

**VIRGINIA BOARD OF DENTISTRY
BUSINESS MEETING MINUTES
December 8, 2023**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:00 a.m., on December 8, 2023, at the Perimeter Center, 9960 Mayland Drive, in Board Room 4, Henrico, Virginia 23233.

PRESIDING: Nathaniel C. Bryant, D.D.S., President

MEMBERS PRESENT: Jamiah Dawson, D.D.S., Vice-President
J. Michael Martinez de Andino, J.D., Secretary-Treasurer
Sidra Butt, D.D.S.
Sultan E. Chaudhry, D.D.S.
William C. Bigelow, D.D.S.
Alf Hendricksen, D.D.S.
Margaret F. Lemaster, R.D.H.
Emelia H. McLennan, R.D.H.
Jennifer Szakaly, D.D.S.

STAFF PRESENT: Jamie C. Sacksteder, Executive Director
Erin Weaver, Deputy Executive Director
Sarah Moore, Executive Assistant
Arne Owens, Agency Director, Department of Health Professions
Erin Barrett, Director of Legislative and Regulatory Affairs

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

ESTABLISHMENT OF A QUORUM: With ten members of the Board present, a quorum was established. Dr. Bryant welcomed Dr. Jennifer Szakaly, the new Board Member.

Ms. Sacksteder read the emergency evacuation procedures.

PUBLIC COMMENT: Dr. Bryant explained the parameters for public comment and opened the public comment period.

Dr. Bryant advised that no one registered for public comments prior to the meeting and closed the public comment period.

APPROVAL OF MINUTES:

Dr. Bryant asked for a motion to approve the minutes in a block. Dr. Dawson made the motion, it was seconded and passed unanimously.

Dr. Bryant asked if there were any edits or corrections to the June 16, 2023, Board Meeting Minutes; the June 30, 2023, Formal Hearing Minutes; the July 28, 2023, Formal Hearing Minutes; the September 15, 2023, Special Session – Telephone Conference Call Minutes, and the September 28, 2023, Formal Hearing Minutes. Hearing none, Dr. Hendricksen moved to approve the minutes as presented. The motion was seconded and passed unanimously.

**DHP DIRECTOR'S
REPORT**

Arne Owens, Agency Director, welcomed Dr. Szakaly to the Board and congratulated Mr. Martinez de Andino on his re-appointment to the Board. He updated the Board on the LED light project for the perimeter center and building. He noted that DHP is a non-general fund agency supported by their licensing fees. He advised that the legislative process with several agency bills and other bills that affect DHP will be considered during the upcoming General Assembly starting on January 10, 2024. The Healthcare Workforce and the Governor's Right Help, Right Now behavioral health initiative are the highest priorities. He also thanked the Board and Board staff for all their hard work.

**BOARD COUNSEL
REPORT:**

Mr. Rutkowski had no report for the Board as there are currently no pending appeals.

**LIAISON & COMMITTEE
REPORTS:**

Dr. Bryant read the Nominating Committee officer nominations:

Margaret F. Lemaster, RHD – President

Alf Hendricksen, D.D.S. – Vice-President

J. Michael Martinez de Andino, JD – Secretary-Treasurer

Dr. Butt made a motion to approve the nominations as read, it was seconded and passed unanimously.

Ms. Lemaster took over as chair of meeting as new Board President.

ADEX 2023 Meeting – Dr. Bryant reported on his attendance at the meeting in Aurora, CO, on July 22, 2023. Officers were re-elected for another 1-year term and a proposal for a mannequin-only exam rather than live patient exam by year 2024-2025 is being considered. He encouraged fellow Board members to sign up as examiners.

CODA Review – Dr. Bryant reported on his attendance in Fredericksburg, VA, on September 21, 2023. He stated that the schools were well prepared. He recommended fellow Board members who may participate to make a thorough review of the regulations prior to attending to ensure proper interpretation of state-specific regulations.

CLEAR Conference – Ms. Sacksteder reported on the meeting held in Salt Lake City, UT, on September 27-30, 2023. Content focused on Regulatory Administration and Governance, Compliance, Discipline and Enforcement, Entry to Practice Standards and Continuing Competence, Administration, Legislation and Policy. Good connections and collaborations were made with other states sharing best practices.

AADA & AADB Conferences: Ms. Sacksteder attended the consecutive conferences held in Los Angeles, CA, on October 17-21. She indicated these were great collaborative meetings with solutions for the highest standards for Dental Practitioners. The AADA meeting included an attorney roundtable regarding fair trade. Ms. Sacksteder advised she was elected Secretary for the AADA for the new term.

Board of Health Professions Meeting: Ms. Lemaster reported she attended the Board of Health Profession Meeting held on October 27th.

Upcoming Southern Dental Deans, Administrators, and Dental Examiners Annual Conference – Ms. Sacksteder remarked that she and Dr. Bryant would represent the Board at the upcoming Southern Dental Deans, Administrators, and Dental Examiners Annual Conference January 19 – 21, 2024, in Charleston, South Carolina. The SCDDE Conference was founded to discuss important issues and challenges shared by dental schools and members of the state boards of the Southern Region.

**LEGISLATION,
REGULATION, AND
GUIDANCE:**

Status Report on Regulatory Actions Chart - Ms. Barrett reviewed the updated Regulatory Actions chart of the seven ongoing regulatory actions as of November 9, 2023, which was included in the agenda packet. A synopsis of the progress of the bills was provided.

Regulatory Meeting for SB 1539 Dentistry: Botulinum toxin injections for cosmetic purposes: Ms. Barrett discussed the Emergency Provision Regulations established at the October 27, 2023, Regulatory Meeting. Dr. Hendricksen made a motion to approve the emergency regulations for dentists to provide Botulinum toxin injections for cosmetic purposes and establish the NOIRA. The motion was seconded and passed unanimously.

Proposed revised public participation guidelines 18VAC60-11-10 et seq. – Ms. Barrett discussed the public participation guidelines 18VAC60-11-10 et seq. and that the Board is required to conduct a periodic review every 4 years. Dr. Bigelow made a motion to initiate the periodic review and readopt the regulations as is. The motion was seconded and passed unanimously.

Proposed revised electronic participation revised policy – Virginia code §2.2.3709.3 – Ms. Barrett discussed the revised policy on meetings held with electronic participation. It was made clear that the policy depends on technology and staffing. Mr. Martinez de Andino made a motion to accept the policy. The motion was seconded and passed unanimously.

Guidance Document Updates 60-17 – Ms. Sacksteder, Ms. Barrett, and Mr. Rutkowski discussed Guidance Document 60-17 and advised that the recovery of disciplinary cost should not be included in a guidance document because the recovery is an internal process policy. Dr. Hendricksen made a motion to repeal Guidance Document 60-17. The motion was seconded and passed unanimously.

Ms. Sacksteder requested that the Board postpone the recovery of disciplinary costs for an additional one year due to the Board being in a healthy financial position. Ms. McLennan made a motion to postpone the collection of disciplinary costs for 1 year. The motion was seconded and passed unanimously.

Guidance Documents 60-25 and 60-26 – Ms. Barrett discussed the revisions of Guidance Documents 60-25 and 60-26. It was clarified that the revisions were made to reflect the Board's current practices. Dr. Butt made a motion to accept the revisions of Guidance Documents 60-25 and 60-26 as shown in the agenda packet. It was seconded and passed unanimously.

**BOARD DISCUSSION
TOPICS:**

Consideration of Public Comment –Ms. Lemaster advised there were no public comments.

Licensure Compact Presentations – Mr. Matt Shafer, Deputy Policy Director for the National Center for Interstate Compacts, presented on the Council of State Governments Dental Licensure Compact. (Presentation may be available by request)

Dr. Arthur Jee, Vice-President for the American Association of Dental Boards (AADB) presented on the AADB Dental Licensure Compact. (Presentation may be available by request)

After questions and discussion by the Board, the presentations were concluded.

**DEPUTY EXECUTIVE
DIRECTOR'S REPORT:**

Ms. Weaver updated the Board on the Disciplinary Report for May 16, 2023 – November 13, 2023, of cases received and cases closed.

**EXECUTIVE DIRECTOR'S
REPORT:**

FY2023 Budget Report – Ms. Sacksteder reviewed the FY2023 Ending Budget.

HB 2251 Workgroup – Ms. Sacksteder advised that the Workgroup on Licensure by Endorsement was held on July 21, 2023. The Legislative Report was published, and it can be found on the LIS website.

ADJOURNMENT:

With all business concluded, the Board adjourned at 11:54 a.m.

Virginia Board of Dentistry
Board Business Meeting
December 8, 2023

Margaret Lemaster, RDH, President

Jamie C. Sacksteder, Executive Director

Date

Date