

NH BOARD OF DENTAL EXAMINERS

7 Eagle Square - Hearings Room

CONCORD, NH 03301-4980

MONDAY, January 3, 2022

PUBLIC BOARD MEETING MINUTES

The January 3, 2022, public session of the meeting of the New Hampshire Board of Dental Examiners was called to order at 3:07 pm by Muhenad Samaan, DMD, Vice President of the Board, with the following members present:

Puneet Kochhar, DMD, President	(PK)	Arrived at 3:07 pm
Muhenad Samaan, DMD	(MS)	
Lisa Scott, RDH	(LS)	
Howard Ludington, DDS	(HL)	
John Girald, DMD	(JG)	
Roger Achong, DMD	(RA)	
Virginia Moore, RDH	(VM)	
Linda Tatarczuch, Public Member	(LT)	

Absent:

Jay Patel, DDS	(JP)
----------------	------

Attendees present:

Sheri Phillips, Jessica Whelehan, Jenna Wilson, Mike Auerbach, Dwayne Thibeault, Rudy Pavlesich, Steve Grady, Christine Senko, Myra Nikitas, Kelly O'Brien (via Zoom), Deb Albrecht (via Zoom), Stacy Plourde (via Zoom)

Zoom teleconferencing technology was in use for this electronic meeting through <https://us02web.zoom.us/j/87485332355?pwd=di9idW10MElqOXROWldrZkp4eUkxZz09>.

*All votes are unanimous unless otherwise noted.

- 1. Review of Public Minutes –December 6, 2021** - Upon motion from HL and second from LT, the Board voted to accept the minutes; MS abstained.
- 2. Update Dental Hygienist Committee (DHC)**– Myra Nikitas, Chair of the DHC, reported that the DHC had put forth Jacqueline Harrison, RDH, for the vacant seat on the DHC. Ms. Harrison was nominated at the most recent G&C meeting and is awaiting confirmation. Myra also informed the Board that Barbara Stowers, RDH, member of the DHC, has agreed to fill the roll of DHC Chair, on an interim basis. PK acknowledged that this was Myra’s final meeting as the Chair of the DHC, and her final meeting as a member of the DHC, thanking her for her continued hard work and dedication to the Board.
- 3. NH Dental Hygiene Association** – Myra stated the NHDHA was still working to solidify their training schedule for 2022.
- 4. Dental Society Report** – Mike Auerbach provided the following update:

- This month, the NHDS will be launching its Traditional Dental Assistant training program. This program speaks directly to the ongoing nationwide dental assistant shortage that campus-based programs are unable to offset. As a CERP provider, NHDS is utilizing top-quality online didactic courses – designed in full compliance with the Board’s Organizational Rules (specifically, Den. 302.06) – and calibrating qualified dentists to conduct in-office clinical training on the topics outlined in Den. 302.06. In light of the ongoing pandemic, the workforce shortage and a general evolution in how we train dental professionals, this Traditional Dental Assistant training program is an innovative and sound step forward.
- In light of the ongoing increase in COVID-19 cases in New Hampshire, the NHDS continues to stress the importance of every dental professional to get vaccinated and boosted and to fully comply with the guidelines and protocols established in 2020.
- We are receiving a large volume of calls from Member hygienists and dentists who are concerned about the Board’s in-person CE requirements. The concern is not only because of the risk of exposure at in-person CE programs but because of the shortage of such programs themselves. NHDS is happy to help the Board in any way to collect waiver or extension requests or provide any other resources.
- The NHDS would like to extend to Myra Nikitas our appreciation for her years of service to this Board. We are greatly appreciative of Myra for her passion and dedication to the field of dentistry. We wish her all the best in the next chapter in her exemplary career.

5. Board Office Comments

- A. Board Administrator Jessica Whelehan detailed the mileage changes in Plc 1003, explaining that this replaced the interim rule and meant they were now getting paid for full mileage once again.
- B. Board Administrator Jessica Whelehan discussed Emergency Ruling Plc 802, which allowed emergency licensing of health care professions once again, and also extended the expiration date of those emergency licenses issued during the COVID-19 State of Emergency.
- C. Board Administrator Jessica Whelehan also introduced Jenna Wilson, Board Administrator II, to take on the responsibilities that Victoria Davies had previously be handling.

6. Discussion

- A. The Board reviewed the current Anesthesia Sedation list.

7. Other New Business and Inquiries

- A. The Board reviewed a rule change proposal submitted by NHTI regarding Den 302.06 “Dental Assistant Qualification in Specific Area”. This was submitted due to the fact that all questions regarding traditional, film-based radiology have been removed from DANB and the Radiation Health and Safety Exams.
 - 1) Upon motion from LS, second from PK, the Board voted to remove “dark room procedures” from Den 302.06 (i)(3) d.; LT, MS, and HL opposed.
 - 2) Upon motion from MS, second from PK, the Board voted to list CPCT (cone-beam computed tomography) to Den 302.03 (i)(3) d.
 - 3) Upon motion from MS, second from LS, the Board voted to add “patient management” to Den 302.06 (i)(3) a.

B. The Board reviewed correspondence from the NHTI Business Training Center regarding a class, offered by the NH Dental Society, that did not meet the prerequisite requirements set forth by the Dental rules. The Board discussed this matter and Mike Auerbach, reported he would reach out to the members of the Dental Society to make sure it was clear that this course alone did not fulfill the requirements listed in rule.

8. Licensure and Reports -

A. The Board reviewed the OPLC Dentists applications approved and pending document.

B. The Board reviewed the OPLC Hygienist applications approved and pending document.

9. Public Health Supervision Program –

A. Upon motion from LS, second from JG, the Board voted to accept the Summary Report from Richard Farina, DMD, and Homebound/Institutional.

10. Anesthesia/Sedation permits and update –

A. Upon motion from PK, second from LS, the Board voted to accept the notification that Greg Aprilliano has been approved to administer GA/DS for host dentist Michael Hamel, DMD (initially approved by Jessica Whelehan, Board Administrator, on December 1st, 2021).

11. Other Informational –

A. The Board discussed the scope of practice for Public Health Supervision, with specific regards to what a Certified Public Health Dental Hygienist was able to do with or without a Dentist first evaluating the patient. Following the December meeting there has been confusion and concern that the role of the CPHDH was being limited which would result in a loss of production for these programs. Stacy Plourde, via Zoom, having previously served on the Board, stated that to her recollection, the intent of the rules surrounding CPHDH was to allow them to place sealants even if a Dentist had not physically been there to evaluate the patient. PK explained that the rules and statute did allow for that, placing the responsibility for the patient on the Dentist, and if the Dentist was fine providing remote oversight, it was the Dentist's choice.

12. Scheduled Hearings -

A. The Board was informed that a Public Rules Hearing for Den 301 and Den 403.07 would take place at 3:30 pm on February 7th, 2022.

13. ASEC/SC Discussion and Strategy –

A. The Board again reviewed the observations and discrepancies that Board Administrator Jessica Whelehan had noted. LT asked what was being done to address those dentists who had not yet had their required Comprehensive Evaluations; Board Administrator Jessica Whelehan explained that nothing was being done as there was not currently anything in rule to support any type of adverse action or discipline, nor has the Board determined how they would handle these cases. Board Administrator Jessica Whelehan went on to explain that there continued to be issues that needed to be addressed, such as how to handle scheduling these Comprehensive Evaluations moving forward, the rules changes required to make this occur, an overall strategy for the process, and getting forms officially approved through the rule-making process. Attorney Sheri Phillips discussed the fact that the Board needed to have a Board member step up and take control of the ASEC, especially as Facility Inspections and Comprehensive Evaluations were needed, and currently it was still members of ASEC that would be performing these. PK asked why the RFP for an evaluator/inspector had not yet gone through and Attorney Sheri Phillips said that Executive Director Lindsey Courtney was still working on it, and it was currently held up with the Department

of Administrative Services. PK then asked RA if he had been able to contact the ASEC members as he had been asked to do at the December meeting. RA replied that, after receiving the contact information for the ASEC members he had decided that he would not contact them as he felt that they had been contacted enough by OPLC, and they should be taking responsibility and responding appropriately. Guest Mark Abel, DMD, MD, and member of the ASEC, asked the Board if he may reach out to the members, explain that he had previously been unaware of exactly what the Board was trying to do, and how “in need” of each other the Board and ASEC were. PK said that Board Administrator Jessica Whelehan could provide Dr. Abel with the list of ASEC members who had RSVP’d to the proposed meeting on January 20th, 2022, as well as share contact information. Dr. Abel said he would reach out to each member individually to try and help them understand just how important this meeting was. PK asked that Board Administrator Jessica Whelehan pick one or two items to address with regards to ASEC and put them on the agenda, rather than having a broad ASEC discussion.

At 4:35 pm the Board voted unanimously by roll call vote to go into non-meeting. Non-meeting concluded at 4:55 pm.

At 4:56 pm, pursuant to RSA 91-A:3, and upon motion from PK, second by LS, the Board voted unanimously by roll call vote to go out of public session and into a non-public session because public disclosure may render a proposed action ineffective or adversely affect the reputation of a person other than a Board member.

At 7:30 p.m., upon motion by PK, and second by LS, the Board voted unanimously by roll call to go out of non-public session and into public session.

Upon motion by MS, second by LS, the Board voted unanimously to seal the non-public minutes and to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

At 7:31 p.m., PK adjourned the meeting.