

**BOARD OF DENTISTRY
899 NORTH CAPITOL ST. NE – 2ND FL.
WASHINGTON, DC 20002**

**Date: July 19, 2023
Time: 9:00 AM**

**OPEN SESSION
MEETING AGENDA**

*****Please be advised that Board Meetings are recorded*****

WEBEX Virtual Meeting

Due to the COVID-19 pandemic, the Board will be utilizing a hybrid schedule of virtual and in-person meetings. Please see the Board Meeting calendar under the Executive Director's report for more information.

Information on how to access the public portion of the meeting is listed below:

This meeting is available by web:

<https://dcnet.webex.com/dcnet/j.php?MTID=m9f9126b61531ee2a059436115674d953>

Meeting number: 160 597 7295

Password: R6Mm8PPmS3

This meeting is available by phone:

1-202-860-2110 United States Toll (Washington D.C.)

1-650-479-3208 Call-in toll number (US/Canada)

Access code: 160 597 7295

****Any submissions from the public for the Board's consideration should be received by Board Staff, kathleen.ibeh@dc.gov, no later than 10 business days before the Board Meeting. ****

BOARD OF DENTISTRY
Open Session Agenda July 19, 2023

BOARD MEMBERS:	
Dr. John R. Bailey, DDS – Chairperson	
Dr. Iris Jeffries-Morton, DDS – Vice Chairperson	
Dr. Judith Henry, DMD - Board Member	
Ms. Dianne Smith, ESQ - Consumer Member	
Dr. Michelle Latortue, DDS - Board Member	
Vacant – (Dentist) Board Member	
Vacant – (Dental Hygienist) Board Member	
BOARD STAFF:	
Ericka L. Walker, MSW - Executive Director	
Gregory Scurlock, Compliance Officer	
Rebecca Odrick-Austin, Board Investigator	
Kathleen Ibeh, Health Licensing Specialist	
Zaneta Batts, Health Licensing Specialist	
LEGAL STAFF:	
Carla M. Williams, Senior Assistant General Counsel	

BOARD OF DENTISTRY

Open Session Agenda July 19, 2023

CALL TO ORDER AND ROLL CALL

OS-0719-01	<p><u>INTRODUCTIONS:</u></p> <ul style="list-style-type: none"> A. Board Members B. Board Staff C. Public Attendance
OS-0719-02	<p><u>OPEN SESSION AGENDA</u></p> <p>Board Action: Acceptance of the July 19, 2023, meeting agenda.</p>
OS-0719-03	<p><u>OPEN SESSION MINUTES:</u></p> <p>Board Action: Consideration of the Open Session minutes from the June 21, 2023, meeting.</p>

STAFF REPORTS

OS-0719-04	<p><u>EXECUTIVE DIRECTOR'S REPORT:</u></p> <ol style="list-style-type: none"> 1. <u>BOD Calendar</u> <ul style="list-style-type: none"> • July 19, 2023 • August 2023 Recess • September 20, 2023, In-person 2. <u>BOD Census</u> <ul style="list-style-type: none"> Dentists (1,313) Dental Hygienists (549) Dental Hygienists with the authority to administer Local Anesthesia (104) Dental Hygienists with the authority to administer Local Anesthesia & Nitrous Oxide (88) Dental Hygienists with the authority to administer Nitrous Oxide (1) Dental Assistant Level 1 (147) Dental Assistant Level 2 (577) Teaching Licenses for Dentists (2) Teaching Licenses for Dental Hygienist (0) 3. District of Columbia COVID-19 https://coronavirus.dc.gov/vaccine 4. District of Columbia Monkeypox https://dchealth.dc.gov/page/monkeypox
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	<p>5. The Mayor’s Office of Talent and Appointments (MOTA) recruits talented and interested individuals from all eight Wards to serve on District Boards. Link to apply to serve on a Board: https://mota.dc.gov/page/boards-vacancies-or-available-seats</p>																																																																																																																					
OS-0719-05	<p><u>BOARD ATTORNEY’S REPORT:</u></p> <ul style="list-style-type: none"> Emergency & Proposed Rulemaking Regarding Temporary Licenses 																																																																																																																					
OS-0719-06	<p><u>BOARD CHAIRPERSON’S REPORT:</u></p>																																																																																																																					
OS-0719-07	<p><u>CONSENT AGENDA:</u></p> <p>The following applications were reviewed by Dr. John Bailey (Chairperson), Dr. Iris Jeffries-Morton (Vice-Chairperson), or Mrs. Ericka Walker (Executive Director), from June 14 – July 11, 2023:</p> <table border="0"> <tr><td>DENA4000106</td><td>Anne Dempsey</td><td>New Registration</td><td>7/3/2023</td></tr> <tr><td>DENA4000061</td><td>Raven Iyoha</td><td>New Registration</td><td>6/15/2023</td></tr> <tr><td>DENA5000068</td><td>Laurent Dubreuil</td><td>New Registration</td><td>7/3/2023</td></tr> <tr><td>DENA4000113</td><td>Yalda Salehi</td><td>New Registration</td><td>7/3/2023</td></tr> <tr><td>DENA5000074</td><td>LarissaCruz-Flores</td><td>New Registration</td><td>6/15/2023</td></tr> <tr><td>DENA5000045</td><td>Almaz Mengistu</td><td>Endorsement</td><td>6/15/2023</td></tr> <tr><td>DENA5000055</td><td>Janell Mills</td><td>New Registration</td><td>6/15/2023</td></tr> <tr><td>DENA5000071</td><td>Michelle Huerta</td><td>New Registration</td><td>7/3/2023</td></tr> <tr><td>DENA5000072</td><td>Vinicia Torres</td><td>New Registration</td><td>6/15/2023</td></tr> <tr><td>HYG2001203</td><td>Katie Jordan</td><td>Endorsement</td><td>7/3/2023</td></tr> <tr><td>HYG2001205</td><td>Damian Phillips</td><td>Endorsement</td><td>7/3/2023</td></tr> <tr><td>HYG2001207</td><td>Maria Castillo</td><td>Examination</td><td>7/3/2023</td></tr> <tr><td>HYG2001208</td><td>Kimberly Gonzalez</td><td>Examination</td><td>7/3/2023</td></tr> <tr><td>HYG2001209</td><td>Ta’Niya Sessoms</td><td>Endorsement</td><td>7/3/2023</td></tr> <tr><td>DEN2000271</td><td>Mohammad Yaghi</td><td>Endorsement</td><td>6/15/2023</td></tr> <tr><td>DEN2000272</td><td>Richard Goldin</td><td>Endorsement</td><td>6/22/2023</td></tr> <tr><td>DEN2000278</td><td>Maria Jividen</td><td>Endorsement</td><td>6/15/2023</td></tr> <tr><td>DEN2000280</td><td>Phylicia Michael</td><td>Examination</td><td>6/15/2023</td></tr> <tr><td>DEN2000281</td><td>Sion Na</td><td>Endorsement</td><td>7/3/2023</td></tr> <tr><td>DEN2000283</td><td>Naz Zijerdi</td><td>Examination</td><td>6/15/2023</td></tr> <tr><td>DEN2000284</td><td>Aeesha Ayyub</td><td>Examination</td><td>6/15/2023</td></tr> <tr><td>DEN2000285</td><td>Tangwan Nganteh</td><td>Examination</td><td>6/15/2023</td></tr> <tr><td>DEN2000286</td><td>Nisha Joshi</td><td>Examination</td><td>6/15/2023</td></tr> <tr><td>DEN2000287</td><td>Petrice Malcolm</td><td>Examination</td><td>6/15/2023</td></tr> <tr><td>DEN2000289</td><td>Michael Cevallos</td><td>Endorsement</td><td>7/3/2023</td></tr> <tr><td>DEN2000292</td><td>Damilola Osibamowo</td><td>Examination</td><td>7/3/2023</td></tr> <tr><td>DEN2000291</td><td>Avneet Kaur</td><td>Examination</td><td>6/15/2023</td></tr> <tr><td>DEN2000294</td><td>Amirali Hedayati</td><td>Examination</td><td>7/3/2023</td></tr> <tr><td>DEN2000297</td><td>Gabriella Quevedo</td><td>Endorsement</td><td>7/3/2023</td></tr> </table>	DENA4000106	Anne Dempsey	New Registration	7/3/2023	DENA4000061	Raven Iyoha	New Registration	6/15/2023	DENA5000068	Laurent Dubreuil	New Registration	7/3/2023	DENA4000113	Yalda Salehi	New Registration	7/3/2023	DENA5000074	LarissaCruz-Flores	New Registration	6/15/2023	DENA5000045	Almaz Mengistu	Endorsement	6/15/2023	DENA5000055	Janell Mills	New Registration	6/15/2023	DENA5000071	Michelle Huerta	New Registration	7/3/2023	DENA5000072	Vinicia Torres	New Registration	6/15/2023	HYG2001203	Katie Jordan	Endorsement	7/3/2023	HYG2001205	Damian Phillips	Endorsement	7/3/2023	HYG2001207	Maria Castillo	Examination	7/3/2023	HYG2001208	Kimberly Gonzalez	Examination	7/3/2023	HYG2001209	Ta’Niya Sessoms	Endorsement	7/3/2023	DEN2000271	Mohammad Yaghi	Endorsement	6/15/2023	DEN2000272	Richard Goldin	Endorsement	6/22/2023	DEN2000278	Maria Jividen	Endorsement	6/15/2023	DEN2000280	Phylicia Michael	Examination	6/15/2023	DEN2000281	Sion Na	Endorsement	7/3/2023	DEN2000283	Naz Zijerdi	Examination	6/15/2023	DEN2000284	Aeesha Ayyub	Examination	6/15/2023	DEN2000285	Tangwan Nganteh	Examination	6/15/2023	DEN2000286	Nisha Joshi	Examination	6/15/2023	DEN2000287	Petrice Malcolm	Examination	6/15/2023	DEN2000289	Michael Cevallos	Endorsement	7/3/2023	DEN2000292	Damilola Osibamowo	Examination	7/3/2023	DEN2000291	Avneet Kaur	Examination	6/15/2023	DEN2000294	Amirali Hedayati	Examination	7/3/2023	DEN2000297	Gabriella Quevedo	Endorsement	7/3/2023	
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DISCUSSION ITEMS	
OS-0719-08	<p><u>LEGISLATIVE UPDATES – OFFICE OF GOVERNMENT RELATIONS</u> Matteo Lieb, Legislative Affairs Specialist</p>
OS-0719-09	<p><u>DANB PRESENTATION</u></p> <p>Ms. Katherine Landsberg, Director of Government Relations for DANB, will provide a brief presentation on the three pathways to becoming a Certified Dental Assistant and the examinations that support the Board’s proposed rulemaking for the Level III – Dental Assistant license type.</p>
OS-0719-10	<p><u>DENTAL/ DENTAL HYGIENE TEACHING LICENSE PRESENTATION</u></p> <p>Board staff will present on the requirements for the Dental and Dental Hygiene Teaching license.</p> <ul style="list-style-type: none"> • Dental/Dental Hygiene Teaching license checklists • Dental/Dental Hygiene Teaching license regulations
OS-0719-11	<p><u>90-DAY SUPERVISORY PRACTICE LETTER PRESENTATION</u></p> <p>Board staff will present on how to complete the 90-day Supervisory Practice Letter.</p>
OS-0719-12	<p><u>DENTAL BOARD SUB-COMMITTEES</u></p> <ol style="list-style-type: none"> 1. <u>Credentials & Audits</u>: Dr. Iris Jeffries-Morton and Dr. John Bailey. - Update and discussion regarding process for opening a Dental Assistant School 2. <u>Communications</u>: 3. <u>Regulatory Affairs</u>: Dr. Judith Henry and Ms. Dianne Smith. -Dental Assistant Proposed Rulemaking -Public Comment
OS-0719-13	<p><u>COMMENTS FROM THE PUBLIC</u></p>

**BOARD OF DENTISTRY
Open Session Agenda July 19, 2023**

CLOSING	
OS-0719-14	<p><u>MOTION TO CLOSE</u></p> <p>The Board member should move as follows:</p> <p>“Mister Board Chair, I move that the Board close the Open Public session portion of the meeting and move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the following purposes: to discuss disciplinary matters pursuant to § 2-575(b)(9); to seek the advice of counsel to the board, to preserve the attorney-client privilege, or to approve settlement agreements pursuant to § 2-575(b)(4); and to plan, discuss, or hear reports concerning ongoing or planned investigations pursuant to § 2-575(b)(14).”</p>
	ROLL CALL VOTE
	<p>This concludes the Public Open Session of the meeting. The Board will now move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the reasons set forth in the motion.</p>

**This ends the Open Session Agenda
The next meeting is scheduled on September 20, 2023 (In-person)**

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

BOARD OF DENTISTRY
899 NORTH CAPITOL ST. NE, 2nd FL.
WASHINGTON, DC 20002

Date: June 21, 2023
Time: 9:00 AM

OPEN SESSION
MEETING MINUTES

*****Please be advised that Board Meetings are recorded*****

WEBEX Virtual Meeting

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BOARD OF DENTISTRY

Open Session Meeting Minutes June 21, 2023

CALL TO ORDER AND ROLL CALL

OS-0621-01

INTRODUCTIONS

The meeting was called to order at 9:01 a.m. as a quorum was maintained.

- **Board Members**

- Dr. John Bailey, DDS – Chairperson (**Present**)
- Dr. Iris Jeffries-Morton, DDS – Vice-Chairperson (**Present**)
- Dr. Judith Henry, DMD – Board Member (**Present**)
- Ms. Dianne Smith, Esq. – Consumer Member (**Present**)
- Dr. Michelle Latortue, DDS – Board Member (**Present**)

- **Board Staff**

- Ericka L. Walker, MSW – Executive Director (**Present**)
- Gregory Scurlock, Compliance Officer (**Present**)
- Rebecca Odrick-Austin, Investigator (**Present**)
- Kathleen Ibeh, Health Licensing Specialist (**Present**)
- Zaneta Batts, Health Licensing Specialist (**Excused Absence**)

- **Legal Staff**

- Carla Williams, Senior Assistant General Counsel (**Present**)

- **DC Health Staff**

- Matteo Lieb, DC Health Legislative Affair Specialist

- **Public Attendance**

- Mr. Kurt Gallagher, Executive Director - DC Dental Society
- Ms. Fatima Oglesby Morris – Hands ON Dental Assistant Training School
- Dr. Niven Tien
- Dr. Eugene Giannini
- Dr. Roya Pilcher
- Dr. Aliya Kassam
- Dr. Steven Guttenberg
- Dr. Ioana Bettios
- Ms. Anne Dempsey
- Dr. Allen Robinson
- Dr. Chad Jones
- PIA Dental
- Ms. Toni Reeves

OS-0621-02

OPEN SESSION AGENDA:

Board Action:

Acceptance of the **June 21, 2023**, meeting agenda

Motion: The Board to accept the **June 21, 2023**, meeting agenda

Moved by: Ms. Dianne Smith, Esq.; (Board Member)

Seconded by: Dr. Iris Jeffries-Morton; (Vice-Chairperson)

Motion passed unanimously.

OS-0621-03 **OPEN SESSION MINUTES:**
Board Action:
Consideration of the Open Session minutes from the **May 17, 2023**, meeting.
Motion: The Board to accept the **May 17, 2023**, meeting minutes
Moved by: Dr. Iris Jeffries-Morton; (Vice-Chairperson)
Seconded by: Dr. Judith Henry; (Board Member)
Dr. Dianne Smith, Esq. abstained from the vote; Motion passes.

STAFF REPORTS

OS-0621-04 **EXECUTIVE DIRECTOR'S REPORT:**

Mrs. Ericka Walker, Executive Director for the Board of Dentistry, welcomed all Board Members, Staff and Guests to the Open Session meeting. Mrs. Walker informed meeting attendees about the Performance Oversight Hearing that was hosted by the Committee on Health on June 8, 2023, of which the Board of Dentistry and several other health professional boards were highlighted. Dr. Iris Jeffries-Morton, Vice-Chairperson, addressed Chairperson Henderson's questions about the Board composition, legislative updates, licensing requirements and an overall review of the Board's work. Mrs. Walker also informed meeting attendees regarding the transitions in leadership as Interim Director, Dr. Sharon Lewis, retired from public service on June 2, 2023. At this time, DC Health COO, Keith Fletcher, is serving as the Interim Director until July 17, 2023, as that is the tentative start date for Dr. Ayanna Bennett, Acting Director of DC Health.

Mrs. Walker also informed meeting attendees that the Board of Dentistry is preparing for the upcoming license renewal season. She reminded attendees that all Dentistry license types will be expiring on December 31, 2023. Mrs. Walker indicated that the renewal portal will open in October 2023 and before then, all eligible licensees will receive a renewal notice with information pertinent to the renewal as well as upcoming virtual webinar sessions. Mrs. Walker also reported that a survey was emailed out to Dentists regarding the certification to administer general anesthesia, which resulted in a poor response. She reiterated the importance of these surveys in developing the administrative framework for the certification. Mrs. Walker shared that the survey will be available for an additional week and encouraged meeting attendees and stakeholders to participate.

This concluded Mrs. Walkers' report.

1. **BOD Calendar**

- June 21, 2023
- July 19, 2023
- August 2023 **Recess**
- September 20, 2023, **In-Person**

	<ol style="list-style-type: none"> 2. BOD Census Dentists (1,297) Dental Hygienists (543) Dental Hygienists with the authority to administer Local Anesthesia (102) Dental Hygienists with the authority to administer Local Anesthesia & Nitrous Oxide (85) Dental Hygienists with the authority to administer Nitrous Oxide (1) Dental Assistant Level 1 (142) Dental Assistant Level 2 (573) Teaching Licenses for Dentists (2) Teaching Licenses for Dental Hygienist (0) 3. District of Columbia COVID-19 Updates https://coronavirus.dc.gov/vaccine 4. District of Columbia Monkeypox https://dchealth.dc.gov/page/monkeypox 5. The Mayor's Office of Talent and Appointments (MOTA) recruits talented and interested individuals from all eight Wards to serve on District Boards. Link to apply to serve on a Board: https://mota.dc.gov/page/boards-vacancies-or-available-seats 	
OS-0621-05	<p><u>BOARD ATTORNEY'S REPORT:</u></p> <p>Ms. Carla Williams, Board Attorney, informed meeting attendees about the Final Order that was issued after the last meeting.</p> <ul style="list-style-type: none"> • Emily Cima, DDS https://dohenterprise.my.salesforce.com/sfc/p/#t0000000Cmng/a/8z000000QRvY/332vflrVbZNYp4X4I7SMMY2.NGbhNoUNn84VislLe8M • Dental Assistant Proposed Rulemaking Ms. Williams also informed meeting attendees that the Dental Assistants' proposed rulemaking was published on May 26, 2023 and open for public comment for 30 days. 	
OS-0621-06	<p><u>BOARD CHAIRPERSON'S REPORT:</u></p> <p>Dr. Bailey, Chairperson, thanked all Board members for their hard and extensive work. He also thanked Dr. Jeffries-Morton for standing in for him during the Committee on Health's Performance Oversight Hearing that took place on June 8, 2023 and congratulated her on a job well done.</p>	

OS-0621-07

CONSENT AGENDA:

These applications were reviewed by Dr. John Bailey (Chairperson), Dr. Iris Jeffries-Morton (Vice-Chairperson), or Mrs. Ericka Walker (Executive Director), from **May 10 – June 13, 2023:**

DENA2000005	Samarian Kimbrough	Endorsement	5/25/2023
DENA3000027	Chrissy Stephenson	Endorsement	5/25/2023
DENA3000017	Lafayette Bedney	New Registration	5/15/2023
DENA5000058	Natalia Sales Diaz	New Registration	6/13/2023
DENA5000069	Lisa Santiago	New Registration	5/11/2023
DENA2000048	Fasil Sheta	New Registration	6/12/2023
DENA4000052	Farhia Ahmed	New Registration	6/1/2023
DENA4000058	Dawn Cook	New Registration	5/11/2023
DENA5000049	Maria Fernanda Ayure	New Registration	5/22/2023
DENA000906	Billie Jean Repine	Reinstatement	5/25/2023
DENA5000053	Ayda Gebregergish	New Registration	5/10/2023
DENA5000054	Kourroussa Hunter	New Registration	5/10/2023
DENA5000059	Anamari Gomez	New Registration	6/9/2023
DENA5000060	Sedigheh Kargar	New Registration	5/22/2023
DENA5000063	Tania Savoy	New Registration	5/10/2023
DENA5000066	Maria Hernandez	New Registration	5/10/2023
DENA001322	Ila Jackson	Reinstatement	5/25/2023
DENA5050075	Jeniffer Villatoro	New Registration	6/9/2023
DENA5000076	Batool Chaudhry	New Registration	6/9/2023
HYG2001183	Allene McClary	Endorsement	5/22/2023
HYG2001197	Indya Hawkins	Examination	6/9/2023
HYG2001199	Matusal Muracho	Examination	6/9/2023
HYG2001200	Sana Chaudhri	Endorsement	5/10/2023
HYG2001201	Madison Broers	Endorsement	5/22/2023
DEN2000261	Lauren Goode	Endorsement	5/22/2023
DEN2000260	Uzma Ansari	Endorsement	5/10/2023
DEN2000262	Abby Halpern	Endorsement	5/10/2023
DEN2000264	Behaylu Dametew	Endorsement	5/10/2023
DEN2000267	Lyndsey Nagy	Endorsement	5/22/2023
DEN2000268	Arezou Garmestani	Endorsement	5/10/2023
DEN2000269	Sophie Moon	Endorsement	5/10/2023
DEN2000270	Temisan Meggison	Examination	5/22/2023
DEN2000273	Naima Kiburi	Endorsement	6/9/2023
DEN2000275	Rei Sekiguchi	Endorsement	5/10/2023
DEN2000274	Yu-Tien Lee	Endorsement	5/23/2023
DEN2000276	Ange Lydie Tchouaga	Endorsement	5/22/2023
DEN2000277	Julie Park	Endorsement	6/9/2023
DEN2000282	Thameaneh Tabatabaeifar	Examination	6/9/2023

Motion: The Board to accept the Consent Agenda application approvals.

Moved by: Ms. Dianne Smith, Esq.; (Board Member)

Seconded by: Dr. Judith Henry; (Board Member)

Motion passed unanimously.

DISCUSSION ITEMS	
OS-0621-08	<p><u>LEGISLATIVE UPDATES – OFFICE OF GOVERNMENT RELATIONS</u> Matteo Lieb, Legislative Affairs Specialist</p> <p>Mr. Matteo Lieb updated meeting attendees regarding the Performance Oversight Hearing which was discussed during the Executive Director’s report. He also reiterated his appreciation to Dr. Jeffries-Morton for her work and preparation for the hearing. So far, ten health professional boards (including Dentistry) have presented before the Committee on Health. Mr. Lieb also reported on the <i>Health Professional Licensing Boards Residency Requirement Amendment Act of 2023 (Bill 25-312)</i> which attempts to address the vacancies on several health professional licensing boards. It allows for appointees who may not have residency in the district, but meet other criteria, to serve on the boards. A hearing will be held for this particular bill on July 13, 2023, of which updates will be provided to the Board.</p> <p>Additionally, Mr. Lieb touched on Dr. Ayanna Bennett’s appointment as Director of DC Health, of which her confirmation will have to go through DC Council’s approval. A hearing will also be held in the near future in which the council will consider her nomination.</p>
OS-0621-09	<p><u>DENTAL BOARD SUB-COMMITTEES</u></p> <ol style="list-style-type: none"> 1. <u>Credentials & Audits:</u> Dr. Iris Jeffries-Morton/Dr. John Bailey Dr. Bailey reiterated the importance of the Anesthesia/Sedation survey to determine how the Board will prepare for this permit as it is in its development stage as well as the 1 CE that is granted for completing the survey. 2. <u>Communications:</u> None 3. <u>Regulatory Affairs:</u> Dr. Judith Henry/Dianne Smith, Esq. None
OS-0621-10	<p><u>COMMENTS FROM PUBLIC</u></p> <p>Ms. Fatima Oglesby-Morris of HandsOn Dental Assistant training school expressed her joy in hearing that the Board was considering a Level III Dental Assistant registration and asked if there was any additional information available regarding it. Ms. Carla Williams, Board Attorney, invited Ms. Oglesby-Morris to review the proposed rulemaking/regulations that was submitted to the register for public comment regarding what the Level III Dental Assistant scope of practice would look like.</p> <p>Dr. Eugene Giannini provided insight on why the Dental Anesthesia/Sedation Certification survey response was very poor. He indicated that there is a fear that the identifiers in the beginning of the survey might open participants to possible sanctions by the Board and suggested that it anonymous may yield a greater response. Ms. Carla Williams, clarified</p>

that the survey is merely to understand how many dentists in the district are utilizing anesthesia. The survey cannot result in disciplinary action because as of this moment, no one is required to have a permit to do so. However, his suggestion will be considered by the Board.

Regarding the survey, **Dr. Aliya Kassam** suggested that if participants could complete the survey anonymously if they choose, it would yield a greater response from the dental community. She spoke about the loss of trust from the dental community and how completing the survey anonymously will motivate the dentists to provide the information the Board needs and seeks for. Dr. Kassam also discussed the difficulty of obtaining dental assistants who want to apply for licensure in the district because it's easier/quicker to apply for licensure in Maryland or Virginia. She also discussed the supply and demand issue in having many licensed Dentists but not enough Dental Assistants. When **Ms. Carla Williams** inquired if dentists were aware about Supervised Practice Letters for first time applicants, Dr. Kassam indicated that most time, applicants use DC dentists to start working in DC while working with the SPL. Once they are licensed, they quit to work in Maryland and Virginia and demand for higher pay. Dr. Bailey addressed Dr. Kassam's concerns by pointing out that there is only one dental assistant training school in the district which is not really utilizing the resources we have. Additionally, with level I dental assistants only requiring a high school diploma, more promotion within the high school system would be beneficial for students who may be interested in moving forward with a career in dentistry. Dr. Bailey shared that the Board understands the challenges dentists in the district are facing (ex., Maryland not requiring licensure for dental assistants, higher pay in addition to other issues such as downtown parking difficulties) of which the Board really has no control over, but it's open to any suggestions which may help.

Mr. Kurt Gallagher, raised concerns about the uptick in disciplinary actions the Board has taken against dentists and dental assistants that are practicing unregistered. He also indicated this may have been caused as a residual from the pandemic but also as a result of confusion in the registration requirements. So, on behalf of the DC Dental Society, it was requested that instead of taking disciplinary action, the board should allow the unregistered individuals some time (until the end of the year) to come into compliance to avoid issued with access to care. **Dr. John Bailey** (Chairperson) responded that the Board is not out hunting dental practices down to issue disciplinary actions. However, if a matter is brought before the Board's attention, the Board is obligated to investigate. He also disagreed with the notion of giving unregistered dental assistants up until the end of the year to become compliant as regulations regarding registration has been in place since 2012 to do so. He added that it is the responsibility of the dentists to ensure that the staff they hire are registered before allowing them to practice. **Dr. Jeffries-Morton** and **Ms. Dianne Smith** supported Dr. Bailey's comments regarding the regulations for dental assistant registration being in place for over 11

years.

Dr. Steven Guttenberg indicated that oral maxillofacial surgeons are the most frequent providers of anesthesia by far and therefore are highly training in it, therefore he suggested that OM surgeons should be represented on the Anesthesia/Sedation committee that the Board is developing.

Dr. Ioana Bettios inquired about the teaching licensing process as it has become difficult to hire faculty with specialties with regards to being foreign-trained. Mrs. Ericka Walker, Executive Director, indicated that earlier in the year, several members of the Howard University Dental school joined the open session of which a detailed discussion regarding the teaching licenses, specialties, and requirements for licensure. Mrs. Walker recommended following up with the dean and individual applicants can always reach out to the board to provide them the correct information regarding teaching licenses.

Ms. Annie Dempsey brought up a concern about her colleagues who have obtained a supervisory practice letter, but their applications were not approved, and they were not licensed within the 90-day period allotted. Dr. John Bailey responded that all applications are reviewed, however, the applications that are not approved either have something amiss with their supporting documentation (ex. Clean Hands act selection box, CPR certification) which can be corrected right away by the applicant or other issues such as their Background Check which takes a bit more time as the Board addresses it. Ms. Dempsey indicated that some of her peers have expressed that they do not hear from the board in such situations when their SPL's are set to expire. **Ms. Carla Williams** responded that if an applicant's application is pending, it's pending for a reason. If an applicant has an issue with their Criminal Background Check or a substance abuse issue, that will delay the licensure process as it must be addressed by the Board. Mrs. Ericka Walker added that often times, applicants present with a variety of issues which could prolong the process such as CBC issues or an investigation of unlicensed practice but regardless of the cause of the delay, all applicants are communicated to within a timely manner.

Dr. Roya Pilcher discussed her journey in trying to opening a dental assisting school and wanted to follow up regarding the process as there seems to be confusion between the Board and OSSE's curriculum guidelines. She also requested for a private meeting with Dr. Bailey. **Mrs. Ericka Walker** indicated that the Open Session Meeting was the best and only avenue to have her concerns addressed and clarified. Therefore, there can be no individual meetings because the Board operates as a whole. **Dr. John Bailey** and **Dr. Iris Jeffries-Morton** indicated that historically, to open a dental assistant training school, the applicant would initially complete an application with OSSE and once it is approved, it is sent to the Board for review of the curriculum and a site visit is conducted to ensure the site is compliant. **Ms. Carla Williams** also addressed this matter by indicating that there is

miscommunication about the process as opening a dental assisting training school primarily falls on OSSE, however, they bring the Board of Dentistry in as an expert subject matter regarding the curriculum. However, a formal process is being developed and will be placed on the Board's website as soon as its finalized.

Dr. Eugene Giannini inquired about the new regulations regarding Dental Assistants whitening and bleaching procedures 9004.2 (p) and 9004.6 (r). **Ms. Carla Williams** requested for Dr. Giannini to submit his comments/concerns in writing regarding the Dental Assistants proposed rulemaking for consideration. Dr. Giannini also discussed difficulties for dental assistants paying \$240.00 for registrations compared to other states that do not license dental assistants at all which has led to the uptick of unlicensed practice as many dentists feel that they have submitted supervisory practice letters to try to come into compliance but end up being sanctioned. Ms. Carla Williams reiterated that the Board is not hunting for unlicensed practice, however it often comes to light while reviewing a complaint or some other issue that is presented and comes to the attention of the Board. She suggested that the dental practice should be to come into compliance as soon as possible because the longer the practice is in noncompliance, the more severe the fine.

Mr. Kurt Gallagher requested for additional follow-up discussion on the matter of dental assistants and unregistered practice. **Ms. Carla Williams** reminded meeting attendees that the purpose of having dental assistants registered is to ensure that they have met the educational and training requirements to practice and to reduce patient harm.

BOARD OF DENTISTRY

Open Session Meeting Minutes June 21, 2023

CLOSING	
OS-0621-11	<p><u>MOTION TO CLOSE</u></p> <p>The Board member should move as follows:</p> <p>“Mister Board Chair, I move that the Board close the Open Public session portion of the meeting and move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the following purposes: to discuss disciplinary matters pursuant to § 2-575(b)(9); to seek the advice of counsel to the board, to preserve the attorney-client privilege, or to approve settlement agreements pursuant to § 2-575(b)(4); and to plan, discuss, or hear reports concerning ongoing or planned investigations pursuant to § 2-575(b)(14).”</p>
	<p>Motion: The Board to close the Open Session meeting. Moved by: Dr. Iris Jeffries-Morton; (Vice-Chairperson) Seconded by: Dr. Michelle Latortue (Board Member)</p> <p style="text-align: center;">ROLL CALL VOTE</p> <p style="text-align: center;">The Board voted unanimously.</p>
	<p>This concludes the Public Open Session of the meeting. The Board will now move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the reasons set forth in the motion.</p>

This ends the Open Session Agenda, next meeting is scheduled for **July 19, 2023.**
The meeting adjourned at 10:33 a.m.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Interim Director of the Department of Health (“Department”), pursuant to Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1203.02(14)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of her adoption, on an emergency basis, of the following amendments to Section 4007 (Temporary Licenses) of Chapter 40 (Health Occupations: General Rules) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (“DCMR”).

The impacts of COVID-19 on the District of Columbia’s (“District’s”) public health and healthcare infrastructure extend beyond the immediate epidemiological impacts of the virus. During the District’s initial phases of the public health emergency, COVID-19 related hospitalizations surged causing a shift in the overall healthcare landscape in the District impacting hospital and non-hospital based healthcare. Healthcare worker absenteeism due to COVID-19 isolation and quarantine increased healthcare organizations’ dependence on staffing agencies and temporary workers. Psychological stress contributed to high rates of turnover in the public health and healthcare workforce in the District and the national capital region, leading to record high vacancy rates in critical public health and healthcare roles in the District’s hospitals, long-term care facilities, intermediate care facilities, home health agencies, emergency medical service agencies, behavioral health organizations, and ambulatory care settings. The current environment continues to require public health and healthcare organizations to expand workforce recruitment and retention efforts, including the use of temporary staffing organizations with pools of qualified health professionals duly licensed throughout the United States. This emergency and proposed rulemaking will decrease unnecessary barriers to the temporary license process without undermining the process of verifying that healthcare professionals are credentialed as qualified and competent. Specifically, the amendments will enable individuals submitting a new application who are licensed, registered, or certified in another jurisdiction and are in good standing in any jurisdiction in which the person holds a license, registration, or certification to be issued temporary licenses, registrations, or certifications. The amendments also repeal the requirement that a separate application and fee be submitted for a temporary license. Due to the continued increased need for healthcare professionals, emergency action is necessary for the preservation of the health and welfare of the residents of the District of Columbia.

This emergency rulemaking was adopted by the Interim Director on May 18, 2023 and became effective immediately on that date. The emergency rulemaking will expire one hundred twenty (120) days from the date of adoption on September 15, 2023, or upon publication of a final rulemaking in the *District of Columbia Register*, whichever occurs first.

The Interim Director also gives notice of her intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days from the date of publication of this notice in the *District of Columbia Register*.

Title 17, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, of the DCMR is amended as follows:

Chapter 40, HEALTH OCCUPATIONS: GENERAL RULES, is amended as follows:

Section 4007, TEMPORARY LICENSES, is amended as follows:

Subsection 4007.4 is amended to read as follows:

4007.4 A board may issue a temporary license pursuant to this section only to the following persons:

- (a) An applicant for a new license who is licensed in another jurisdiction of the United States and is applying for licensure by reciprocity or endorsement;
- (b) An applicant who meets all qualifications for a license except for the successful completion of an examination and who has applied to take the next scheduled examination pursuant to § 4002;
- (c) An applicant who has submitted an application for a new license and is licensed and in good standing in another jurisdiction; or
- (d) An applicant who has satisfied all other requirements of the Director for the issuance of a temporary license as determined in writing.

Subsection 4007.6 is repealed.

All persons desiring to comment on the subject matter of this emergency and proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *District of Columbia Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6th Floor, Washington, D.C. 20002 or by email at Phillip.Husband@dc.gov. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. at the address listed above, or by contacting Angli Black, Paralegal Specialist, at Angli.Black@dc.gov, (202) 442-5977.

**DISTRICT OF COLUMBIA
MUNICIPAL
REGULATIONS**

FOR

**TEACHING LICENSES
FOR DENTISTRY AND
DENTAL HYGIENE**

**CHAPTER 92 TEACHING LICENSES FOR DENTISTRY AND DENTAL
HYGIENE**

Secs.	
9200	General Provisions
9201	Licensure Required to Teach Dentistry or Dental Hygiene
9202	Term of License
9203	Eligibility Requirements for a Teacher’s License in Dentistry
9204	Education and Professional Prerequisites for a Teacher’s License in Dentistry
9205	Application for a Teacher’s License in Dentistry
9206	Eligibility Requirements for a Teacher’s License in Dental Hygiene
9207	Education and Professional Prerequisites for a Teacher’s License in Dental Hygiene
9208	Application for a Teacher’s License in Dental Hygiene
9209	Scope of Practice for a Teacher’s License in Dentistry
9210	Scope of Practice for a Teacher’s License in Dental Hygiene
9211	Continuing Education Requirements
9212	Approved Continuing Education Programs and Activities
9213	Continuing Education Credits
9299	Definitions
9200	GENERAL PROVISIONS
9200.1	This chapter shall apply to applicants for and holders of a teacher’s license in dentistry or dental hygiene.
9200.2	Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), 42 (Dentistry), and 43 (Dental Hygiene) of Title 17 of the District of Columbia Municipal Regulations shall supplement this chapter.
9200.3	A holder of a teacher’s license in dentistry shall comply with all the requirements for the practice of dentistry under this chapter and the Act.
9200.4	A holder of a teacher’s license in dental hygiene shall comply with all the requirements for the practice of dental hygiene under this Act.
9201	LICENSURE REQUIRED TO TEACH DENTISTRY OR DENTAL HYGIENE
9201.1	No person unlicensed to practice dentistry or dental hygiene in the District of Columbia shall be permitted to teach dentistry or dental hygiene, respectively, within the District, without a teacher’s license.

- 9201.2 For a period of one year after the effective date of these regulations an applicant who is not eligible to teach dentistry under § 9203 of this chapter, or is not eligible to teach dental hygiene under § 9206 of this chapter, may engage in the teaching of dentistry or dental hygiene, respectively, if the applicant:
- (a) Has received training to enable him or her to competently and safely teach dentistry; and
 - (b) Engages in dental or dental hygiene teaching under the general supervision of a licensed dentist.

9202 TERM OF LICENSE

9202.1 A teacher's license in dentistry and a teacher's license in dental hygiene shall expire on the earlier of:

- (a) The date set in § 9202.3, unless the license is renewed for an additional term; or
- (b) The date when the licensee ceases to be a full-time or part-time faculty member at the institution named on the license.

9202.2 The holder of a teacher's license in dentistry or dental hygiene shall surrender the license to the Board within thirty (30) days of ceasing to be a full-time or part-time faculty member at the institution named on the license.

9202.3 Subject to § 9202.4, a teacher's license in dentistry and a teacher's license in dental hygiene issued pursuant to this chapter shall expire at 11:59 PM of December 31st of each odd-numbered year.

9202.4 If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a teacher's license in dentistry and a teacher's license in dental hygiene issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the registration or other date established by the Director.

9203 ELIGIBILITY REQUIREMENTS FOR A TEACHER'S LICENSE IN DENTISTRY

9203.1 To be eligible for a teacher's license in dentistry, an applicant shall:

- (a) Have an appointment or a promise of an appointment as a full-time or part-time faculty member at an accredited dental school located in the District of Columbia and the institution where the dentist is appointed shall provide documentation satisfactory to the Board of the appointment;

- (b) Meet the education and professional prerequisites set forth under § 9204.1, or § 9204.2;
- (c) Have successfully completed Part I and Part II of the examination of the Joint Commission on National Dental Examinations;
- (d) Be at least twenty-one (21) years of age;
- (e) Be of good moral character and professionally competent;
- (f) Not have failed the ADEX clinical examination, or its successor, for a license to practice dentistry in the District of Columbia, unless having subsequently passed;
- (g) Be a United States citizen or an alien lawfully admitted to the United States;
- (h) Not be currently under investigation or pending charges by any state licensing board, peer review authority, or law enforcement authority;
- (i) Not have a health professional license that is suspended, revoked, or otherwise not in good standing, as determined by the Board, in another state or jurisdiction; and
- (j) Not have been convicted or disciplined by a court of any state or country for a crime involving moral turpitude or that bears directly upon the fitness of the applicant to be licensed.

9204 EDUCATION AND PROFESSIONAL PREREQUISITES FOR A TEACHER'S LICENSE IN DENTISTRY

9204.1 Except as otherwise provided in § 9204.2, an applicant shall furnish proof satisfactory to the Board that the applicant:

- (a) Has successfully completed an educational program in the practice of dentistry at an institution accredited by the Commission on Dental Accreditation of the American Dental Association (“CODA”), and holds a Degree of Doctor of Dental Surgery (DDS), Doctor of Dental Medicine (DMD), or its equivalent, from a college or university that is authorized by any state of the United States or any province of Canada to grant a degree and is recognized by the Board of Dentistry as requiring adequate professional collegiate training and as maintaining an acceptable course of dental instruction; and
- (b) Is licensed to practice dentistry, in good standing, in any other state.

9204.2 An applicant that does not meet the requirements set forth in § 9204.1, may be granted licensure if the dean of the dental school where the dentist will practice requests that the dentist be granted the license, circumstances exist that justify granting the request, and the applicant furnishes proof satisfactory to the Board that the applicant:

- (a) Holds a DDS or DMD degree, or an equivalent degree from a school, college, or faculty of dentistry, recognized by the appropriate civil authorities of the jurisdiction in which the institution is located, which includes completion of a total of not less than six (6) total academic years of pre-professional and professional education, including courses in general chemistry, organic chemistry, biology or zoology, and physics, and for which at least four (4) academic years shall be professional dental education; and
- (b) Has at least two (2) years of clinical dental experience.

9205 APPLICATION FOR A TEACHER'S LICENSE IN DENTISTRY

9205.1 To apply for a teacher's license in dentistry an applicant shall:

- (a) Submit a completed application to the Board on the required forms and include:
 - (1) The applicant's social security number on the application. If the applicant does not have a social security number, the applicant shall:
 - (i) Submit with the application a sworn affidavit, under penalty of perjury, stating that he or she does not have a social security number; and
 - (ii) Submit proof acceptable to the Board that he or she is legally authorized to be in the United States, such as a Resident Alien Card, a valid foreign passport with a visa, or a work permit card from the Department of Homeland Security (I-766 or I-688B);
 - (2) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2" x 2"), which clearly expose the area from the top of the forehead to the bottom of the chin; and
 - (3) One (1) clear photocopy of a U.S. government-issued photo ID, such as a driver's license, as proof of identity; and

- (b) Submit a formal request for licensure and promise of appointment or confirmation of appointment from the Dean of the dental school where the applicant will be appointed. The request shall be submitted in a sealed envelope bearing the seal of the institution;
- (c) Submit an official transcript mailed directly from the educational institution(s) in a sealed envelope, which shall verify that the applicant has successfully met the education requirements set forth in § 9204.1 or § 9204.2 of this chapter;
- (d) Submit the applicant's examination results, which have been certified or validated by the Joint Commission of National Dental Examiners;
- (e) Submit proof acceptable to the Board that the applicant has not failed the ADEX clinical examination, or its successor, or proof that the applicant subsequently passed the examination which shall be certified or validated by the ADEX or its successor;
- (f) Submit a copy of his or her current dental license; or if not licensed in another state, proof acceptable to the Board of having two (2) years of active clinical practice;
- (g) Obtain verification from each state in which the applicant holds or has ever held a professional health occupation license, if applicable, that the license is current and in good standing, or if the license is no longer active, that it was in good standing immediately prior to its expiration. The licensure verification form shall be sent directly to the Board by the verifying board;
- (h) Pass the District of Columbia Dental Law Examination;
- (i) Submit two letters of recommendation from the applicant's clinical colleagues, which shall certify to the board the good moral character of the applicant, and the applicant's qualifications, background, and experience.
- (j) Undergo a criminal background check; and
- (k) Pay all required fees.

9206 ELIGIBILITY REQUIREMENTS FOR A TEACHER'S LICENSE IN DENTAL HYGIENE

9206.1 To be eligible for a teacher's license in dental hygiene, an applicant shall:

- (a) Have an appointment or a promise of an appointment as a full-time or part-time faculty member in a dental hygiene program at an accredited

dental school located in the District of Columbia and the institution where the dental hygienist is appointed provides documentation satisfactory to the Board of the appointment.

- (b) Meet the education and professional prerequisites set forth under § 9207.1;
- (c) Have successfully completed the National Board of Dental Hygiene Examination;
- (d) Be of good moral character and professionally competent;
- (e) Not have failed the ADEX clinical examination, or its successor, unless having subsequently passed;
- (f) Be a United States citizen or an alien lawfully admitted to the United States;
- (g) Not be currently under investigation or pending charges by any state licensing board, peer review authority, or law enforcement authority;
- (h) Not have a health professional license that is suspended, revoked, or otherwise not in good standing, as determined by the Board, in another state or jurisdiction; and
- (i) Not have been convicted or disciplined by a court of any state or country for a crime involving moral turpitude or that bears directly upon the fitness of the applicant to be licensed.

9207 EDUCATION AND PROFESSIONAL PREREQUISITES FOR A TEACHER'S LICENSE IN DENTAL HYGIENE

9207.1 An applicant shall furnish proof satisfactory to the Board that the applicant:

- (a) Has successfully completed an educational program in the practice of dental hygiene of at least two academic years at an institution accredited by the CODA at the time the applicant graduated; or the applicant demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this section; and
- (b) Submits evidence satisfactory to the Board that the applicant has been actively engaged in the practice of dental hygiene for the three (3) years immediately preceding the application, and has at least one hundred and fifty (150) hours of active dental hygiene practice.

9208 APPLICATION FOR A TEACHER'S LICENSE IN DENTAL HYGIENE

Effective Date: May 25, 2018

9208.1

To apply for a teacher's license in dental hygiene, an applicant shall:

- (a) Submit a completed application to the Board on the required forms and include:
 - (1) The applicant's social security number on the application. If the applicant does not have a social security number, the applicant shall:
 - (i) Submit with the application a sworn affidavit, under penalty of perjury, stating that he or she does not have a social security number; and
 - (ii) Submit proof acceptable to the Board that he or she is legally authorized to be in the United States, such as a Resident Alien Card, a valid foreign passport with a visa, or a work permit card from the Department of Homeland Security (I-766 or I-688B);
 - (2) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2" x 2"), which clearly expose the area from the top of the forehead to the bottom of the chin; and
 - (3) One (1) clear photocopy of a U.S. government-issued photo ID, such as a driver's license, as proof of identity; and
- (b) Submit a formal request for licensure and promise of appointment or confirmation of appointment from the Dean of the dental school or dental hygiene school where the applicant will be appointed. The request shall be submitted in a sealed envelope bearing the seal of the institution;
- (c) Submit an official transcript mailed directly from the educational institution(s) in a sealed envelope, which shall verify that the applicant has successfully met the education requirements set forth in § 9207.1 of this chapter;
- (d) Submit the applicant's examination results, which have been certified or validated by the National Board of Dental Hygiene Examination;
- (e) Submit proof acceptable to the Board that the applicant has not failed the ADEX clinical examination, or its successor, or proof that the applicant subsequently passed the examination which shall be certified or validated by the ADEX or its successor;

Effective Date: May 25, 2018

- (f) Submit proof acceptable to the Board that the applicant has been actively engaged in the practice of dental hygiene for the three (3) years immediately preceding the application, and has at least one hundred fifty (150) hours of active dental hygiene practice;
- (g) Obtain verification from each state in which the applicant holds or has ever held a professional health occupation license, if applicable, that the license is current and in good standing, or if the license is no longer active, that it was in good standing immediately prior to its expiration. The licensure verification form shall be sent directly to the Board by the verifying board;
- (h) Pass the District of Columbia Dental Law Examination;
- (i) Submit two (2) letters of recommendation from the applicant's clinical colleagues, which shall certify to the board the good moral character of the applicant, and the applicant's qualifications, background, and experience.
- (j) Undergo a criminal background check; and
- (k) Pay all required fees.

9209 SCOPE OF PRACTICE FOR A TEACHER'S LICENSE IN DENTISTRY

9209.1 The holder of an active teacher's license in dentistry shall:

- (a) Teach dentistry at only the institution named on the license, which includes, and is limited to the primary facilities within the dental school, and shall not engage in clinical teaching at a satellite location or other off-campus sites, such as clinics, unless the location or site is part of a program operated by the institution as confirmed by formal affiliation agreements; and
- (b) Practice, adjunct to instruction, only at the institution named on the license to the same extent as other faculty members who hold general licenses to practice dentistry; provided that a licensed dentist employed by the school provides general supervision in all clinical practice.

9209.2 For purposes of this chapter, "teach" shall mean to provide clinical and didactic instruction and training at the institution to students formally enrolled in an educational program in the practice of dentistry at that institution.

9209.3 The holder of a teacher's license in dentistry shall not establish a dental practice in the District of Columbia, or engage in the practice of dentistry in any manner outside of the educational institution named on the license, without first obtaining an unrestricted dental license to practice dentistry in the District of Columbia.

9210 SCOPE OF PRACTICE FOR A TEACHER’S LICENSE IN DENTAL HYGIENE

9210.1 The holder of an active teacher’s license in dental hygiene shall:

- (a) Teach dental hygiene only at the institution named on the license, which includes, and is limited to the primary facilities within the dental school, and shall not engage in clinical teaching at a satellite location or other off-campus sites, such as clinics, unless the location or site is part of a program operated by the institution as confirmed by formal affiliation agreements; and
- (b) Practice, adjunct to instruction, only at the institution named on the license to the same extent as other faculty members who hold general licenses to practice dental hygiene, and only under the direct supervision of a licensed dentist employed by the institution named on the license.

9210.2 For purposes of this chapter, “teach” shall mean to provide clinical and didactic instruction and training at the institution to students formally enrolled in an educational program in the practice of dental hygiene at that institution.

9210.3 The holder of a teacher’s license in dental hygiene shall not engage in the practice of dental hygiene in any manner outside of the educational institution named on the license, without first obtaining an unrestricted license to practice dental hygiene in the District of Columbia.

9211 CONTINUING EDUCATION REQUIREMENTS

9211.1 This section shall apply to applicants for the renewal, reactivation, or reinstatement of a teacher’s license in dentistry or of a teacher’s license in dental hygiene beginning with the renewal period ending December 31, 2019, and for subsequent terms.

9211.2 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with § 9212.

9211.3 Beginning with the renewal period ending December 31, 2019, an applicant for renewal of a teacher’s license in dentistry shall submit proof pursuant to § 9211.11 of having completed thirty (30) hours of credit within the two-year (2) period preceding the date the license expires, which shall include at least:

- (a) Current cardiopulmonary resuscitation certification for health care providers (“CPR certification”);

- (b) Two (2) hours of infection control in approved continuing education programs;
- (c) Two (2) hours of ethics in an approved continuing education programs; and
- (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”) meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

9211.4 Beginning with the licensure period ending December 31, 2019, an applicant for renewal of a teacher’s license in dental hygiene shall submit proof pursuant to § 9211.11 of having completed fifteen (15) hours of approved continuing education credit obtained within the two (2) year period preceding the date the license expires, which shall include:

- (a) Current CPR certification for healthcare providers at the basic level;
- (b) Two (2) hours of infection control training;
- (c) One (1) hour of ethics in an approved continuing education programs; and
- (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”) meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

9211.5 Each applicant for renewal, reactivation, or reinstatement of a teacher’s license in dentistry who is permitted by the Drug Enforcement Agency and the District of Columbia Pharmaceutical Control Division to prescribe controlled substances in the District shall complete two (2) hours of continuing education in the abuse and misuse of controlled substances, and in opioid prescription practices. This continuing education shall be part of the continuing education hours required under Subsection 9211.3 of this chapter.

9211.6 Internet courses and programs shall not be used to satisfy the continuing education CPR certification requirement.

9211.7 Beginning with the licensure period ending December 31, 2019, to qualify for a teacher’s license in dentistry, a person in inactive status within the meaning of § 511 of the Act, D.C. Official Code § 3-1205.11 (2016 Repl.) who submits an application to reactivate a license shall submit proof pursuant to § 9211.11 of having completed thirty (30) hours of approved continuing education credit obtained within the two (2) year period preceding the date of the application for

reactivation of that applicant's license and an additional fifteen (15) hours of approved continuing education credit for each additional year that the applicant was in inactive status beginning with the third year, which shall include at least:

- (a) Current cardiopulmonary resuscitation certification for health care providers ("CPR certification");
- (b) Two (2) hours of infection control in approved continuing education programs;
- (c) Two (2) hours of ethics in an approved continuing education programs; and
- (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression ("LGBTQ") meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

9211.8 Beginning with the licensure period ending December 31, 2019, to qualify for a teacher's license in dentistry, an applicant for reinstatement of a license shall submit proof pursuant to § 9211.11 of having completed thirty (30) hours of approved continuing education credit obtained within the two (2) year period preceding the date of the application for reinstatement of the applicant's license and an additional fifteen (15) hours of approved continuing education credit for each additional year that the license was expired beginning with the third year, which shall include at least:

- (a) Current cardiopulmonary resuscitation certification for health care providers ("CPR certification");
- (b) Two (2) hours of infection control in approved continuing education programs;
- (c) Two (2) hours of ethics in an approved continuing education programs; and
- (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression ("LGBTQ") meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

9211.9 Beginning with the licensure period ending December 31, 2019, to qualify for a teacher's license in dental hygiene, a person in inactive status within the meaning of § 511 of the Act, D.C. Official Code § 3-1205.11 (2016 Repl.) who submits an application to reactivate a license shall submit proof pursuant to § 9211.11 of having completed fifteen (15) hours of approved continuing education credit

obtained within the two (2) year period preceding the date of the application for reactivation of that applicant's license and an additional eight (8) hours of approved continuing education credit for each additional year that the applicant was inactive status beginning with the third year, which shall include at least:

- (a) Current CPR certification for healthcare providers at the basic level;
- (b) Two (2) hours of infection control training;
- (c) Two (2) hours of ethics in an approved continuing education programs; and
- (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression ("LGBTQ") meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

9211.10 Beginning with the licensure period ending December 31, 2019, to qualify for a teacher's license in dental hygiene, an applicant for reinstatement of a license shall submit proof pursuant to § 9211.11 of having completed fifteen (15) hours of approved continuing education credit obtained within the two (2) year period preceding the date of the application for reinstatement of the applicant's license and an additional eight (8) hours of approved continuing education credit for each additional year that the license was expired beginning with the third year, which shall include at least:

- (a) Current cardiopulmonary resuscitation certification for health care providers;
- (b) Two (2) hours of infection control training;
- (c) Two (2) hours of ethics in an approved continuing education programs; and
- (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression ("LGBTQ") meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

9211.11 An applicant for a teacher's license in dentistry or for a teacher's license in dental hygiene shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:

- (a) The name and address of the sponsor of the program;

- (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
- (c) The dates on which the applicant attended the program;
- (d) The hours of credit claimed; and
- (e) Verification by the sponsor of completion, by signature or stamp.

9211.12 An applicant for renewal of a teacher’s license in dentistry or of a teacher’s license in dental hygiene license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the license up to sixty (60) days after expiration by submitting this proof pursuant to § 9211.11 and by paying the required additional late fee.

9211.13 Upon submitting proof of having completed continuing education requirements and paying the late fee, the applicant shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.

9211.14 If an applicant for renewal of a teacher’s license in dentistry or of a teacher’s license in dental hygiene fails to submit proof of completion of continuing education requirements or pay the late fee within sixty (60) days after the expiration of applicant’s license, the license shall be considered to have lapsed on the date of expiration.

9211.15 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant’s failure to submit proof of completion was for good cause. As used in this section, “good cause” includes the following:

- (a) Serious and protracted illness of the applicant; and
- (b) The death or serious and protracted illness of a member of the immediate family.

9212 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

9212.1 The Board, in its discretion, may approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the practice of dentistry and which meet the other requirements of this section.

9212.2 The Board may approve the following types of continuing education programs, if the program meets the requirements of § 9212.3:

- (a) An undergraduate or graduate course given at an accredited college or university;
- (d) A seminar or workshop;
- (c) An educational program given at a conference or convention; and
- (d) In-service training.

9212.3 To qualify for approval by the Board, a continuing education program shall do the following:

- (a) Be current in its subject matter;
- (b) Be developed and taught by qualified individuals; and
- (c) Meet one of the following requirements:
 - (1) Be administered or approved by a recognized national, state, or local dentistry organization; health care organization; accredited health care facility; or an accredited college or university; or
 - (2) Be submitted by the program sponsors to the Board for review no less than sixty (60) days prior to the date of the presentation and be approved by the Board.

9212.4 Continuing education credit will not be awarded for programs that do not relate to the theory or clinical application of theory pertaining to the practice of dentistry including but not limited to:

- (a) Courses pertaining to business communications and operations;
- (b) Courses solely pertaining to medical/dental coding terminology;
- (c) Courses pertaining to personal self-improvement, financial gain, or career options;
- (d) Courses designed for lay persons;
- (e) Providing instruction to persons who are not licensed, registered, certified, or students in the field of dentistry, dental hygiene, or dental assisting, or for conducting research, or publications, or any preparation for same;
- (f) On-the-job training;

- (g) Orientation programs or staff meetings, including orientation to new policies, non-therapeutic procedures, equipment, forms, responsibilities, services, etc;
- (h) Presentations made by students;
- (i) Participation in or attendance at, not as a presenter, case conferences, grand rounds, or informal presentations; or
- (j) Work done in the course of an applicant's normal occupations or incident to the performance of his or her regular professional duties, such as teaching didactic courses, research, or course preparation in the case of a teacher or professor.

9212.5 The Board may issue and update a list of approved continuing education programs.

9212.6 An applicant shall have the burden of verifying whether the Board pursuant to this section prior to attending the program approves a program.

9212.7 The Board may approve the following continuing education activities by an applicant:

- (a) Serving as an instructor or speaker at a conference, seminar, workshop, or in-service training;
- (b) Publication of an article in a professional journal or publication of a book or a chapter in a book or publication of a book review in a professional journal or bulletin;
- (c) Serving as a clinical instructor for students of dentistry or dental residents; and
- (d) Participation in research as a principal investigator or research assistant.

9213 CONTINUING EDUCATION CREDITS

9213.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.

9213.2 For approved undergraduate or graduate courses, each semester hour of credit shall constitute fifteen (15) hours of continuing education credit, and each quarter hour of credit shall constitute ten (10) hours of continuing education credit.

9213.3 The Board may grant a maximum of thirteen (13) continuing education credits per year to an applicant who attends a full time post-graduate education program.

- 9213.4 The Board may grant credit to an applicant who serves as an instructor or speaker at an acceptable program for both preparation and presentation time, subject to the following restrictions:
- (a) The maximum amount of credit which may be granted for preparation time is twice the amount of the associated presentation time;
 - (b) The maximum amount of credit which may be granted pursuant to this subsection is fifty percent (50%) of an applicant's continuing education requirement; and
 - (c) The presentation shall have been completed during the period for which credit is claimed.
- 9213.5 The Board may grant an applicant who is an author or editor of a published book twenty-five (25) continuing education credits, if the book has been published or accepted for publication during the period for which credit is claimed, and the applicant submits proof of this fact in the application.
- 9213.6 The Board may grant an applicant who is an author of a published original paper five (5) continuing education credits, subject to the same restrictions set forth for books in § 9213.5.
- 9213.7 The Board may grant an applicant who is the sole author of a published book review, review paper, or abstract, two (2) continuing education credits, subject to the same restrictions set forth for books in § 9213.5.

9299 DEFINITIONS

As used in this chapter, the following terms shall have the meaning as ascribed:

Act – the Omnibus Health Regulation Amendment Act of 2014, effective March 26, 2014 (D.C. Law 20-0096; 61 DCR 3751 (April 11, 2014)).

Board – the Board of Dentistry.

Direct supervision – means that a licensed dentist is physically present and reviews the work of the holder of a teacher's license in dental hygiene before a patient leaves.

Director – the Director of the Department of Health.

General supervision – means that a licensed dentist is physically present or available by telecommunications device to supervise the holder of a teacher's license in dentistry.

Licensed Dentist – a person who is licensed by the Board as a Dentist.



**Government of the District of Columbia
 Department of Health
 Health Regulation and Licensing Administration
 BOARD OF DENTISTRY**



NINETY (90) DAY SUPERVISED PRACTICE FORM FOR DENTAL ASSISTANTS

This form must be returned in a sealed envelope and hand delivered by the applicant to the Board BEFORE the applicant begins practicing in the District of Columbia.

****Note: You must have Dental Assistant application currently pending with the Board.**

TO THE SUPERVISOR: A DC LICENSED DENTIST MUST COMPLETE THIS FORM

- This form must be completed and approved by the Board before you can begin supervision of an applicant for registration as a dental assistant.**
- The applicant cannot work in the District until he/she submits an application to the Board and receives an approved supervised practice form from the Board.**
- The supervisor is fully responsible for all supervised practice by the applicant and for ensuring that the applicant has a current application pending before the Board. The supervisor shall be subject to disciplinary action for any violation.**

Supervised practice is for ninety (90) days from the date of approval by the Board and cannot be extended.

Applicant's Name (Please Print): _____
 First Name Last Name Middle Initial

Applicant's Registration Type: Dental Assistant Level I ____ Dental Assistant Level II ____

Supervisor's Name (Please Print): _____
 First Name Last Name Middle Initial

Supervisor's DC License No.: _____
 License No. Expiration Date

Location of Supervision: _____
 Facility Name Address Facility Phone Number

Brief description of applicant's duties and responsibilities:

SUPERVISEE SIGNATURE	PHONE NUMBER	DATE

SUPERVISOR SIGNATURE	PHONE NUMBER	DATE

FOR OFFICE USE ONLY

DC SEAL

Supervised Practice Form
Expiration Date: _____

_____ Date Application Submitted: _____ Date Supervised Practice Form Submitted: _____

Board Action: _____ HRLA Staff Signature: _____

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Interim Director of the Department of Health, pursuant to Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the intent to take final rulemaking action to amend Chapter 90 (Dental Assistants) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (“DCMR”) in not less than thirty (30) days from the date of publication of this notice in the *District of Columbia Register*.

This rulemaking will add a Level III Dental Assistant registration category for applicants possessing advanced educational training, clarify the educational requirement for Level II Dental Assistants, and expand the duties that may be performed by all dental assistants.

Chapter 90, DENTAL ASSISTANTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 9003, EDUCATION REQUIREMENTS, is amended as follows:

Subsection 9003.2 is amended as follows:

Paragraph (c) is amended to read as follows:

- (c) (1) Successfully completed and graduated from an educational program for dental assistants approved by the Board or the American Dental Association’s (ADA) Commission on Dental Accreditation (CODA); or
- (2) A current and valid certification as a Certified Dental Assistant in general duties from the Dental Assisting National Board (DANB), or other dental assisting certification approved by the Board.

Paragraph (d) is repealed.

A new subsection 9003.3 is added to read as follows:

9003.3 An applicant for a Level III Dental Assistant registration shall submit proof satisfactory to the Board that the applicant has:

- (a) A high school diploma or a general equivalency diploma;
- (b) Successfully completed a course in dental radiography training meeting the requirements set forth in § 9005.1 of this chapter;

- (c) Successfully completed and graduated from an educational program for dental assistants approved by the Board or the American Dental Association's Commission on Dental Accreditation (CODA);
- (d) A current and valid certification as a Certified Dental Assistant in general duties from the DANB or another dental assisting certification approved by the Board;
- (e) Successfully completed and obtained the DANB Certified Preventive Functions Dental Assistant Certification; and
- (f) Successfully passed a Board-approved, hands-on course in the functions and duties permitted to be performed by a Level III Dental Assistant.

Section 9004, SCOPE OF PRACTICE, is amended as follows:

Subsection 9004.2 is amended as follows:

Paragraph (c) is amended to read as follows:

- (c) Applying fluoride (rinse, foam tray, and fluoride varnish);

Paragraph (l) is amended to read as follows:

- (l) Constructing athletic mouth guards and night guards on models;

Paragraphs (p) and (q) are amended to read as follows:

- (p) Whitening or bleaching using trays;
- (q) Take and record vital signs; and

A new paragraph (r) is added to read as follows:

- (r) Other functions as approved by the Board.

Subsection 9004.3 is amended as follows:

Paragraph (d) is repealed.

Paragraphs (m) and (n) are amended to read as follows:

- (m) Removing excess cement; and
- (n) Removing or placing a periodontal dressing (except placing the original periodontal dressing).

Paragraph 9004.3(o) is repealed.

Subsections 9004.4 and 9004.5 are renumbered as 9004.5 and 9004.6 respectively.

A new subsection 9004.4 is added to read as follows:

- 9004.4 Level III Dental Assistant may perform the following functions under direct supervision of a dentist:
- (a) All functions permitted to Level I Dental Assistant or Level II Dental Assistant, as enumerated in §§ 9004.2 and 9004.3;
 - (b) The application of pit and fissure sealants;
 - (c) Coronal polishing to remove stain and biofilm; and
 - (d) Glucose testing.

The lead-in language of newly renumbered subsection 9004.5 (formerly numbered 9004.4) is amended to read as follows:

- 9004.5 Level I, II, or III Dental Assistant working under the direct supervision of an orthodontist may also perform the following functions:

The newly renumbered subsection 9004.6 (formerly numbered 9004.5) is amended to read as follows:

- 9004.6 A dentist shall not delegate to a dental assistant any of the following procedures:
- (a) Those procedures excluded by 17 DCMR § 4215.1;
 - (b) A preliminary dental examination;
 - (c) A complete prophylaxis, including the removal of any deposits, diseased crevicular tissue, accretion, or stain from the surface of a tooth or a restoration;
 - (d) The restoration of a tooth;
 - (e) The charting of cavities during preliminary examination, prophylaxis, or polishing; however, a dentist may permit an assistant to record the charting of cavities as dictated by the dentist or dental hygienist during the course of a preliminary examination or dental procedure;

- (f) The instruction of individuals or groups of individuals in oral health care, unless it is in the dental office and done as instructed by the dentist;
- (g) [Repealed];
- (h) Diagnostic screening to identify indications of oral abnormalities;
- (i) Administration of local anesthesia;
- (j) Administration of nitrous oxide;
- (k) Placement of temporary restorations;
- (l) Taking final impressions;
- (m) Adjusting occlusion of natural teeth, restorations, or appliances;
- (n) Registration of jaw relations;
- (o) Cementing permanent crowns or restorations;
- (p) Applying silver diamine fluoride;
- (q) Glucose monitoring;
- (r) Whitening or bleaching (internal, laser, or high-intensity light);
- (s) Using a high speed handpiece intraorally;
- (t) Oral cancer screenings;
- (u) Oral cancer tissue biopsy;
- (v) Placing initial periodontal dressing;
- (w) Placement of liquid dam;
- (x) Applying and removing a socket dressing;
- (y) Placement of subgingival medicaments;
- (z) Removing intracoronal temporary restorations; or
- (aa) Placing sutures.

Section 9005, RADIOGRAPHY REQUIREMENTS, is amended as follows:

The lead-in language of subparagraph 9005.1 is amended to read as follows:

9005.1 A Level II or Level III dental assistant shall be eligible to place or expose dental x-ray film if he or she has:

A new section 9008, DISTRICT OF COLUMBIA DENTAL ASSISTANT LAW EXAMINATION, is added to read as follows:

9008 DISTRICT OF COLUMBIA DENTAL ASSISTANT LAW EXAMINATION

9008.1 An applicant for a Level I, Level II, or Level III Dental Assistant registration shall submit proof satisfactory to the Board that the applicant received a passing score on a written examination developed by the Board or a Board-approved entity on laws and rules pertaining to the practice of dental assistants (the District of Columbia Dental Assistants Law Examination).

9008.2 The District of Columbia Dental Assistants Law Examination may consist of questions on general District laws pertaining to the practice of dental assistants including the Act, this chapter, and Chapters 40, 41, 42, and 43 of this title.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of the publication of this notice in the *District of Columbia Register*. Comments should be sent to the Department of Health, Phillip L. Husband, General Counsel, Office of the General Counsel, 899 North Capitol Street, N.E., 6th Floor, Washington, D.C. 20002 at Phillip.Husband@dc.gov. Copies of the proposed rules may be obtained during the hours of 9 a.m. to 5 p.m., Monday through Friday, excluding holidays, at the address listed above, or by contacting Angli Black, Paralegal Assistant, at Angli.Black@dc.gov, (202) 442-5977.



Dental Assisting National Board

Board of Directors

June 23, 2023

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CDIPC, MADAA

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Chief Executive Officer

Laura Skarnulis

BY EMAIL

District of Columbia Department of Health
Office of General Counsel
Attention: Phillip L. Husband, General Counsel
899 N. Capitol Street, N.E., 6th Floor, Washington, D.C. 20002
Phillip.Husband@dc.gov

Dear Distinguished Members of the District of Columbia Department of Health:

I am writing on behalf of the Dental Assisting National Board, Inc. (DANB) in connection with the rulemaking proposal that is currently the subject of a public comment period ending June 25, 2023.

The rule proposal amends Title 17, Chapter 90 (Dental Assistants) of the District of Columbia Municipal Regulations by notably:

- creating a new category of dental assistant (“Level III”) authorized to perform coronal polishing, sealant functions, and glucose testing;
- establishing education and testing requirements for Level III registration dental assistants, including recognition of both DANB’s Certified Dental Assistant (CDA) and Certified Preventative Functions Dental Assistant (CPFDA) certifications; and
- authorizing the application of topical fluoride by Level I dental assistants.

DANB supports the Department’s efforts to ensure public protection and quality dental care by requiring that new Level III dental assistants demonstrate competence by achieving nationally recognized certification. We are pleased that the Department recognizes DANB certifications and exams as a trusted means to achieve and display this competence and professional quality.

In the interest of assisting the Department in considering the current rule proposal, we are providing several documents containing information about DANB services and exams to aid you in your deliberations. These include:

- DANB’s Overview of Services (Attachment 1)
- Overview of DANB’s CPFDA certification, its eligibility pathways, and component exams (Attachment 2)
- Abbreviated content outlines of the Coronal Polishing (CP), Sealants (SE), and Topical Fluoride (TF) exams that comprise the CPFDA certification, as well as the exams comprising the Certified Orthodontic Assistant (COA) and other DANB certifications (Attachment 3)

If the Department would like any additional information about DANB certifications and component exams or any other service offered by DANB, please do not hesitate to contact me at klandsberg@danb.org or 1-800-367-3262, ext. 431.

Best regards,

Katherine Landsberg
Director, Government Relations

Cc: Laura Skarnulis, DANB Chief Executive Officer
Aaron White, MBA, MJur, DANB Chief Operating Officer



DANB[®]

Overview of Services

About DANB

Established in 1948, DANB (a nonprofit organization) is recognized by the American Dental Association (ADA) as the national certification board for dental assistants. DANB's mission is to promote the public good by providing credentialing services to the dental community. More than 35,000 dental assistants nationwide are currently DANB certified. In addition, more than 200,000 dental assistants hold one or more of DANB's certificates of knowledge-based competence (marked with an asterisk* below).

DANB certifications and exams are currently recognized or required by 38 states, the District of Columbia, the U.S. Air Force and the Department of Veterans Affairs.

DANB Exams and Certifications

National Entry Level Dental Assistant (NELDA[®])

Component exams:

Anatomy, Morphology and Physiology (AMP)*
Radiation Health and Safety (RHS[®])*
Infection Control (ICE[®])*

Certified Dental Assistant[™] (CDA[®])

Component exams:

General Chairside Assisting (GC)
Radiation Health and Safety (RHS[®])*
Infection Control (ICE[®])*

Certified Orthodontic Assistant (COA[®])

Component exams:

Orthodontic Assisting (OA)
Infection Control (ICE[®])*

Certified Restorative Functions Dental Assistant (CRFDA[®])

Component exams:

Impressions (IM)*
Temporaries (TMP)*
Sealants (SE)*
Restorative Functions (RF)

Certified Preventive Functions Dental Assistant (CPFDA[®])

Component exams:

Coronal Polishing (CP)*
Sealants (SE)*
Topical Fluoride (TF)*

Models for Using DANB Exams in Regulation of Dental Assistants

Registration or Other Credentialing Conducted by State Regulatory Boards

In states where the state board of dentistry is empowered by state law to register, license or otherwise credential dental assistants, DANB's national certification programs, or selected component exams, can fulfill the knowledge-based competence measurement requirement underlying state-specific credentialing. Rather than expending state resources to develop a state-specific exam, a state regulatory agency can accept or require an existing DANB national certification, exam or combination of DANB exams; doing so can eliminate costs associated with exam development, administration, scoring and reporting and reduce lead time required to implement a state-specific dental assisting credentialing program. The modular format of DANB's certification exams — which consist of individual component exams covering specific functions or areas of knowledge — provides states with the flexibility to test only in the areas that are delegable to dental assistants under state law or rules. In addition to DANB's online credential verification tool, DANB provides state regulators with secure online access to reporting of candidate exam results free of charge.

Competence Measurement Without State Credentialing

When a state dental board is not empowered to register, license or otherwise credential dental assistants, regulation of dental assistants often takes the form of establishing parameters for delegation of duties to dental assistants, including outlining allowed and prohibited tasks, education requirements and competence testing requirements. DANB provides state regulators with a suite of independent, psychometrically sound and standardized exams that allow for reliable measurement of knowledge-based competence.

In such circumstances, it is often the dentist's responsibility to ensure that dental assistants have met the state's requirements, including passing any required exams. DANB simplifies the employer's job by providing online and written credential verification at no cost.

Benefits of Partnering with DANB

- ▶ Recognizing or requiring DANB national exams eliminates exam development costs and allows for turnkey operation of a state registration or competence measurement program for dental auxiliaries
- ▶ There are no DANB-established eligibility prerequisites to take the asterisked (*) exams listed on the first page (aside from answering three Background Information Questions)
 - In this way, DANB supports states in establishing any (or no) additional prerequisites to perform functions addressed by these DANB exams
 - States that do not allow all the duties tested to earn CPFDA or CRFDA certification can choose to recognize these DANB certifications but require only those component exams that meet their state regulations
- ▶ DANB is a member of the Institute for Credentialing Excellence (ICE) and its Certified Dental Assistant™ (CDA®) and Certified Orthodontic Assistant (COA®) certification programs are accredited to ICE's National Commission for Certifying Agencies standards, which recognizes professional certification programs that meet rigorous standards
- ▶ DANB exams are administered at more than 250 proctored, secure computerized testing sites nationwide (through Pearson VUE); alternatively, candidates may select live online remote proctoring for most DANB exams
- ▶ DANB provides online credential verification for all DANB-administered credentials, at no charge
- ▶ DANB reviews self-reported criminal history and adverse regulatory actions from the past five years for all DANB national exam candidates and certificants
- ▶ DANB monitors for and enforces against the unauthorized use of DANB credentials and notifies state regulatory boards of violations, when appropriate

Additional Services for State Regulators

- ▶ **Report Exam Results:** DANB can provide custom reports of candidate exam performance, at no charge
- ▶ **Issue State Certificates:** DANB can issue a state-specific certificate on the state's behalf to those who have met any state-specific eligibility requirements (evaluated by DANB staff on the state's behalf), including passing the DANB-administered exams required by the state
- ▶ **Develop New Exams:** DANB can develop new exams for emerging topics in dental assisting at the request of states; exam development costs are typically incorporated into the exam fee and passed on to the candidate, though states may choose to subsidize these costs

For more information, please contact DANB's government relations staff at 1-800-367-3262, ext. 431, or klandsberg@danb.org.

CPFDA[®]

Certified Preventive Functions Dental Assistant Certification Program Overview

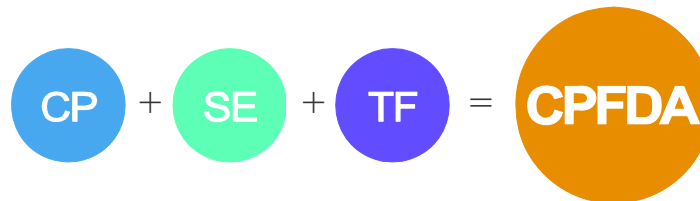
DANB's Certified Preventive Functions Dental Assistant (CPFDA) component exams are an objective measure of knowledge-based competence in the critical preventive functions that qualified dental assistants regularly perform in states that allow such duties to be delegated.

CPFDA Component Exams

CPFDA certification program consists of the following component exams. A candidate must pass the three component exams within a three-year period to earn CPFDA certification. All exam questions are multiple-choice.

- ▶ Coronal Polishing (CP) exam — 80 questions
- ▶ Sealants (SE) exam — 50 questions
- ▶ Topical Fluoride (TF) exam — 50 questions

Candidates may take all three exams in one administration (the CPFDA exam) or may take each exam separately.



Eligibility Requirements

There are no eligibility requirements to take the CPFDA component exams. However, a candidate must meet eligibility requirements and submit eligibility documentation to earn CPFDA certification after passing the three component exams.

All pathways for certification require candidates to hold a current DANB-accepted, hands-on CPR, BLS or ACLS card and pathways I, II and III require verification of knowledge- or performance-based competence in each of the three CPFDA functions. The eligibility pathways are as follows:

- Pathway I** Certified Dental Assistant™ (CDA[®]) certificant AND verification of knowledge- or performance-based competency in each of the three CPFDA functions.
- Pathway II** Graduate of a Commission on Dental Accreditation (CODA)-accredited dental assisting, dental hygiene or dental program AND verification of knowledge- or performance-based competency in each of the three CPFDA functions.
- Pathway III** Former CDA certificant (lapsed no more than 2 years); minimum of 3,500 hours work experience as a dental assistant accrued during the previous four years, verified by a licensed dentist AND verification of knowledge- or performance-based competency in each of the three CPFDA functions.
- Pathway IV** Current Registered Dental Hygienist (RDH) license; minimum of 3,500 hours dental assisting work experience accrued during the previous four years, verified by a licensed dentist

Exam Administration

DANB's CPFDA component exams are administered by computer six days a week at more than 250 secure, proctored testing centers nationwide.

Apply Online

Candidates may apply for DANB exams online or download a PDF application form at www.danb.org.

Renewal

CPFDA certification is valid for one year and must be renewed annually. To renew, certificants must:

- ▶ Annually complete 12 continuing dental education credits meeting DANB requirements, of which one must be in the OSHA Bloodborne Pathogens standard and two must be in infection control
- ▶ Maintain a DANB-accepted, hands-on CPR, BLS or ACLS card
- ▶ Answer background information questions
- ▶ Submit the annual renewal fee (currently \$75)

Certificants may use the DANB certification marks corresponding to each specific certification they currently hold after their names on a résumé, on a business card, on a website, in a book or publication, and in other print and electronic media. A certificant may also display the mark corresponding to his or her certification on a nametag or uniform worn during the rendering or promoting of certified services and on a wall plaque present at the place where he or she renders or promotes the certified services. Former CPFDA certificants who do not renew their certification are no longer authorized to represent that they hold DANB's CPFDA certification and may not use the CPFDA certification mark following their names.

About DANB

DANB is recognized by the American Dental Association as the national certification board for dental assistants. DANB's mission is to promote the public good by providing credentialing services to the dental community. For those dental assistants who meet the eligibility and exam requirements, DANB certifications include the National Entry Level Dental Assistant (NELDA®), Certified Dental Assistant™ (CDA®), Certified Orthodontic Assistant (COA®), Certified Preventive Functions Dental Assistant (CPFDA®) and Certified Restorative Functions Dental Assistant (CRFDA®). In addition to these national certifications, DANB offers certificates of knowledge-based competence in Radiation Health and Safety (RHS®); Infection Control (ICE®); Anatomy, Morphology and Physiology (AMP); Coronal Polishing (CP); Sealants (SE); Topical Fluoride (TF); Impressions (IM); and Temporaries (TMP).

DANB's CDA and COA certification programs are accredited by the National Commission for Certifying Agencies. Currently, there are more than 35,000 DANB certificants nationwide, and DANB certifications and certificates of knowledge-based competence are recognized or required in 38 states, the District of Columbia, the U.S. Air Force and the Department of Veterans Affairs. Passing DANB's exams demonstrates a dental assistant's competence in areas that are important to the health and safety of oral healthcare workers and patients alike.



Dental Assisting National Board

Abbreviated Exam Outlines for DANB® National Certification Exams

Radiation Health and Safety (RHS®)

(Component of NELDA® and CDA® certification programs)

80 multiple-choice items; 1 hour testing time

Domain	% on exam
I. Purpose and Technique	50
A. Purpose of radiographic images	
B. Technique	
II. Radiation Safety	25
A. Radiation production	
B. Radiation safety	
III. Infection Prevention and Control	25
A. Standard precautions for equipment and supplies according to ADA, CDC and OSHA	
B. Standard precautions for patients and operators according to ADA, CDC and OSHA	

Infection Control* (ICE®)

(Component of NELDA, CDA and COA® certification programs)

80 multiple-choice items; 1 hour testing time

Domain	% on exam
I. Prevention of disease transmission	20
A. Infectious diseases	
B. Review medical histories for transmissible diseases.	
C. Hand hygiene	
D. Use of personal protective equipment (PPE)	
E. Minimize contact with aerosols, droplets and spatter	
II. Prevention of cross-contamination	34
A. Clean and disinfect treatment areas and laboratories	
B. Prepare and use chemical disinfectants	
C. Use of surface barriers	
D. Prepare tray setups (e.g., single-use devices [SUD], single unit dosing, aseptic retrieval)	
E. Maintain and monitor dental unit water lines	
F. Clean and maintain evacuation lines and traps	
G. Clean and disinfect equipment, including but not limited to radiography equipment	
H. Disinfect impressions and dental appliances	
I. Dispose of biohazardous and other waste	
III. Process instruments and devices	26
A. Process instruments and devices	
B. Monitor and maintain processing equipment (e.g., sterilizers, ultrasonic cleaner)	
IV. Occupational safety and administrative protocols	20
A. Occupational safety regulations, standards and guidelines	
B. Maintain and document programs and policies for infection prevention control and safety	

*References the 2003 CDC Guidelines for Infection Control in Dental Health-Care Settings, the CDC Summary of Infection Prevention Practices in Dental Settings: Basic Expectations for Safe Care and the Occupational Safety and Health Administration (OSHA) Standards

General Chairside Assisting (GC)**

(Component of CDA certification program)

95 multiple-choice items; 1¼ hours testing time

Domain	% on exam
I. Evaluation	17
A. Preliminary examination	
B. Head, neck and oral cavity	
C. Chart conditions of the oral cavity	
D. Treatment documentation	
E. Medical conditions that can cause medical emergencies or complications	
II. Patient management and administration	17
A. Patient management	
B. Administration	
III. Chairside dentistry	50
A. Four handed dentistry techniques	
B. Intraoral procedures and armamentarium	
IV. Dental materials	16
A. Impression materials	
B. Operative materials	
C. Laboratory materials	

** Candidates for this exam must meet eligibility requirements established by DANB.

Anatomy, Morphology and Physiology (AMP)

(Component of NELDA certification programs)

80 multiple-choice items; 1 hour testing time

Domain	% on exam
I. Head, neck and oral cavity anatomy and physiology	40
A. Circulatory and lymphatic systems	
B. Muscular/skeletal system	
C. Nervous system	
D. Hard and soft tissue	
E. Landmarks	
F. Salivary glands	
G. Sinuses	
II. Tooth anatomy, morphology and physiology	60
A. Classifications of occlusion	
B. Permanent teeth	
C. Primary teeth	
D. Tooth numbering systems	
E. Tooth anomalies	

Orthodontic Assisting (OA)***(Component of COA certification program)*

140 multiple-choice items; 105 minutes testing time

Domain	% on exam
I. Evaluation	21
A. Preliminary examination	
B. Chart conditions of the oral cavity	
C. Treatment documentation	
D. Diagnostic data	
II. Radiation health and safety	18
A. Purpose of radiographic images	
B. Surveys to examine or view specific conditions, teeth or landmarks	
C. Techniques, including error correction	
D. Purpose and maintenance of equipment	
E. Patient management techniques	
F. Features of a diagnostically acceptable image	
G. Prepare images for legal requirements, viewing, duplication and transfer	
H. Radiation safety	
III. Orthodontic procedures	35
A. Orthodontic techniques	
B. Procedures and armamentarium	
C. Operative materials	
D. Prevent and respond to medical conditions that can cause emergencies	
IV. Patient management and administration	26
A. Patient management	
B. Oral health education	
C. Administration	
D. Inventory management	

** Candidates for this exam must meet eligibility requirements established by DANB.

Coronal Polishing (CP)*(Component of CPFDA® certification program)*

80 multiple-choice items; 1 hour testing time

Domain	% on exam
I. Evaluation	15
A. Health and dental histories	
B. Anatomy and pathologies of the oral cavity	
C. Characteristics of plaque, calculus, and materia alba	
D. Tooth stains	
E. Restorations	
F. Differences between coronal polishing and oral prophylaxis	
II. Armamentarium	20
A. Select armamentarium	
B. Characteristics of abrasives and polishing agents.	
C. Personal protective equipment (PPE)	
III. Procedures	39
A. Position equipment, operator and patient	
B. Operate slow speed handpiece	
C. Fulcrum	
D. Polishing stroke pattern and sequence	
E. Infection prevention and control	
F. Maintenance of armamentarium	
IV. Administration	26
A. Legal record maintenance and legal responsibilities	
B. Patient education	
C. Safety data sheets (SDS) for coronal polish products	

Sealants (SE)*(Component of CPFDA and CRFDA® certification programs)*

50 multiple-choice items; 40 minutes testing time

Domain	% on exam
I. Evaluation	20
A. Health and dental histories	
B. Indications and contraindications for sealants	
II. Armamentarium	20
A. Acid etch and bonding agent material	
B. Characteristics of sealant material	
C. Isolation	
D. Personal protective equipment (PPE)	
III. Procedures	45
A. Sealant application	
1. Apply acid etch, bonding agent and sealant	
2. Flossing	
3. Remove debris	
B. Infection prevention and control	
C. Maintenance of armamentarium	
D. Patient education	
IV. Administration	15
A. Legal record maintenance and legal responsibilities	
B. Safety data sheets (SDS) for sealant products	

Topical Fluoride (TF)*(Component of CPFDA certification program)*

50 multiple-choice items; 40 minutes testing time

Domain	% on exam
I. Evaluation	20
A. Health and dental histories	
B. Indications and contraindications for fluoride application	
II. Armamentarium	20
A. Select topical fluoride	
B. Prepare armamentarium	
C. Personal protective equipment (PPE)	
III. Procedures	40
A. Application	
B. Respond to adverse reactions	
C. Sources of fluoride	
D. Infection prevention and control	
E. Patient education	
IV. Administration	20
A. Legal record maintenance and legal responsibilities	
B. Safety data sheets (SDS) for topical fluoride products	
C. Storage of topical fluoride materials	

Impressions (IM)*(Component of the CRFDA certification program)*

50 multiple-choice items; 40 minutes testing time

Domain	% on exam
I. Evaluation	20
A. Health and dental histories	
B. Anatomy and pathology	
C. Legal record maintenance and legal responsibilities	
II. Armamentarium	20
A. Select stock and custom trays, including but not limited to:	
1. capture anatomical landmarks	
2. type of tray for the impression material	
3. patient considerations	
4. materials to fabricate custom trays	
5. custom trays	
B. Characteristics of impression materials	
III. Procedures	60
A. Personal protective equipment (PPE)	
B. Infection prevention and control	
C. Patient management techniques	
D. Isolation	
E. Retraction	
F. Handling material (e.g., mix, set, time)	
G. Placing and removing trays	
H. Preliminary and final impressions	
I. Digital impressions	
J. Impressions for removable and fixed prostheses and appliances	
K. Bite registrations	
L. Occlusal registrations	
M. Prepare an impression for the lab	

Temporaries (TMP)*(Component of the CRFDA certification program)*

50 multiple-choice items; 40 minutes testing time

Domain	% on exam
I. Evaluation	15
A. Health and dental histories	
B. Legal record maintenance and legal responsibilities	
C. Patient education	
1. Objective of temporary restorations	
2. Oral disease prevention and progression	
3. Pre- and post-operative instructions	
II. Preparation	35
A. Personal protective equipment (PPE)	
B. Infection prevention and control	
C. Materials, including but not limited to:	
1. acrylic	
2. composite	
3. metal	
4. cement	
III. Procedures	50
A. Isolation	
B. Temporary/provisional crowns	
C. Temporary/provisional restorations	
D. Stainless steel crowns	
E. Temporary crown/bridge	
F. Temporary cement	
G. Interproximal and interocclusal contacts	
H. Contour and margin fit	

Restorative Functions (RF)***(Component of the CRFDA certification program)*

80 multiple-choice items; 1 hour testing time

Domain	% on exam
I. Evaluation	15
A. Health and dental histories	
B. Legal record maintenance and legal responsibilities	
C. Patient education	
1. Objective of restorations	
2. Oral disease prevention and progression	
3. Pre- and post-operative instructions	
II. Isolation	25
A. Purpose	
B. Devices	
C. Considerations	
III. Procedures	45
A. Store, use and dispose of restorative materials	
B. Types of restorations	
C. Restoration tasks	
1. Shade selection	
2. Tooth preparation	
3. Etch and bond	
4. Retraction cord	
5. Matrices	
6. Wedges	
7. Desensitizing agents	
8. Cavity liners and bases	
9. Varnish	
IV. Infection Prevention and Control	15
A. Personal protective equipment (PPE)	
B. Amalgam waste management	
C. Curing light routine testing and charging	

** Candidates for this exam must meet eligibility requirements established by DANB.



District of Columbia DENTAL SOCIETY

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June 23, 2023

Phillip L. Husband, General Counsel
Office of the General Counsel
Department of Health
899 North Capitol Street, N.E., 6th Floor
Washington, D.C. 20002

RE: NOPR to Amend Title 17 of the DCMR Chapter 90 (Dental Assistants)

Dear Mr. Husband,

I am writing on behalf of the more than 400 dentists who are represented by the DC Dental Society (DCDS) to provide comment on the final rulemaking action to amend Chapter 90 (Dental Assistants) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations. We applaud this initiative taken by the Board of Dentistry to modernize the scope of practice for dental assistants.

We support the proposal to establish the new registered dental professional of Level III Dental Assistant authorized to perform the following functions under direct supervision of a dentist:

- (a) All functions permitted to Level I Dental Assistant or Level II Dental Assistant, as enumerated in §§ 9004.2 and 9004.3;
- (b) The application of pit and fissure sealants;
- (c) Coronal polishing to remove stain and biofilm; and
- (d) Glucose testing.

We recommend that the proposed regulations be modified to authorize Level I and Level II Dental Assistants to perform glucose testing as well. Dental care is now recognized as integral to overall health, and many members of the public who seek healthcare services see their dentist more frequently than any other healthcare provider. Dental practices who provide care under Medicaid are now being asked to perform glucose testing by AmeriHealth Caritas. Performing glucose testing involves a simple procedure that can be trained and followed easily. Expanding the scope of practice for Level I and Level II Dental Assistants to authorize glucose testing would acknowledge the role that all dental assistants can serve in promoting total health by administering this simple screening test. To harmonize with the authorization to perform glucose testing, proposed section 9004.6(q), which prohibits a dentist from delegating glucose testing, should be amended or repealed.

We are concerned about provisions 9004.6(r) and 9004.2(p), which relate to whitening and bleaching. Section 9004.6(r) expands the list of procedures that dentists may delegate to include “Whitening or bleaching (internal, laser, or high-intensity light).” We agree that internal whitening or bleaching should not be delegated. However Section 9004.2(p) authorizes Level I Dental Assistants to perform “whitening or bleaching using trays,” a method that is not performed in dental practices. Whitening or bleaching

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using trays is prescribed to patients by dentists as an at-home treatment. Dental practices administer whitening or bleaching using other methods, including with a laser or high-intensity light, and dental assistants of all levels are capable of being trained to support the safe provision of such treatments. We recommend the following revisions to the language of 9004.6(r) and 9004.2(p):

9004.6 A dentist shall not delegate to a dental assistant any of the following procedures:

(r) Internal whitening or bleaching;

9004.2 Level I Dental Assistant may perform the following functions under direct supervision of a dentist:

(p) Whitening or bleaching, excluding internal bleaching;

We are concerned about the expansion of the list of procedures that a dentist cannot delegate to include the placement of a liquid dam (section 9004.6(w)). A liquid dam is a reversible, non-invasive procedure performed under the direct supervision of a dentist when not performed by a dentist. Dental hygienists and dental assistants are capable of being trained to safely place a liquid dam, and therefore section 9004.6(w) should be deleted from the proposed regulation.

Finally, we oppose continuation of the requirement that Level I Dental Assistants must register with the Board of Dentistry. The District of Columbia is out of sync with our neighboring states in requiring all dental assistants to register. DC dental practices have been struggling for years to secure dental staff, a situation worsened by the lingering effect of COVID-19. Due to the requirement that Level I dental assistants must register, DC dental practices are at a disadvantage in securing Level I Dental Assistants because they can start employment must faster in Maryland and Virginia where they are not required to register. This situation limits the ability of dental practices to provide care, which ultimately compromises the overall wellness of District residents.

We are available to discuss any of the above recommendations. Thank you for giving them due consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ioana Bettios', with a long horizontal stroke extending to the right.

Ioana Bettios, DDS, MS
President