

NH BOARD OF DENTAL EXAMINERS

121 S. FRUIT STREET, SUITE 302

CONCORD, NH 03301-2412

MONDAY, May 4, 2020

PUBLIC BOARD MEETING MINUTES

Puneet Kochhar, DMD, President, the NH Board of Dental Examiners (“Board”), convened a public meeting of the Board on May 4, 2020 at 3:05p.m. Due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. There is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor’s Emergency Order. However, in accordance with the Emergency Order, it was confirmed that public access to the meeting by telephone or other electronic means was possible. Zoom teleconferencing technology was in use for this electronic meeting.

All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 646 558 8656, or by clicking on the following website address: <https://zoom.us/j/95747450836>.

Public notice with the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonic instructions have also been provided on the website of the Board at: <https://www.oplc.nh.gov/dental-medicine/index.htm>. Additionally, the public notice indicated to contact Christine Senko at 271-7618 or Christine.Senko@oplc.nh.gov if there were problems with access.

It was noted that no one from the public expressed issues in accessing the meeting platform. In the event the public was unable to access the meeting, the meeting would have been adjourned and rescheduled.

Please note that **all votes** taken during this meeting were done by **roll call vote**. The following members announced their presence and confirmed no one else was in the room with them:

Puneet Kochhar, DMD, President (PK)
Dennis Hannon, DDS, Vice President (DH)
Muhenad Samaan, DMD (MS)
Lisa Scott, RDH (LS)
Ellen Legg, RDH (EL)
Linda Tatarczuch, MSW, Public Member (LT)
Tara Levesque Vogel, DMD (TV)
Roger Achong, DMD (RA)
Jay Patel, DDS (JP)

Attendees: Christine Senko, Administrator; Lindsey Courtney, Interim Executive Director

1. **Review of Public Minutes –April 6, 2020:** Upon motion by PK and second by MS, the Board voted unanimously by roll call to accept the minutes as submitted.

2. **Update Dental Hygienist Committee (DHC) and NH Dental Hygienist Association (NHDHA)**

- a. Minutes from the April 6, 2020 meeting – Upon motion by LS and second by EL, the Board voted unanimously to accept the minutes as submitted.
- b. Report from DHC – Myra Nixon, RDH reported the following:
 - i. The committee made the recommended changes to the NPI statement regarding hygienists obtaining NPI numbers. The process is waiting for confirmation that the Pharmacy Board Rules have been changed.
 - ii. The committee discussed supporting a change to CEU requirements that will allow more online credits due to several live conferences changing their requirements. This request will be presented in writing next month.
- c. Report from NHDHA – Myra Nixon, RDH, President, NHDHA reported the following:
 - i. Recent efforts have been to change conference format from a live setting to an interactive webinar format.

3. **Dental Society Update** – Mike Auerbach, Executive Director, NH Dental Society, provided the following comments:

- a. The NHDS continues to work with the Governor and the Governor’s Task Force on Economic Reopening. Last week, we had several conversations with the Task Force members, sharing with them the science behind a viable set of proposed guidelines plan for dental practice reopening.
- b. Mike reported that last week, he received a very disturbing email from one of the members of the Governor’s Task Force in which Myra Nikitas, RDH, President of the New Hampshire Dental Hygienists Association, made unfounded claims regarding the dental office reopening process and was alleged to have been reporting on behalf of the Board in her role as Chair of the Dental Hygiene Committee and not as President of the NHDHA. Dr. Kochhar indicated that no individual member of the Board or Dental Hygiene Committee is authorized to speak on behalf of the Board. He reminded all members of the Board, professional societies and any participants in dental board meetings, that they are not to speak on behalf of the Board when approached by colleagues.
- c. The NHDS continues to lobby the state and federal emergency management agencies for more PPE. Last week, we distributed 1,000 N95 masks, 1,000 face shields and 500 face goggles. We have another request into the state as part of our effort to ensure dentists have the PPE they need to return to full operations.

4. **Guidelines for Re-Opening Dental Offices – Discussion**

Members discussed Executive Order #40 which extends and modifies previous Executive Order #17 defining the current stay at home orders and closure of non-essential businesses. Although the Board has no authority to mandate when offices close or open, the Board may make recommendations on guidelines to be considered. It was also noted that dental offices were not included in the list of non-essential offices as part of this order.

Members of the Board and public members present, engaged in a lengthy discussion regarding establishing guidelines to re-open dental offices. It was noted that providers are seeing an increase in acute need for dental services from patients. It was also noted that some medical and surgical offices are beginning to plan for elective procedures. Important points discussed included the consideration of ADA recommendations, ADHA recommendations, CDC

guidelines, OSHA guidelines, availability of PPE and the professional autonomy of providers to judge whether or not to reopen. It was reported that the ADHA recommendations were forwarded this morning and will be distributed to Board members.

Members also discussed the availability of COVID testing in dental offices. Currently testing is not available in dental offices and the FDA has not approved additional types of tests that would allow for additional testing areas. The Board will revisit this topic when more information becomes available.

Members discussed at length, a statement to be presented to the Governor regarding recommendations to re-open offices.

Upon motion made MS and seconded by TV, the Board voted unanimously by roll call to submit the following recommendation to the Governor: that dentists use their professional judgement to resume elective services based on CDC guidelines and the ADA Return to Work Interim Guidelines Tool Kit.

Additionally, the Board will convey the message that they are available as a resource to collaborate with the dental profession, the Task Force for Re-Opening the Economy and others as needed.

5. **Commission on Dental Competency Assessment (CDCA) Update and ADEX Exam requirements:**

- a. **Town hall Webinar** - Dr. Vogel reported that the town hall webinar meeting included discussions on the use of live patients for exams. The patient based portion of the exam continues to be on hold during the current pandemic. It was reported that the ADEX Hygiene test is developing a model to use rather than a live patient. The exam is a licensure requirement that is included in RSA 317 and cannot be waived. Also discussed was the question : if the ADEX exam continues to be accepted as a requirement for licensure, then would it be accepted with or without the patient based portion and would it then be accepted for both hygienist applications and dentist applications?
 - b. **CompeDont (Agenda #20-107)** Additional information was provided on this manikin tooth technology, which is the format being used by ADEX and another option to the patient based portion of the exam. It is being incorporated into the exam for the class of 2020. ADEX also reported that the acceptance of this non patient based exam falls to each jurisdiction.
 - c. **Email Query of State Boards** – Is an ongoing process regarding what each state recommends for licensure based on some of the changes discussed above
6. **Licensure Requirements** – the following items were submitted for information regarding current concerns over licensing new graduates in 2020.
- a. Dental Licensure Objective Structured Exam DLOSCE (webinar)
 - b. Statement from the American Dental Student Association
 - c. Statement from the Southern Regional Testing Association (SRTA)

Members discussed the items in #5 and #6 above at length and the advantages and disadvantages of accepting the manikin process. Concern was expressed that if exams are delayed, some candidates could potentially lose skills. It was also reported that some states are giving 2020 graduates some flexibility in licensure. Additionally, hygiene students could complete the live patient portion of the exam during their next renewal cycle. Members discussed applying supervision requirements to some type of provisional license. Vermont recently instituted a supervised provisional work period for 90 days, prior to applying for a permanent license. Lindsey Courtney reported that the Boards of Nursing and Respiratory Therapy are issuing temporary licenses as long as the applicant is registered to take the examination.

Upon motion made by TV and seconded by RA, the Board voted unanimously by roll call to inform ADEX that NH Board of Dental Examiners is open to accepting the exam with CompuDont, but is continuing to evaluate the exam structure.

Members agreed to further discuss these concerns and options of a provisional license during the June meeting once more information is available from ADEX as well as the number and impact on 2020 graduates.

7. **CEU Process and Discussion** –

- a. Proposal to Change rules form LeaAnne Haney, RDH and Robert Haney, DDS – It was noted that some changes to CEU requirements are already in process with revisions to Den 403; members agreed to consider these rules in future revisions. It was also noted that an Executive Order may be in place regarding CEU changes

8. **COVID 19 Testing in Offices** –

- a. Inquiry from Dr. Pactovis (#20-109)
- b. Inquiry from Academy of General Dentistry (AGD) (#20-110)

Members discussed these inquiries and referenced the earlier discussion. Upon motion made by TV and seconded by PK, the Board voted unanimously by roll call to send a letter informing Dr. Pactovis and the AGD that the Board will readdress the issue when the FDA approves tests.

9. **Board Administrative Office Report** – Chris Senko, Administrator, indicated that the renewal process has been completed and approximately 150 licensees have lapsed.

10. **Teledentistry Discussion** –no new information to report.

11. **Licensure and Reports**

- a. Dentist Applications Approved
 - i. Ethan Chase, DMD (#04547)
 - ii. Anna Miller, DMD (#04598)
- b. Hygienist Applications –None this month.
- c. Anesthesia/Sedation - Comprehensive Evaluations for General Anesthesia/Deep Sedation permits for:

- i. Lily Hu, DMD (#20-111) – note: Dr. Crowley’s recommendation for facility inspection)

Upon motion made by MS and seconded by LT, the Board voted unanimously by roll call to approve item 11.c.i as submitted.

- ii. Nader Monaveian, DMD (#20-112) – note: Dr. Crowley’s recommendation for facility inspection)
- iii. Daniel Cameron Braasch, DMD (#20-113)

Upon motion made by TV and seconded by MS, the Board voted unanimously by roll call to approve items listed in 11.c.ii and 11.c.iii above.

At 4:58 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 6:27 p.m., the Board voted by roll call to go out of non-public meeting and into public session.

Dr. Kochhar adjourned the meeting at 6:27 p.m.