OPEN SESSION

1. **CALL TO ORDER** – John Liu, DDS, Chairperson, called the meeting to order at 9:30 a.m.
   1.1. The commission and staff introduced themselves.
   1.2. The commission approved the agenda with an addition of item 9.6.
   1.3. The commission approved the March 1, 2019 business meeting minutes as presented.
2. LEGISLATION
2.1. Dr. Marsh reported to the commission on the weekly “Meet me call” conference calls.
   • SB 5031 related to out of network billing excludes dental only coverage. Dr. Marsh recommended dental be included.
   • HB 1177 requires dental laboratories be registered.
   • SB 5380 related to opioid treatment is still being considered.
   • SB 5764 changes the name of the Medical Quality Assurance Commission to the Washington Medical Commission. Dr. Marsh recommended the dental commission also change their name.
   • SB 5386 related to telemedicine optional training.
2.2. Ms. Santiago provided a list of 2019 legislation that the department has received for review. The commission briefly discussed the following:
   • HB 1177 Dental Laboratory has passed. Ms. Santiago will oversee this registration, but it will not be regulated by the commission.
   • HB 1198 Sexual Misconduct Sanction Notification to Patient has passed. The commission may write rules related to notification.
   • SSB 5380 Opioid Treatment, Prevention, and Related Services has passed. This bill will require the commission to modify the patient notification section in the opioid rules. The bill also requires electronic prescribing and Prescription Monitoring Program (PMP) integration for clinics with ten or more providers. Washington State Dental Association has a role in opioid prescribing notification.
   • Medical marijuana received its own funding and will no longer be receiving funding from the health professions account.
   • Health Care Enforcement and Licensing Modernization Solution (HELMS) was approved. The licensees will be charged an estimated $10.00 per license for four years to fund the new system.

3. EDUCATIONAL OUTREACH COMMITTEE
3.1. Dr. Stevens reported to the commission on the committee meeting held on March 11, 2019.
   • The committee has finalized the Pacific Northwest Dental Conference (PNDC) presentation. Dr. Stevens, Dr. Shaw, Dr. Bass, and Dr. Richman will be presenting.
   • The Washington State Dental Association (WSDA) has offered the commission a regulatory page in the WSDA Magazine. The committee is considering providing highlights from the newsletter for the regulatory page.
   • The committee is discussing the need for an ethics course. Dr. Wentworth from the University of Washington (UW) has offered the possibility of revising the UW dental ethics course to make it applicable for all Washington state dentists.
3.2. The commission decided to hold the retreat on October 24, 2019 at the La Quinta Inn & Suites in Tumwater.
3.3. The commission received a copy of the March 2019 Newsletter.

4. JURISPRUDENCE EXAMINATION COMMITTEE
4.1. Dr. Shaw reported to the commission on the committee meeting held on March 15, 2019. Due to recent rule changes, the jurisprudence examination has been edited to remove some no longer valid questions and add new questions.

5. **DENTAL COLLABORATION COMMITTEE**

5.1. Dr. McClellan reported to the commission on the committee meeting held on March 22, 2019. The committee discussed rationale for listed items and whether diagnosis or not would be required.

5.2. The commission reviewed for approval proposed rule WAC 246-817-550 Acts that may be delegated to licensed dental hygienists under general supervision.
   - The committee deleted items 34 through 37 as allowable tasks from the proposed rule.
   - Dr. Shaw made a motion and the commission voted all in favor to approve the proposed rule as modified.

6. **INFECTION CONTROL COMMITTEE**

6.1. Dr. Carsten reported to the commission on the committee meeting held on March 29, 2019.
   - Dr. Carsten requested feedback from the commission on what commission members would recommend for frequency of waterline testing.
   - The cost is approximately $100.00 for five chairs. Testing could be costly for some organizations.
   - The commission requested Dr. Carsten find out how many chairs can be included in one test.
   - Emily Lovell indicated concern that much of the committee’s information was obtained from dental supply companies. She requested more research regarding what other states require. The Centers for Disease Control (CDC) requires that you follow the manufacturer recommendations.
   - Dr. Victor Berry indicated concern that samples that are sent to the laboratory may be contaminated during collection or while on route.
   - The commission requested more information from non-supplier experts regarding waterline contamination and frequency of testing.
   - Consider shocking and testing requirements.

6.2. The commission did not discuss further modifications to WAC 246-817-601 through 660 Infection control proposed rules.

7. **DENTAL ANESTHESIA COMMITTEE**

7.1. Dr. Liu reported to the commission on the committee meeting held on April 18, 2019.
   - The committee received presentations from site visit providers. There are several options for site visits, including an organization that performs site visits via telehealth using application technology.
   - The commission discussed WAC 246-817-745 and the number of agents allowed to be given under minimal sedation. The committee is discussing removing the specific number of agents allowed under minimal sedation and allowing the
definition of minimal sedation to be used as the determinate. Dr. Banda expressed concern the change may be perceived as eliminating the requirement.

- The committee is proposing a pediatric sedation permit and asking stakeholders for comment and participation. Ms. Lovell and Dr. Williams will request comment from their associations.

8. DENTAL CONTINUING COMPETENCY COMMITTEE
8.1. Dr. Richman reported to the commission on the committee meeting held on April 19, 2019.

- The committee received a presentation from Ethics and Boundaries Assessment Services (EBAS). EBAS has created an ethical examination that may be used in discipline cases. The examination can be made specific to Washington law. The examination is in a portfolio format and contains case presentations.
- The committee discussed having EBAS provide portions of the examination at the commission training retreat. The committee reviewed a list of ethics courses available online.
- The committee reviewed a matrix created by Dr. Richman for disciplinary options. The matrix will be presented to the commission for discussion when ready.

8.2. The committee is beginning to re-discuss WAC 246-817-420 Specialty representation rule. The commission did not discuss modifications to this rule.

9. OTHER
9.1. The commission considered a request from Dr. Jeffrey Sulitzer from Smile Direct Club to present information about Smile Direct Club to the commission. The commission will request information from Dr. Sulitzer and determine from the information if a presentation is needed. Dr. Shaw moved to reactivate the Dental Corporate Practice Committee, the commission did not approve reactivating the committee.

9.2. Dr. Marsh reported to the commission on the University of Washington opioid conference on April 15, 2019. He participated on a panel that answered questions regarding how HB 1427 will affect their practice.

9.3. The commission considered a request for a commission member to present opioid rule information at a course provided by the Arcora Foundation of Delta Dental of Washington on June 29 and 30, 2019. The commission approved Dr. Marsh presenting.

9.4. The commission discussed retention of patient records WAC 246-817-310. Ms. Santiago requested a clear interpretation of the rule so that she can advise stakeholders who request clarification. The commission retracted their previous determination and decided to interpret the law that records may be destroyed after six years, regardless of whether the patient is a current patient or not. Ms. Santiago will provide an updated letter to Terre Harris with this interpretation.

9.5. The commission discussed a recommendation to change how disciplinary panels are held. Ms. Crawford and Ms. Santiago suggested holding discipline panels via teleconference instead of in-person panels. Each panel A, B, and C would rotate weekly reviewing both new complaints and completed investigations.

- This method will reduce the amount of time cases wait between commission meetings.
• It would allow for agreed orders and stipulations to informal discipline to be signed more timely.
• It would save costs by allowing the commission to meet in Kent more often, as disciplinary staff would not need to attend the meetings.
• Tasking back of cases for additional investigation could be achieved more timely.
• It would allow for shortened commission meetings, which would allow more time for in-person committee meetings.
• The Washington Medical Commission is the only other board that hears cases in person.
• Dr. Bass indicated it may be difficult with commissioner schedules to meet by phone every three weeks for the extended panel meetings.
• Dr. Carsten indicated that it would be difficult to present complicated cases via teleconference.
• Teleconferences can be difficult due to distracting background noises.
• For panel calls, panel members are often driving or at a distracting location that does not allow for full concentration. The discipline panel is similar to a jury and must have full ability to focus on the presenter.
• New commission members receive most of the training during in-person panel meetings.
• Complainants occasionally attend panel to present.
• The commission requested a modified proposal to meet via teleconference to approve orders, releases from probation, and agreements. A panel could possibly meet once per month for these or they could be included in the Friday authorization calls.

9.6. The commission discussed a letter sent by the Board of Denturists regarding denturist scope of practice. The commission disagreed that placement of implant prefabricated abutments is within the scope of practice of a denturist. Ms. Crawford indicated that the Board of Denturists will discuss this matter further at their June 13, 2019 meeting. Dr. Shaw will work with Ms. Santiago to draft a letter of concern to present to the board.

10. RULES
10.1. WAC 246-817-110 and 120 Licensure requirements and examination content. The expedited CR 105 was filed on March 8, 2019. If no comments are received, the CR103 will be processed on May 20, 2019.
10.2. The commission received an update on rules in progress and list of priorities for rule modifications.

11. PROGRAM REPORT
11.1. Ms. Crawford reported to the commission on the Interim Operating Budget.
11.2. The commission discussed committee updates. Ms. Santiago suggested having one committee give an extended report out at each commission meeting for more in depth discussion. Dr. Liu suggested allowing more time in general for committees to present to the commission. Committees could be more proactive in soliciting input or concerns from the commission regarding controversial topics.
11.3. The commission received a list of the 2019 dental commission meeting dates. Ms. Santiago reminded the commission that the meeting room the commission usually uses will not be available after October 2019. The commission will need a meeting room for the December meeting. The commission suggested contacting the Lacey Community Center for availability.

11.4. The commission received a list of active committees. Dr. Richman requested an additional member for the Continuing Competency Committee.

12. REGIONAL BOARD UPDATES

12.1. Dr. McClellan reported to the commission on the American Association of Dental Boards (AADB) mid-year meeting on March 8, 2019. Interstate compacts and medical marijuana were discussed. AADB leadership is in transition with a new president and executive director.

12.2. The commission discussed sending a representative to the Joint Commission on National Dental Examiners (JCNDE) National Dental Examiners’ Advisory Forum annual meeting on June 26, 2019 in Chicago, IL. The meeting appears to be only 45 minutes and may be available via webinar. Dr. McClellan can attend if he can attend via webinar. If a member is needed to attend in person, Dr. Stevens may be available.

13. FUTURE COMMISSION BUSINESS

The commission did not discuss any future business.

The commission adjourned at 12:30 p.m.

Submitted By: 

Commission Approval By: 

Signature on file ____________________________________ Signature on file ____________________________________

Jennifer Santiago, Program Manager John Liu, DDS, Chairperson