



**STATE OF WASHINGTON
DEPARTMENT OF HEALTH**

**DENTAL QUALITY ASSURANCE COMMISSION
BUSINESS MEETING MINUTES
Friday, September 12, 2014**

MEMBERS PRESENT

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

MEMBERS ABSENT

Todd Cooper, DDS

STAFF PRESENT

Blake Maresh, Executive Director
Jennifer Santiago, Program Manager
Sandie Pearson, Program Representative
Heather Carter, Assistant Attorney General
(AAG)
Bill Kellington, Supervising Staff Attorney

OTHERS PRESENT

Mike Walsh, Washington State Dental
Association (WSDA)
Alan Wicks, WSDA
Melissa Johnson, Washington State Dental
Hygienists' Association, Willamette
Dental
Melanie Knupp, Pacific Dental Services
Jennifer Bryant, Pacific Dental Services
Melissa Gordon
Tom Tilson, DDS
Don Painter, Department of Health Chief
Investigator
Deborah Johnson, Department of Health,
Policy and Rules Coordinator

OPEN SESSION

1. **CALL TO ORDER** – Dr. Shaw, Chair, called the meeting to order at 8:00 a.m.
 - 1.1. The commission, staff, and audience introduced themselves.
 - 1.2. The commission approved the agenda as amended with the following added items:
 - Item 8.10 – Denturist Rules Update
 - Item 9.2 – Request for Lists and Labels from Dental Solutions
 - Item 12.6 – WSDA Letter dated September 9, 2014

- 1.3. The commission approved the July 18, 2014 business meeting minutes as presented.
- 1.4. The commission approved the July 18, 2014 panel A, B, and C minutes as presented.

2. PRESENTATION

- 2.1 Chris Baumgartner, Program Director of the Prescription Monitoring Program (PMP) gave an overview of the PMP program. Through online training, the program is working to educate providers on how to use the database. With the technical pieces in place, the program's next step includes data sharing agreements with other state PMP's. This would allow WA providers to request data from other states when using the system. The program has 1,193 dentists enrolled. The commission suggested Mr. Baumgartner work with the Washington State Dental Association's Pacific Northwest Dental Conference or local dental society components to reach out to more dentists.
- 2.2 Dr. Berg, Dean of University of Washington School of Dentistry (UWSOD) presented information regarding changes to the curriculum that begin in 2015. The University prioritized changes to the curriculum. General practice education will be included to students in their fourth year. Dr. Berg briefly mentioned the use of human subjects on board examinations and may be evaluating Canadian exams in the future.

3. OPEN PUBLIC MEETINGS ACT/ETHICS TRAINING

Heather Carter, AAG provided training to the commission on the Open Public Meetings Act (OPMA) and Ethics for public officials as required by 2014 Engrossed Senate Bill 5694.

The OPMA is designed to promote government transparency and accountability. The law applies to any multimember board, commission, council, committee, subcommittee, or other policy or rule-making body of a public agency. Email conversations could be considered a meeting, and suggested commission members avoid clicking on "reply all" when responding to emails regarding commission business. Private meetings in small groups to discuss commission issues are not allowed.

4. DENTAL ANESTHESIA COMMITTEE

- 4.1. Dr. Vorono updated the commission regarding the committee meeting held on August 7, 2014. The committee discussed:
 - Washington State Society of Oral and Maxillofacial Surgeons (WSSOMS) may be willing to inspect non-WSSOMS members. WSSOMS has a process in place.
 - Ohio provided their laws regarding their on-site inspection process. The information received did not include details of the process, but indicated they use a consultant.

- Information about Pennsylvania’s on-site inspection process.

Dr. Cooper recommended evaluations should not be provided by the regulatory body. If the regulatory body conducts the evaluation, it may be viewed as a disciplinary evaluation instead of an educational evaluation. The goal of the evaluation is to educate the permit holders about how their office can meet the necessary standards.

Heather Carter, AAG advised the commission, WAC 246-817-774 would need to be modified to require the WSSOMS inspection for all sedation permit holders.

- 4.2. The commission discussed the committee’s recommendation to work with WSSOMS on inspecting non-WSSOMS members. The commission approved a letter be sent to WSSOMS asking if they would be willing to inspect non-WSSOMS members.

5. RULES

- 5.1. WAC 246-817-305, 310, and 315 – The commission reviewed, discussed, and approved the draft rule language as presented. Ms. Santiago will submit the CR102 Proposed Rule Making to schedule a rules hearing.
- 5.2. WAC 246-817-360 – Prescribing, dispensing or distributing drugs – Heather Carter, AAG provided an update on the rule and associated law. Ms. Carter recommends the commission keep the rule. Dr. Vorono will provide additional draft language for the commission to review.
- 5.3. WAC 246-817-701 through 790 – Administration of anesthetic agents for dental procedures
 - WAC 246-817-740 Minimal sedation by inhalation
 - WAC 246-817-745 Minimal sedation
 - WAC 246-817-760 Moderate sedation with parenteral agents
 - WAC 246-817-230 Training requirements for anesthesia monitor

Ms. Santiago reported that the rules are in the formal comment period and the rules hearing will be held on October 24, 2014.

- 5.4. WAC 246-817-230 – Dentist retired status – The commission discussed draft rule language and continuing education requirements for licensees with a retired status credential. Heather Carter, AAG recommended changes to the section regarding “emergent circumstances”. The commission agreed to send the draft language out for stakeholder comments. Ms. Carter will provide her recommended changes at the next meeting.
- 5.5. WAC 246-817-178 – Temporary Permit – Military spouse – Ms. Santiago presented draft rule language. The draft rule language Ms. Santiago presented is based on similar language in the secretary’s rule. The commission agreed to send the draft language out for stakeholder comment.

- 5.6. WAC 246-817-770 – General anesthesia and deep sedation – Ms. Santiago updated the commission that the rule is currently in the Secretary of Health’s office for approval.
- 5.7. WAC 246-817-160 – Graduates of nonaccredited schools – Ms. Santiago updated the commission that the rule is currently in the Secretary of Health’s office for approval.
- 5.8. WAC 246-817-450 and 460 – Sexual Misconduct – Ms. Santiago explained that the Department of Health has asked professions to consider modifying their sexual misconduct rules. The commission approved Ms. Santiago to file a CR 101 to begin the rule modification.
- 5.9. The commission reviewed its list of priorities for rule modifications and made no changes at this time.

6. DENTAL ASSISTANT SCOPE OF PRACTICE COMMITTEE

- 6.1. Dr. Hall updated the commission regarding the committee meeting held via webinar on August 26, 2014.
- 6.2. The commission deferred the discussion about modifying the rule to the October meeting.

7. DENTAL HYGIENE

- 7.1. Dr. Song and Dr. Mercier provided a report to the commission regarding the Dental Hygiene Examining Committee (hygiene committee) meeting they attended on August 15, 2014. Dr. Mercier shared that she thinks attending the meeting was a great first step in opening the line of communication with the hygiene committee. Dr. Song shared that the hygiene committee requested the commission consider the following rule changes:
 - Move local anesthetics to general supervision.
 - Add head and neck exam and cancer screenings to general supervision.
 - Move delivery of oral sedative to general supervision.
 - Add delivery of pre-medications to general supervision.

Dr. Song also shared that the hygiene committee’s authority is limited.

Jacqueline Perry, RDH agreed to participate on the commission’s Educational Outreach Committee.

- 7.2. The commission reviewed and discussed the four requests from the hygiene committee regarding delegation tasks; and whether to open the rules for modification. The commission agreed that some of the requested items may be beyond the commission’s authority to change. The commission agreed to add the rule changes to their list of rules for future modification. The commission wants to assure the hygiene committee that the commission hears the committees concerns, and that the commission wants to continue working with the committee.

Dr. Song asked the commission about reaching out to the Board of Denturists to open communication with them as well. The commission agreed and asked Ms. Santiago to talk with the Board of Denturist program manager.

- 7.3. The commission received a copy of the response letter to Lynn Stedman. The commission agreed that there is no need for additional correspondence.

8. OTHER

- 8.1. Ms. Santiago presented updated information regarding the 2014 Engrossed House Bill 2351 – Volunteering as a Health Care Professional in Washington. The department's website includes frequently asked questions and an online attestation form. Dr. Song and Dr. Liu will participate in the Remote Area Medical event. Dr. Liu will provide a report to the commission about his experience at the event.
- 8.2. The commission approved the Kois Center to allow two out-of-state licensed dentists to provide training in Esthetic Gingival Surgery for the General Dentist, on September 25-26, 2014.
- 8.3. The commission discussed 2015 legislation for continuing education of licensed expanded function dental auxiliaries. Dr. Carbery and Colleen Madden volunteered to testify at legislative hearings as needed.
- 8.4. The commission appointed Kara Baza, EFDA as the commission's representative for the department's weekly legislative meet-me-calls. Jim Henderson, Public Member will act as back-up. The conference calls are held on Tuesday mornings through the legislative session.
- 8.5. The commission approved an updated standard commission power point presentation.
- 8.6. The commission discussed presentations to the University of Washington, School of Dentistry during the fall or winter school quarter. The presentation could contain detailed case studies and be more interactive. Bill Kellington, Staff Attorney shared that the legal staff is available to assist with future presentations. The Educational Outreach Committee will work on mock cases for future presentations.
- 8.7. The commission approved a request from Seattle King County Dental Society for Dr. Alibhai to give a presentation at their January or March 2015 meeting.
- 8.8. The commission discussed an invitation from DOCS Education to attend a seminar to audit their course. The commission declined the invitation.
- 8.9. The commission received information from the Dental Assisting National Board regarding an update on entry-level designation.
- 8.10. The commission received the rules hearing notice scheduled for September 26, 2014. The rules update chapter 246-812 WAC Board of Denturists as the disciplinary authority for licensed denturists.

9. PUBLIC DISCLOSURE

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

- 9.1. The commission approved Western Society of Periodontology as an approved educational organization.
- 9.2. The commission denied Dental Solutions as an approved entity.

10. POLICIES / GUIDELINES

The commission reviewed the Initial Assessment Threshold policy. There were no changes made.

11. EDUCATIONAL OUTREACH COMMITTEE

Colleen Madden provided an update to the commission. The committee met on August 5, 2014. The committee worked on a committee mission statement, the training retreat scheduled for January 2015.

12. CORRESPONDENCE

- 12.1. A copy of the letter from Washington State Dental Association (WSDA) dated July 31, 2014 thanking the commission and department for the changes to the dentist renewal notice was provided to the commission.
- 12.2. A copy of the response letter to Patrick Kubin was provided to the commission.
- 12.3. A copy of the response letter to Kara Atkinson was provided to the commission.
- 12.4. A copy of the response letter to Becky at Wendel Family Dental Center was provided to the commission.
- 12.5. The commission discussed an email dated August 15, 2014 from Tami Topper, CDA, EFDA asking the following two questions:
 - Can dental assistants cement space maintainers?
 - Does selecting orthodontic bands for size include fitting the orthodontic bands?

The commission discussed that both currently are not on the “allowable” list, however the commission will be looking at the entire list in the future. Ms. Santiago will draft a response for Dr. Shaw’s signature.

- 12.6. A letter from WSDA dated September 9, 2014 regarding concerns with Pacific Dental Services suggested changes to law and regulations. The commission referred the letter to the Corporate Practice Committee for response.

13. PROGRAM REPORT

- 13.1. The commission received the June and July 2014 Interim Operating Budget Report. The report showed a positive balance. Staff will continue to monitor the budget.
- 13.2. The October 24, 2014 business meeting will be at the Davenport Hotel, Spokane, WA.
- 13.3. The commission discussed and voted to change the December 2014 meeting date to December 11, 2014.

- 13.4. Ms. Santiago reported to the commission that the Health Systems Quality Assurance Board/Commission/Committee New Member Orientation is scheduled for October 17, 2014. Dr. Walia is planning on attending. Ms. Santiago shared that all commission members are welcome to attend.
- 13.5. The commission received a list of the active committees.

14. REGIONAL BOARD UPDATES

- 14.1. Dr. Bryan provided a report on the Western Regional Examining Board Dental Exam Review Board meeting held on July 25, 2014.
- 14.2. Dr. Mercier provided a report on the Central Regional Dental Testing Services annual meeting held August 21-23, 2014.

15. FUTURE COMMISSION BUSINESS

The commission adjourned at 11:30 a.m.

Submitted By:

Commission Approval By:

Signature on file
Jennifer Santiago, Program Manager

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