

NH BOARD OF DENTAL EXAMINERS

7 Eagle Square - Hearings Room

CONCORD, NH 03301-2412

MONDAY, August 9, 2021

PUBLIC BOARD MEETING MINUTES

The August 9, 2021, public session of the meeting of the New Hampshire Board of Dental Examiners was called to order at 3:06 pm by Puneet Kochhar, DMD, President of the Board, with the following members present:

Puneet Kochhar, DMD, President	(PK)
Ellen Legg, RDH, Vice President	(EL)
Lisa Scott, RDH	(LS)
Jay Patel, DDS	(JP)
Howard Ludington, DDS	(HL)
Linda Tatarczuch, Public Member	(LT)

Absent:

Roger Achong, DMD	(RA)
Muhenad Samaan, DMD	(MS)
John Girald, DMD	(JG)

Attendees present:

Myra Nikitas, Stacie Moeser, Sheri Phillips, Victoria Davies, Jessica Whelehan, Mike Auerbach, Steve Grady, Paige Lorenz, Nicole Gaffen

Zoom teleconferencing technology was in use for this electronic meeting through <https://us02web.zoom.us/j/88381295737>.

Dr. Kochhar opened the meeting by first stressing the fact that the Board and its Committees were there to serve public safety, in spite of the politics involved. He also made sure everyone present was aware of the fact that this would be EL's last meeting on the Board. Additionally, he made sure everyone understood that Dr. Karen Crowley, Chair of the Anesthesia and Sedation Evaluation Committee/Subcommittee, had officially submitted her resignation from all Committees/Subcommittees, effective September 1, 2021.

1. **Review of Public Minutes –July 12, 2021** Upon motion from HL and second from JP, the Board voted to accept the minutes as written; LT abstains.

2. **Update Dental Hygienist Committee (DHC)**–Myra Nikitas, RDH reported that the Dental Hygiene Committee still had a vacancy; the newly nominated Virginia Moore had originally been put forward to fill the vacant position on the Dental Hygiene Committee, but has now been nominated to fill the vacant Board position. Myra explained that the missing member on the DHC was a continual issue and concern, as evidenced by the fact that the DHC did not meet quorum last month. EL thanked Myra for her hard work and dedication, stating she felt it was a shame that the Executive Council had not selected Myra as their nominee.

3. **NH Dental Hygiene Association** – Myra Nikitas advised the NHDHA was planning some classes for this autumn, but the schedule was not yet finalized. She also stated that the public outreach program was continuing, soon to be shared with Bridges House of Hope.

4. **Dental Society Report** – Mike Auerbach, Executive Director, NH Dental Society, provided at the following update:

- We are pleased to announce that Dr. Michael Huber will be our keynote speaker at the NHDS Annual Fall/Winter Meeting. Dr. Huber will be presenting on the latest in oral pathology.
- The NHDS is proud to offer our endorsement of Ms. Virginia Moore as a candidate for the Board of Dental Examiners. Ms. Moore has the extensive clinical knowledge and commitment to public service that this position demands.
- Finally, on behalf of the NHDS Board, I would like to extend to Ellen Legg our most sincere appreciation for her service to this Board. Her even-handed, thoughtful and critical thinking approach to any issue before this Board has made the Board all the stronger. We wish our friend Ellen all the best as she enters the next chapter in her life.

5. **Board Office Comments** –

A. Jessica Whelehan, Board Administrator, informed the Board that the Emergency Rulings they had made at their July meeting had been out into place as of July 15, 2021.

B. Jessica Whelehan and Chris Senko advised that the Criminal Background Check process was being developed and the procedure between OPLC, the applicants, and NH State Police was being ironed out.

*At 3:22 pm, upon motion from PK, second by JP, the Board voted unanimously by roll call vote to go into to non-meeting.

*At 4:29 pm, upon motion from PK, second from HL, the Board voted unanimously by roll call vote to return to public session.

6. **ASEC/SC Discussion and Strategy** –

A. Upon motion from PK, second from HL, the Board voted unanimously to dissolve the Anesthesia and Sedation Subcommittee, stating that the Anesthesia and Sedation Evaluation Committee can act as the “think tank” for the Board.

B. Upon motion from PK, second by HL, the Board voted unanimously to have keep the Chair (when one is appointed) of the ASEC from performing the facility and comprehensive evaluations.

C. Upon motion from HL, second from JP, the Board voted unanimously to submit an Emergency Ruling regarding Den 304.05, changing the rule so that the fee(s) for Facility Inspections or Comprehensive inspections would be paid to OPLC at the time of scheduling, with OPLC then disbursing payment to the evaluator.

D. Upon motion from HL, second from JP, the Board voted unanimously to submit an Emergency Ruling for Den 301.08, setting the Facility Inspection fee at \$300, and the Comprehensive Evaluation fee at \$750.

E. The Board discussed the workflow surrounding the permitting process for Anesthesia and Sedation. The Board asked that OPLC take care of scheduling all of the Facility/Comprehensive evaluations, as OPLC will be well suited to handle this task. The Board stated they would assign

member Dr. Roger Achong to work with ASEC, providing Board oversight, and attending any ASEC meetings. The Board also indicated that ASEC would need to ensure they were 91-A compliant and have their meetings at OPLC in the future. The Board did ask that, when scheduling evaluations, the location be taken into consideration in an attempt to avoid sending an evaluator to a location that would result in a conflict of interest. The Board further acknowledged that these steps were a temporary fix, and that the long term changes would likely involve an overhaul of the rules/RSAs.

7. **Discussion** –

A. & B. Upon motion from PK, second from LS, the Board voted unanimously to accept the WREB exam for Dentists beginning in 2021. LS advised she would reach out to WREB to get a score report for the Hygienist testing, to be reviewed at the next meeting.

C. The Board reviewed the current Anesthesia and Sedation list, maintained by OPLC, and asked that it be included on next month's meeting agenda as well.

8. **Other New Business and Inquiries**

A. The Board reviewed the Incomplete Care question, but was unable to provide guidance as that does not fall under the Board's purview. Upon motion from LS, second from PK, the Board asked the administrator to respond that the Board is unable to provide advice on this matter.

B. The Board reviewed the Referral-Vaccination question, but was unable to provide guidance as that does not fall under the Board's purview. Upon motion from PK, second from LS, the Board asked the administrator to respond that the Board is unable to provide advice on this matter.

9. **Licensure and Reports** -

A. The Board reviewed the OPLC Dentists applications approved and pending document.

B. The Board reviewed the OPLC Hygienist applications approved and pending document.

C. Upon motion from HL, second from JP, the Board voted to approve Dr. Jeffrey Graffam's application for Dental licensure, pending passage of jurisprudence and completion of registration form/fee; EL voted in the negative.

D. Upon motion from EL, second from PK, the Board voted unanimously to ask Hygienist applicant Jennifer Levreault to either complete the required amount of in person CEUs, or to request a waiver for the in person CEUs, pursuant to rule Den 215.01.

E. Upon motion from EL, second from PK, the Board voted unanimously to approve Dr. Gregory Kosmidis' application for Dental licensure, pending passage of jurisprudence and completion of registration form/fee.

F. Upon motion from PK, second from LS, the Board voted unanimously to approve Katelyn Thomas' EFDA application.

10. **Public Health Supervision Program** –

A. Upon motion from LS, second from PK, the Board voted unanimously to accept the 2020-2021 Spear Memorial Hospital summary report form and issue a thank you letter.

11. **Anesthesia/Sedation permits and update –**

- A. Upon motion from PK, second from LS, the Board voted unanimously to accept the recommended pass of the Comprehensive Evaluation for Kyle Stiefel, DDS.
- B. Upon motion from HL, second from JP, the Board voted unanimously to accept the recommended fail of the Comprehensive Evaluation for Sameer Dogra, DMD, and to suspend his permit to administer Moderate Sedation until he passes his second Comprehensive Facility Evaluation.
- C. Upon motion from LS, second from PK, the Board voted unanimously to approve the GA/DS application of Jason Lee, DMD.
- D. Upon motion from PK, second from HL, the Board voted unanimously to accept the notification that Dr. Haas was hosting an additional Anesthesiologist, Dr. Luis Mendoza Luna.
- E. Upon motion from LS, second from PK, the Board voted unanimously to approve the GA/DS application of Jared Curtin, DDS.
- F. Upon motion from PK, second from HL, the Board voted unanimously to allow Dr. Andrew Cheifetz to have three itinerants, Dr. Michael Garcia, Dr. Hector Vila, and Dr. Luis Mendoza Luna, provide anesthesia at his office.
- G. Upon motion from PK, second from HL, the Board voted to accept the recommended pass of the four submitted Facility Inspections for Robert Miskimen III, DDS; EL abstained.
- H. Upon motion from PK, second from HL, the Board voted unanimously to approve the GA/DS application of Robert Miskimen III, DDS.

12. **Public Health –**

(none)

13. **Other Informational –**

LS made the Board aware of the fact that she would be the interim Department Head of Allied Dental at NHTI.

12. **Scheduled Hearings -**

(none)

At 6:17 pm, pursuant to RSA 91-A:2. I (b), and upon motion from PK, second by JP, the Board voted unanimously to go out of public session and into a 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 8:09 p.m., upon motion by PK, and second by LS, the Board voted unanimously by roll call to go out of non-public session and into public session.

Upon motion by PK, second by JP, the Board voted unanimously to seal the non-public minutes and 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.

At 8:10 p.m., PK adjourned the meeting.