

**APPROVED**

**VIRGINIA BOARD OF DENTISTRY  
BUSINESS MEETING MINUTES  
March 3, 2023**

**TIME AND PLACE:** The meeting of the Virginia Board of Dentistry was called to order at 9:02 a.m., on March 3, 2023, at the Perimeter Center, 9960 Mayland Drive, in Board Room 2, 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.  
Alf Hendricksen, D.D.S.  
Margaret F. Lemaster, R.D.H.  
J. Michael Martinez de Andino, J.D.  
Emelia H. McLennan, R.D.H.

**MEMBERS ABSENT:** Jamiah Dawson, D.D.S., Secretary  
Dagoberto Zapatero, D.D.S.

**STAFF PRESENT:** Jamie C. Sacksteder, Executive Director  
Erin Weaver, Deputy Executive Director  
Donna Lee, Discipline Case Manager  
Sarah Moore, Executive Assistant  
Arne Owens, Agency Director, Department of Health Professions  
Erin Barrett, Director of Legislative Affairs and Policy, Department of Health Professions

**COUNSEL PRESENT:** Jim E. Rutkowski, Assistant Attorney General

**ESTABLISHMENT OF A QUORUM:** With eight members of the Board present, a quorum was established. Dr. Bryant welcomed Erin Weaver, Deputy Executive Director, and Sarah Moore, Executive Assistant. 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 noted that the public comment included a letter from the American Academy of Dental Sleep Medicine and would be discussed later in the meeting under the "Consideration for Public Comment" section of the agenda.

Dr. Bryant advised no other persons registered for public comments prior to the meeting.

**APPROVAL OF MINUTES:** Dr. Bryant asked if there were any edits or corrections to the December 2, 2022, Board Meeting Minutes and the December 2, 2022, Special Session Minutes. Hearing none, Dr. Hendricksen moved to approve the minutes as presented. Mr. Martinez seconded the motion and it passed unanimously.

Dr. Bryant asked if there were any edits or corrections to the February 16, 2023, Special Session – Telephone Conference Call Minutes. Hearing none, Mr. Martinez made a motion to approve the minutes as presented. Ms. Lemaster seconded the motion and it passed unanimously.

**DIRECTOR'S REPORT** Mr. Owens welcomed the new Deputy Executive Director and Executive Assistant. He advised that the Department of Health Professions' four bills passed during the most recent General Assembly session. The bills are now awaiting the Governor's signature. Mr. Owens also outlined the Healthcare Workforce Data Center study that is underway. The Phase 1 report is currently posted on their website. The upcoming Phases 2 and 3, will have a focus on the shortages and issues of the entire spectrum of the Healthcare workforce, including Dentistry.

**LIAISON & COMMITTEE REPORTS:** **CDCA/WREB/CITA Meeting Report** – Ms. Sacksteder gave a report of the CDCA/WREB/CITA meeting held in Dallas, Texas, on January 4-6, 2023. Ms. Sacksteder, Dr. Chaudhry, and Dr. Dawson attended. All states and U.S. territories' representatives and education leaders met, discussing shared experiences and issues.

**PRESENTATION** **Healthcare Workforce Data Center** - The Healthcare Workforce Data Center, represented by Dr. Yetty Shobo, Director, and Dr. Barbara Hodgdon, Deputy Director, presented the survey results from the Virginia's Dentistry Workforce: 2022 report, and the Virginia's Dental Hygienist Workforce: 2022 report, included in the agenda packet.

**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 February 8, 2023, included in the agenda packet.

A synopsis of the two Board of Dentistry Bills and four Department of Health Professions Bills proposed for consideration in the 2023 Virginia General Assembly session and the status of each bill was distributed during the meeting.

HB2251 resulted in the direction of the Department of Health Professions establishing a work group to analyze requirements for dentists and dental hygienists' licensure by endorsement. The findings shall be reported to the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health, by October 1, 2023.

SB975 resulted in general dentists being able to perform cosmetic Botox. The law does not go into effect until July 1, 2023. However, the Board will establish a workgroup to create regulations regarding education and training to protect the public. There is no required timeframe of the workgroup.

**Williams Petition for rulemaking to amend 18VAC60-21-250(C)(8):** Ms. Barrett explained the petition requests to add specific medical training to the list of approved continuing education sponsors. Ms. Sacksteder advised a motion was approved by the Board to adopt Chapter 21 as a fast-track regulatory action to implement periodic review at the December 2, 2022, Board of Dentistry Business Meeting. Similar information included in Williams Petition for rulemaking will be proposed in a guidance document.

Mr. Martinez made a motion to "Take no Action" because 18VAC60-21-250(C)(8) was eliminated in December 2022 and all approved entities for this medical training will be included in a proposed guidance document. Dr. Butt seconded the motion, and it passed unanimously.

**Guidance Document 60-15: Standards for Professional Conduct in the Practice of Dentistry -** Ms. Barrett reviewed the document originally adopted in 2009. Discussion by the Board indicated that this information is not supported by Virginia Code or regulations and therefore should be repealed.

Mr. Martinez made a motion to repeal Guidance Document 60-15. The motion was seconded by Dr. Butt and passed unanimously.

**Guidance Documents 60-27 and 60-3: Guidance on Sedation Permits -** Ms. Barret reviewed Guidance Document 60-27 which has been edited and combined with Guidance Document 60-3, included in the agenda packet.

Dr. Hendricken made a motion to accept the amended Guidance Document 60-27. The motion was seconded by Mr. Martinez and passed unanimously.

Mr. Martinez made a motion to repeal Guidance Document 60-3. Dr. Bigelow seconded and the motion was passed unanimously.

**BOARD DISCUSSION  
TOPICS:**

**Discussion of Public Comment-** Dr. Bryant referenced the letter included in the agenda packet from the American Academy of Dental Sleep Medicine for discussion. The subject of Sleep Apnea was discussed previously by the Board. Dr. Bryant asked the Board for any interest to revisiting the subject at this meeting. Hearing none, Dr. Bryant moved forward with the meeting agenda.

**CE Broker -** Ms. Sacksteder gave an update of the CE Broker Audit Agency initiative. CE Broker is the approved 3<sup>rd</sup> party vendor which tracks Continuing Education (CE) credits on a voluntary basis, free of charge. The plan for implementation of CE Broker is tentatively in May 2023.

**BOARD COUNSEL  
REPORT:**

Mr. Rutkowski updated the Board regarding Dr. Amr Sheta's appeal that will be heard in the Norfolk Circuit Court on March 6, 2023.

Mr. Rutkowski stated the Southern Regional Testing Agency (SRTA) and Central Regional Dental Testing Services (CRDTS) has presented a Notice of Appeal regarding guidance documents 60-25 and 60-26 to only accept the ADEX exam for initial licensure of Dentists and Dental Hygienists beginning January 1, 2023. It is expected that the petition will be sent in the next 30 days from these two testing agencies.

**DEPUTY EXECUTIVE  
DIRECTOR'S REPORT:**

Ms. Weaver reviewed the disciplinary Board report advising the case activity included on the report spans from November 1, 2022, to February 15, 2023, with an increase in numbers for the month of February expected. One summary suspension was handled via telephone conference this period.

**EXECUTIVE DIRECTOR'S  
REPORT:**

Ms. Sacksteder reviewed the Board of Dentistry Cash Balance Report. Ms. Sacksteder also highlighted the Summary Count of licensees and Registrants as of February 13, 2023. Both were included in the agenda packet


Ms. Sacksteder reported she and Dr. Bryant would be judges next week for the Virginia HOSA State Leadership Conference, which promotes Dental Assistant training for local high school students helping foster a workforce increase.

Ms. Sacksteder also reminded the Board members that the Board ceased mailing hard copies of licenses as of January 1, 2023, and the permanent hard copies have no expiration date. If someone needs to verify a license is active, they may do so via the Virginia Department of Health Professions License Lookup.

**ADJOURNMENT:**

With all business concluded, the Board adjourned at 10:38 a.m.

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

  
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Jamie C. Sacksteder, Executive Director

25 Jun 2023  
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Date

4/23/23  
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Date