



DENTAL HYGIENE EXAMINING COMMITTEE MEETING MINUTES

June 28, 2013

- MEMBERS PRESENT:** Verla Rich, RDH, Chair
Jacqueline Perry, RDH, Vice-Chair (by phone)
Cheryl Lewis, RDH
- STAFF PRESENT:** Vicki Brown, Program Manager
Blake Maresh, Executive Director
Breanna Knittle, Program Assistant
Gail Yu, Assistant Attorney General (AAG)
Kathy Schmitt, Suicide Education Prevention Project
Manager
- OTHERS PRESENT:** Melissa Johnson, Lobbyist, Washington State Dental
Hygienists' Association (WSDHA)
Donna Cawley, RDH
Melissa Rice
Jacqueline Juehl, RDH
Nancy Alleman, RDH
Ann Anderson, RDH
Doreen Naughton, RDH
Elaine Walsh, University of Washington

The Dental Hygiene Examining Committee met at 9:13 a.m. on Friday, June 28, 2013 at the Department of Health, Town Center 1 Room 163, 101 Israel Rd. S.E., Tumwater, WA.

OPEN SESSION – 9:00 a.m.

1. CALL TO ORDER

The meeting was called to order at 9:13 a.m. on Friday, June 28, 2013 by Verla Rich, RDH, Chair.

1.1 Introductions

The committee, staff and audience introduced themselves.

1.2 Approval of Agenda

The agenda was approved as amended. All items that required committee action were dealt with first as Jacqueline Perry, RDH was present by conference call.

1.3 Approval of October 22, 2012 Meeting Minutes

The minutes of the October 22, 2012 meeting were approved as presented.

Presentation

2. ENGROSSED SUBSTITUTE HOUSE BILL (ESHB) 2366 SUICIDE EDUCATION STUDY

Kathy Schmitt provided an overview to the committee on the ESHB 2366, suicide education study. Elaine Walsh from the University of Washington presented information on the draft study.

3. LEGISLATION

The committee was provided a copy of House Bill (HB) 1330 Dentistry – Dental Assistants and Hygienists – Services, for their review, information and discussion.

4. DRAFT REPORT ON SUBSTITUTE HOUSE BILL (SHB) 1309

This item will be added to a future agenda.

5. BYLAWS

Blake Maresh, Executive Director discussed the purpose of the bylaws with the committee. The draft bylaws are basically for the boards and commissions but can also be used for committees. The draft is nothing that needs to be dealt with today but can be looked at over the next several meetings.

A motion was made by Cheryl Lewis, RDH to have staff prepare the bylaws to include the information that is applicable to the Dental Hygiene Examining Committee (DHEC.) The motion was seconded by Verla Rich, RDH and passed unanimously. Staff will present the revised bylaws at the next meeting.

6. INTERPRETIVE STATEMENTS

It was explained that interpretive statements must follow a formal process and are filed with the Code Reviser's Office. They are an opinion and guidance and not law or rule.

You are not allowed to circumvent the laws or rules. They are used to say this is how we interpret a law or rule.

It was noted that the topical anesthesia issue has been resolved with the passage of HB 1330. Interpretive statements for the items listed below cannot yet be worked on as there is a current disciplinary case involving the topic(s). The statements will be delayed until the disciplinary case has been resolved.

- a. Practice and employment settings;
- b. Head and neck exams and oral cancer screenings; and
- c. Curettage.

7. RULES UPDATE

Mr. Maresh explained that the rule moratorium has been removed and staff is working on the CR-101 to start the rule making process.

The committee suggested that the continuing education rule be updated. They would like to see the addition of limited volunteer hours added. A member of the public stated that they felt that a hygienist should not be allowed to obtain credits for volunteering or for teaching a continuing education course. It was suggested that all aspects of the different practice settings (teachers, researchers, etc.) should be allowed credit and to also possibly include suicide education.

The audience suggested that a rule workshop be planned for the August 5, 2013 tentative meeting. It was mentioned that if the CR-101 cannot be filed prior to this meeting, that the workshop will be held at the next regularly scheduled meeting.

8. FREQUENTLY ASKED QUESTIONS (FAQs) FOR THE DENTAL HYGIENE WEBSITE

As staff has not received any frequently asked questions, there was nothing to present to the committee for their review. The committee will be sending any questions or suggestions they may think of to staff. The questions and/or suggestions will be compiled and be presented to the committee at the next meeting for review.

A suggestion was to have staff gather information on what exams the other states accept. Staff will research this issue for presentation at the next meeting.

9. DENTAL HYGIENE EXAMINING COMMITTEE 2011 – 2013 BUSINESS PLAN

The committee was asked to start reviewing the 2011 – 2013 business plan for any changes, corrections, removals, etc. they would like to see in the 2013 – 2015 business plan. This item will be added to the next agenda.

10. MISCELLANEOUS REPORTS

Ms. Rich provided an overview to the committee of the Central Regional Dental Testing Services, Inc. (CRDTS) Executive and Steering Committee meeting held on March 8 – 9, 2013.

11. PROGRAM MANAGEMENT REPORT

Information provided to the committee by the Program Manager and Executive Director.

11.1 Interim Operating Budget Report

Ms. Brown and Mr. Maresh provided an update to the committee on the status of their budget through May 31, 2013. The good news is the program still has a positive balance in the fund. Mr. Maresh explained that every couple of years, the department looks at fee increases and/or decreases for the health professions. It was explained that a lot of the costs they are seeing is related to discipline.

Melissa Johnson, Lobbyist, WSDHA mentioned that the trend on dental hygiene disciplinary cases has been very disturbing to the association. Practices that have been the standard of care for many years are now being called into question. The department has re-interpreted long standing practices in the community and they are now being questioned. Mr. Maresh explained that not everything a hygienist is taught in school can be practiced and that the department has not re-interpreted the laws or rules.

Dental Hygiene has evolved in the last 40 to 50 years. It was asked who in the department looks at a concern when it is received for a different practice location. It was explained that when a concern is received, it is reviewed by a case management team (CMT.) CMT makes the decision on if a concern should be closed below threshold or sent for investigation. This also includes anonymous complaints.

Melissa Rice asked if a licensed dental hygienist has the ability to request a legal interpretation regarding the laws from the department. Mr. Maresh responded that the department does not provide legal advice and that we encourage licensees to contact their personal legal counsel. Mr. Maresh further explained that if the department can give a definitive answer, we will.

The association said there is adversary between them and the Washington State Dental Association (WSDA.) When the WSDHA tries to introduce legislation that clarifies the hygiene scope of practice, practice settings, etc., the WSDA defeats it. The department understands their frustration and the fact that their practice act has not kept pace with the standards of practice in the community. It

was asked if the department could sponsor dental hygiene legislation. Mr. Maresh responded that the department tries not to get involved in scope of practice issues between professions. Any agency request legislation from the department is in agreement with the Governor.

Gail Yu, AAG is going to report back to Heather Carter, AAG and ask her to present the disciplinary process to the committee at the next meeting.

11.2 Licensing statistics

The committee was presented licensing statistics for dental hygienists, dentists, dental assistants and expanded function dental auxiliaries.

11.3 Committee Member Recruitment

Ms. Brown stated another recruitment notice had recently been sent out for both the dental hygienist position and for the public member position. She expects to have the positions filled by the end of September.

11.4 Disciplinary Cases Update

This item was deferred to the next meeting when Heather Carter, AAG will be available for an update.

11.5 Other

There was nothing to report.

12. **CONSENT AGENDA – CORRESPONDENCE**

The following item(s) and any additional correspondence received or sent was for the committee's information. If separate discussion was desired on an item, a single motion by a committee member placed the specific item(s) on the regular business agenda. If there was no motion, there was no discussion.

12.1 CRDTS Dental and Dental Hygiene Occupational Analyses

12.2 CRDTS dental hygiene candidate testing violation

12.3 CRDTS notification of the 2013 workshop and annual meeting

13. **FUTURE AGENDA ITEMS**

- American Dental Hygiene Association (ADHA) standard of care incorporated into Washington State dental hygiene rules
- Continuing Education rule update

- Licensing and disciplinary statistics
- Business Plan for 2013 – 2015
- Presentation on the role of the Investigations and Inspections Office
- Presentation on the disciplinary process

14. OPEN FORUM FOR PUBLIC INPUT

Melissa Rice asked how the department provides information to the public. It was explained that any information is sent out on the dental hygiene listserv.

The committee tentatively scheduled their next meeting for August 5, 2013 in Tumwater.

15. ADJOURNMENT

There being no further business before the committee, the meeting was adjourned at 11:45 a.m. on Friday, June 28, 2013. The next meeting is tentatively scheduled for Monday, August 5, 2013 in Tumwater.

Respectfully Submitted By:

Approved By:

Vicki Brown, Program Manager

Verla Rich, RDH, Chair