



**STATE OF WASHINGTON
DEPARTMENT OF HEALTH**

**DENTAL QUALITY ASSURANCE COMMISSION
BUSINESS MEETING MINUTES
Friday, June 6, 2014**

MEMBERS PRESENT

LouAnn Mercier, DDS, Chair
Robert Shaw, DMD, Vice Chair
Karim Alibhai, DMD
Kara Baza, EFDA
Paul Bryan, DMD
John Carbery, DMD
Todd Cooper, DDS
Willis Gabel, DDS
Charles Hall, DDS
James Henderson, Public Member
Bree Kramer, EFDA
John Liu, DDS
Colleen Madden, Public Member
Hyun J. Song, DDS
Andrew Vorono, DDS
Benjamin Weege, DDS

STAFF PRESENT

Trina Castle, Executive Director
Jennifer Santiago, Program Manager
Sandie Pearson, Program Representative
Heather Carter, Assistant Attorney General
Bill Kellington, Supervising Staff Attorney

OTHERS PRESENT

Kelly Reich, RDH, Western Regional
Examining Board (WREB)
Charlie Broadbent, DDS, WREB
Melanie Knupp, Pacific Dental Services
Robin Larmer, Pacific Dental Services
John Bukovi, Gentle Dental
Eugene Pester, Apex Dental
Irina Avakimvoen, Advanced Surgical Cons.
Mike Walsh, Washington State Dental
Association (WSDA)
Emily Lovell, WSDA
Melissa Johnson, Washington State Dental
Hygienists' Association, Willamette
Dental
Brian Jackson
Charles Meredith, WPHP
Jackie Rouborn, Department of Health
(DOH)
Ericka Brown, DOH
Andy Fernando, DOH
Erin Obenland, DOH, Case Manager
Elyette Weinstein, DOH, Staff Attorney
Vicki Brown, DOH, Program Manager
Dental Hygiene Examining Committee
(DHEC)
Verla Rich, RDH, DHEC
Melissa Rice, PhD, DHEC
Jacqueline Perry, RDH, DHEC
Cheryl Lewis, RDH, DHEC

OPEN SESSION

1. CALL TO ORDER – Dr. Mercier, Chair, called the meeting to order at 8:01 a.m.

- 1.1. The commission, staff, and audience introduced themselves.
- 1.2. The commission approved the business meeting agenda as presented.
- 1.3. The commission approved the April 18, 2014 business meeting minutes as presented.
- 1.4. The commission approved the April 18, 2014 panel A, B, and C minutes as presented.

2. ELECTIONS

The commission elected by ballot Dr. Robert Shaw as 2014-2015 Chair and Dr. Charles Hall as 2014-2015 Vice-Chair.

3. DENTAL TREATMENT RECORDS RULE COMMITTEE

- 3.1. Dr. Vorono provided an update to the commission regarding the committee meeting held on May 14, 2014. The committee discussed making the following changes to the rules:

New Section WAC 246-817-XXX (315)

- Moving deleted items regarding dentist owner documentation from WAC 246-817-310 to new section.
- Modifying #3 to delete references to prosthetic dentistry and add subsections for associates and business contract agreements.

Modifying WAC 246-817-310

- Including the language; "A licensed dentist owner", to each item in rule.

Commission members discussed the need to clarify the language regarding patient records and who is responsible for patient record retention; the owner of the dental practice or the licensee that treated the patient. Ms. Carter, AAG shared that the new section WAC 246-817 XXX (315) still needs modification. Dr. Shaw asked for further review and discussion of the rule language by the committee.

The commission agreed this is a relevant topic for the newsletter to educate dentists on records responsibility.

- 3.2. The commission will review updated rule language for approval at the July meeting.

4. DENTAL ANESTHESIA COMMITTEE

- 4.1. Dr. Vorono provided an update to the commission regarding the committee meeting held on May 29, 2014. The committee discussed the General Anesthesia On-Site

Inspection policy and how the commission may inspect/evaluate permit holders. Funding and implementation is a concern. Discussion also included if all sedation permit holders should be inspected or just general anesthesia permit holders. The committee's next meeting is July 10, 2014.

- 4.2. The commission will review the General Anesthesia On-Site Inspections policy and any modifications at a future commission meeting.

5. DENATL ASSISTANT SCOPE OF PRACTICE COMMITTEE

Dr. Hall provided an update to the commission regarding the committee meeting held on May 27, 2014. The committee discussed potential rule modifications to the following rules:

- WAC 246-817-510 – Definitions
- WAC 246-817-520 – Supportive services that may be performed by registered dental assistants
- WAC 246-817-525 – Supportive services that may be performed by expanded function dental auxiliaries (EFDA's)
- WAC 246-817-540 – Acts that may not be performed by registered dental assistants or noncredentialed persons
- WAC 246-817-545 – Acts that may not be performed by expanded function dental auxiliaries (EFDA's) or noncredentialed persons

Commission members discussed:

- If EFDAs and dental assistants can perform tasks that are not on the list;
- The idea of developing a set of "guiding principles" that would be used in collaboration with the lists;
- Interpretation of the law;
- Consequences of removing one or both lists;
- Use of both a guiding principal and detailed lists;
- Reversible and irreversible procedures; and
- Training and experience, dental assistant must be assessed by the dentist before delegation.

Bill Kellington, Staff Attorney shared that having specific tasks in rule is helpful for discipline.

Dr. Cooper indicated that the number of complaints relating to the lists are minimal and that it is the supervising dentist responsibility. He recommends disbanding the committee and closing the topic. The commission did not vote on this.

Dr. Hall asked if the commission preferred having lists or only a guiding principal. A consensus of the commission showed the commission wants to maintain the lists of allowable and non-allowable tasks with modification to clarify items.

6. DENTAL HYGIENE EXAMINING COMMITTEE

The Dental Hygiene Examining Committee (DHEC) members were present to discuss collaborating on dental issues/topics with the commission. Dr. Mercier shared she has worked with Verla Rich from DHEC as they are representatives with Central Regional Dental Testing Service. Ms. Rich explained to the commission that DHEC members act as examiners for dental hygiene exams. Commission members also act as examiners for exams. Commission members also participate in rule writing, disciplinary case review (30 to 40 cases per month), and sit on various committees. The commission meets every six weeks.

Dr. Mercier suggested that a commission member attend future DHEC meetings. Melissa Rice, DHEC Public Member suggested that scheduling future DHEC meetings to coincide with the commission meetings would be helpful in facilitating collaboration between the commission and DHEC.

The commission invited DHEC to submit articles to be include in the commission newsletter. The commission invited a DHEC member to join the Educational Outreach Committee. Dr. Shaw also extended an open invitation to the DHEC members to attend the DQAC meetings. Ms. Brown and Ms. Santiago will share meeting schedules with both commission and DHEC members.

7. PRESENTATION

Kelly Reich, RDH and Charlie Broadbent, DDS provided an overview on Western Regional Examining Board. (WREB).

WREB is a testing service made up of member states who work together to develop and administer examinations for dentist and dental hygiene licensure. They work with members of state boards on tests. Ms. Reich provided dental hygiene examination statistics. Dr. Broadbent provided dentist examination statistics. The dentist exam may be changing to include treatment planning. Hygiene examination already has a patient care component.

Washington State representatives for WREB:

- Dr. Bryan for the Dental Quality Assurance Commission, and
- Cheryl Lewis, RDH Dental Hygiene Examining Committee.

8. RULES

- 8.1. The commission will hold a rules hearing on July 18, 2014 for WAC 246-817-770 General Anesthesia and deep sedation.
- 8.2. The commission will hold a rules hearing on July 18, 2014 for WAC 246-817-160 Graduates of non-accredited schools.
- 8.3. The CR102 Proposed Rule Making is in process for WAC 246-817-701 through 790 Administration of anesthetic agents for dental procedures.
- 8.4. The CR101 Preproposal is currently pending approval for WAC 246-817-XXX Retired Active Status.

- 8.5. The CR101 Preproposal is currently pending approval for WAC 246-817-XXX Temporary practice permit-Military spouse eligibility and issuance.
- 8.6. WAC 246-817-550 Acts that may be performed by licensed dental hygienists under general supervision filed as WSR 14-12-057 on May 30, 2014. The rule is effective June 30, 2014.
- 8.7. WAC 246-817-360 Prescribing, dispensing or distributing drugs. The commission reviewed draft rule language. Commission members will provide comments directly to Ms. Santiago. Draft rule language will be sent to stakeholders for comment. All comments will be provided to the commission at their next meeting.
- 8.8. The commission received a list of priorities for future rule modifications.

9. OTHER

- 9.1. Jackie Rabourn provided the commission with an update regarding potential modifications to the dental renewal notice. Changes could include moving the continuing education attestation to the front of the renewal notice.
- 9.2. The commission approved holding the October 24, 2014 commission meeting in Spokane, WA. Ms. Santiago will locate a meeting facility.
- 9.3. The commission received Chapter 246-12 WAC Part 1, 4, and 13 – Military and Inactive Related Military status rules.
- 9.4. The commission received CR101 Preproposal for Chapter 246-11 WAC – Adjudicative Proceedings. The department is considering rule modifications. These rules govern the disciplinary hearing process.
- 9.5. The commission approved Dr. Bryan to attend the Health Systems Quality Assurance Boards and Commissions Leadership Forum, June 13, 2014.
- 9.6. Ms. Santiago reported that the University of Washington declined this year's student presentation. The commission discussed the presentation needs to be more interactive. Dr. Liu volunteered to contact Dr. Berg, Dean of School of Dentistry regarding an annual presentation.

10. PUBLIC DISCLOSURE

The commission reviewed the following organizations to for approval to receive lists and labels:

- 10.1. The commission reviewed and voted to approve Concord Dental and Medical Seminars, LLC as an approved organization.
- 10.2. The commission reviewed and voted to approve Terrell Corp dba Harris Biomedical as an approved organization.
- 10.3. The commission reviewed and voted to deny Versatility Claims Resource, Inc.
- 10.4. The commission reviewed and voted to approve Homestead Schools, Inc. as an approved organization.

11. POLICIES / GUIDELINES

- 11.1 The commission reviewed the Initial Assessment Threshold dated November 4, 2011. There were no changes made.
- 11.2 The commission reviewed the Connecting Suite or Office dated August 21, 1998. There were no changes made.

12. DENTAL CORPORATE PRACTICE COMMITTEE

- 12.1. Dr. Shaw indicated the committee last met on April 18, 2014. Committee meeting minutes were provided to the commission. Bill Kellington provided an overview of the draft practice model matrix. The matrix outlines a shared responsibility between treating dentists and owner dentists. The matrix could be used as a resource for the commission when evaluating disciplinary cases. The committee will provide a complete report the commission.

The commission discussed concerns with the statement referencing using corporation policies as mitigating factors in disciplinary cases. Bill assured the commission that the each case is always evaluated based on the facts and evidence of that specific case.

- 12.2. Pacific Dental Services (PDS) asked the commission to comment on information PDS provided to the committee in September 2013. Dr. Shaw asked the commission to take time to review the material and discuss at the next commission meeting on July 18, 2014.

13. EDUCATIONAL OUTREACH COMMITTEE

Colleen Madden provided an update to the commission. The July newsletter will be published the first week of July. The committee continues to work on web page updates, commission training for October, and an educational presentation.

14. CORRESPONDENCE – The commission reviewed the following correspondence received

- 14.1. The commission received a copy of response to Washington State Dental Association.
- 14.2. The commission received a copy of response to Layne Hansen.
- 14.3. The commission received a copy of response to Tamara Webb.

15. PROGRAM REPORT

- 15.1. Trina Castle, Executive Director presented the April 2014 interim operating budget report. She shared that the budget looks good. Staff will continue to monitor the budget.
- 15.2. Ms. Santiago reported that the department has ended the pilot project using Novus Agenda a web based program for meeting agenda's. The program did not provide the necessary flexibility needed.

- 15.3. Implementation of Engrossed Senate Bill 5964 Open Public Meetings Act requires training for all board and commission members. The Assistant Attorney General's is developing training and will be providing to all boards and commissions before October 31, 2014.
- 15.4. The commission approved Trina Castle and Jennifer Santiago to attend the American Association of Dental Administrators meeting on October 5-6, 2014.
- 15.5. The Governor is currently evaluating applications for commission member appointment. There were 12 dentist applicants.
- 15.6. The commission received the list of active committees.
Dr. Bryan asked the commission to create a new committee, Dental Decay Prevention Committee. Dr. Bryan provided a brief overview of concerns regarding prevention versus repair. The commission did not approve the request at this time.

16. REGIONAL BOARD UPDATES

- 16.1. Dr. Carbery provided an overview of the American Association of Dental Boards (AADB) April 6-7-2014 mid-year meeting. Topics discussed included:
 - Health Information/Sharing information
 - Dental Deaths - The commission discussed crisis management and media requests. The commission asked the department to provide information on this topic.
 - Council on Dental Education of Licensure
 - Changes to anesthesia education programs to 36 months in length

The commission approved Dr. Carbery to attend the October AADB annual meeting.

Dr. Carbery provided a brief review of his participation on the Commission on Dental Accreditation site visit at the Yakima Valley Farmworkers Clinic Northwest Dental Residency.

- 16.2. Dr. Mercier will attend the Central Regional Dental Testing Services (CRDTS) August 21-23, 2014 Annual Meeting.
- 16.3. Dr. Bryan will attend the Western Regional Examining Board (WREB) July 25, 2014 Dental Exam Review Board Meeting.

17. ACKNOWLEDGEMENTS

The commission acknowledged Dr. Gabel for his service and participation on the commission as his term expires on June 30, 2014.

The commission acknowledged Dr. Mercier for her leadership as chairperson for 2013-2014.

18. FUTURE COMMISSION BUSINESS

The commission indicated the following for the next meeting:

- Pacific Dental Services request
- 2015 Meeting dates

The commission adjourned at 12:07 p.m.

Submitted By:

Commission Approval By:

Signature on file
Jennifer Santiago, Program Manager

Signature on file
Robert Shaw, D.M.D., Chair