

**NH BOARD OF DENTAL EXAMINERS**

**7 Eagle Square - Hearings Room**

**CONCORD, NH 03301-4980**

**MONDAY, March 7, 2022**

**PUBLIC BOARD MEETING MINUTES**

The March 7, 2022, public session of the meeting of the New Hampshire Board of Dental Examiners was called to order at 3:07 pm by Muhenad Samaan, DMD, Vice President of the Board, with the following members present:

Muhenad Samaan, DMD	(MS)
Howard Ludington, DDS	(HL)
Roger Achong, DMD	(RA)
Virginia Moore, RDH	(VM)
Jay Patel, DDS	(JP)

Absent:

Puneet Kochhar, DMD, President	(PK)
John Girald, DMD	(JG)
Lisa Scott, RDH	(LS)
Linda Tatarczuch, Public Member	(LT)

Attendees present:

Sheri Phillips, Jessica Whelehan, Jenna Wilson, Mike Auerbach, Steve Grady, Barbara Stowers, Jacqueline Harrison, Mark Abel, Dwayne Thibeault, Rudy Pavlesich, Joan Fitzgerald (via Zoom)

Zoom teleconferencing technology was in use for this electronic meeting through <https://us02web.zoom.us/j/87485332355?pwd=di9idW10MElqOXROWldrZkp4eUkxZz09>.

\*All votes are unanimous unless otherwise noted.

1. **Review of Public Minutes –February 7, 2022** - Upon motion from HL and second from RA, the Board voted to accept the minutes.
2. **Update Dental Hygienist Committee (DHC)**– Barbara Stowers, Interim Chair of the DHC, reported that the DHC had elected Jacqueline Harrison as the Chair of the DHC, effective March 7, 2022. Barbara also reported that the DHC was still on the process of reviewing the rules related to Dental Hygiene in New Hampshire. Upon motion from JP, second from HL, the Board accepted the minutes from the DHC’s February 7, 2022, meeting.
3. **NH Dental Hygiene Association** – Jacqueline Harrison provided the update for NHDHA, stating excitement was building for the “Spring Symposium”, to be held this weekend, March 12, 2022, at the Derryfield in Manchester.

4. **Dental Society Report** – Mike Auerbach provided the following update:

- One of the top concerns brought to NHDS lately is the improvement in pandemic trends and whether in-office protocols will be updated in a fashion similar to those issued by CDC last week. The CDC and NH DHHS have not yet updated the protocols and guidelines for health care professionals and offices. We remain in contact with DHHS to ensure the continued flow of updated information, but we continue to advise our dental professionals to remain committed to the protocols already in place.
- The excitement surrounding the NHDS Annual Meeting, which will take place in Meredith on 18-21 May, is building. Among our speakers is Admiral Tim Ricks, Dr. Kathleen O’Loughlin and Dr. Rick Huot. We will offer CE for the entire team, including BLS for Healthcare Professionals, a course on Medicaid referrals for office managers and the latest on calculus detection. Furthermore, we will be bringing back to this in-person event our Annual Awards, celebrating the superlatives among dental of team members and the incoming Presidency of Dr. Brenda Berkal.
- In two weeks, delegation of NHDS leaders will travel to Washington DC for the annual ADA Student and Dentist Lobby Day program. We plan to advance an agenda focused on public health dentistry, dental student debt and economic recovery.

5. **Board Office Comments**

- A. Board Administrator Jessica Whelehan informed the Board that the Emergency Rule proposed at the February meeting, allowing the acceptance of 100% virtual CEUs for Dentists renewing in 2022, went into effect on February 8, 2022. Jessica also stated that she had made sure that Mike Auerbach of the NHDS had been made aware; Mike confirmed that he had received notification and had sent an alert to his members.

6. **Discussion/Inquiries/New Business**

- A. The Board discussed a proposed Standing Order addressing failed or returned license fee payments. Upon motion from JP, second from MS, the Board voted to accept the Standing Order, and have MS sign the documentation.

7. **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. The Board reviewed an initial application for licensure submitted by Joseph Hart, DMD. Upon motion from MS, second from JP, the Board voted to table this item and move it to the non-public session.
- D. The Board reviewed an application for licensure submitted by Yujin Lee, DMD, as well as a waiver request, explaining that the WREB in 2017 did not offer a prosthodontic portion, therefore Dr. Lee did not have scores for pros. A motion to approve the waiver from MS, with a second from JP, was discussed, and all members voted to the negative; the motion does not carry. MS asked that the applicant be informed that they would need to take the Pros portion of the CDCA/WREB exam to be considered for licensure in NH.

**8. Public Health Supervision Program –**

- A. Upon motion from MS, second from RA, the Board voted to accept the Summary Report from Webster at Rye.

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

- A. Upon motion from JP, second from HL, the Board voted to accept the recommended pass of the Windham Facility Inspection for Lily Hu, DMD, thus issuing her permit to administer GA/DS.
- B. Upon motion from JP, second from MS, the Board voted to table the Comp Eval for Dr. Pinette and move it to the non-public session.
- C. Upon motion from JP, second from MS, the Board voted to accept the notification that Greg Aprilliano has been approved to administer GA/DS for host dentist Thomas Filip, DMD (approved on February 11, 2022).
- D. Upon motion from JP, second from MS, the Board voted to accept the notification that Jen O'Brien has been approved to administer GA/DS for host dentist Carlivette Santamaria, DMD (approved on February 10, 2022).
- E. Upon motion from JP, second from MS, the Board voted to accept the notification that Greg Aprilliano has been approved to administer GA/DS for host dentists Michael Capozzi, DMD, and Elliot Chiu, DMD (approved on February 23, 2022).

**10. Other Informational/Old Business –**

- A. Upon motion from MS, second from JP, the Board voted to accept the Final Proposal of Den 403.07 as submitted.
- B. Upon motion from JP, second from RA, the Board voted to accept the Final Proposal of Den 301 as submitted.

**11. Scheduled Hearings -**

(none)

**12. ASEC Discussion and Strategy –**

- A. The Board briefly discussed the ASEC information available to them on the FTP.
- B. The Board reviewed the Current Anesthesia/Sedation List. It was noted that there were a growing number of past due Comprehensive Evaluations. MS asked Board Administrator Jessica Whelehan if she had begun scheduling the Comprehensive Evaluations. Jessica explained that she had been asking the Board for guidance regarding how to schedule these for some time, and had not yet received any feedback, and as a result no evaluations had been scheduled. She explained that the biggest issue to scheduling was how the assignments should be made, detailing the fact that it was unclear if she should simply select two ASEC members, email them and the permit holder, and tell them all “you have so many days to get this Comp eval completed”. MS asked Dr. Abel, Chair of the ASEC, for his opinion on the matter. Dr. Abel explained that he had concerns over the workload, per ASEC member, that this would create, especially if the Board were to give a firm time limit on these past due evals. Dr. Abel mentioned that he had been able to get 10 or so additional oral surgeons who were interested in assisting by performing evaluations, and he also stated they would be more willing to evaluate their own oral surgeons, as that would mean they met the requirements for that certification as well. Attorney Sheri Phillips explained that the process for

adding evaluators was not clearly defined, and that, in combination with the fact that there were some legal and financial steps that needed to be taken, meant that the Board needed to continue to operate with the group as it currently stands, and that means using the current pool of ASEC members to complete the evaluations. Sheri also mentioned that she understood the desire to have Oral Surgeons evaluate other Oral Surgeons, especially as it meant they were checking off requirements for their certification through AAOMS, however they simply could not cut out entire groups of permit holders, as it risked violating anti-competitive laws. Upon motion from RA, second by JP, the Board voted to have OPLC staff assign the evaluations by picking two evaluators (keeping in mind any possible conflicts of interest), connecting the evaluators with the permit holder, and, once payment from the permit holder was received, having the three dentists coordinate their schedules themselves. Dr. Abel requested that Jessica make it clear in the emails that the patient evaluation was no longer a live patient but was instead simulated emergency scenarios. It was also determined that no set time limit would be given, as it was more important that movement on this project begin, rather than looking at end goals. Sheri and Jessica stressed to the Board the importance of making decisions and beginning to look at what they wanted the overall process to look like, in the future, while also making sure they kept in mind that they needed to work within the constraints of their current rules. Upon motion from HL, second from RA, the Board voted to create a Study Committee consisting of HL and RA aimed at evaluating the Anesthesia/Sedation permitting processes in other states. Sheri made sure it was clear that these members were more than welcome to work together, and could also work with other, non-Board members, to work at finding possible solutions. Dwayne Thibeault, Rudy Pavlesich, and Dr. Mark Abel stated they would be willing to work with the Study Committee.

At 4:21 pm, pursuant to RSA 91-A:3, and upon motion from MS, second by HL, the Board voted unanimously by roll call vote to go out of public session and into a non-public session for the purpose of discussing investigations of alleged licensee misconduct and as authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), and Lodge v. Knowlton, 119 N.H. 574 (1978).

At 6:09 p.m., upon motion by MS, and second by HL, the Board voted unanimously by roll call to go out of non-public session and into public session.

Upon motion by MS, second by HL, 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 6:10 p.m., MS adjourned the meeting.