

**NEW HAMPSHIRE BOARD OF DENTAL EXAMINERS
121 S. FRUIT ST., SUITE 302
CONCORD, NH 03301-2412**

**MEETING MINUTES
MONDAY, July 9, 2018**

Dental Hygienists Committee Meeting – 1:30 p.m.

Board Meeting – 3:00 p.m.

The July 9, 2018 public portion of the meeting of the New Hampshire Board of Dental Examiners was called to order at 3:00 p.m. by Tara Levesque-Vogel, DMD with the following members present:

Tara Levesque-Vogel, DMD, President
Arthur D. McKibbin, Jr., DMD, Vice President
Puneet Kochhar, DMD
Charles Albee, DMD
Nilfa Collins, DMD
Ellen Legg, RDH
Lisa Scott, RDH
Muhenad Samaan, DMD

Absent: Linda Tatarczuch, MSW, Public Member

Review minutes of June 4, 2018 Board Meeting - The Board voted to accept the public and the non-public minutes as written. (Dr. McKibbin recused himself as he did not attend the June 4, 2018 meeting.)

ADMINISTRATIVE

1. Workforce Development Survey - #18-151 (Tabled from June 4, 2018) – Danielle Weiss, DHHS Primary Care Workforce Program Manager, spoke to the Board and gave an overview of the workforce development survey that has been implemented by several other Boards. Ms. Weiss had copies of the survey provided to the Board and indicated that the survey is a great tool for workforce development and planning. She indicated that, although there is an opt-out provision in the law, the survey is a requirement and that although there is no enforcement mechanism if a dentist fails to complete the survey, they are looking at a 75-80% success rate. Stephanie Pagliuci from Bi-State PC also spoke about the importance of the survey for development and planning. The Board voted to adopt the rules pertaining to the survey and move forward with implementation.

2. Dentist's ADA Principles of Ethics and Code of Professional Conduct - #18-166 – It was discovered that the Code of Ethics (hereinafter, Code) has been updated by the ADA to February of 2018. The most recent administrative rule changes updated the Code from 2012 to 2016 but the link on the website goes to the most current version of the Code, which cannot be enforced until the rules are amended to 2018. The Board requested that the rules reference the “most current” version of the Code but that is not allowed under the Administrative Procedures Act, RSA 541-A, which requires a specific date. The Board voted to initiate rulemaking to change the date of the Code from 2016 to February of 2018. The Board also discussed finding a way to change the website link to go to the 2016 Code until the proposed rule is adopted.
3. Dental Hygienists Committee
 - (a) Dental Hygienists Committee (DHC) Comments – Margaret Ray, RDH stated that the Board had referred medical emergency training issues to the DHC at its June 4, 2018 meeting and that they were waiting for a Memo from Acting Administrator Walsh before doing anything further. Acting Administrator Walsh indicated that she would have done so had she known that was the procedure but will get that to them. The DHC is continuing to work on FAQ's.
 - (b) Dental Hygienists Committee Recommendation/Comments - #18-194 – The DHC filed recommendations pertaining to #18-192 referencing BLS-HCP courses. Margaret Ray indicated that they would be adhering to the rules until told otherwise and Dr. Vogel advised that it would be discussed during the meeting when it addresses #18-192.
4. NH Dental Hygienists' Association Comments – There were no comments.
5. Dental Society Comments - Executive Director Mike Auerbach started by thanking Dr. Albee for his years of dedicated service, as this is his last official Board meeting. He then reported to the Board as follows:
 - Peer Review - The New Hampshire Dental Society (NHDS) has a Peer Review process, which in essence, is mediation for those members who do not want to go before the Board or in order to resolve legal disputes. An overview of Peer Review was given by Director Auerbach and he clarified that NHDS cannot accept a referral to Peer Review from the Board, as a result of a complaint made to the Board.
 - CPR Courses Conducted by MTA - #18-178 – At its May 7, 2018 meeting, Craig Morrill, Director of MTA, requested that the Board approve his BLS-HCP courses in NH. At that meeting, the Board voted to amend Den 403.07(b), to add his program to the approved list of courses. Since rule changes can take time, the Board also advised Director Morrill that he could apply with NHDS or another organization for approval of his program pursuant to Den 403.07(a)(1), because that might take less time, since until one of those two options occur, the Board cannot accept his courses in NH. Director Auerbach stated that NHDS does not approve programs for businesses like MTA, as that is a function of the Board not NHDS. The Board stated that this was similar to the discussion to

follow on #18-192 and that it may have to revisit its decision to add his programs to the rules, depending upon the outcome of #18-192.

6. Commission on Dental Competency Assessments (CDCA) Comments – Board members discussed upcoming examinations they are attending.
7. Board Office Comments – There were no Board Office comments.
8. AHA Heartsaver CPR AED Course - #18-192 (also incorporates #18-194 and #18-178) - The Board discussed whether to accept the AHA Heartsaver CPR AED Course. It has not been accepted by the Board since it is not a BLS-HCP course pursuant to Den 403.07(b). Stacy Plourde, RDH, stated that she took that course and wants it accepted. She stated that, as a former Board member, the intent of having a BLS-HCP for CPR certification was to ensure a hands-on component and not to allow on-line CPR courses. Ms. Plourde indicated that the course she took met the qualifications, even though it is not listed in Den 403.07. Ms. Plourde requested that the Board issue a declaratory ruling to define a CPR course in terms of specific criteria instead of using the term BLS-HCP and listing specific courses, as currently stated in the rules. Dr. Kochhar disagreed and stated that the current rules are simple and objective. He believes that the suggested language in the declaratory ruling would open the Board to reviewing every CPR course to determine if it should be accepted. Dr. Karen Crowley, Chair of the Anesthesia/Sedation Evaluation Committee, suggested that there might be a reason to have different criteria for general dentists versus those who have been issued an anesthesia/sedation permit, which should be stricter and involve more airway training. The dental hygienists stated that everyone should be on the same page.

Further discussion ensued as to whether a declaratory ruling is an appropriate mechanism to approve a single course. At this time, Thomas Broderick, Board Counsel, stated that there are legal issues that have been raised, which need to be resolved. The Board agreed that a discussion with Board counsel in a non-public meeting would occur and a decision made after that meeting. There was no further discussion in public session on this topic.

9. Legislation – HB 1577 - #18-176 – Acting Administrator Walsh gave an overview of HB 1577, relative to the administration of anesthesia by dentists. The law will be effective on August 7, 2018 and to the extent rule changes are necessary, that will be impossible, given the fact that rules can take six months or longer to become adopted. Dr. Karen Crowley has been very involved with this bill from the beginning and she indicated that many of the rules are already in place and much of what is in the bill is referenced in guidelines which have already been adopted by the Board. Dr. Crowley indicated that her concerns include Pediatric Advanced Life Support (PALS), which cannot be given by the August 7, 2018 deadline and also, there are currently no permits or fees set for minimal sedation. Dr. Crowley stated that she had a person in mind who could act as a consultant to the Board reference this law, if it is necessary. Acting Administrator Walsh advised that she has a Memo of the discussion she had earlier with Dr. Crowley which really makes clear what will need to be done in August. Once reviewed by Dr. Crowley, the Memo will be sent to the Board members for further discussion at its meeting in August.

At 5:00 p.m., on a motion by Dr. Albee and a second by Dr. McKibbin, the Board voted by roll call to go out of public session and into a non-meeting with Board Counsel, Thomas Broderick.

At 5:16 p.m., on a motion by Dr. Albee and a second by Dr. McKibbin, the Board voted by roll call to go out of a non-meeting and into public session.

10. Election of Board Officers/Appointees to DHC #18-167 – Dr. Vogel started by honoring Dr. Albee with a proclamation from Governor Sununu for his years of service and also awarded Dr. Albee with a Certificate of Appreciation from the Board.

The Board elected Dr. Vogel as President for the following year and Dr. McKibbin as Vice-President for the following year. The Board elected Lisa Scott, RDH to the DHC and Dr. Samaan to the DHC in October, when Dr. Kochhar steps down.

Before moving on to Number 11, the Board took up #18-192, and #18-194, discussed earlier in the meeting. The Board voted not to accept the AHA Heartsaver CPR AED Course. The Board also voted not to do a declaratory ruling and to keep the rules as currently written, having BLS-HCP certification with a hands-on component. The Board also voted to initiate rulemaking to insure that the BLS-HCP certification is consistent throughout the rules and that it is properly reflected in the renewal portion of the rules pertaining to dental hygienists. The Board also requested that an email be sent to all of the dental hygienists stating that a BLS-HCP course must be completed in the next biennium.

The Board also stated that, in light of its decision stated above, it would not accept CPR courses conducted by MTA - #18-178 - and that a letter should be sent to Craig Morrill advising him of that.

11. Meeting Dates for 2019 - #18-168 – The Board voted to accept the meeting dates for 2019.
12. First quarterly Board Chair Meeting - #18-169 – Dr. Vogel attended the Board Chair meeting conducted by the Executive Director of OPLC, Peter Danles. She gave an overview of the meeting and discussed the implementation of SB 531, which gives funding directly to the OPLC. Dr. Vogel stated that the funding will stay with OPLC and not go back into the General Fund and that Director Danles advised that he would “increase spending” for the Boards. She advised that extra training would be available and mentioned that the Board could do a “retreat” which may not necessarily be a public meeting, depending upon what was being discussed. She told the Board to give her an email of requested training for the following year no later than August 1, 2018.
13. Inquiry re: Continuing Education Provider - #18-170 – The Board voted to refer to Den 403.07 and state it does not approve continuing education providers.

14. Response Letter from Dr. Edmunds re. Botox and Dermafillers - #18-171 – The Board treated this as an FYI.
15. PDMP Representation CE Credit - #18-193 – Dr. Albee stated that he spent two full days at a Strategic Planning for PDMP. He requested CE credit. The Board voted to give Dr. Albee 5 CE credits in opioid training for the two-day planning meeting.
16. Informational – The Board did not discuss.
 - SmileDirect Lawsuit
 - ADEX Response to BOD Member Harvey Resignation
 - “White Paper” Medical Emergency Preparedness in Dentistry

LICENSURE AND REPORTS

1. DENTIST APPLICATIONS APPROVED

Swati Agnihotri, DMD
 Jillian L. Albee, DDS
 Christopher J. Beninati, DMD
 Robert K. Cauley, Jr., DMD
 Patrick Choi, DMD
 Aditi Gupta, DDS
 Julia F. Hadley, DMD
 Andrew M. Harvey, DMD
 Steven L. Karpas, DMD
 Benjamin Y. Kim, DMD
 Valerie P. Liang, DMD
 Alexander F. Mitchell, DMD
 Jonathan B. Nutt, DMD
 Robert J. Orendorf, DDS

Injea Park, DMD
 John C. Pavlakis, DDS
 Christina A. Penn, DMD
 Brittney A. Phillips, DDS
 Kyle P. Prohovich, DMD
 Marisa B. Reason, DMD
 Adrienne M. Runge, DDS
 Kathleen M. Takach, DMD
 Curtis A. Thibeault, DMD
 Brittany A. Tosto, DMD
 Emery G. Ward, DDS
 Corey J. Wells, DMD
 Dalia G. Wilson, DMD
 Peter J. Wilson, DMD

2. HYGIENIST APPLICATIONS APPROVED

Claire M. Bilik, RDH
 Mariah L. Biron, RDH
 Gina S. Borgognoni, RDH
 Heidi M. Bouchard, RDH
 Emily R. Chick, RDH
 Ha Thi Ngoc Chu, RDH
 Tristina A. Douillette, RDH
 Shannen K. Healy, RDH
 Alexandra B. Kliska, RDH
 Elaine M. Lalicata, RDH
 Ashley E. Lodge, RDH
 Kara L. Malenfant, RDH
 Elizabeth L. McGregor, RDH

Linda N. McLean, RDH
 Jaclyn A. Mountain, RDH
 My Tien B. Nguyen, RDH
 Tricia M. Price, RDH
 Amanda E. Prisco, RDH
 Virginia E. Pyburn, RDH
 Saya S. Rashid, RDH
 Lori N. Robichaud, RDH
 Katie L. Ruggirio, RDH
 Kristen M. Saczawa, RDH
 Sarah H. Simoneau, RDH
 Gina A. Toronto, RDH
 Taylor A. Wilmot, RDH

3. PUBLIC HEALTH SUPERVISION

(a) #18-172 – The Board voted to accept the Public Health Summary Reports and to send letters of appreciation to:

- Cheshire Smiles
- Easter Seals Oral health Center
- Glenclyff Home Dental Clinic
- Oral Healthcare at Home
- Seacoast Healthy Grins
- Smiles for Strafford County
- Wentworth Health Partners Dental Center

(b) #18-173 - The Board voted to approve the application for a Dental Public Health Supervision Program of the following agency:

- Concord YMCA Cavity Prevention.

4. DENTAL STUDENT PROGRAM REPORT

(a) Dental Health Works of Cheshire County, Inc.

- #18-174 - The Board voted to accept the report submitted by Stephen Hoffman, DMD and Kyle Dunmire, DMD.

5. ANESTHESIA/SEDATION

(a) #18-175 - Kyle R. Stiefel, DDS - The Board voted to accept the Application for General Anesthesia/Deep Sedation Permits for 2 locations.

At 5:50 p.m., pursuant to RSA 91-A:3, on a motion by Dr. Vogel and a second by Dr. McKibbin, the Board voted by roll call to go out of public session and into 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.