

**APPROVED**

**VIRGINIA BOARD OF DENTISTRY  
FULL BOARD MINUTES**

March 15, 2019

Department of Health Professions

Henrico, VA 23233

- CALL TO ORDER:** Dr. Parris-Wilkins called the meeting of the Board to order at 9:05AM. With 10 Board members present, a quorum was established. Ms. Reen provided the emergency egress procedures for Board Room 4.
- MEMBERS PRESENT:** Tonya A. Parris-Wilkins, D.D.S., President  
Augustus A. Petticolas, Jr., D.D.S., Vice President  
Sandra J. Catchings, D.D.S., Secretary  
Nathaniel C. Bryant, D.D.S.  
James D. Watkins, D.D.S.  
Perry E. Jones, D.D.S.  
Carol R. Russek, JD  
Tammy C. Ridout, R.D.H.  
Jamiah Dawson, D.D.S.  
Patricia B. Bonwell, R.D.H., PhD
- STAFF PRESENT:** Sandra K. Reen, Executive Director of the Board  
Kelley W. Palmatier, Deputy Executive Director of the Board  
Sheila Beard, Executive Assistant  
David Brown, DC, DHP Director  
Elaine Yeatts, DHP Policy Analyst  
Jay Douglas, Executive Director, Board of Nursing
- COUNSEL PRESENT:** James E. Rutkowski, Assistant Attorney General
- PUBLIC COMMENT:** Trey Lawrence, American Assoc. of Orthodontist – Mr. Lawrence asked if he could comment on the regulatory action addressing specialty advertising. Ms. Yeatts responded that comments could not be received until the action is released for comment. Mr. Lawrence informed the board of the Association’s intention to file written comments regarding advertising dental specialties when the comment period on the pending regulatory action opens.
- Dr. Parris-Wilkins directed attention to the written comment received from Dr. Wise regarding licensing of foreign-trained dentists.
- APPROVAL OF MINUTES:** Dr. Parris-Wilkins asked if there were corrections to any of the 5 sets of minutes. Dr. Petticolas requested a grammatical change to the December 14, 2018 minutes then moved to adopt the 5 sets of minutes with this correction. The motion was seconded and passed.
- DHP DIRECTOR’S REPORT**  
Dr. Brown reported on the General Assembly’s 2019 Session and the resulting legislative actions which affect DHP. He said a bill to license music therapists was amended to have the Board of Health Professions conduct a study on the need to

regulate this profession. He also reported that studies on telemedicine and on barriers to licensure for foreign trained medical doctors are required. He went on to note there were numerous bills affecting the Board of Pharmacy and the behavioral health boards. He closed by stating that Ms. Yeatts will address the legislation which affects the Board of Dentistry.

## LEGISLATION

Ms. Yeatts reported the following information on the bills passed by the General Assembly which address the Board:

- **HB 2184 Volunteer license, special; issuance for limited practice** – Exempts dentists and dental hygienists from registering with the Board if they are volunteering to provide free health care to an underserved area of the Commonwealth for a period not exceeding three consecutive days. The nonprofit organization is required to verify that such practitioners have a valid, unrestricted license in another state.
- **HB 1849 Dental hygienists; remote supervision of a dentist employed by DBHDS** – Directs the Board to adopt emergency regulations to implement the new protocol for remote supervision which the Department of Health and the Department of Behavioral Health and Developmental Services are required to develop.
- **HB 2228 Health Regulatory boards, staggered terms**: Directs the Secretary of the Commonwealth to stagger the terms of appointees to the Board and other health profession boards, without affecting the terms of current board members. Effective July 1, 2020, one member of the Board will be appointed for a term of one year, another member will be appointed for a term of two years, and any remaining appointments in 2020 shall be for a term of four years. Thereafter, all appointments to the Board will be for a term of four years.
- **HB 2493 Topical drugs; administration by dental hygienists, physician assistants, and nurses** – Authorizes dental hygienists practicing under remote supervision to possess and administer topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions.
- **HB 2559 Electronic transmission of certain prescriptions; exceptions** – Requires the Board and other health profession boards to adopt emergency regulations for granting certain prescribers a waiver of the electronic prescription requirement for a period not to exceed one year due to demonstrated economic hardship, technological limitations that are not reasonably within the control of the prescriber, or other exceptional circumstances.

## REGULATORY ACTIONS

Ms. Yeatts reported that the following actions are under review at the Department of Planning and Budget:

- Proposed Regulation for change in renewal schedule
- Proposed Regulation for amendment to restriction on advertising dental specialties
- Proposed Regulation for administration of sedation and anesthesia
- Proposed Regulation for education and training of dental assistants II

She also reported that the final regulations on prescribing opioids for pain management went into effect on March 6, 2019.

Ms. Yeatts then informed the Board that the renewal fees for a faculty license and a mobile clinic were inadvertently omitted from the Regulations Governing the Practice of Dentistry when Chapter 21 was adopted in 2015. She requested adoption of a final regulation to make the needed technical correction to show these fees. Dr. Watkins made the motion to adopt the final regulations as proposed. The motion was seconded and passed.

## REVIEW OF SANCTION REFERENCE POINTS

Neal Kauder, President of Visual Research, Inc., introduced the proposed SRP worksheet and instructions which were developed in response to the Board's request for a review of its use of sanction reference points. He explained that the proposed worksheet would replace the three worksheets currently in use. He presented his findings in support of adopting a new worksheet, which were developed after looking at case worksheets completed in 2017 and 2018; interviewing board members and staff; and identifying relevant factors or best practices from other boards. Following discussion of the proposed worksheet and

instructions, the Board decided by consensus to have the chairs of its three special conference committees meet to discuss the proposed documents and to make a recommendation on adoption at the June Board meeting.

## CONFERENCE/MEETING REPORTS

- **Southern Regional Testing Agency** – Dr. Watkins reported that SRTA’s last annual meeting will take place in August 2019 because planning for the merger with CITA continues. By the year 2020, the combined agency will operate under a new name. He added that he attended the CITA Board of Directors meeting in January 2019 to participate in planning for the merger. He also noted that SRTA received a full refund of the \$30,000 application fee SRTA had paid to join ADEX.
- **Board of Health Professions** – Dr. Watkins reported that the BHP met in February and focused on workforce data reports, women practicing in medicine and the election of new officers.
- **Southern Conference of Dental Deans and Examiners** – Dr. Bonwell, Dr. Petticolas and Ms. Palmatier all attended this conference. Each attendee submitted a written report which is included in the agenda package.
- **American Association of Dental Boards**
  - Ms. Reen said she attended the back to back meetings of the American Association of Dental Administrators and the AADB. The AADA discussed the Council of State Governments’ efforts to establish a dental licensure compact and plans for its Fall annual meeting then had a roundtable discussion of current issues. Regarding the AADB meeting, she noted that it was a poorly managed meeting with presentations on marijuana and interstate compacts. She said she especially liked the presentation on Big Data Trends which addressed a national database for claims processed by dental payers and the utilization trends that are being identified.
  - Dr. Petticolas reported that the AADB has governance issues which disrupted the meeting. He stated the board of directors was at war with the president of the organization over questionable decisions and actions. He added that a few presentations were not held because of the conflict but the presentations that were given were satisfactory. He recommended that the Board consider its ongoing participation with AADB.
  - Dr. Bryant reported that he also attended the meeting and found it to be poorly managed and uninformative.
- **American Board of Dental Examiners** – Dr. Bryant reported on changes made in the ADEX dental exam grading criteria for crowns and root canal therapy.

## BOARD DISCUSSIONS

- **Dental Interstate Licensure Compact** - Ms. Reen informed the Board that, with the consent of Dr. Parris-Wilkins and Dr. Brown, she attended a national meeting sponsored by the Council of State Governments (CSG) to discuss the prospects for a dental compact addressing licensure portability for dentists and dental hygienists. She explained that she was invited to this meeting to be the representative for the AADA because she is the current president. She added that she was tasked with recruiting more representatives of dental boards to participate on the advisory group and noted that she has recommended several candidates including Dr. Parris-Wilkins to CSG. She went on to explain that participation on the advisory group is not a commitment to join a compact but an opportunity to help shape a compact model that would serve multiple dental boards. She then asked Ms. Douglas to talk about her experience with the Nurse Licensure Compact.
- **Overview of the Nurse Licensure Compact** - Jay Douglas, Executive Director for the Board of Nursing, addressed the progression of the compact since 2005. She noted the benefits of a compact include increased mobility, removal of barriers, and enhancement of cross border practice, tele-health and disaster relief. She explained the Nurse Compact is a mutual recognition model where qualified applicants can receive a multi-state privilege to practice in the 31 states that have joined the compact. She said there are eleven criteria an applicant must meet to qualify for the multistate privilege which include meeting the home state requirements plus taking an English proficiency exam, a finger print background check, having no felony convictions and having no misdemeanor convictions related to the practice of nursing. She added that the Board of Nursing can issue a state license to applicants who do not meet the multistate requirements but do meet Virginia’s requirements.
- **Appointment of Nominating Committee** - Dr. Parris-Wilkins announced that she will chair this year’s committee and that Dr. Watkins and Ms. Russek have agreed to serve with her. She said the committee will meet immediately following the June board meeting.

- **Board Participation with AADB** – Following discussion of the recent events within the AADB, the Board agreed by consensus to wait until the June board meeting to evaluate the value of sending representatives to the September meeting.

**DEPUTY EXECUTIVE DIRECTOR REPORT/BUSINESS**

Ms. Palmatier reviewed her written report covering the last quarter of FY2018 and the second quarter of FY2019. She noted that two summary suspensions of dental licenses were ordered between November 17, 2018 and February 28, 2019. She reported 26 OMS audits were completed and are being reviewed by an expert. She also said she included the number of licensees to her report. Dr. Watkins thanked her for adding this information.

**EXECUTIVE DIRECTOR REPORT**

- Ms. Reen reported that DHP is moving to paperless licensing beginning in October 2019. She said licensees will receive a final paper license with no expiration date which can be posted.
- Dr. Watkins asked if he could get a duplicate wall certificate with his signature on it. Ms. Reen said she didn't think that was possible because it wouldn't be a duplicate. She agreed to bring information on obtaining a duplicate wall certificate to the June meeting.

**ADJOURNMENT:** With all business concluded, Dr. Parris-Wilkins adjourned the meeting at 12:28 PM.

  
Tonya A. Parris-Wilkins, D.D.S., President

  
Sandra K. Reen, Executive Director

6/21/2019  
Date

June 21, 2019  
Date