



# Board of Dental Examiners Public Meeting

## Minutes

Dental Examiners Board

Jan 8, 2024 at 8:30 AM EST

@ OPLC, 7 Eagle Square, Concord, NH 03301

### Attendance

#### Present:

Members: Mark Abel, Angela Boyle (remote), Puneet Kochhar, Virginia Kapetanakis Moore, Linda Tatarczuch

Guests: Bethany Cottrell-Division Director for Licensing and Board Administration, Elizabeth Eaton-Board Counsel, Tina Kelley-Rulemaking Coordinator, Brenda Rines-Board Administrator, Elizabeth Seymour-LSR

#### Absent:

Members: Roger Achong, Howard Ludington, Jay Patel

#### I. Call to Order

Chair, P. Kochhar called the meeting to order at 9:40 am.

#### II. Remote Participation – Angela Boyle

##### Motion:

Upon a motion by P. Kochhar and seconded by L. Tatarczuch to approve remote participation by roll call vote.

#### III. Approval of Public Minutes

##### A. December 4, 2023 Public Meeting Minutes

##### Motion:

Upon a motion by V. Moore and seconded by P. Kochhar to approve the minutes as submitted. Motion passed by roll call vote. M. Abel abstained.

#### IV. Public Comment

##### A. Gayle Harris, RDH

Ms. Harris Expressed concerns that fluoride lowers IQ of children, causes bone/skeletal fluorosis, affects kidney function, calcifies the pineal gland, increases ADHD, and provides no benefit to infants up to age 6 months. The Board directed her to her local legislators to express her concerns.

- B. Michael P Auerbach - FYI
- C. Mark Abel, DMD, MD - Information Email

V. Rules Review and other Legislative Topics

A. Update on current legislation - OPLC Board Counsel, Elizabeth Eaton

1) HB 1331-Licensure from different countries – Voted to send a letter to the sponsor of the bill. a) BoDE is unclear what is needed for this legislation is asking. b) BoDE unclear what scope of practice is allowed under a “limited license;” c) BoDE unclear what is the definition of a “dental intern;” d) BoDE unclear on what “hospital,” “other institution,” or “dental infirmary” the bill is referring to. Board Counsel, Elizabeth Eaton to assist with preparing the letter to the sponsor of the bill.

2) HB 1272 – Send letter to the House Committee – BoDE has concern with public safety where certain licensees do not meet our requirements.

3) HB 1408 – BoDE concerned that reducing the number of dentists on the board would endanger the safety of the public by eliminating the varying viewpoints and realms of expertise provided by the additional dentist members.

4) HB 1676 – Send letter to the House Committee – BoDE has serious concerns that eliminating a professional board made up of individuals with experience in the profession would jeopardize the safety of the general public with respect to the practice of dentistry and dental hygiene.

Board Counsel, Elizabeth Eaton to assist with preparing the letter to be sent to the House Committee for HB 1272, HB 1408 and 1676.

B. Tina M Kelley, Rules Coordinator

1. Den 200 - Hearing 8:45 am

a. Den 200 - Initial Proposal

Board Chair, P. Kochhar opened the hearing at 8:45 am and concluded the hearing at 9:02 am with no public comment.

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

**Motion:**

Upon a motion by L. Tatarczuch and seconded by A. Boyle to start the rulemaking process as amended on the Den 102 & 300 various. Motion passed unanimously by roll call vote.

3. Den 304 - Initial Proposal - Draft

T. Kelley to make recommended changes and bring back to the board for review.

4. Den 404 - Final Proposal Annotated - Draft

**Motion:**

Upon a motion by P. Kochhar and M. Abel to approve as amended.  
Motion passed unanimously by roll call vote.

C. Bethany Cottrell, Division Director of Licensing and Board Administration

VI. Continuing Education Request

A. Robert G Maxfield, DDS

**Motion:**

Upon a motion by M. Abel and seconded by P. Kochhar to approve the 3 hr course to satisfy the CEU requirement, den 403.03(c)(1), for the opioid course.  
Motion passed unanimously by roll call vote.

VII. OPLC and/or Board Administration Update

VIII. Old Business

A. Dental Hygiene Committee Update/Meeting Minutes

1. DHC Meeting Minutes December 7, 2023

**Motion:**

Upon a motion by V. Moore and seconded by P. Kochhar to approve the minutes as submitted. Motion passed unanimously by roll call vote.

B. LBA Audit - Final Report

IX. New Business

A. Public Health

**Motion:**

#1 - Alice Peck Day Memorial Hospital - Upon a motion by P. Kochhar and seconded by M. Abel to approve the program as amended with the end date of June 2024 by roll call vote.

**Motion:**

#2 - Homebound Institutional Dental Service - Upon a motion by P. Kochhar and seconded by V. Moore to approve the program as submitted by roll call vote.

1. Dental Hygienist Application for Public Health Supervision - Asha Clark

**Motion:**

Upon a motion by P. Kochhar and seconded by V. Moore to approve the Dental Hygienist Application for Public Health Supervision Status. Motion passed unanimously by roll call vote.

B. Compact Information - Neil Hiltunen – Information purposes only.

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:**

#1 - Upon a motion by P. Kochhar and seconded by M. Abel to enter into a non-public session by roll call vote at 9:25 am.

**Motion:**

#2 - Upon a motion by P. Kochhar and seconded by M. Abel to enter into a non-public session by roll call vote at 12:22 pm.

XI. Resume Public Session

#1 - Resumed public session at 9:39 am.

#2 - Resumed public session at 2:16 pm.

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:**

#1 - Upon a motion by V. Moore and seconded by P. Kochhar to seal the non-public minutes by roll call vote.

**Motion:**

#2 - Upon a motion by P. Kochhar and seconded by M. Abel to seal the non-public minutes by roll call vote.

XIII. Adjourn Meeting - Next Meeting is February 5, 2023 at 8:30 AM  
Meeting adjourned at 2:23 pm.