

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

**Date: September 21, 2022
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 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

BOARD OF DENTISTRY

Open Session Agenda September 21, 2022

BOARD MEMBERS:	
Dr. John R. Bailey, DDS – Interim Chairperson	
Ms. Yolanda Josey- Baker, RDH- Interim Vice-Chairperson	
Dr. Judith Henry, DMD - Board Member	
Dr. Iris Jeffries-Morton, DDS- Board Member	
Ms. Dianne Smith, ESQ - Consumer Member	
Dr. Michelle Latortue, DDS-Board Member	
Vacant - Board Member	
BOARD STAFF:	
Ericka L. Walker, MSW - Executive Director	
Gregory Scurlock, Compliance Officer	
Rebecca Odrick, 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 September 21, 2022

CALL TO ORDER AND ROLL CALL

OS-0921-01	<u>INTRODUCTIONS:</u> A. Board Members B. Board Staff C. Public Attendance
OS-0921-02	<u>OPEN SESSION AGENDA</u> Board Action: Acceptance of the September 21, 2022 , meeting agenda.
OS-0921-03	<u>OPEN SESSION MINUTES:</u> Board Action: Consideration of the Open Session minutes from the July 20, 2022 , meeting.

STAFF REPORTS

OS-0921-04	<u>EXECUTIVE DIRECTOR'S REPORT:</u> 1. <u>BOD Calendar</u> <ul style="list-style-type: none"> September 21, 2022 October 19, 2022, In-person December 21, 2022 January 18, 2023, In-person February 15, 2023 March 15, 2023 April 19, 2023, In-person May 17, 2023 June 21, 2023 July 19, 2023 August 2023 Recess September 20, 2023, In-Person 2. <u>BOD Census</u> <p>Dentists (1,200) Dental Hygienists (484) Dental Hygienists with the authority to administer Local Anesthesia (91) Dental Hygienists with the authority to administer Local Anesthesia & Nitrous Oxide (60) Dental Hygienists with the authority to administer Nitrous Oxide (1) Dental Assistant Level 1 (98) Dental Assistant Level 2 (481) Teaching Licenses for Dentists (1) Teaching Licenses for Dental Hygienist (1)</p>
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	<ol style="list-style-type: none"> District of Columbia COVID-19 https://coronavirus.dc.gov/vaccine District of Columbia Monkeypox https://dchealth.dc.gov/page/monkeypox Virtual & In-Person Board Meetings Dental Assisting National Board (DANB) Stakeholder Forum 	
OS-0921-05	<u>BOARD ATTORNEY'S REPORT:</u> None	
OS-0921-06	<u>BOARD CHAIRPERSON'S REPORT:</u> None	
DISCUSSION ITEMS		
OS-0921-07	<u>LEGISLATIVE UPDATES – OFFICE OF GOVERNMENTAL AFFAIRS</u> Matteo Lieb, Legislative Affairs Specialist	
OS-0921-08	<u>DENTAL BOARD SUB-COMMITTEES</u> <ol style="list-style-type: none"> <u>Credentials & Audits:</u> Dr. Iris Jeffries-Morton, Dr. John Bailey, and Ms. Yolanda Josey-Baker, RDH <u>Communications:</u> Ms. Yolanda Josey-Baker, RDH <u>Regulatory Affairs:</u> Dr. Judith Henry, Ms. Dianne Smith, and Ms. Yolanda Josey-Baker RDH <ul style="list-style-type: none"> Proposed Dental Specialties and Scope of Practice Amendment Bill 	
OS-0921-09	<u>COMMENTS FROM THE PUBLIC</u>	

BOARD OF DENTISTRY

Open Session Agenda September 21, 2022

CLOSING

OS-0921-10	<u>MOTION TO CLOSE</u> The Board member should move as follows: “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).”	
	ROLL CALL VOTE	
	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.	

This ends the Open Session Agenda
The next meeting is scheduled on October 19, 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.

BOARD OF DENTISTRY

**899 NORTH CAPITOL ST. NE, 2nd FL.
WASHINGTON, DC 20002**

Date: July 20, 2022

Time: 9:00 AM

**OPEN SESSION
MEETING MINUTES**

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>

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BOARD OF DENTISTRY

Open Session Meeting Minutes July 20, 2022

BOARD MEMBERS:	
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, 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, Board Investigator	Present
Kathleen Ibeh, Health Licensing Specialist	Present
Keyana Goodwin, Health Licensing Specialist	Present
LEGAL STAFF:	
Carla M. Williams, Senior Assistant General Counsel	Present

BOARD OF DENTISTRY

Open Session Meeting Minutes July 20, 2022

CALL TO ORDER AND ROLL CALL

OS-0720-01 **INTRODUCTIONS**

The meeting was called to order at 9:03 a.m. 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 (**Present**)
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**)

- **DOH Staff/Presenters**

Aisha Nixon, Executive Director, DC BOM & Chiropractic
Khalil Hassam, Doh Primary Care Office Director
Matteo Lieb, DOH Legislative Affair Specialist

- **Public Attendance**

Mr. Kurt Gallagher, DC Dental Society
Mr. Max Brown, Group360/TEND
Ms. Tiffini Greene, DC Dental Society
Dr. Cheryle Baptiste – DC Dental Society
Ms. Shavonne Healy, MSDH, RDH
Dr. Rebecca Misner, Adventure Dental
Mr. Thomas Merritt - TEND
Ms. Brittany Harris, BSDH, RDH – UMDSOD Course Director
Ms. Toni Reeves, RDH – Founder, Together Helping People

OS-0720-02 **OPEN SESSION AGENDA:**

Board Action:

Acceptance of the amended **July 20, 2022**, meeting agenda to include presentations from DOH staff, Ms. Aisha Nixon regarding the Licensure Process and Mr. Khalil Hassam regarding the Work Force Survey.

Motion: The Board to accept the July 20, 2022, Meeting Agenda

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

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

Motion passed unanimously

OS-0720-03	<p><u>OPEN SESSION MINUTES:</u></p> <p>Board Action: Consideration of the Open Session minutes from the June 15, 2022, meeting.</p> <p>Motion: The Board to accept the June 15, 2022, meeting minutes.</p> <p>Moved by: Dr. Judith Henry, (Board Member)</p> <p>Seconded by: Ms. Yolanda Josey-Baker, (Board Member)</p> <p>Motion passed unanimously</p>
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STAFF REPORTS

OS-0720-04	<p><u>EXECUTIVE DIRECTOR'S REPORT:</u></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 on the Open Session Agenda. Mrs. Walker also reminded attendees about https://coronavirus.dc.gov/vaccine, the District of Columbia's primary and up-to-date source for all information regarding COVID-19 and vaccinations within the District. This concluded Mrs. Walkers' report.</p> <ol style="list-style-type: none"> 1. <u>BOD Calendar</u> <ul style="list-style-type: none"> - July 20, 2022 - August 2022 (Recess) - September 21, 2022 2. <u>BOD Census</u> <p>Dentists (1,163)</p> <p>Dental Hygienists (466)</p> <p>Dental Hygienists with the authority to administer Local Anesthesia (92)</p> <p>Dental Hygienists with the authority to administer Local Anesthesia & Nitrous Oxide (54)</p> <p>Dental Hygienists with the authority to administer Nitrous Oxide (1)</p> <p>Dental Assistant Level 1 (94)</p> <p>Dental Assistant Level 2 (455)</p> <p>Teaching Licenses for Dentists (2)</p> <p>Teaching Licenses for Dental Hygienist (1)</p> 3. <u>District of Columbia COVID-19 Updates</u> https://coronavirus.dc.gov/vaccine <p>Ms. Aisha Nixon, Executive Director of the DC BOM & Chiropractic, presented on the Licensure Process and provided insight on improvements that are underway.</p>
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	Mr. Khalil Hassam , Primary Care Office Director, presented on the importance of healthcare professionals/ licensees completing the Work Force Surveys during the renewal period. The survey provides information from the Work Force regarding fund allotment, work burnout, programs available for career advancement, and need for providers throughout the District.	
OS-0720-05	<u>BOARD ATTORNEY'S REPORT:</u> NONE	
OS-0720-06	<u>BOARD CHAIRPERSON'S REPORT</u> NONE	
DISCUSSION ITEMS		
OS-0720-07	<u>LEGISLATIVE HEARINGS- FYI Only</u> http://dccouncil.us/events/list	
OS-0720-08	<u>LETTER OF RECOMMENDATIONS</u> Mr. Kurt Gallagher gave a brief introduction regarding DC Dental Society's recommendations for updates to the Scopes of Practice for Dental/Dental Hygiene and Dental Assistant license types. No Board action at this time, as the Board will refer the recommendations to the appropriate subcommittee for further review.	
OS-0720-09	<u>DENTAL ASSISTANT SCOPE OF PRACTICE RECOMMENDATIONS</u> No Board action at this time, as the Board will refer the recommendations to the appropriate subcommittee for further review.	
OS-0720-10	<u>(TEMPORARY) LICENSURE PROCESS INQUIRY</u> Mr. Thomas Merritt gave a summary of his concerns regarding the delays with the processing of Temporary License applications and requested for more transparency by the Board regarding the volume of pending applications. Mrs. Walker addressed Mr. Merritt's concerns by discussing the importance of applicants submitting all required information for temporary licensure before the Health Licensing Specialist review. She also explained that some requirements such as the Criminal Background Check can often take 1-3 days before they are received by DC Health which also affects the 3-to-4-day turnaround.	

OS-0720-11

DENTAL BOARD SUB-COMMITTEES

1. **Credentials & Audits:**

Dr. Iris Jeffries-Morton/Dr. John Bailey/Ms. Yolanda Josey-Baker, RDH
Mrs. Ericka Walker, Executive Director requested for this subcommittee to develop a process which addresses the requirements to open a Dental Assistant school in the District per several inquiries that have come from the public.

Dr. John Bailey indicated that the subcommittee would discuss the matter and provide feedback.

2. **Communications:**

Ms. Yolanda Josey-Baker, RDH
No report.

3. **Regulatory Affairs:**

Dr. Judith Henry/Ms. Dianne Smith, Esq./Ms. Yolanda Josey-Baker RDH
-Dental Hygiene Scope of Practice
-Dental Assistant Scope of Practice

Board Attorney, Ms. Carla Williams, presented on the proposed updates to the Scopes of Practice for both Dental Hygiene and Dental Assistant license types.

Board Action 1:

For the Dental Assistant license type, the Board to delegate the following recommendations to the Regulatory Affairs Subcommittee for review and consideration: Pit and Fissure sealants, Coronal Polishing, Radiology course/DANB RHS Exam requirements for the Level II license, creating a new category of registration for expanded function Dental Assistants.

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

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

The motion passes unanimously.

Board Action 2:

For the Dental Hygiene license type, the Board to delegate the following recommendations to the Regulatory Affairs Subcommittee for review and consideration: Creation of a new category for an advanced dental hygienist.

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

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

The motion passes unanimously.

Board Action 3:

The Board to delegate the following recommendation to the Regulatory Affairs Subcommittee for review and consideration: Botox (in relation to the Dental Treatment Plan)

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

Seconded by: Ms. Yolanda Josey-Baker; **(Board Member)**

The motion passes unanimously.

OS-0720-12 **COMMENTS FROM PUBLIC**

- **Kurt Gallagher: Mr. Gallagher thanked the Board for considering the recommendations for the Scope of Practice updates and was hopeful that the subcommittee would incorporate the recommendations into the proposed regulations.**

This concludes the Comments from the Public Section

DRAFT

BOARD OF DENTISTRY

Open Session Meeting Minutes July 20, 2022

CLOSING

OS-0720-13	<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, (Board Member)</p> <p>ROLL CALL VOTE</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 **September 21, 2022.**
The meeting adjourned at 11:15 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.



DENTAL ASSISTANT FUTURE WORKFORCE

STAKEHOLDER FORUM SUMMARY REPORT

14 JULY 2022 • CHICAGO



The **DALE** Foundation®
Official DANB Affiliate

TABLE OF CONTENTS

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WORKSHOP AGENDA

- Welcome and Introductions
- Vision Activity: Dealing with Change
- Creating the Future Activities: Gallery Walk & Timeline
- SWOT Analysis Activity
- Dental Workforce Opportunities & Initiatives Activity
- Closing Conversation



INTRODUCTION TO THE SESSION

Workforce development is a critical issue for DANB and the DALE Foundation, and one we recognize that we cannot resolve alone.

This forum session was held on July 14 in Chicago to bring together leaders in dentistry and health care to share perspectives and identify ways we can collectively work toward solutions to assure a robust, effective, and adequately staffed dental assistant workforce.

During the session we explored key issues, identified opportunities, created initiatives, and defined actions.

This document is a concise summary of the work we did during a very full day of discovery and creative thinking.

We are grateful for the dedicated engagement of all participants, and are hopeful that the work done during the session will lead to significant progress in addressing key issues regarding the dental workforce.

VISION ACTIVITY

In this initial activity, the participants described the three most pressing challenges that their own organization is presently dealing with, the three most pressing changes occurring now across the dental profession, and the top three ways they expect the practice of dentistry in the future will be different from today. They then discussed their individual reflections in small groups, and brought key ideas back to share with the large group.

SEVEN KEY THEMES

The key ideas were then clustered, and we discovered that we had identified seven key themes for the future of dentistry and the dental assistant role:

- **Certification Value / Awareness**
- **DSO Growth**
- **Technology**
- **Generational Shifts and the Workforce**
- **Business Model of Dentistry**
- **Workforce Development / Education**
- **Leadership Pipeline**



DSO

A growth in Dental Support Organization.

DSO - Changing practice models

Technology is forcing a reshaping of workforce to become a more "Specialized team" - "Provider" - "Dental Hygienist" - "Dental Assistant" - "Dental Office"

DSOs are going to change the dental industry workforce & access to care for many years.

TECH

Access to qualified care - remote expansion of telehealth

Technology + Telehealth is reshaping the delivery of oral healthcare.

Preparing for paperless/digitalized processes

Need Advanced Technology (Artificial Intelligence, AI, etc.)

Telehealth is - Developing technology solutions? Patients doing in dental office

GENERATIONAL SHIFTS in the WORKFORCE

Advanced in AI technology will drive workforces & outcomes in dental offices

Politics have driven a lot of changes in workforce & mentality (esp in the last 2 yrs) - partnerships influence matter

generational shifts

- how to get information

- use of technology

- diversity in workforce

Diversity... meeting the needs of changing membership

Needs

↑ emphasis on diversity, equity, inclusion, belonging

Adapt / Provide

Understand generational

BUSINESS MODEL

Need to find a balance between Access + qualified CARE

Dictionary between what's required, more compensation/benefits/financially stable, etc.

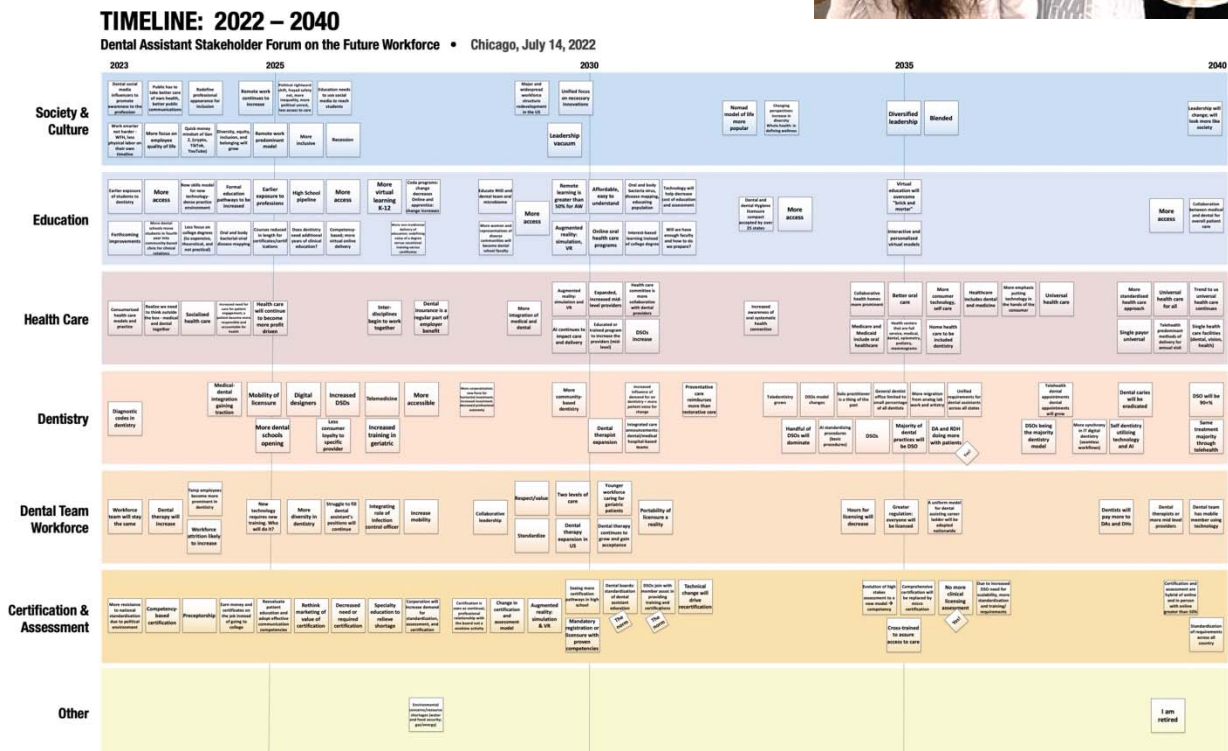
downward + upward tightening marginal

(rebalancing + fear not matching rate of demand/production)

GALLERY & TIMELINE ACTIVITY

In the next activity, participants studied a gallery of information about the future of dentistry, society, and health care, and then used Post-it notes to create a detailed timeline of the period from 2022 to 2040 in order to consider how the future may be evolving.

The full timeline has been re-created as a poster, which is available as a separate document.



SWOT ANALYSIS

The third activity of the Forum was a SWOT analysis of the future of dentistry in 2028. By looking at the Strengths, Weaknesses, Opportunities, and Threats that the dental profession as a whole faces we gain a deeper understanding of the forces and factors we must deal with in order to achieve our desired goals by 2028.



Participants worked in 6 teams, and then identified the most important elements in each of the four categories.

Strengths

- Effective organizational structure
- High frequency of in-patient visits
- Patient care & communication (comfort/trust)
- Passion for profession and patient care/patient care
- Purpose-driven job satisfaction
- Leveraging technology

Weaknesses

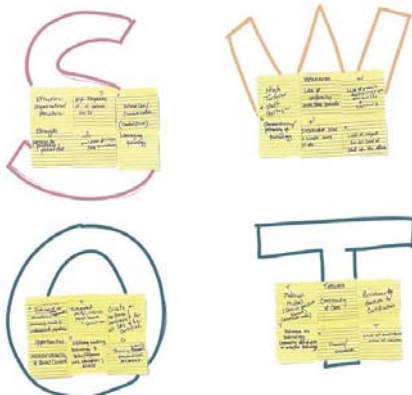
- High turnover and staff shortage
- Standardizing/portability of technology
- Variability of dental assistant requirements in dental practice acts across states
- High variability of the dental assistant's job and scope of functions across states
- Lack of public awareness concerning oral health careers
- Insufficient understanding and appreciation of the contributions of dental team members

Opportunities

- Incentivize increasing reach to underserved populations (take care of our own communities)
- Increase visibility of dental careers
- Integrated dental, medical, mental health, and social care
- Utilizing evolving technology to tailor/improve care, education, and access
- Create a uniform model for dental assistants
- Training levels, stacked credentials, and microcredentials

Threats

- Medical model (dentist perceive threat; insurance model)
- Reliance on technology (especially out-of-date or untested technology)
- Continuity of care
- Finances/insurance
- Lack of awareness and appreciation for dental assistant credentialing and education



12 KEY INITIATIVES

The final activity of the day focused on identifying cross-organizational initiatives that could be undertaken across the dental profession to assure that our future workforce needs are met. These were the 12 key ideas that emerged. As this work was done by teams working independently, there is some overlap among these ideas which we will address as we go forward.

1. DEVELOP STANDARD DENTAL ASSISTANT MODEL

to create a uniform initial and continuing education curriculum, assessment program (exams and certifications) and state regulation. This will enable measurable outcomes for the profession and career portability across state lines.

2. DEFINE DA & RDH NATIONAL STANDARD

which will provide a roadmap for states and lead to improved patient care, increased access to care, and growing workforce numbers. It will also provide data required to make the case for certification, establish standardization around skillset, raise awareness, and establish minimum requirements.

3. STANDARDIZE EDUCATION REQUIREMENTS

New partnerships and collaborations will be formed; training, education, and certification requirements will be established to ensure DAs can effectively perform their scope of duties.

4. CREATE UNIFORM REGULATORY FRAMEWORK

in order to establish a minimum base of knowledge across states and to encourage recognition of DANB credentials.

5. ENHANCE STATE LICENSING

to establish training and competency standards and demand for formal training, which will result in increased patient and provider safety, increased public awareness, and DA job mobility across state lines.

6. ESTABLISH MINIMUM REQUIREMENTS FOR ORAL HEALTHCARE SETTING STAFF

with the primary objective of improving patient safety.

7. FORM A WORKFORCE COALITION

to address DA low pay and benefits, to educate and encourage employers to increase pay and benefits for DAs, and to define and promote uniformity for the DA profession.

8. PARTNER TO RECRUIT A MORE DIVERSE WORKFORCE

that reflects a diverse patient population and increases the size of the workforce.

9. IMPROVE WORKFORCE DEVELOPMENT

through marketing campaigns, partnering with new groups (e.g., Junior Achievement) and outreach to underserved populations to grow interest in the profession, to increase DA workforce numbers;

maintaining or improving quality levels is a challenge but critically important.

10. CONDUCT FOUNDATIONAL & CROSS-FUNCTIONAL EDUCATION & RECRUITMENT

aimed at increasing diversity in dental assistant education and recruitment and in state dental associations, by standardizing requirements across states, looking for microcredential opportunities, and leveraging new technologies alongside existing dental education facilities to expand access and accelerate the timeframe for students to earn income.

11. FOCUS ON RECRUITMENT AND EDUCATION PATHWAYS

including stakeholder engagement, “train the trainer” and speaker programs, and development of workforce models, training standards and micro-credentialing that will lead to early and diverse recruitment, an articulated career ladder, career awareness, and standardization across the profession.

12. REVAMP OUTREACH AND EDUCATION

to ensure training is readily available to meet new minimum standards, to help a diverse public understand why they should value oral health career opportunities, to promote diversity, and to instill a sense of professionalism and pride within the DA workforce.

THANK YOU!

“Thank you to all of you, the DANB and DALE Foundation board members, and our staff. The energy in the room today was really high all day, and there was a lot of laughter.

We are going to be stronger and go further if we do this work on the Dental Workforce together. Hopefully you are connecting with people you can collaborate with, and let’s think about who else should be in the conversation.

Let’s also think about how we can keep this conversation going.”

Laura Skarnulis, DANB and DALE Foundation CEO





Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson at the request of the Mayor, introduced the following bill,
which was referred to the Committee on _____.

To amend the Health Occupations Revision Act of 1985 to authorize the Board of
Dentistry to license and regulate the practice of and advertising of dental specialties in the
District of Columbia and to amend the scope of practice of dentistry.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Dental Specialties Licensure and Scope of Practice
Amendment Act of 2023.”

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985,
effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is
amended as follows:

(a) Section 102 (D.C. Official Code § 3-1201.02) is amended as
follows:

(1) Paragraph (5)(B) is amended by inserting the phrase “, or the placement or
removal of dental implants” after the phrase “tooth or teeth”;

1 (2) Paragraph (5)(E) is amended by inserting the phrase “and certified by the
2 Board, if applicable” after the phrase “properly trained in the
3 administration of the anesthetic agent”.

4 (3) Paragraph (5)(I) is amended by striking the term “or” after the phrase
5 “graduate programs;”.

6 (4) Subparagraph (5)(J)(viii) is amended by striking the phrase “; and” and
7 inserting a “.” in its place.

8 (5) Subparagraph (5)(J)(ix) is repealed.

9 (6) A new paragraph (5)(K) is added to read as follows:

10 “(5)(K) The administration of immunizations and vaccinations when
11 certified by the Board of Dentistry to do so:

12 (7) New paragraphs (5)(L) and (5)(M) are added to read as follows:

13 “(5)(L) The terms “manager,” “proprietor,” “operator,” or “conductor” as
14 used in paragraph (5)(J) of this subsection shall be deemed to include any
15 person or entity that:

16 “(i) Employs or contracts with a dentist or dental hygienist to provide
17 dental services or dental hygiene services, or a dental assistant to provide
18 dental related services;

19 “(ii) Places in the possess of a dentist, dental hygienists, or other agent
20 such dental material, dental offices, or equipment as may be necessary for
21 the management of a dental office on the basis of a lease or any other
22 agreement for compensation or profit for the use of such material,
23 equipment or office;

1 “(iii) Directs or controls the use of dental equipment or dental material
2 while the equipment or material is being used to provide dental services;
3 “(iv) Retains the ownership or control of dental material, equipment or
4 office space and makes the same available in any manner for the use of a
5 dentist, dental hygienist, or other agent; provided, however, that the above
6 shall not apply to bona fide sales of dental material, or equipment secured
7 by chattel mortgage where the seller does not retain any rights to direct or
8 control the use of the dental material, equipment, or office space;
9 “(v) Exercises direction or control over any of the following:
10 “(a) The selection of a patient’s course of treatment;
11 “(b) The patient records of a dentist or dental hygienist;
12 “(c) The content of patient records;
13 “(d) Policies and decisions relating to pricing, credit, refunds,
14 warranties, and advertising for dental services;
15 “(e) Decisions relating to a dental office’s personnel and hours of
16 practice; or
17 “(f) Referrals of patients.

18 “(5)(M) The following practices, acts, and operations shall not be regarded as
19 practicing dentistry within the meaning of this subsection:

20 “(i) The treatment of the diseases of the mouth and practice of oral
21 surgery in the practice of the profession by a physician or surgeon
22 licensed to practice medicine under the Act, unless the physician or
23 surgeon undertakes to reproduce or reproduces lost parts of the

1 human teeth in the mouth or to restore or replace lost or missing teeth
2 in the mouth;

3 (ii) The practice of dentistry in the discharge of their duties by
4 dentists in the United States Armed Forces, Public Health Services, or
5 Veterans Bureau; and

6 (iii) The practice of dentistry by dentists licensed in good standing in
7 their home state at meetings or events of the American Dental
8 Association or component parts thereof, or any other like dental
9 organizations, while appearing as clinicians for the finite and limited
10 period of such meeting or event.

11 (6) A new subsection (9A) is added to read as follows:

12 “(9A) “Practice of oral and maxillofacial surgery” means a specialty of
13 dentistry which includes the diagnosis, surgical and adjunctive treatment of disease,
14 injuries and defects involving both the functional and aesthetic aspects of the hard and
15 soft tissues of the oral and maxillofacial region.

16 (b) Section 508 (D.C. Official Code § 3-1205.08) is amended by adding new
17 subsection § 3-1205.08c to read as follows:

18 “Sec. 508c. Oral and Maxillofacial Surgeons and Dental Specialties
19 Licenses.”

20 “(1) In general. – A licensed dentist may not represent to the public that
21 the licensee is a specialist in any field of specialized dental practice unless licensed by the
22 Board as a specialist in that dental specialty field.”

1 “(2) Board approval. – The Board may approve any area of specialty
2 recognized by the National Commission on Recognition of Dental Specialties and
3 Certifying Boards or its successor organization, or an association approved by the
4 Board.”

5 “(3) No dentist shall represent himself or herself to the public as an oral
6 and maxillofacial surgeon or practice oral and maxillofacial surgery unless the person has
7 successfully completed an oral and maxillofacial residency program, approved by the
8 Commission of Dental Accreditation of the American Dental Association, is a Diplomate
9 of a national certifying Board recognized by the ADA, and holds a valid specialty license
10 from the Board.”

11 “(4) A dentist is eligible for a specialty license if the dentist is licensed in
12 good standing to practice dentistry in the District of Columbia and meets the
13 following criteria:

14 (A) Is a Diplomate of a specialty certifying board recognized by the
15 American Dental Association, or certified by a specialty certifying
16 board recognized by the National Commission on Recognition of
17 Dental Specialties and Certifying Boards;

18 (B) Is eligible for examination, at the time of application, by a national
19 specialty board recognized by the Board; or

20 (C) Beginning before January 1, 1986, the dentist has continuously held
21 himself or herself out to the public, in an ethical manner, as a specialist
22 in a specialty recognized by the Board, and meets any additional

1 education or professional experience requirements set forth by the
2 Mayor through rulemaking.”

3 “(5) For a period of one (1) year following the effective date of the Dental
4 Specialties Licensure Amendment Act of 2021, a dentist licensed in good
5 standing by the Board, who is a Diplomate of a specialty certifying board
6 recognized by the American Dental Association, or certified by a specialty
7 certifying board recognized by the National Commission on Recognition of
8 Dental Specialties and Certifying Boards, or who is currently eligible for
9 examination by a national specialty board recognized by the Board, may continue
10 to represent to the public that the dentist is a specialist in that specialty whether or
11 not that person holds a District of Columbia specialty license.

12 (c) Section 514a (D.C. Official Code § 3-1205.14(a)) is amended as follows:

13 (1) Paragraph (51) is amended by striking the phrase “; or” and inserting a “;”
14 in its place.

15 (2) Paragraph (52) is amended by striking the “.” and inserting the phrase “;
16 or” in its place.

17 (3) A new paragraph (53) is added to read as follows:

18 “(53) Enters into an agreement, arrangement or relationship with an
19 individual or entity who is not licensed to practice dentistry under the Act, or is not
20 exempted under the Act, in which the individual or entity that is not licensed to practice
21 dentistry under the Act or exempted under the Act retains ownership or control of the
22 office space, equipment, or dental materials, employs or contracts with the dentists,
23 dental hygienists, or clinical dental staff to provide dental services, or exercises control

1 over the selection of a course of dental treatment for a patient, or the dental procedures or
2 materials to be used as part of such course of treatment, or the patient records, or the
3 manner in which such course of treatment is carried out by a dentist, dental hygienist, or
4 other dental staff member.

5 Sec. 4. Fiscal impact statement.

6 The Council adopts the fiscal impact statement in the committee report as the
7 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
8 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
9 206.02(c)(3)).

10 Sec. 5. This act shall take effect following approval by the Mayor (or in the event
11 of veto by the Mayor, action by the Council to override the veto), a 30-day period of
12 Congressional review as provided in section 602(c)(1) of the District of Columbia Home
13 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
14 206.02(c)(1)), and publication in the District of Columbia Register.