



# Board of Dental Examiners Public Meeting

## Minutes

Dental Examiners Board

Dec 4, 2023 at 8:30 AM EST

@ OPLC, 7 Eagle Square, Concord, NH 03301

### Attendance

#### Present:

Members: Roger Achong, Angela Boyle, Puneet Kochhar, Howard Ludington, Virginia

Kapetanakis Moore, Jay Patel, Linda Tatarczuch

Guests: Elizabeth Eaton – Board Counsel (remote), Tina Kelley-Rulemaking Coordinator, Brenda Rines-Board Administrator

#### Absent:

Members: John Giraldo, Muhenad Samaan

#### I. Call to Order

Chair, P. Kochhar called the meeting to order at 8:48 am

#### II. Approval of Public Minutes

##### A. November 6, 2023 Public Meeting Minutes

#### Motion:

Upon a motion by H. Ludington and seconded by V. Kapetanakis-Moore to approve the minutes as submitted. Motion passed unanimously.

#### III. Public Comment

##### A. Gayle Harris – She talked about her concerns with the use of fluoride in the public water. The Board of Dental Examiners took no action.

#### IV. Informational Only

Lenk Orthodontics, PLLC name change to Lenk and Kuna Orthodontics, PLLC.

#### V. Rules Review and other Legislative Topics

##### A. Update on 2023 legislation - OPLC Board Counsel - if needed

##### B. Tina M Kelley, Rules Coordinator

##### 1. Den 404 - Rules Hearing 9:00 am

Hearing opened by P. Kochhar at 9:00 am and closed at 9:15 am.

Public Comment during the public rules hearing from Dr Mark Abel with suggested changes noted by Rules Coordinator, Tina Kelley.

2. Den 102 and Den 300 various - Review Initial Proposal

Den 102 and 300 various were reviewed with changes made. Rules Coordinator, Tina Kelley will update and bring to the next board meeting for review. Den 304 is still being worked on by H. Ludington and Rules Coordinator, Tina Kelley. Once completed, Den 304 will be presented to the board for review.

C. Elizabeth Eaton, Board Counsel

Board Counsel, Elizabeth Eaton will prepare a draft response to the Dec Ruling Dental final. E. Eaton will reach out to Board Chair, P. Kochhar to review prior to the next board meeting.

VI. OPLC and/or Board Administration

A. RSA 15-A Financial Statement

RSA 15-A financial statement is required to be completed yearly by board members. The form was emailed to each board member to complete and return to OPLC at the next board meeting.

VII. Old Business

A. Dental Hygiene Committee

Committee meeting scheduled for 12/7/23.  
Approval DHC meeting minutes from June 1, 2023.

**Motion:**

Upon a motion by H. Ludington and seconded by L. Tatarczuch to approve the DHC minutes as submitted. Motion passed unanimously.

B. LBA Audit - Final Report

VIII. New Business

A. Public Health

1. Carried Away NH Concord

**Motion:**

Upon a motion by H. Ludington and seconded by P. Kochhar to acknowledge the public health program. Motion passed unanimously.

B. Michael Auerbach - Executive Director, NH Dental Society - FYI only

SB.91 Sedation Bill review to the board.

He also mentioned that NHDS President Dr. Felt has completed his Presidential visits tour, finishing up last Thursday in Gorham. He has visited all 9 Components, sharing discussions on the workforce shortage and Medicaid. We are preparing for Yankee Dental Congress, during which we will host a reception for dental students and dental hygiene students on Friday, January 26. Preparations are under way for the 2024 Annual Meeting. Among our speakers are Amber Riley, RDH, who will present on forensic odontology, and ADA President-Elect Dr. Brett Kessler. Finally, we are monitoring an LSR sponsored by Rep. Proulx that would allow foreign-trained dentists to perform hygienist duties in a NH dental office.

C. Malpractice Committee - establish committee members.

The following board members have volunteered to be on the malpractice committee-Dr. Ludington, Dr. Achong and A. Boyle, RDH.

**Motion:**

Upon a motion by P. Kochhar and seconded by L. Tatarczuch to approve the committee members for the malpractice committee. Motion passed unanimously.

D. Anesthesia and Sedation Committee

Committee members to be established at the next board meeting.

E. Letter of Resignations - Dr. Girald and Dr. Samaan

Letter of resignation were received by Dr Girald and Dr. Samaan. The board appreciates all of their contributions to the Board of Dental Examiners.

IX. Inspections

A. Arthur O. Lyford, DMD

**Motion:**

Upon a motion by H. Ludington and seconded by R. Achong to approve the inspections. Motion passed unanimously.

X. Non-Public Session

“The Board will conduct a Non-Public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board’s executive and deliberative privileges.”

**Motion:**

Upon a motion by V. Kapetanakis-Moore and seconded by P. Kochhar to enter into non-public session by roll call vote at 10:14 am.

XI. Resume Public Session

Resumed public session at 11:26 am.

XII. Seal the Minutes of the Non-Public Session

“The Board votes to seal the minutes of the non-public session 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.”

**Motion:**

Upon a motion by A. Boyle and seconded by P. Kochhar to seal the non-public minutes. Motion passed unanimously.

XIII. Adjourn Meeting - Next Meeting is January 8, 2024 at 8:30 AM

Meeting adjourned at 11:31 am