

**VIRGINIA BOARD OF DENTISTRY  
BUSINESS MEETING MINUTES  
December 2, 2022**

- TIME AND PLACE:** The meeting of the Virginia Board of Dentistry was called to order at 9:00 a.m., on December 2, 2022, at the Perimeter Center, 9960 Mayland Drive, in Board Room 4, Henrico, Virginia 23233.
- PRESIDING:** Nathaniel C. Bryant, D.D.S., President
- MEMBERS PRESENT:** William C. Bigelow, D.D.S.  
Sidra Butt, D.D.S.  
Sultan E. Chaudhry, D.D.S.  
Jamiah Dawson, D.D.S.  
Alf Hendricksen, D.D.S.  
Margaret F. Lemaster, R.D.H.  
J. Michael Martinez de Andino, J.D.  
Emelia H. McLennan, R.D.H.  
Dagoberto Zapatero, D.D.S.
- STAFF PRESENT:** Jamie C. Sacksteder, Executive Director  
Donna Lee, Discipline Case Manager  
Arne W. Owens, Agency Director, Department of Health Professions  
James Jenkins, Jr., Deputy Director, Department of Health Professions  
Erin Barrett, Senior Policy Analyst, Department of Health Professions
- 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 Mr. Owens and Mr. Jenkins.  
  
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 also noted that written comments were received from the VDHA regarding regulation reduction on Chapters 21 and 25; and written comments received from the Virginia Academy of General Dentistry pertaining to CE Broker. The written comments were distributed to Board members and available to the public.  
  
**W. Scott Johnson, Esquire, Counsel for the VDA** – Mr. Johnson stated that the VDA supported the proposed changes to the regulations.
- APPROVAL OF MINUTES:** Dr. Bryant asked if there were any edits or corrections to the September 8, 2022, Formal Hearing minutes, two formals; September 9, 2022, Business Meeting minutes; and September 9, 2022, Special Session minutes. Hearing none, Dr. Zapatero moved to approve the minutes as presented. The motion was seconded and passed.
- DIRECTOR'S REPORT:** Mr. Owens addressed the Board and spoke about his employment background, which included being the Deputy Director at DHP from 2010-2014. He thanked the Board members for their service and acknowledged that their work is important to ensure the safe practice of dentistry. Mr.

Owens stated he was looking forward to working with the Board.

Mr. Owens introduced Mr. Jenkins as the Deputy Director for DHP and stated he comes to DHP from VCU Health where he worked as a Charge RN in the Neuroscience Intensive Care Unit, the Adult Trauma-Medical Emergency Department, and as a nurse manager of Ambulatory Neurology. Mr. Jenkins also served as a member of the Board of Medicine and most recently as a member of the Board of Pharmacy. Governor Youngkin appointed Mr. Jenkins as a Special Advisor for Health Care Workforce, which is a new position in the Executive Branch created by the General Assembly in the last session.

Mr. Jenkins stated he was honored and privileged to join DHP and that he appreciated the work conducted by the Board for the profession of dentistry.

**LIAISON & COMMITTEE  
REPORTS:**

**AADA/AADB Committee Report** – Ms. Sacksteder informed the Board that she attended the AADA meeting in October, which is a meeting with other directors from other states. She stated that it was very informative to hear what other states are doing, which was enriching and rewarding.

Ms. Sacksteder, Ms. Lemaster, and Dr. Zapatero attended the AADB meeting. All agreed the meeting was very disorganized, non-members not allowed to attend some meetings, and not a high quality of speakers for the various presentations. Currently, the Board did not see a benefit of becoming a member of the AADB.

**CODA Accreditation Site Visit** – Dr. Bryant provided an overview of his CODA Accreditation site visit that was held at the Wytheville Community College. He stated it was a good experience and the CODA representatives were very equipped to review the program.

**LEGISLATION AND  
REGULATION:**

Status Report on Regulatory Actions Chart. Ms. Barrett reviewed the updated Regulatory Actions. The elimination of restriction on advertising dental specialties was adopted on advice of Board counsel.

The technical corrections to fees were approved and become effective on January 4, 2023.

The following regulations are currently at the Secretary's Office:

- NOIRA for expansion and clarification of refresher courses required for reinstatement;
- Training in infection control;
- NOIRA for continuing education requirements for jurisprudence; and
- digital scan technicians.

The elimination of direct pulp-capping as a delegable task for a DAII is at the Department of Planning and Budget.

**Chapter 15 – Regulations for Governing the Disciplinary Process.** Ms. Barrett confirmed there were no comments on periodic review and the recommendation from the Regulatory-Legislative Committee was that the chapter remain as is with no changes.

Dr. Dawson moved to adopt Chapter 15 as presented with no changes. The motion was seconded and passed.

**Chapter 21 – Regulations Governing the Practice of Dentistry.** Ms. Barrett stated that the only comments received are from the VHDA, which were distributed to the Board. Ms. Barrett reviewed with the Board the recommendations from the Regulatory-Legislative Committee.

The Board recommended the following additional amendments:

- (1) 18VAC60-21-10(D) – “Vital Signs” – remove the word “temperature” from the definition.
- (2) 18VAC60-21-20(E)(2) – Deleted.
- (3) 18VAC60-21-170 – The words “x-ray film” changed to the word “radiographs”.
- (4) 18VAC60-21-190(A)(2) – Remove the words “an original grade card” and add “Verifiable”.
- (5) 18VAC60-21-220(B) – Remove the words “or whose license has been suspended or revoked” and the words “or reinstated”.
- (6) 18VAC60-21-280((F)(1) – The sentence changed to read: “Baseline vital signs, to include temperature, and oxygen saturation shall be taken and recorded prior to administration of sedation.”
- (7) 18VAC60-21-280(F)(4) – The entire second sentence is deleted.
- (8) 18VAC60-21-280(G)(1) – After the word “include” remove the words “blood pressure, respiratory rate, heart rate, and”.
- (9) 18VAC60-21-290(C)(3) – Remove the words “a copy of a” and add the words “an official”.
- (10) 18VAC60-21-291(D)(1) – After the word “include” add the words “temperature and”. Also remove the words “and prior to discharge”.
- (11) 18VAC60-21-300(C)(2) – Remove the words “Completion of an” and add the words “Verifiable evidence of a completed”.
- (12) 18VAC60-21-301(E)(2) – Delete last word in sentence “continuously”.
- (13) 18VAC60-21-370(3) – Delete the words “Complete an” and add the words “Submit an official transcript of a completed”.

Mr. Martinez moved that the Board adopt Chapter 21 as amended as a fast-track regulatory action to implement periodic review. The motion was seconded and passed.

**Chapter 25 – Regulations Governing the Practice of Dental Hygiene.** Ms. Barrett reviewed with the Board the recommendations from the Regulatory-Legislative Committee.

The Board recommended the following additional amendments:

- (1) 18VAC60-25-80 – The words “x-ray film” changed to the word “radiographs”.
- (2) 18VAC60-25-100(B)(1) – Remove the words “a minimum of eight hours in”.
- (3) 18VAC60-25-100(C)(1) – Remove the words “a minimum of 28” and the word “hours”. After the word “clinical” add the word “instruction”.
- (4) 18VAC60-25-130(A)(2) – Remove the words “an original grade card” and add “Verifiable”.
- (5) 18VAC60-25-210(B)(1) – Put a period after the word “fee” and remove all the other words in the paragraph.

Dr. Dawson moved that the Board adopt Chapter 25 as amended as a fast-track regulatory action to implement periodic review. The motion was seconded and passed.

**Chapter 30 – Regulations Governing the Practice of Dental Assistants.** Ms. Barrett reviewed with the Board the recommendations from the Regulatory-Legislative Committee.

The Board recommended the following additional amendments:

- (1) 18VAC60-30-80 – The words “x-ray film” changed to the word “radiographs”.
- (2) 18VAC60-30-100(B) – Remove the words “willfully or negligently”.

Dr. Dawson moved that the Board adopt Chapter 30 as amended as a fast-track regulatory action to implement periodic review. The motion was seconded and passed.

**Clinical Competency Guidance Document 60-12.** Ms. Barrett stated that the Regulatory-Legislative Committee recommended that the Board adopt Guidance Document 60-12.

Dr. Dawson moved that the Board accept the recommendation of the Regulatory-Legislative Committee and adopt Guidance Document 60-12. The motion was seconded and passed.

**BOARD DISCUSSION  
TOPICS:**

**Consideration of Public Comments.** Ms. Barrett acknowledged that the written comments received from VDHA were submitted and considered by the Regulatory-Legislative Committee when they met to discuss Chapter 21 and Chapter 25.

Ms. Sacksteder stated that the written comments received from the Virginia Academy of General Dentistry pertaining to CE Broker is not an issue because transcripts can be loaded to the CE Broker program from the Academy of General Dentistry and the usage of CE Broker at this time will be voluntary. The Board decided to utilize CE Broker to be able to conduct CE Audits.

**Update on CE Broker** – Ms. Sacksteder informed the Board that on November 10, 2022, there was a kickoff meeting with CE Broker and DHP IT and Board staff. The timeline for implementation of the program is approximately March/April of 2023.

**BOARD COUNSEL  
REPORT:**

Mr. Rutkowski updated the Board regarding Dr. Sheta’s Circuit Court appeal. He stated the hearing will be held in Norfolk Circuit Court on March 6, 2023. Mr. Rutkowski explained the process when a respondent appeals to circuit court and answered questions from the Board.

**EXECUTIVE DIRECTOR’S  
REPORT:**

**CITA Meeting** - Ms. Sacksteder and Ms. Lemaster will be attending the meeting in Florida on December 9-10, 2022.

**CDCA/WREB/CITA Meeting** – Ms. Sacksteder, Dr. Dawson, Dr. Chaudhry, and Ms. Lemaster will be attending the meeting in Texas on January 5-7, 2023.

**Disciplinary Report** - Ms. Sacksteder reviewed the Disciplinary Board Report on case activity from January 1, 2022 to November 15, 2022, giving an overview of the actions taken and a breakdown of the cases closed with violations.

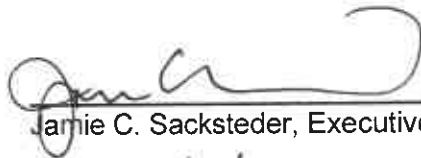
Ms. Sacksteder reported that the new Deputy Executive Director will start on January 10, 2023.

**ADJOURNMENT:**

With all business concluded, the Board adjourned at 12:35 p.m.

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

3/3/2023  
Date

  
\_\_\_\_\_  
Jamie C. Sacksteder, Executive Director

3/3/23  
Date