

UNAPPROVED

**BOARD OF DENTISTRY
PUBLIC HEARING**

Friday, November 8, 2013

**Perimeter Center
9960 Mayland Drive, Suite 201
Richmond, Virginia 23233-1463
Board Room 2**

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- CALL TO ORDER:** The Virginia Board of Dentistry convened a Public Hearing at 9:00 a.m. to receive comments on the proposed Sedation/anesthesia permit regulations for dentists.
- PRESIDING:** Jeffrey Levin, D.D.S., President
- MEMBERS PRESENT:** Charles E. Gaskins, III., D.D.S.
Bruce S. Wyman, D.D.S.
- STAFF PRESENT:** Sandra K. Reen, Executive Director
Huong Vu, Operations Manager
- OTHERS PRESENT:** Elaine Yeatts, Senior Policy Analyst,
Department of Health Professions
- COURT REPORTER:** Wanda Blanks, Court Reporter, Farnsworth & Taylor Reporting
- QUORUM:** Not required.
- PUBLIC COMMENTS:** Dr. G. Preston Burns, Jr., President and Founder of the Virginia Association of Dentists for Intra-Venous Sedation (VADIVS), stated that he was self-certified in 1989 to administer conscious sedation, has sedated about 14 thousands patients, and currently holds a temporary permit required by the emergency regulations. He said that VADIVS supports without reservation the Board's adopting the new proposed regulations but is against the proposal to end self-certification and proposed required equipment. He added that VADIVS feels that particular changes set out in 18VAC60-20-120.D.2 are unnecessary and unfairly impose additional requirements on self-certified practitioners. He asked the Board to allow self-certified practitioners to qualify for issuance of a permanent parenteral conscious/moderate sedation permit without additional requirements.
- Dr. James A. Pollard stated that he graduated in 1972 from MCV and was a member of the first class to receive training in IV sedation. He added that he has utilized that training with great success over the years. He opposed the proposed regulations which require self-

certified practitioners to obtain additional costly education requirements in order to continue administering sedation.

Dr. Scott Leaf stated that he is a Pediatric dentist from Northern Virginia and graduated in 1981. He added that he has practiced oral sedation since 1983 and was self-certified in 1989. He asked the Board to make an exception in regard to documents required to obtain the sedation permit since his school has since closed and he is unable to obtain a transcript.

Dr. Rodney Mayberry stated that he is a general dentist from Oakton, VA and has been practicing IV conscious/moderate sedation since 1978. He added that he is a member of the VADIVS and the American Dental Association of Anesthesiology. He noted that the Associations oppose the proposed regulations which are mandated due to tragedies associated with pediatric sedation dentistry and has nothing to do with general dentistry and IV sedation. He added that the associations also oppose mandating ACLS courses and unnecessary emergency equipments which will only increase the cost of care to the public.

Dr. Brian McAndrew stated that he was speaking for the Virginia Society of Oral Maxillofacial Surgeons which supports the regulations but does request that item H in the General Provisions section be expanded to explain what the term "morbidity" covers.

Mr. Kenneth Stallard, an attorney from Fairfax County, stated that he represents the VADIVS. He stated that the Association asks the Board to allow some form of grandfathering of dentists qualified to perform conscious/moderate sedation by experience and training, without educational requirements. He added the Association also asks the Board to stop requiring on-site EKG machines, endo tubes an stethoscopes for administering conscious/moderate sedation.

Dr. Michael Link, President-Elect of the Virginia Dental Association (VDA), asked the Board to put the definition of the term "Anxiolysis" in the proposed regulations and not use the term "Minimal Sedation". He said that the Board has stricter sedation regulations than the American Dental Association (ADA) standards.

The proceedings of the public hearing were recorded by a certified court reporter. The transcript is attached as part of these minutes.

Dr. Levin announced the deadline for submitting public comments is December 6, 2013 and indicated that the Board will consider all comments received before issuing final regulations.

Jeffrey Levin, President

Sandra K. Reen, Executive Director

Date

Date