

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

Date: September 21, 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>

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 Meeting Minutes September 21, 2022

| BOARD MEMBERS: | |
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| 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 |
| Zaneta Batts, Health Licensing Specialist | Absent |
| LEGAL STAFF: | |
| Carla M. Williams, Senior Assistant General Counsel | Present |

BOARD OF DENTISTRY

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CALL TO ORDER AND ROLL CALL

OS-0921-01 **INTRODUCTIONS**

The meeting was called to order at 9:01 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, DMD – 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**)
Zaneta Batts, Health Licensing Specialist (**Absent**)
- **Legal Staff**
Carla Williams, Senior Assistant General Counsel (**Present**)
- **DOH Staff/Presenters**
Matteo Lieb, DOH Legislative Affair Specialist
- **Public Attendance**
Mr. Kurt Gallagher, DC Dental Society
Mr. Max Brown, Group360/TEND
Dr. Cheryle Baptiste, DC Dental Society
Ms. Shavonne Healy, MSDH, RDH
Dr. Rebecca Misner, Adventure Dental
Ms. Brittany Harris, BSDH, RDH – UMDSOD Course Director
Dr. Roya Pilcher, Smile Valley Pediatric Dentistry
Mr. Brett Greene, DC Dental Society
Mr. Richael Cobler, CRDTS

OS-0921-02 **OPEN SESSION AGENDA:**

Board Action:

Acceptance of the amended **September 21, 2022**, meeting agenda to include omitted November Board Meeting date.

Motion: The Board to accept the September 21, 2022, Meeting Agenda

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

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

Motion passed unanimously

OS-0921-03 **OPEN SESSION MINUTES:**
Board Action:
Consideration of the Open Session minutes from the **July 20, 2022**, meeting.

Motion: The Board to accept the July 20, 2022, meeting minutes.
Moved by: Dr. Iris Jeffries-Morton; (Board Member)
Seconded by: Ms. Yolanda Josey-Baker.; (Board Member)
Motion passed unanimously

STAFF REPORTS

OS-0921-04 **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 Health Professional Licensing Boards adopting a hybrid Board meeting schedule in FY2023 and current census reports which are located on the Open Session Agenda. Mrs. Walker also reminded attendees about <https://coronavirus.dc.gov/vaccine> and <https://dchealth.dc.gov/page/monkeypox>, the District of Columbia’s primary and up-to-date source for all information regarding COVID-19 and Monkeypox within the District. Additionally, Mrs. Walker shared information regarding the DANB Stakeholder Forum which held in Chicago, Illinois on July 14, 2022.

Mrs. Walker informed meeting attendees that on August 10, 2022, the Interim Director for DC Health, Dr. Sharon Lewis, amended the Declaration of the Director and authorized temporary licenses for all healthcare professionals applying for full licensure, certification, or registration within the District who met the requirements as outlined by DC Health. Mrs Walker also introduced the new Health Licensing Specialist for the Board of Dentistry, Ms. Zaneta Batts and discussed the hiring of more staff that has been allotted by DC Council’s budget for FY 2023. She also discussed other initiatives currently in progress to simplify and improve the licensing review process. This concluded Mrs. Walkers’ report.

1. **BOD Calendar**

- September 21, 2022
- October 19, 2022, **In-person**
- November 16, 2022
- 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**

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| | <ul style="list-style-type: none"> • September 20, 2023, In-Person <ol style="list-style-type: none"> 2. <u>BOD Census</u> 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) 3. District of Columbia COVID-19 Updates https://coronavirus.dc.gov/vaccine 4. District of Columbia Monkeypox https://dchealth.dc.gov/page/monkeypox 5. Virtual & In-Person Board Meetings 6. DANB Stakeholder Forum <p>Motion: Per recommendation from the Executive Director, the Legislative and Regulatory subcommittee to review the draft language for the dental compact and make a recommendation to the Board of Dentistry. Moved by: Dr. Iris Jeffries-Morton; (Board Member) Seconded by: Dr. Judith Henry; (Board Member) Motion passed unanimously</p> | |
| 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 DC Council has resumed from break and held their first legislative meeting on September 20, 2022. Several legislations are underway such as the repealing of the Removing Barriers Act which is expected to become law on September 21, 2022. The Committee on Health is hosting a hearing on September 28, 2022 at 10:00am, of which several pieces of legislation will be heard regarding, reproductive health vaccine consent for minors, clinical laboratory practitioners, and the Health Professional Loan Repayment program. | |

OS-0921-08

DENTAL BOARD SUB-COMMITTEES

1. **Credentials & Audits:**

Dr. Iris Jeffries-Morton/Dr. John Bailey/Ms. Yolanda Josey-Baker, RDH
No report

2. **Communications:**

Ms. Yolanda Josey-Baker, RDH
No report.

3. **Regulatory Affairs:**

Dr. Judith Henry/Ms. Dianne Smith, Esq./Ms. Yolanda Josey-Baker RDH

Board Attorney, Ms. Carla Williams, presented on the proposed updates to the Scopes of Practice and law for the Dental, Dental Hygiene and Dental Assistant license types as well as the introduction of the Dental Assistant level III license type and education requirements.

- **Dr. Cheryle Baptiste** inquired if there would be a list of approved DANB courses a dental assistant could take to be certified as a Dental Assistant level III. Attorney Williams specified the DANB courses needed to for the Dental Assistant Level III certification.
- **Ms. Shavonne Healy, RDH** inquired why the Dental Assistant level I or II could not apply fluoride. Additionally, under the updated SOP, Level III Dental Assistants can apply pit and fissure sealants and coronal polishing under the supervision of a dentist. Ms. Healy requested that since those are the duties of a dental hygienist, the Board should consider those procedures to be under the supervision of a dental hygienist. Attorney Williams and Dr. John Bailey addressed this question by indicating that whether the Dental Hygienist or Level III Dental Assistant performs these procedures, the supervising Dentist authorizes these procedures to be completed and therefore assumes the legal responsibility in ensuring that they are performed correctly.
- **Mr. Kurt Gallagher**, DC Dental Society, inquired if there was a possibility to have access to the Legislative & Regulatory Subcommittee meetings to have more detailed discussions regarding the proposed updates. Attorney Williams indicated that the Open Session was the appropriate channel for doing so.
- **Dr. Becky Misner**, Adventure Dental, recommended for the Board to consider the possibility of permitting Level II Dental Assistants to monitor patients whom the Dentist has administered Nitrous Oxide. Dr. Judith Henry informed Dr. Misner that her suggestion will be considered by the Board.
- **Ms. Brittany Harris, RDH** requested for language to be added to the regulations regarding the dental hygienist's role in long-term care

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| | <p>facilities as the district has several geriatric care/long-term care/nursing facilities that could benefit from oral preventive services but are unable to go to a dental office. Dr. Judith Henry asked Ms. Harris to put her request in writing and submit it to the Legislative & Regulatory Subcommittee for review and consideration.</p> <ul style="list-style-type: none"> • Dr. Cheryle Baptiste, DC Dental Society, inquired about the possibility of Level III Dental Assistants performing glucose testing once trained. Dr. Judith Henry and Ms. Dianne Smith, Esq. addressed this question by indicating that it was carefully considered but was not deemed necessary at this time. Ms. Yolanda Josey-Baker, RDH expressed her support for Level III Dental Assistants to perform glucose testing. Dr. Iris Jeffries-Morton indicated that more discussion on this matter (the purpose and what would be done with the information) would be appropriate since dentists can only identify glucose abnormalities but cannot treat it. • Ms. Shavonne Healy, RDH also shared her support for mandating Public Health continuing education courses such as childhood nutrition, and obesity prevention in addition to Dental Assistants taking the ethics exam. • Mr. Kurt Gallagher & Mr. Max Brown expressed their appreciation to the Board for their consideration of recommended updates and additions to the Scope of Practice and law for all three license types. |
| OS-0921-09 | <p><u>COMMENTS FROM PUBLIC</u></p> <ul style="list-style-type: none"> • Ms. Shavonne Healy, RDH thanked the Board for the lively discussion during the meeting. <p>This concludes the Comments from the Public Section</p> |

BOARD OF DENTISTRY

Open Session Meeting Minutes September 21, 2022

| CLOSING | |
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| OS-0921-10 | <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) Seconded by: Dr. Judith Henry; (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 **October 19, 2022.**
The meeting adjourned at 10:55 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.