



**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
DENTAL QUALITY ASSURANCE COMMISSION
BUSINESS MEETING MINUTES
Friday, October 23, 2015**

MEMBERS PRESENT

Colleen Madden, Public Member, Vice-Chair
Robert Shaw, DMD
James Henderson, Public Member
Bree Kramer, EFDA
Todd Cooper, DDS
Karim Alibhai, DMD
LouAnn Mercier, DDS
John Liu, DDS
Aaron Stevens, DMD
Lyle McClellan, DDS
Kunal Walia, DDS

MEMBERS ABSENT

Charles Hall, DDS, Chair
Kara Baza, EFDA
Paul Bryan, DMD
Hyun Jung Song, DDS
John Carbery, DMD

STAFF PRESENT

Trina Castle, Executive Director
Jennifer Santiago, Program Manager
Tracie Drake, Assistant Program Manager
Heather Carter, Assistant Attorney General (AAG)
Bill Kellington, Supervising Staff Attorney

OTHERS PRESENT

Emily Lovell, Washington State Dental Association (WSDA)
Melanie Knupp, Pacific Dental Services
Sandy Montano, DDS
Marie Allie, Willamette Dental Group
Melissa Johnson, Washington State Dental Hygienists' Association, Willamette Dental Group
Alan Anderson, Assistant Attorney General

OPEN SESSION

1. **CALL TO ORDER** – Colleen Madden, Chairperson, called the meeting to order at 8:02 a.m.
 - 1.1. The commission, staff, and audience introduced themselves.
 - 1.2. The commission approved the agenda as amended, adding item 2.8.
 - 1.3. The commission approved the July 17, 2015 amended business meeting minutes.
 - 1.4. The commission approved the September 10, 2015 training meeting minutes.
 - 1.5. The commission approved the September 11, 2015 business meeting minutes.

2. OTHER

- 2.1. The commission approved a new request from Lutheran Medical Center for three additional clinical sites to meet the residency in lieu of examination requirement, RCW 18.32.040 (3)(c), for graduates of their residency programs.
 - Yakima Valley Farmworkers Clinic – Lincoln Ave Medical and Dental Clinic; Yakima, WA
 - Yakima Valley Farmworkers Clinic – ViewCrest Pediatric Dentistry; Yakima, WA
 - Yakima Valley Farmworkers Clinic – Children’s Village Clinic; Yakima, WA
- 2.2. Washington State Dental Association (WSDA) asked the commission to support potential 2016 legislation regarding licensure by residency in lieu of examination. The commission voted to support WSDA’s potential legislation. Ms. Santiago will send a letter of support to WSDA.
- 2.3. The commission discussed scheduling of disciplinary hearings.
 - In the past hearings have been cancelled without notice to the commission members.
 - Monthly updates to keep members informed would be helpful.
 - Communication is better but still needs improvement.
 - Members discussed that there may be exceptions to the ten-day rule, and settlement is always preferred.
- 2.4. Dr. McClellan reported on his attendance at the Health Systems Quality Assurance Board/Commission/Committee New Member Orientation held on September 18, 2015. He found the overall orientation valuable. The rule making and discipline portions are beneficial. He suggested it would be helpful to have more materials and information on rule making.
- 2.5. Dr. Carbery was unavailable to report on the Washington Academy of General Dentists presentations on September 17 and 19, 2015. This will be discussed at the next commission meeting.
- 2.6. Dr. Shaw reported on the Inland Empire Management Study Club presentation on October 20, 2015. He indicated that the study club was well received by those in attendance.
- 2.7. Trina Castle reported on the Health Systems Quality Assurance Association meeting held on September 28, 2015. The division facilitates this meeting annually to keep stakeholders up to date on department activities and new legislation.
- 2.8. The Commission on Dental Accreditation (CODA) invited commission members to participate in upcoming site evaluations for 2016. Dr. Walia volunteered to attend the November 15-17, 2016 site visit at the University of Washington Health Sciences School of Dentistry. Dr. Mercier volunteered to attend the April 21, 2016 site visit at Madigan Army Medical Center. Additionally, the commission requested Dr. Bryan and Dr. Carbery be contacted as potential volunteers. Ms. Santiago will be available during these site visits for technical assistance.

3. EXAMINATIONS

- 3.1. The commission discussed gathering data to compare outcomes of licensees from different residencies or examinations. Specifically, tracking licensee discipline and cross-referencing with school and examination or residency data.
- The department began entering school information in 2009. An estimated 700 licensees (10% of all dentist licensees) currently have school information in the licensing database. This does not take into consideration dentists nationwide.
 - The commission discussed if they should start looking at what information is available and continue to evaluate the information. The licensing database may show trends as to problems with licensees from different residency programs, schools, or examinations. This would allow the commission to re-visit certain pathways if dentists from a specific licensure pathway were having more difficulties.
 - Some members were concerned that this would not be enough data to be statistically significant, specifically without national data.
 - The commission discussed a survey. Some members have received voluntary census requests with their license renewal notice in the past. The question arose whether school or examination questions could be included in this census. Requiring a survey at renewal would require a rule or statute change.
 - Is collecting and reviewing school information second-guessing CODA?
 - A motion was made to put aside this agenda item until the commission can acquire more data. The motion was passed with six in favor and five opposed.
- 3.2. The commission reviewed and discussed rule modification of WAC 246-817-120.
- There is concern that the different examining entities could change their examinations at any time.
 - It was suggested to add wording stating an applicant could take one of several exams, but require specific sections or topics. If an approved examining entity removes a section from the exam, the applicant is still required to take an examination that contains all portions.
 - The commission agreed to add the word “planning” to (1)(b)(v).
 - Ms. Santiago recommended removing dates in the rule. Dates are over five years old and are no longer applicable. Ms. Carter confirmed that the dates are no longer relevant. The commission agreed to remove the dates.
 - The commission approved the draft rule changes with dates removed and the addition of the word “planning” to (1)(b)(v).
 - Ms. Santiago will send the draft rule to stakeholders and begin the CR102 process.

4. JURISPRUDENCE EXAMINATION COMMITTEE

- 4.1. Dr. Shaw updated the commission on the committee’s September 30 and October 14, 2015 meetings.
- The committee has been evaluating the structure and examination questions of the current jurisprudence examination. The committee is expanding the test to approximately 35 to 40 questions. The goal is to be sure the questions include relevant topics. Eleven subject topics have been identified. Expanding the overall examination will give the applicants a good learning experience.

- Reviewing the questions is difficult via teleconference. Ms. Drake suggested a future in-person meeting in the Kent office. Committee members agreed.
 - The commission discussed requiring the jurisprudence examination annually. An annual jurisprudence examination would require modifying the continuing education rule. Is requiring repeated jurisprudence examinations for everyone necessary? Should it just be required for those who have discipline? The commission does routinely require the jurisprudence examination with sanctions in disciplinary orders.
 - WSDA's request last year included jurisprudence as a continuing education requirement, three hours every three years.
 - The commission discussed that repetition of the jurisprudence examination would be helpful to all licensees. Some members disagreed.
- 4.2. The commission will review a draft jurisprudence examination at the next commission meeting.

5. DENTAL COLLABORATION COMMITTEE

Dr. Mercier updated the commission on the Dental Collaboration Committee meeting held on October 5, 2015. The committee is focusing on information sharing. The committee also is offering assistance in rule writing process for dental hygiene rule modifications.

6. DENTAL ASSISTANT SCOPE OF PRACTICE COMMITTEE

- 6.1. Dr. Shaw updated the commission on the Dental Assistant Scope of Practice Committee meeting held on September 25, 2015.
- The rules are close to completion, but are still in need of some modifications.
 - The commission discussed tasks that fall in a grey area that may or may not be allowed. Should the commission add language clarifying that although a task is not on the "prohibited list" it is not necessarily allowed.
 - The committee removed tasks, i.e. take health history, from allowable list. The committee agreed that if there was a task that a front desk staff could perform in the rules, it might be interpreted that a credential is required to perform the task. Several commission members disagree; they indicated it could be interpreted that a dental assistant could not provide the task.
 - Currently sterilization is not in the rules, but a credential is required to perform sterilization. The committee added sterilization to the allowable list to clarify this.
 - The commission discussed specifying tasks that require a dental assistant credential. Possibly language such as "the following tasks require a dental assistant credential...." Should there be a list of clinical tasks allowable by non-dental assistants?
 - Ms. Lovell asked about training for dental assistants using a high-speed hand piece. There is currently no rule language for training for use of high-speed hand pieces. Thirty states do not allow dental assistants to use such equipment. Idaho does have specific training for it. A dentist must ensure a dental assistant is trained and skilled in a task before delegating the task. The Washington State

- Orthodontics Association had agreed to establish guidelines for training of dental assistants using high-speed hand pieces. They have not provided a guideline yet.
- 6.2. The commission discussed comments received and modification to the following draft rule language:
- WAC 246-817-510 Definitions for WAC 246-817-501 through 246-817-570.
 - Colleen Gaylord from Washington State Dental Hygienists' Association (WSDHA) provided a comment on WAC 246-817-510 (2). She suggested the word "exposed" be removed from the first sentence and add the word "enamel." The commission asked the committee to review this suggestion at a future committee meeting.
 - WAC 246-817-520 Supportive services that may be performed by registered dental assistants.
 - A comment received from Kathy Bassett from Pierce College suggested that the rules include impressions for sleep apnea devices. WAC 246-817-540 specifically says that dental assistants may not take impressions of teeth for fabricating intra-oral appliances. Do sleep apnea devices fall into this category? The commission agreed that a sleep apnea device is an appliance and the prohibition list indicates impressions for appliances are prohibited.
 - WAC 246-817-525 Supportive services that may be performed by expanded function dental auxiliaries (EFDAs). No change.
 - WAC 246-817-540 Acts that may not be performed by registered dental assistants. No change
 - WAC 246-817-545 Acts that may not be performed by expanded function dental auxiliaries (EFDAs). No change.

7. RULES

- 7.1. The commission discussed proposed rule language modification for WAC 246-817-160 Graduates of non-accredited schools.
- The commission agreed to remove "substantially equivalent."
 - The commission discussed clinical training in residency programs. Some residencies have little or no clinical training components. A concern was expressed regarding how to define "clinical" training.
 - Dr. Montano expressed a concern that a dentist license can be obtained without any clinical training. An Advanced General Dentistry or General Practice Residency should be required.
 - The commission discussed inequity, as an applicant coming from out of state is not required to prove a specific emphasis in clinical training. As such, should the commission require specific training for residency in our state?
 - The commission may not deny licensure for lack of clinical training if requirements of licensure have been met. The commission may discipline a licensed dentist for practicing below the standard of care. There is concern this is a remedy, not prevention.
 - The question arose whether the two-year residency has to be at one institution or whether it could be completed at more than one. CODA programs allow students

to switch between multiple programs. The commission does not have a concern with this.

- The commission discussed adding American Dental Association (ADA) in front of Commission on Dental Accreditation. The commission agreed that ADA should not be included as CODA is independent of ADA. Ms. Santiago will research the formal title of CODA.
 - The commission agreed to continue discussions at the next meeting.
- 7.2. The CR102 Proposed Rule Making was filed on September 30, 2015 as WSR 15-20-053. A hearing is scheduled for December 11, 2015.
- The commission preauthorized a CR101 to modify WAC 246-817-760 Moderate sedation with parenteral agents to consider concerns expressed by pediatric dentists. The CR101 will be filed immediately after completion of current rule modification in process.
- 7.3. The commission discussed a comment received from the Association of Dental Support Organization regarding WAC 246-817-315. The commission agreed no additional changes are necessary. The commission approved the proposed rule language for WACs 246-817-304, 246-817-305, 246-817-310, and 246-817-315.
- 7.4. The CR105 for WACs 246-817-110 and 246-817-150 Dental Licensure and Faculty Licenses filed on September 22, 2015. A CR103 will be filed after 45-day comment period.
- 7.5. A CR101 for WACs 246-817-550 and 246-817-560 Acts that may be performed by dental hygienists is at the Secretary's office for approval.
- 7.6. A CR101 for WACs 246-817-130, 246-817-135, and 246-817-140 Licensure without examination is at the Secretary's office for approval.
- 7.7. The commission received a list of priorities for rule modifications.

8. EDUCATIONAL OUTREACH COMMITTEE

Colleen Madden updated the commission on the Educational Outreach Committee meeting held on October 9, 2015.

- The committee will provide a survey to commission members regarding the retreat.
- The committee is prioritizing a list of projects.
- The committee will be evaluating the effectiveness of the newsletter. The newsletter is an excellent resource.
- The committee will reach out to Diane Baum at the Health Care Authority for potential educational articles.
- Commission members made suggestions for additional ways to reach stakeholders:
 - Facebook/Twitter
 - CE credit - Can the commission offer CE hours through reading the newsletter and answering questions on subject matter?
 - University of Washington (UW) student email - The commission asked Emily Lovell if the association could send the commission's newsletter to UW students. She will research and inform the commission.

- Commission members may send suggestions of any organizations that may benefit from the newsletter to Ms. Santiago.

9. POLICIES / GUIDELINES

The commission reviewed the following policies and interpretative statement comment sheet:

- 9.1. Sleep Dentistry – April 12, 2001. The commission approved to keep as is.
- 9.2. Oral and Maxillofacial Elective Cosmetic Surgery – November 30, 2000. The commission approved to keep as is.
- 9.3. Initial Assessment Threshold – November 4, 2011. The commission approved to keep as is.
- 9.4. Exception Application process – September 13, 2013. The commission approved as amended.
- 9.5. The commission discussed creating a policy or guideline related to continuing education audits.
 - Ms. Santiago will draft a policy for commission consideration.

10. PUBLIC DISCLOSURE

The commission denied a request from Cambia Health Solutions (Regence BlueShield & Asuris Northwest Health) to receive lists and labels, as a professional association or educational organization.

11. CORRESPONDENCE

The commission reviewed the following correspondence:

- 11.1. A copy of the response letter to Sarah Theil, RDH, regarding a system to track, store, and submit continuing education to a state.
 - The commission asked Ms. Santiago to look into whether other states use a system to track, store, and submit continuing education.
- 11.2. A copy of response letter to Cynthia Bushell regarding credentialing requirements.

12. PROGRAM REPORT – Jennifer Santiago and Trina Castle

- 12.1. The interim operating budget report is not currently up-to-date. Ms. Castle expects to have this information at the next meeting.
- 12.2. The commission received continuing education audit statistics.
- 12.3. The commission received a list of active committees.
 - Dr. Stevens joined the Educational Outreach Committee.

13. FUTURE COMMISSION BUSINESS

Dr. Mercier reported Central Regional Dental Testing Service (CRDTS) is creating a restorative examination.

The commission had no additional future business topics at this time.

The commission adjourned at 10:06 a.m.

Submitted By:

Commission Approval By:

Signature on file
Jennifer Santiago, Program Manager

Signature on file
Charles Hall, D.D.S., Chairperson