

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

**Date: April 20, 2022  
Time: 9:00 AM**

**OPEN SESSION  
MEETING AGENDA**

**WEBEX Virtual Meeting**

**Due to the COVID-19 pandemic, all board meetings are held virtually during the declared public health emergency.**

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

**BOARD OF DENTISTRY**

**Open Session Agenda April 20, 2022**

<b>BOARD MEMBERS:</b>	
Dr. John R. Bailey, DDS – Interim Chairperson	
Ms. Yolanda Josey- Baker, RDH- Interim Vice-Chairperson	
Dr. Judith Henry, DDS - Board Member	
Dr. Iris Jeffries-Morton, DDS- Board Member	
Ms. Dianne Smith, ESQ - Consumer Member	
Dr. Michelle Latortue, DDS-Board Member	
<b>BOARD STAFF:</b>	
Ericka L. Walker, MSW - Executive Director	
Gregory Scurlock, Compliance Officer	
Rebecca Odrick, Board Investigator	
Kathleen Ibeh, Health Licensing Specialist	
Keyana Goodwin, Health Licensing Specialist	
<b>LEGAL STAFF:</b>	
Carla M. Williams, Senior Assistant General Counsel	

**BOARD OF DENTISTRY**

**Open Session Agenda April 20, 2022**

**CALL TO ORDER AND ROLL CALL**

OS-0420-01 **INTRODUCTIONS:**

- A. Board Members**
- B. Board Staff**
- C. Public Attendance**

OS-0420-02 **OPEN SESSION AGENDA**

**Board Action:**

Acceptance of the **April 20, 2022**, meeting agenda.

OS-0420-03 **OPEN SESSION MINUTES:**

**Board Action:**

Consideration of the Open Session minutes from the **March 16, 2022**, meeting.

**STAFF REPORTS**

OS-0420-04 **EXECUTIVE DIRECTOR'S REPORT:**

- **BOD Calendar**
  - April 20, 2022
  - May 18, 2022
  - June 15, 2022
  - July 20, 2022
  - August 2022 (Recess)
  - September 21, 2022
- **BOD Census**
  - Dentists (**1,092**)
  - Dental Hygienists (**432**)
  - Dental Hygienists with the authority to administer Local Anesthesia (**90**)
  - Dental Hygienists with the authority to administer Local Anesthesia & Nitrous Oxide (**48**)
  - Dental Assistant Level 1 (**82**)
  - Dental Assistant Level 2 (**429**)
  - Teaching Licenses for Dentists (**2**)
  - Teaching Licenses for Dental Hygienist (**0**)
- District of Columbia COVID-19  
<https://coronavirus.dc.gov/vaccine>

OS-0420-05	<b><u>BOARD ATTORNEY'S REPORT:</u></b> The Notice of Rescission of Emergency and Proposed Rulemaking for the booster/up to date COVID-19 vaccination rules for health care workers. The requirement for health care workers to get the booster shot has been rescinded and will not be enforced.	
OS-0420-06	<b><u>BOARD CHAIRPERSON'S REPORT:</u></b>	
<b>DISCUSSION ITEMS</b>		
OS-0420-07	<b><u>LEGISLATIVE HEARINGS- FYI Only</u></b>  <a href="http://dccouncil.us/events/list">http://dccouncil.us/events/list</a>	
OS-0420-08	<b><u>BOARD EXAMS FOR LICENSURE</u></b> The Board received email inquiries regarding acceptable exam scores.  <b>Board Action:</b> The Board to discuss acceptable exam scores for dentist and dental hygienist.	
OS-0420-09	<b><u>DC LAW EXAM FOR DENTAL ASSISTANTS</u></b>  <b>Board Action:</b> The Board to discuss possibility of DC Law Exams for Dental Assistant license type.	
OS-0420-10	<b><u>DENTAL HYGIENIST REVIEW SUGGESTIONS</u></b> <ul style="list-style-type: none"> <li>Email from Ms. Janelle Shumaker, Hero Practice Services and Ms. Shavonne Healy, RDH.</li> </ul> <b>Board Action:</b> The Board to review and discuss.	
OS-0420-11	<b><u>DENTAL BOARD SUB-COMMITTEES</u></b> <ol style="list-style-type: none"> <li><b>Credentials &amp; Audits:</b> Dr. Iris Jeffries-Morton, Dr. John Bailey, and Ms. Yolanda Josey-Baker, RDH</li> <li><b>Communications:</b> Ms. Yolanda Josey-Baker, RDH</li> <li><b>Regulatory Affairs:</b> Dr. Judith Henry, Ms. Dianne Smith, and Ms. Yolanda Josey-Baker RDH <ul style="list-style-type: none"> <li>Scope of Practice</li> </ul> </li> </ol>	
OS-0420-12	<b><u>COMMENTS FROM THE PUBLIC</u></b>	

**BOARD OF DENTISTRY**

**Open Session Agenda April 20, 2022**

<b>CLOSING</b>		
OS-0420-13	<p><b><u>MOTION TO CLOSE</u></b></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>	
	<b>ROLL CALL VOTE</b>	
	<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 May 18, 2022.**

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](mailto:opengovoffice@dc.gov).

**BOARD OF DENTISTRY**

**899 NORTH CAPITOL ST. NE, 2<sup>nd</sup> FL.  
WASHINGTON, DC 20002**

**Date: March 16, 2022**

**Time: 9:00 AM**

**OPEN SESSION  
MEETING MINUTES**

**WEBEX Virtual Meeting**

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**BOARD OF DENTISTRY**

**Open Session Meeting Minutes March 16, 2022**

<b>BOARD MEMBERS:</b>	
Dr. John R. Bailey, DDS – Interim Chairperson	Present
Ms. Yolanda Josey – Baker, RDH –Interim Vice-Chairperson	Present
Dr. Iris Jeffries-Morton, DDS- Board Member	Present
Dr. Judith Henry, DDS - Board Member	Present
Ms. Dianne Smith, ESQ - Consumer Member	Present
Dr. Michelle Latortue, DDS-Board Member	Present
<b>BOARD STAFF:</b>	
Ericka L. Walker, MSW - Executive Director	Present
Gregory Scurlock, Compliance Officer	Absent
Rebecca Odrick, Board Investigator	Present
Kathleen Ibeh, Health Licensing Specialist	Present
Keyana Goodwin, Health Licensing Specialist	Present
<b>LEGAL STAFF:</b>	
Carla M. Williams, Senior Assistant General Counsel	Present

**BOARD OF DENTISTRY**

**Open Session Meeting Minutes March 16, 2022**

**CALL TO ORDER AND ROLL CALL**

OS-0316-01 **INTRODUCTIONS**

The meeting was called to order at 9:04am as a quorum was maintained

- **Board Members**

Dr. John Bailey, DDS – Interim Chairperson (**Present**)  
Ms. Yolanda Josey-Baker, RDH – Interim Vice-Chairperson (**Present**)  
Dr. Judith Henry, DDS – Board Member (**Present**)  
Dr. Iris Jeffries-Morton, DDS – 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 (**Absent**)  
Rebecca Odrick, Investigator (**Present**)  
Kathleen Ibeh, Health Licensing Specialist (**Present**)  
Keyana Goodwin, Health Licensing Specialist (**Present**)

- **Legal Staff**

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

- **Public Attendance**

Mr. Kurt Gallagher, Executive Director – DC Dental Society (**Present**)  
Cheryle Baptiste, DDS – DC Dental Society (**Present**)  
Mr. Thomas Merritt – TEND (**Present**)  
Mr. Max Brown – TEND (**Present**)  
Ms. Shavonne Healy, RDH (**Present**)  
Ms. Janelle Shumaker, Senior Director – Hero Practice Services (**Present**)

OS-0316-02 **Board Action:**

Acceptance of the **March 16, 2022**, meeting agenda.

**Motion:** The Board to accept the March 16, 2022, Meeting Agenda

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

**Seconded by:** Dr. Iris Jeffries-Morton, (Board Member)

**Motion passed unanimously**

OS-0316-03 **OPEN SESSION MINUTES:**

**Board Action:**

Consideration of the Open Session minutes from the **February 16, 2022**, meeting.

**Motion:** The Board to accept the February 16, 2022, meeting minutes.

**Moved by:** Ms. Yolanda Josey-Baker, (Board Member)

**Seconded by:** Dr. Iris Jeffries-Morton (Board Member)

**Motion passed unanimously**



<b>STAFF REPORTS</b>		
OS-0316-04	<p><b><u>EXECUTIVE DIRECTOR'S REPORT:</u></b></p> <p>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 upcoming Board meeting dates and current census reports which are located below on the Open Session Agenda. Mrs. Walker also reminded attendees about <a href="https://coronavirus.dc.gov/vaccine">https://coronavirus.dc.gov/vaccine</a>, the District of Columbia's primary and up-to-date source for all information regarding COVID-19 and vaccinations within the District. Mrs. Walker informed meeting attendees that license application checklists are being updated for all license types. Frequently Asked Question pages are also being developed to assist those interested in applying for licensure. She also indicated that at a later time, the Board will discuss what types of exams it would accept for licensing in the District. This concluded Mrs. Walkers' report.</p> <ol style="list-style-type: none"> <li> <p><b><u>BOD Calendar</u></b></p> <ul style="list-style-type: none"> <li>- March 16, 2022</li> <li>- April 20, 2022</li> <li>- May 18, 2022</li> <li>- June 15, 2022</li> <li>- July 20, 2022</li> <li>- August 2022 (Recess)</li> <li>- September 21, 2022</li> </ul> </li> <li> <p><b><u>BOD Census</u></b></p> <p>Dentists (<b>1,076</b>)</p> <p>Dental Hygienists (<b>424</b>)</p> <p>Dental Hygienists with the authority to administer Local Anesthesia (<b>88</b>)</p> <p>Dental Hygienists with the authority to administer Local Anesthesia &amp; Nitrous Oxide (<b>47</b>)</p> <p>Dental Assistant Level 1 (<b>81</b>)</p> <p>Dental Assistant Level 2 (<b>419</b>)</p> <p>Teaching Licenses for Dentists (<b>2</b>)</p> <p>Teaching Licenses for Dental Hygienist (<b>1</b>)</p> </li> <li> <p><b><u>District of Columbia COVID-19 Updates</u></b></p> <p><a href="https://coronavirus.dc.gov/vaccine">https://coronavirus.dc.gov/vaccine</a></p> </li> </ol>	
OS-0316-05	<p><b><u>BOARD ATTORNEY'S REPORT:</u></b></p> <p><b>None</b></p>	
OS-0316-06	<p><b><u>BOARD CHAIRPERSON'S REPORT:</u></b></p>	

Dr. John Bailey, Interim Chairperson for the Board of Dentistry, shared with meeting attendees that he attended the first Interprofessional Board Chair Collaboration (IBCC) Workshop with 7 other DC Board Chairs as established by Mayor Muriel Bowser. DC Health is charged with leading IBCC. Dr. Bailey talked about the missing and DC Health strategies for becoming the healthiest city in America. Dr. Bailey asked the public for suggestions to take back to the workgroup. Ms. Williams recommended that the suggestions should be emailed to Board staff.

Dr. Bailey also discussed **Project Firstline** in which webinars and training sessions will be available to all healthcare professionals every 3<sup>rd</sup> Wednesday, starting on March 16, 2022. Topics covered includes: Infection Control, Virus, Respiratory Droplets, Respirators, Hand Washing, etc. (The flyer with further information was provided in the Open Session Agenda Materials.)

Dr. Bailey discussed information received from the American Association of Dental Boards (AADB) regarding the treatment of patients who are given dissolving tablets that kill opioid overdosing. Those patients are to be followed up as the tablets are known to cause erosion, abscesses, and other oral health issues. This concluded Dr. Bailey's report.

## DISCUSSION ITEMS

### OS-0316-07 LEGISLATIVE HEARINGS- FYI Only

<http://dccouncil.us/events/list>

### OS-0316-08 DENTAL BOARD SUB-COMMITTEES

#### 1. Credentials & Audits:

**Dr. Iris Jeffries-Morton/Dr. John Bailey/Ms. Yolanda Josey-Baker, RDH**  
Dr. Iris Jeffries-Morton informed meeting attendees that the subcommittee is currently working on a Dental Assistant Externship Program to include necessary documents and forms. Once the program is ready to launch, dental practices will be informed of the requirements and the process. Part of the process includes dentist registering with dental assistant schools of which the Board must approve the dental practice office and the school. The externship is for dental assistants level II. More information to follow during the April Board Meeting.

#### 2. Communications:

**Ms. Yolanda Josey-Baker, RDH.**

#### 3. Regulatory Affairs:

**Dr. Judith Henry/Ms. Dianne Smith, Esq./Ms. Yolanda Josey-Baker RDH**  
Dr. Judith Henry informed meeting attendees that the subcommittee is

	currently drafting updates to the Scope of Practice for Dental Hygienists & Assistants in the District. More information to follow during next Board Meeting.
OS-0316-09	<p><b><u>COMMENTS FROM PUBLIC</u></b></p> <p><b>Thomas Merritt (TEND):</b> In response to the Executive Director's report, Mr. Merritt indicated that a FAQ/Updated checklist for applicants was a good idea and expressed his willingness to exchange ideas. Mr. Merritt also inquired about the status of the Dental Scope of Practice updates. Ms. Dianne Smith, Esq. (Board Member) addressed his concerns by informing him that the updates for the Scope of Practice for all three license types are currently underway</p> <p><b>Ms. Shavonne Healy:</b> Ms. Healy inquired about what were the driving factors behind the expansion of the Dental Assistant &amp; Dental Hygienist Scope of Practices. Ms. Yolanda Josey-Baker (Board Member) addressed her question by reiterating that the Board was reviewing the Scope of Practice for all three license types for updates. Dr. John Bailey, (Interim Chairperson) added that, in respect to how healthcare has evolved as a result of the H1N1 and COVID-19 pandemics, this was an opportunity to re-evaluate how all three license types could be more involved</p> <p>Ms. Healy also inquired if the Scope of Practice for Dental Hygienists were being evaluated on a national level, of which Dr. Judith Henry (Board Member) affirmed that the Scope of Practice for Dental Hygienists was indeed being evaluated from a national level.</p>

**BOARD OF DENTISTRY**

**Open Session Agenda March 16, 2022**

<b>CLOSING</b>		
OS-0316-11	<p><b><u>MOTION TO CLOSE</u></b></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><b>Motion:</b> The Board to close the Open Session meeting.  <b>Moved by:</b> Ms. Yolanda Josey-Baker, (Board Member)  <b>Seconded by:</b> Ms. Dianne Smith, Esq. (Board Member)</p> <p><b>ROLL CALL VOTE</b></p> <p>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 **April 20, 2022.**  
The meeting adjourned at 9:39am

*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](mailto:opengovoffice@dc.gov).*

## DEPARTMENT OF HEALTH

### **NOTICE OF RESCISSION OF EMERGENCY AND PROPOSED RULEMAKING**

The Director of the District of Columbia Department of Health, pursuant to Section 1 of An Act To Authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases, approved August 11, 1939 (53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.*) (2018 Repl.)), Mayor's Order 98-141, dated August 20, 1998, 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) (2016 Repl.)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of the rescission, on an emergency basis, of the following amendments to Chapter 2 (Communicable and Reportable Diseases) of Subtitle B (Public Health and Medicine) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The emergency rulemaking that is being rescinded modified sections 230 (Mandatory COVID-19 Vaccination for Health Care Workers) and 231(Exemptions from Mandatory COVID-19 Vaccination for Health Care Workers) of Chapter 2 (Communicable and Reportable Diseases) of Subtitle B (Public Health and Medicine) of Title 22 (Health) of the DCMR to require health care workers to be up to date on their COVID-19 vaccines, including boosters and annual vaccinations. The emergency rulemaking that is being rescinded was adopted on February 8, 2022, was published in the *D.C. Register* at 69 DCR 001369 on February 18, 2022, and may be found at <https://dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=N119386>.

As a result of the rescission of the emergency rulemaking, the Notice of Final Rulemaking published in the *D.C. Register* at 68 DCR 013014 on December 10, 2021, and that may be found at <https://dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=N116496>, remains in effect.

In recent weeks, the Department of Health has heard from several healthcare organizations and employers that the requirement that health care workers must have a booster dose of the COVID-19 vaccine may exacerbate the current workforce crisis. Given the District's current low community levels of COVID-19, the aforementioned concerns expressed by key stakeholders, and the need to ensure that employers have access to the talent pool of qualified workers that exist nationally, the Department of Health has rescinded this requirement. The requirement for health care workers to be fully vaccinated, or have a medical or religious exemption approved by the Department of Health, remains in place pursuant to regulations issued by the Centers for Medicare and Medicaid Services (CMS) and the Notice of Final Rulemaking published in the *D.C. Register* at 68 DCR 013014 on December 10, 2021, and may be found at <https://dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=N116496>.

This rescission of emergency rulemaking was adopted on April 6, 2022 and became effective immediately on that date.

The Director also gives notice of the intent to not take final rulemaking action to adopt the proposed rules as final.

All questions or concerns about this notice should be directed to the Department of Health either (1) via email to [Phillip.Husband@dc.gov](mailto:Phillip.Husband@dc.gov) or (2) via a written document mailed or delivered to Phillip Husband, General Counsel Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6<sup>th</sup> Floor, Washington, D.C. 20002.

## Re: Dental Assistants vs Hygienists

Board of Dentistry, (DOH) <dcbod@dc.gov>

Mon 3/21/2022 12:56 PM

To: Shavonne Healy <srhrdh@gmail.com>; Janelle Shumaker <jshumaker@herodvo.com>

Cc: Mbanefo, Kathleen (DOH) <kathleen.mbanefo@dc.gov>

Hello Ms. Healy & Ms. Shumaker,

Thank you both for your email/suggestions. They have been forwarded to the Board.

Regards,  
-K

Warmly,  
**The District of Columbia Board of Dentistry**

Health Regulation and Licensing Administration

[dcbod@dc.gov](mailto:dcbod@dc.gov)

899 North Capitol Street NE, 2<sup>nd</sup> Fl, Washington, DC 20002

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**From:** Shavonne Healy <srhrdh@gmail.com>

**Sent:** Wednesday, March 16, 2022 9:59 AM

**To:** Janelle Shumaker <jshumaker@herodvo.com>

**Cc:** Mbanefo, Kathleen (DOH) <kathleen.mbanefo@dc.gov>; Board of Dentistry, (DOH) <dcbod@dc.gov>

**Subject:** Re: Dental Assistants vs Hygienists

Some people who received this message don't often get email from srhrdh@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the DC Government. Do not click on links or open attachments unless you recognize the sender and know that the content is safe. If you believe that this email is suspicious, please forward to [phishing@dc.gov](mailto:phishing@dc.gov) for additional analysis by OCTO Security Operations Center (SOC).

Correction\*\*\*\* Level II Assistants (not hygienists)

On Wed, Mar 16, 2022 at 9:56 AM Shavonne Healy <[srhrdh@gmail.com](mailto:srhrdh@gmail.com)> wrote:

Thanks so much for the follow-up email, Janelle.

To clarify, I was not making a statement supporting the expansion of the scope for Level II hygienists to scale teeth. Instead, I was trying to understand if this were something the Board would be pursuing. The answer to the hygiene shortage is not to invest in expanding the scope of dental assistants but to address the workforce issues causing dental

hygienists to seek opportunities outside of the clinical setting, myself included. However, I understand the concerns of dentists and dental hygienists in the District and would like to help provide solutions.

Shavonne

On Wed, Mar 16, 2022 at 9:43 AM Janelle Shumaker <[jshumaker@herodvo.com](mailto:jshumaker@herodvo.com)> wrote:

Good morning Ms. Ibeh,

I wanted to send a follow up email from the dental board meeting with a suggestion, as Dr. Bailey had suggested we do.

I would love the Board to help change the requirements when it comes to Hygienist vs DA. I agree with what Ms. Healy spoke on when it comes to expanding duties allowed for DAs in order to help with staff shortages.

I do work with practices across the country and DC's requirements on Hygienists is greater than other states where we provide care, making it very hard to staff during this pandemic/post pandemic time.

Please consider this idea.

Thank you,



**Janelle Shumaker**

*Sr. Director, Payer Relations & Patient Acquisition*

**Hero Practice Services**

p: 719-323-2366 m: 719-287-0396

e: [janelle@herodvo.com](mailto:janelle@herodvo.com)

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*Shavonne R. Healy*