MEMBERS PRESENT
Julia Richman, DDS, Chair
John Liu, DDS
Marlynne Fulton, Public Member
Lyle McClellan, DDS
Tiffany Bass, DDS
Sonia Pal, DDS
Ronald Marsh, DDS
Karla Briggs, Public Member
Bree Kramer, EFDA
Kathleen Elling, EFDA
Kunal Walia, DDS
Karen Clements, DDS
Abhishake Banda, DMD, MD
Brian Macall, DDS

OTHERS PRESENT
Sophie Doumit, Washington State Dental Association (WSDA)
Dr. Rolf Christensen, WSDA
Jennifer Zbaraschuk, Washington Dental Hygienists’ Association (WDHA)
Melissa Johnson, WDHA, Willamette Dental, Washington Association of Nurse Anesthetists
Christina Hasbrook, WDHA
Danielle Mora, WDHA
Dr. Joy McDaniel, Department of Corrections (DOC)
Corwyn Hopke, Washington State Society of Orthodontists (WSSO)
Kathy Bassett, Pierce College

MEMBERS ABSENT
Aaron Stevens, DMD, Vice Chair
David Carsten, DDS

STAFF PRESENT
Trina Crawford, Executive Director
Jennifer Santiago, Program Manager
Becky McElhiney, Assistant Program Manager
Bill Kellington, Supervising Staff Attorney
Christopher Gerard, Assistant Attorney General (AAG)

OPEN SESSION

1. CALL TO ORDER – Julia Richman, DDS, Chairperson, called the meeting to order at 9:30 a.m.
   1.1. The commission, staff, and audience introduced themselves.
1.2. The commission approved the agenda as presented.
1.3. The commission approved the October 25, 2019 business meeting minutes as presented.
1.4. The commission approved the October 24, 2019 training retreat minutes as presented.

2. RULES HEARING – 9:35 a.m.

The commission held a rule hearing to accept comment on the proposed rule modifications for WAC 246-817-907 Patient notification, secure storage, and disposal filed as WSR 19-21-135 on October 21, 2019.

- There were no public comments.
- There were no commission comments.
- Ms. Santiago recommended a non-substantive change, adding a reference to RCW 69.50.317 (1)(b) and WAC 246-817-908 related to opioid alternatives.
- Dr. Marsh moved to adopt the proposed rules. Dr. Clements seconded the motion. The commission voted and the motion passed with no opposed.

3. EDUCATIONAL OUTREACH COMMITTEE

3.1. Dr. McClellan reported to the commission on the committee meeting held November 21, 2019.

- The committee discussed the training retreat held October 24, 2019 and began planning for the 2020 Pacific Northwest Dental Conference presentation.
- A survey was provided to commission to provide feedback on the annual training retreat.
- The committee provided an article for the upcoming WSDA newsletter.

3.2. The commission received a copy of the November 2019 commission newsletter.

4. DENTAL CONTINUING COMPETENCY COMMITTEE

The commission discussed proposed rule WAC 246-817-420 Specialty representation drafted by the committee.

- Dr. Marsh was elected new chair of the committee.
- Dr. Richman requested direction from the commission and discussed challenges the committee has had drafting the rules, including a rapidly changing field, conflicting stakeholder interests and litigation consideration.
- Ms. Doumit expressed continuing concerns the WSDA has regarding the commission being in the role of a certifying body, and concerns that 4(b) protects the commission rather than the public.
  - Heather Carter, AAG, has been involved with these discussions and disagrees with the WSDA’s concern about 4(b).
- Mr. Gerard advised the commission to be cautious when considering issues involving free speech, and cautioned that considering only one organization could appear to delegate some of the commission’s authority.
- Dr. Marsh advised that not everyone is a member of the American Dental Association (ADA), and expressed concerns that alternatives to the ADA route should be available.
Dr. McDaniel suggested using “focus” rather than “specialist” language on signs, as well as identifying each provider on signs for group practices.

Dr. Clements suggested replacing educational program year requirements with hour requirements, or specifying educational programs need to be “full-time”.

Dr. Richman suggested the commission needs to balance protecting the public with preventing regulatory overreach.

Mr. Gerard advised that section 4(c) of the proposed rules would be the less restrictive option.

The American Association of Orthodontists provided a written comment. Additional concern with section (5) regarding multi-group practices.

Dr. Richman expressed a concern regarding the lack of time frame requirements for education.

Dr. Hopke expressed concerns about the purpose of section 4(c) being to add another accrediting body.

Mr. Gerard clarified that it would be adding another method.

Ms. Santiago clarified that WAC 246-817-420(h) already gives the commission authority, and section 4(c) just adds guidelines.

The committee will continue discussions at a future committee meeting.

5. DENTAL ANESTHESIA COMMITTEE

5.1. Dr. Liu reported to the commission on the committee meeting held December 6, 2019.

- The committee planned the upcoming meeting to be held January 17, 2020 from 8:00 am to 12:00 pm at the Kent Department of Health office.

5.2. The committee will work on modifications to WAC 246-817-701 through 790 Administration of anesthetics for dental procedures at the January 17, 2020 meeting.

6. PUBLIC DISCLOSURE

The commission approved a request from the Oregon Dental Association to be an approved organization to receive lists and labels.

7. OTHER

7.1. The commission received a request from Gary Heyamoto, DDS Washington AGD to be an approved organization providing continuing education for out of state licensed dentists in Washington State.

- Washington AGD asked for this request to be tabled until the January business meeting.

7.2. The commission discussed representatives to participate in weekly legislative meet me calls during the 2020 legislative session.

- Dr. Marsh will represent the commission, with Dr. Pal as a backup.

7.3. The commission discussed a notice provided by the Commission on Dental Accreditation related to the first international pre-doctoral dental education program accredited.
• Dr. Marsh expressed concerns about the lack of a two-year US educational requirement and recommended the commission take action preemptively.
• The Washington rule would have to be revised, and the statute would need to be reviewed to see if it would be possible.
• Ms. Santiago will research the current WACs and RCWs and bring it back to the commission at a future meeting.
• Dr. Richman expressed concerns about not accepting schools that are accredited by the Commission on Dental Accreditation (CODA).
• Dr. Liu suggested including Ms. Carter in the analysis.
• A stakeholder recommended researching the international school’s curriculum.

8. CORRESPONDENCE

8.1. The commission discussed a request from Dr. Gary Bell dated November 3, 2019 to provide a statement related to releasing dental records to law enforcement when appropriate.
• Law enforcement agencies have experienced barriers to receiving dental records from dentists or dental staff who are concerned they would be violating privacy laws.
• Dr. Bell requested a letter from the commission clarifying the situations records may be released and citing applicable laws.
• The commission agreed to provide a letter.
• Ms. Santiago will work with Ms. Carter to draft a letter to be signed by Dr. Richman when finalized.

8.2. The commission discussed an email from Dr. Todd Cooper dated November 15, 2020 regarding definition of dentistry, RCW 18.32.020 and the recently rescinded interpretive statement on the use of botulinum toxin injections and dermal fillers.
• The commission agreed to hold this agenda item until the January 2020 business meeting.
• Dr. Marsh moved to reinstate the interpretive statement. Dr. Banda seconded the motion.
• Mr. Gerard advised against reinstating at this time due to the fact that this item is under the “Correspondence” section on the agenda and is not its own agenda item.
• Mr. Kellington affirmed that Botox procedures must still be performed appropriately and within the standard of care.
• The commission voted on reinstating the interpretive statement. Two voted in favor, eight opposed, and four abstained. The motion did not pass.

8.3. The commission discussed a letter from Dr. Charles Hall dated November 18, 2019 regarding definition of dentistry, RCW 18.32.020.
• Dr. Hall has volunteered to come and speak to the commission on this topic.
• This item requires more time and an agenda item with public notice for a discussion. On hold until the January 2020 business meeting.

9. RULES
9.1. The commission discussed WAC 246-817-601 through 660 dental infection control.
   • The Infection Control Committee received stakeholder comments and will be taking the rules back to committee for continued discussions. Most of the comments were regarding clarification issues.
   • A committee meeting is scheduled for January 2020. The committee hopes to bring revised rules back to the commission at the business meeting in January.

9.2. The commission reviewed Pharmacy Quality Assurance Commission proposed rules, Chapter 246-945, 246-950, 246-955, and 246-960 WAC.
   • The WSDA has no concerns but would like to see the CR-102.
   • Ms. Santiago confirmed that the language provided at the December 6, 2019 business meeting is the same as the language in the CR-102.
   • Mr. Gerard provided some background information and clarified that the intent is to facilitate access.
   • The commission had no comments.

9.3. The commission received an update on rules in progress and list of priorities for rule modifications.

10. PROGRAM REPORT – Becky McElhiney, Jennifer Santiago, and Trina Crawford

10.1. The commission received the budget report. Ms. Crawford specified that numbers are still being finalized.

10.2. The commission received a list of 2019 and 2020 dental commission meeting dates.

10.3. The commission agreed to hold the April 17, 2020 business meeting in Bellingham, WA to accommodate a presentation from Canada.

10.4. The commission received a list of active committees.
   • Ms. Santiago will update the list to reflect Dr. Marsh’s appointment as chair of the Continuing Competency Committee.

11. REGIONAL BOARD UPDATES

11.1. Dr. Bass reported to the commission on the Western Regional Examining Board (WREB) Dental Examination Review Board (DERB) meeting held November 8, 2019 in Denver, CO.
   • Topics included exam calibration, restoration requirements by state, Arizona licensure, removing cast gold as an option for the exam, and allowing for third year dental students to take the prosthodontic portion.

11.2. Ms. Santiago reported to the commission on the WREB Administrators meeting held November 7, 2019 in Denver, CO.
   • Topics discussed included using the WREB Comprehensive treatment planning (CTP) examination as a disciplinary tool, and a dental therapist examination.
   • Ms. Santiago observed the DERB meeting.
   • Ms. Santiago provided a written report.

12. FUTURE COMMISSION BUSINESS
Dr. Carsten will be asking the commission to consider the Dental Licensure Objective Structured Clinical Examination at a future meeting.

The commission adjourned at 11:26 a.m.

Submitted By: __________________________ Commission Approval By: __________________________

Signature on file __________________________ Signature on file __________________________

Jennifer Santiago, Program Manager Julia Richman, DDS, Chairperson