

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

**MEETING MINUTES  
MONDAY July 8, 2019**

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

**Board Meeting** – 3:00 p.m.

The July 8, 2019 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  
Dennis Hannon, DDS  
Puneet Kochhar, DMD  
Ellen Legg, RDH  
Nilfa Collins, DMD  
Linda Tatarczuch, MSW, Public Member  
Lisa Scott, RDH

Absent           Muhenad Samaan, DMD

Attendees:     Tom Broderick, Esq., Rules Attorney  
Rick Wisler, Administrator  
John Cafasso, Board Administrator  
Andrew Albee, DMD

Review of public minutes of the June 3, 2019 Board Meeting. On a motion made by Dr. McKibbin and second by Ellen Legg, the Board voted to approve the June 3, 2019 minutes as amended. Review of the non-public minutes. On a motion made by Linda Tatarczuch and a second by Dr. McKibbin, the Board voted to approve the June 3, 2019 non-public minutes as amended.

**ADMINISTRATIVE**

1. Dental Hygienists Committee

- (a) Minutes of June 3, 2019 Dental Hygienists Committee Meeting (FYI) - On a motion made by Dr. McKibbin and a second by Dr. Kochhar, the Board voted to accept the DHC minutes as written.
- (b) Dental Hygienists Committee Comments - Margaret Ray, RDH wanted to make sure that the rules for recently passed HB 615 would be in the next rules package. The Board informed Margaret Ray, RDH that at its October 2018 after Mike Bullek, Administrator of the Board of Pharmacy spoke to the Board, the Board voted to conditionally approve the statutory change to RSA 318:42 and draft rules proposed by Mike Bullek.

2. NH Dental Hygienists' Association Comments - Myra Nikitas, RDH from the DHC informed the Board that NHDHA joined over 1,000 colleagues at the ADHA Annual Conference last month in Louisville, KY. Highlights included a robust program of industry leading keynotes and speakers, hands-on sessions and workshops and fun presentations exploring the most relevant topics shaping the future of dental hygiene. A day of giving, serving the local community and 5K Fun Run, in support of the Institute of Oral Health (IOH), raising over \$74,000.

Each year the IOH provides grants to advance the profession of Dental Hygiene through scholarships, research and service. Advocacy and Leadership workshops and exhibit hall featuring the latest products and technologies.

Participating in the House of Delegates Installation of 2019-2020 ADHA Board of Trustees, including Matt Crespin, RDH, MPH, ADHA's first male President.

3. Dental Society Comments – Executive Director Mike Auerbach informed the Board:
  - One of the top priorities of our new President, Lindsey Jackson, is the establishment of a rural dental pipeline, which is designed to bring to our more rural areas general dentists and specialists, recruited from area dental schools and residencies. We are hoping to start work on this pipeline over the summer.
  - As you know, the ADA (and through it, NHDS) has filed with the FDA a citizen's petition with the FDA. We are concerned about patient safety and health, and SmileDirectClub's approach – particularly by attempting to characterize oral health appliances as “over the counter”, non-prescription devices – runs counter to our Mission Statement of advancing the oral health of the public.
  - Finally, on behalf of the NHDS Board, I would like to thank Dr. Tara Vogel for her volunteer leadership as President of the Board of Dental Examiners.
4. Commission on Dental Competency Assessments (CDCA) Comments - Several Board members announced that they will be participating in various upcoming exams. Dr. Kochhar in New Jersey in October. Dental Hygiene Exams: Lisa Scott, RDH at Tufts and Ellen Legg, RDH at NYU.
5. Board Office Comments John Cafasso Board Administrator - #19-147
  - The Board was informed of the new Board Mileage Reimbursement Forms.
  - The Dental Board Office wanted to express their appreciation to Dr. McKibbin and Dr. Collins for their 10 years of service on the Dental Board. The Board also thanked Dr. Vogel for serving as Board President over the last year.
  - Dr. Collins has volunteered to stay on the Board until a new Board member is confirmed.
  - HB 615 passed both the House & Senate on May 16, 2019. HB 615 is still awaiting the Governor's signature.
6. 2019 Initial Rule Proposal (Den 400s for now) and List of Proposed Rule Changes by Category (Tabled from June) - #19-115, also Atch I - Guest: Thomas Broderick, Esq., Rules Attorney - On a motion made by Dr. McKibbin and a second by Dr. Collins, the Board voted to accept all of the 2019 Initial Rule Proposal Changes (Den 400s for now). This included readopting expiring rule Den 401.03 that is due to expire in August 2019 and starting January 1, 2020, at

least 2 CEUs shall be earned in Medical Emergency Training and shall be added to Den. 403.03 (a) and (b).

7. WREB Follow-up – Letter from WREB Officers - #19-148 - Guest: Andrew Albee, DMD, President, Concord District Dental Society - This was a follow-up to the May 6, 2019 Board meeting when the Board voted for Dr. Albee to have a representative from WREB submit any new WREB Exam information to the Board to review. On May 22, 2019, the Board office received a letter from WREB’s Chief Executive Officer Beth Cole and Director of Dental Exams Bruce D. Horn, DDS for the Board’s review. **(Please see attached extended minutes for WREB #19-148.)**
8. Letter from Dr. Karen Crowley asking for Board clarification regarding dedicated anesthesia provider exemption (HB 1577) – #19-149 - On June 3, 2019, the Board received a letter from Dr. Crowley asking for clarification of the position of the Board regarding the need of an individual provider to apply for an exemption. Is the exemption automatic for Board Eligible/Board Certified Dentist Anesthetists or Oral Maxillofacial Surgeons? [NH HB 1577 XX-a (g) (1)]. Dr. Vogel and Dr. Kochhar said the answer to “Is the exemption automatic for Board/Board Certified Dentist Anesthetists or Maxillofacial Surgeons?” was yes as the Board previously voted on the questions and recommendations of the NHASEC Advisory Subcommittee pertaining to House Bill 1577 at its January 8, 2019 meeting.
9. Inquiry re: Medical Emergency Training CEU guidelines for 2020 - #19-150 - On June 6, 2019, the Board received an inquiry asking about the emergency preparedness guidelines that were proposed for licensure renewal. Other questions included: Do these guidelines go into effect for renewal by May of 2020 or later? Does this also include the BLS-HCP training? The Board clarified the Medical Emergency Training CEU Guidelines: Each Licensee has to do a separate Medical Emergency training besides doing the BLS-HCP. The BLS-HCP is required currently for renewal. When the dentists apply for renewal in 2020 they will need the BLS-HCP and the same will be the case for the hygienists requiring BLS-HCP at the time of renewal in 2021. The Medical Emergency course will be required starting the biennium starting 2020, so that means the hygienists will require this for renewal in 2021 and the dentists will require it for renewal in 2022. The BLS-HCP will not be considered part of the emergency medical training.
10. Memo re: Election of Board Officers / Appointees to DHC - #19-151 - Pursuant to RSA 317-A:4, II, the Board has traditionally chosen a president and vice president at its July meeting. Additionally, pursuant to RSA 317-A:2-a (b), a majority vote is needed annually to appoint the dentist and dental hygienist Board members to the Dental Hygienists Committee. Dr. Vogel started by honoring Dr. McKibbin and Dr. Collins with a proclamation from Governor Sununu for their years of service serving on the Dental Board.

The Board elected Dr. Kochhar as President and Dr. Hannon as Vice President for the following year.

11. Memo re: Board and DHC Meeting Dates for 2020 FYI - #19-152 – On a motion made by Dr. Kochhar and a second by Dr. Collins, the Board voted to accept the 2020 Board and DHC meeting dates.
12. Information re: Teledentistry from Neil Hiltunen, DMD - #19-153 - On June 13, 2019, the Board Office received an email from Neil Hiltunen, DMD requesting to discuss/review with the Board the information he obtained regarding Teledentistry. In his email, Dr. Hiltunen

informed the Board that he had recently attended a meeting of the American Teledentistry Association in Rochester, NY. Since Dr. Hiltunen was aware that the New Hampshire Board was drafting language concerning teledentistry, he wanted to share with the Board the information that he received from an attorney from Washington, DC about the Rules and Regulations concerning teledentistry. On a motion made by Ellen Legg, RDH and second by Dr. Kochhar, the Board voted to invite Attorney Emily H. Wein from Washington, DC to attend a future Board meeting to discuss the rules and regulations used in other states pertaining to teledentistry. On a motion made by Dr. McKibbin and second by Dr. Collins, the Board voted for the Dental Board Office to provide copies of the Board of Medicine's telemedicine rules to be distributed to each Board member prior to the next Board meeting.

13. SmileDirectClub – Citizen Petition filed with FDA - #19-154 – (FYI) - On May 26, 2019, the Dental Board Office received an e-mail from SmileDirectClub's Co-Founder Alex Fenkell and Chief Clinical Officer Jeffrey Sulitzer, DMD regarding the Statement on the Citizen Petition Filed with the FDA by the American Dental Association. The letter informed the Board that the SmileDirectClub was aware of the Citizen Petition recently filed with the FDA by the American Dental Association attacking SmileDirectClub's innovative model that enables state-licensed dentists and orthodontists to provide affordable, high quality clear aligner therapy with good outcomes and a low risk profile to their patients. The email from SmileDirectClub was to set the record straight.
14. Inquiry re: clarification of Den 302.06 (v) - #19-155 - The Dental Board office received an email from a Concord Pediatric Dental Office asking for clarification of Den 302.06 (v), dental assistants performing coronal polishing. Question from the Dental Office: "Are we in compliance if the certified dental assistant polishes and flosses the patient prior to the hygienist scaling?" On a motion made by Dr. McKibbin and a second by Dr. Kochhar, the Board voted to respond to this inquiry by saying that use of a dental assistant for coronal polishing is allowed as long as they stay within the rules, specifically Den 302.06 (v).
15. Informational (emailed previously)
  - 2019 ADEX 15<sup>th</sup> Annual Meeting Notice/Invite
  - DOCS Education – new Regulatory Counsel
  - AADA 2019 Annual Conference – October 17-18, 2019

## **LICENSURE AND REPORTS**

### 1. **DENTIST APPLICATIONS APPROVED**

Amelia Y.H. Albright, DMD  
Andra M. Boak, DMD  
Clara A. Broughton, DDS  
Charles E. Burchfield, DDS  
Julie H. Chang, DMD  
Jordan M. Christensen, DDS  
Paul J. Dubuque, DMD  
Robert E. Geary, II, DMD  
Thomas A. Guerrette, DMD

Michelle R. Kalil, DMD  
Molly A. Kalish, DMD  
Richard J. Lam, DMD  
Mohammed S. Mahdi, DMD  
Megan E.O. McDougall, DMD  
Jaclyn L. Sheehan, DMD  
Divya Swarup, DMD  
Jacqueline R. Velez, DMD

2. HYGIENIST APPLICATIONS APPROVED

Abbygail K. Banitch, RDH	Elizabeth G. Magee, RDH
Nicole C. Blanchetti, RDH	Hannah L. Martin, RDH
Catherine E. Cavallo, RDH	Brittany L. Mei, RDH
Breanna G. Cole, RDH	Patricia A. Morse, RDH
Brandi A. Cook, RDH	Lynn A. Oliver, RDH
Sharon E. Corcoran, RDH	Bailey A. Parent, RDH
Michelle M. D'Agostino, RDH	Vanessa G. Rowe, RDH
Bryce A. Edwards, RDH	Meichi L. Ruhl, RDH
Casey M. Ells, RDH	Nicole Scaranari, RDH
Breanna E. Eschmann, RDH	Heidi M. Spataro, RDH
Miranda M. Fahey, RDH	Tricia A. Spearin, RDH
Kelsey J. Farrow, RDH	Amanda M. Stumpf, RDH
Larkin E. Gause, RDH	Emilee J.H. Sullivan, RDH
Johanna L. Ghossein, RDH	Jamie E. Thompson, RDH
Yanna L. Hendrickson, RDH	Macey B. Traffie, RDH
Jaclyn S. Herward, RDH	Britney A. White, RDH
Jennifer M. Joslin, RDH	Heathier S. Zimont, RDH
Sara E. Keniston, RDH	

3. PUBLIC HEALTH SUPERVISION

- (a) #19-156 – On a motion made by Dr. Kochhar and a second by Linda Tatarczuch, the Board approved the following Public Health Summary Reports:
- Cheshire Smiles
  - School Smiles
- (b) #19-157 - Application for Program Approval under Public Health Supervision –
- Virtudent Mobile Program - Discussion ensued as some on the Board felt that this type of program was for good for the public, while others were opposed to calling Virtudent a Public Health Supervision Program. There were concerns expressed by some on the Board as to whether this type of program has the qualified people with the necessary skills.

Others voiced concerns that programs like these could cut into the private sector. Linda Tatarczuch said that it is not the Board's role to balance the private and public sector. Others on the Board felt that it gives patients who may have never seen a dentist access to dental care, which is of great benefit. On a motion made by Dr. McKibbin and a second by Lisa Scott, RDH, the Board voted to accept Virtudent as a Public Health Supervision Program with the strong recommendation that they use Certified Public Health Dental Hygienists (CPHDH's). (Dr. Kochhar and Ellen Legg, RDH opposed)

4. DENTAL STUDENT PROGRAM REPORT

- (a) #19-158 – On a motion made by Dr. Kochhar and a second by Lisa Scott, RDH, the Board voted to accept the dental externship report from Stephen Hoffman, DMD and Kyle Dunmire, DMD, Dental Health Works of Cheshire County Inc./UNE.

5. ANESTHESIA/SEDATION

(a) On a motion made by Dr. McKibbin and second by Dr. Hannon, the Board voted to approve the General Anesthesia/Deep Sedation permits for:

- #19-159 - Benjamin H. Farr, DDS
- #19-160 – Charles Burchfield, DDS
- #19-184 – Paul Kalish, DMD

6. Late Agenda Item: Elliot Hospital OMS - #19-185 - The Elliot Hospital OMS program requested a special exception to continue seeing patients following the passing of their facility inspection scheduled for July 10, 2019. The special exemption is being requested because they are staying at the same address but just moving to a new office space. They are asking to have their July 10, 2019 facility inspection formally approved by the Board at its August 5, 2019 meeting. On a motion made by Dr. Kochhar and second by Dr. Hannon, the Board voted to allow Elliot Hospital OMS to continue practice following proof of their passed facility inspection on July 10, 2019. The Board will accept and approve their application at its August 5, 2019 Board meeting.

- Rules attorney Tom Broderick came back before the Board and was informed that the Board voted to approve all of the 2019 Initial Rule Proposal Changes (Den 400s ). Tom Broderick explained to the Board that the rules process could take 4- 6 months.
- Prescription/Dispensing of Fluoride Treatment by Hygienists
- Tom Broderick informed the Board that HB 615 passed both the House and Senate but that it had yet to be signed by the Governor. The Board informed Tom Broderick that it wanted to add the recently passed HB 615 language as number 16 under Den 402.01. On a motion by Dr. Kochhar and a second by Ellen Legg, RDH, the Board voted to add the HB 615 language: “the administrating, prescribing, and dispersing of fluoride and chlorhexidine gluconate oral rinse” shall be added under Den. 402.01 as #16.

Linda Tatarzcuch excused herself for the remainder of the Board meeting at 5:15 PM.

At 4:45 p.m., pursuant to RSA 91-A:3, 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.

At 6:26 p.m., the Board, on a motion by Dr. McKibbin and second by Ellen Legg, RDH, voted by roll call to go out of non-public session and into public session.

At 6:26 p.m., the Board voted unanimously to maintain the privacy of the above items discussed in non-public session pursuant to RSA 91-A:3, 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.

Dr. Vogel adjourned the meeting at 6:26 p.m.

Next Board Meeting: Monday, August 5, 2019 at 3:00 p.m.

- WREB Follow-up – Letter from WREB Officers - #19-148 - Guest: Andrew Albee, DMD, President, Concord District Dental Society - This was a follow-up to the May 6, 2019 Board meeting when the Board voted for Dr. Albee to have a representative from WREB submit any new WREB Exam information to the Board to review. On May 22, 2019, the Board office received a letter from WREB’s Chief Executive Officer Beth Cole and Director of Dental Exams Bruce D. Horn, DDS for the Board’s review. Dr. Albee thanked the Board for allowing him to address the Board today and back on May 6, 2019. Dr. Albee felt the new information provided to the Board by WREB should answer the Board’s questions and concerns. Dr. Albee was hoping the Board would consider reversing its previous vote, and vote to reinstate the WREB exam in New Hampshire. He felt that the both the ADEX and WREB exam were very similar and that the small differences could be easily mitigated. Dr. Albee felt choice on whether one wanted to take the WREB or ADEX exam was not a bad thing and that there was no evidence to suggest excluding the WREB in New Hampshire protects the public.
- Dr. Albee read sections of the WREB letter to the Board explaining how this information differed than what was presented to the Board by Dr. Horn two years ago on June 8, 2017. Dr. Albee wanted to make it clear to the Board that you cannot pass the WREB exam if you fail one of the two restorative sections. Dr. Albee informed the Board that on June 5, 2019 the Rhode Island Board of Dental Examiners unanimously voted to accept the WREB exam.
- Dr. Collins voiced her concerns to Dr. Albee regarding the WREB as she said that she carefully went over what Dr. Horn presented to the Board on June 8, 2017 and compared it to what was presented to the Board in May 22, 2019 letter. Dr. Collins said that she did not see any information and that the same concerns still existed. Dr. Collins still had concerns with WREB’s compensatory grading and that the WREB exam focused more on the candidate than the patient. Dr. Collins said that the Board has been discussing the WREB in detail for over two years and felt that the Board should not be pressured to accept the WREB and that New Hampshire should be recognized as an ADEX exam state.
- Dr. Albee asked the Board if the new information presented today clarified any confusing information from the past, why would the Board deny the WREB? Dr. Albee followed that up by asking if there any member of the Board who would not vote to reinstate the WREB that he would like that Board member to bring it up now for discussion prior to any Board vote.
- Linda Tatarzcuch expressed to Dr. Albee that she did not know if it was his place to be calling a vote for the Board. Dr. Albee said that he rescinded that comment. Linda Tatarzcuch along with other Board members said that the past WREB information presented was not confusing but was the information presented to them by Dr. Horn. Linda Tatarzcuch told Dr. Albee that she took umbrage in the way Dr. Albee’s presentation was conducted especially after the Board spent years discussing/educating themselves on the WREB. Dr. Albee apologized to the Board for coming across as forceful but said that he and others have also spent a great amount of time working on material with the hope that the WREB exam would be re-considered by the Board to be reinstated in the State of New Hampshire. Dr. Albee said that the public should have a choice on whether they want to take the ADEX or the WREB.
- Dr. Kochhar, Dr. Vogel, and Dr. Collins informed Dr. Albee that in the past they had asked Dr. Horn if they could break the data down so that it showed that the candidate passed each part of the exam individually. Dr. Horn responded by saying that it would no longer be the WREB exam.

- Dr. Vogel said that since we participate in the ADEX, the Board has a voice especially if there are ever any concerns with the ADEX exam. Dr. Vogel echoed Dr. Collins comments that the Board has discussed the WREB for hours and years now and that the information presented today is the same that was presented in the past.
- Dr. Kochhar asked questions about the Flow Chart and felt that that the information presented today did not match what was presented back on June 8, 2017. Dr. Kochhar felt that the new information presented today should be studied further. Dr. Kochhar and Dr. Hannon recommended reviewing the restorative sections from both the June 2017 and May 2019 material submitted by WREB. Lisa Scott, RDH also informed the Board that she felt it was important to hold off on a decision on the WREB exam until the new material is reviewed.
- Mike Auerbach from the New Hampshire Dental Society (NHDS) thanked Dr. Albee and the Board for their work on the WREB and he informed the Board that the NHDS would help in any way that it could.
- On a motion by made by Dr. McKibbin and a second by Ellen Legg, RDH, the Board voted to study the new information further before making a decision on the WREB exam. (Dr. Collins opposed)