticolas - Aye
Dr. Bonwell - Aye
Dr. Chaudhry - Aye
Mr. Lemaster - Aye
Mr. Martinez - Aye
Dr. Catchings - Aye

ADJOURNMENT:

With all business concluded, Dr. Catchings adjourned the meeting at 11:00AM.


Sandra Catchings D.D.S., Chair

05/17/2021
Date


Sandra K. Reen, Executive Director

May 19, 2021
Date