



Board Of Dentistry 899 North Capitol St. NE – 2nd FI. Washington, Dc 20002

Date: January 17, 2024

Time: 9:02 AM

OPEN SESSION
MEETING MINUTES

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: R6Mm8PPPmS3

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, tiffany.johnson1@dc.gov, no later than 10 business days before the Board Meeting. **





BOARD OF DENTISTRY Open Session Minutes January 17, 2024

BOARD MEMBERS:	
Dr. John R. Bailey, DDS – Chairperson	
Dr. Iris Jeffries-Morton, DDS – Vice Chairperson	_
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	
Ericka L. Walker, MSW - Executive Director Gregory Scurlock, Compliance Officer	
Gregory Scurlock, Compliance Officer	
Gregory Scurlock, Compliance Officer Rebecca Odrick-Austin, Board Investigator	
Gregory Scurlock, Compliance Officer Rebecca Odrick-Austin, Board Investigator Zaneta Batts, Health Licensing Specialist	





BOARD OF DENTISTRY

Open Session Minutes January 17, 2024

CALL TO ORDER AND ROLL CALL

OS-0117-01 INTRODUCTIONS:

A. Board Members

Dr. John Bailey, DDS – Chairperson

Ms. Dianne Smith, Esq – Board Member

Dr. Michelle Latortue, DDS - Board Member

Dr. Iris Jeffries-Morton, DDS – Vice Chairperson (Excused Abcense)

B. Board Staff

Ericka L Walker, MSW – Executive Director Gregory Scurlock – Compliance Officer Rebecca Odrick-Austin – Investigator Tiffany Johnson – Health Licensing Specialist

c. Legal Staff

Carla Williams – Senior Assistant General Counsel

D. DC Health Staff

Matteo Lieb – Legislative Affair Specialist Khalil Hassam – Director, Primary Care Office Directory Deborah Vishnevsky – Oral Health Program Manager, Primary Care Office

E. Public Attendance

Kurt Gallagher - DC Dental Society
Dr. Roya Pilcher – Pediatric Dentist
Ms. Fatima Oglesby Morris - Hands-On Dental Assistant Training School

OS-0117-02 OPEN SESSION AGENDA

Board Action:

Acceptance of the January 17, 2024, meeting agenda.

Motion: The Board to accept the January 17, 2024, meeting agenda.

Moved by: Ms. Dianne Smith (Consumer Member)
Seconded by: Dr. Michelle Latortue (Board Member)

Motion passed unanimously.

OS-0117-03 OPEN SESSION MINUTES:

Board Action:

Consideration of the Open Session minutes from the **November 15, 2023**, meeting.

Motion: The Board to accept the **November 15, 2023**, meeting minutes.

Moved by: Ms. Dianne Smith (Consumer Member) **Seconded by:** Dr. Michelle Latortue (Board Member)

Motion passed unanimously.

STAFF REPORTS





OS-0117-04 EXECUTIVE DIRECTOR'S REPORT:

Mrs. Ericka Walker, Executive Director for the Board of Dentistry, welcomed all Board Members, Staff, and Guest to the Open Session meeting and wished everyone a Happy New Year.

Mrs. Walker first advised all attendees that DC Health is on the Move! She informed everyone that our last day 899 North Capitol Street NE will be Friday, February 23, 2024. Our first day in our new building will be the following Monday, February 26, 2024. The address for our new building is 2201 Shannon Place, SE Washington, DC 20020. The building is being newly built up from the ground up. DC Health will be the first and possibly only tenants in that building. Due to the move, the February 21, 2024, meeting will be cancelled as we would not be able to have an efficient meeting around that time. The next meeting on March 20, 2024, is scheduled to be in-person with the option to join the meeting virtually, and we will notify the Board and public if anything changes.

The link for the Board Agenda for today is listed in the chat for those who would like to download and follow along. The Current Census is listed on the agenda along with hyperlinks to obtain more information on how the District is handling both Covid-19 and Monkeypox. There is also a link for the Mayor's Office of Talend and Appointments (MOTA) for anyone who is interested in obtaining more information about serving on any of the professional boards.

Lastly, Mrs. Walker mentioned that the Renewal period closed on December 31, 2023. We are currently in the Late Renewal period which started on January 1, 2024, and ends February 29, 2024. People are able to submit applications through February 29, 2024, but will have to pay a late fee in addition to the regular application fee. Applications submitted on or after March 1, 2024 will have to reinstate their license/registration.

This concluded Mrs. Walker's report.

1. BOD Calendar

- January 17, 2024 (Virtual)
- February 21, 2024 (Cancelled due to DC Health moving)
- March 20, 2024 (In Person & Virtual)
- April 17, 2024 (Virtual)
- May 15, 2024 (Virtual)
- June 19, 2024 (In Person & Virtual)
- July 17, 2024 (Virtual)
- August (Recess)
- September 18, 2024

2. BOD Census

Dentists (1,341)

Dental Hygienists (566)

Dental Hygienists with the authority to administer Local Anesthesia (110)

Dental Hygienists with the authority to administer Local Anesthesia & Nitrous Oxide (96)





Dental Hygienists with the authority to administer Nitrous Oxide (2)

Dental Assistant Level 1 (170)

Dental Assistant Level 2 (612)
Teaching Licenses for Dentists (4)

Teaching Licenses for Dental Hygienist (0)

3. District of Columbia COVID-19 https://coronavirus.dc.gov/vaccine

- District of Columbia Monkeypox https://dchealth.dc.gov/page/monkeypox
- 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-0117-05 BOARD ATTORNEY'S REPORT:

Ms. Carla Williams, Board Attorney, briefly spoke about the two following bills:

- Dental Hygiene and Dental Assistants Scope of Practice Amendment Act of 2023 Bill
- Dental Specialties Licensure and Scope of Practice Amendment Act of 2023

Ms. Williams stated that both bills are now before the council and mentioned that Matteo Lieb would go over both bills in more detail during his report. She wanted to touch on them as they were legislation that as drafted by the Board and proposed by DC Health.

This concluded Ms. Williams report

OS-0117-06 BOARD CHAIRPERSON'S REPORT:

Dr. John Bailey, Chairperson of the Board, spoke on how he attended the virtual ADEX (American Board of Dental Examiners) meeting. Two topics that were discussed were the regular statistics of the Boards as well as how the candidates who have taken the exam have been performing. Another topic that was discussed was Compacts. Dr. Bailey elaborated on how both the CSG (Council of State Governments) and AADB (American Association of Dental Boards) teams have been on the same panel at multiple meetings with state boards around the country. There was a side-by-side comparison done of the two Compacts to eliminate of some misinformation being passed along. The results have been published and are available for the public to view on AADB website.

Dr. Bailey then moved on to discuss the recent publication from the AADB regarding the new Corporate Transparency Act. This is a federal law that requires dental owned businesses and entities to disclose personal information





and photos of persons with ownership and control over their business.

Lastly, Dr. Bailey stated that SmileDirectClub went bankrupt. He informed the attendees that if anyone comes in who is a member of SmileDirectClub, you are free to treat them.

This concluded the Chairperson's report.

OS-0117-07 CONSENT AGENDA:

The following applications were reviewed by Dr. John Bailey (Chairperson), Dr. Iris Jeffries-Morton (Vice-Chairperson), or Mrs. Ericka Walker (Executive Director), from **November 8, 2023 – January 11, 2024**:

	Gomez-	
Patricia	Hernandez	DENTAL ASSISTANT - LEVEL II
Jenee	Stewart	DENTAL ASSISTANT - LEVEL II
Lisette	Rivas	DENTAL ASSISTANT - LEVEL II
Yemisrach	Ratie	DENTAL ASSISTANT - LEVEL II
Shermise	Brockington	DENTAL ASSISTANT - LEVEL II
Samira	Wahedi	DENTAL ASSISTANT- LEVEL I
Neyda	Cisneros	DENTAL ASSISTANT- LEVEL I
Jessica	Flores	DENTAL ASSISTANT- LEVEL I
JEONGHWA	PARK	DENTAL ASSISTANT- LEVEL I
Namya	Kohli	DENTAL ASSISTANT- LEVEL I
Kateashia	Mason	DENTAL ASSISTANT- LEVEL I
Deja	Ballou	DENTAL ASSISTANT- LEVEL I
Mariah	Carroll	DENTAL ASSISTANT- LEVEL I
Katia	Segura Herrera	DENTAL ASSISTANT- LEVEL I
STARZETTA	BRYANT	DENTAL ASSISTANT- LEVEL I
Shaghaigh	Demarco	DENTAL ASSISTANT- LEVEL I
Gloria	Buoy	DENTAL ASSISTANT- LEVEL I
Randi	Harris	DENTAL ASSISTANT- LEVEL I
Valencia	Roye	DENTAL ASSISTANT- LEVEL I
Keon	Waldron	DENTAL HYGIENIST
Nadia	Abdali	DENTAL HYGIENIST
Chenyue	Sun	DENTAL HYGIENIST
Valencia	Washington	DENTAL HYGIENIST
Derik	Sven	DENTAL HYGIENIST
Lorena	Ruiz Dominguez	DENTAL HYGIENIST
brenda	cardozo	DENTAL HYGIENIST
Shelby	Coard	DENTAL HYGIENIST
Daril	Fernandez	DENTAL HYGIENIST
Shahin	Yousefzadeh	DENTIST
Arin	Abrahamian	DENTIST





Rebecca	Salzman	DENTIST
Allison	Raymond	DENTIST
Karishma	Sheth	DENTIST
Paul	Fischl	DENTIST
Andrew	Kary	DENTIST
Tiffanie	Brown	DENTIST

First Name Last Name License Type Name
Shelby Coard LOCAL ANESTHESIA
FAIZA ISMAIL LOCAL ANESTHESIA

LorenaRuiz DominguezLOCAL ANESTHESIA AND NITROUS OXIDEDerikSvenLOCAL ANESTHESIA AND NITROUS OXIDEMEREDITHDURANTLOCAL ANESTHESIA AND NITROUS OXIDE

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

Moved by: Ms. Dianne Smith (Consumer Member) **Seconded by:** Dr. Michelle Latortue (Board Member)

Motion passed unanimously.

DISCUSSION ITEMS

OS-0117-08 LEGISLATIVE UPDATES - OFFICE OF GOVERNMENT RELATIONS

Mr. Matteo Lieb, DC Health's Legislative Affairs Specialist, to provide updates on the following:

Health Occupations Revision Act (HORA) Update:

- DC Health worked on a significant revision of the HORA. This would be the first significant revision in seventeen years.
- The revised HORA received Mayoral approval and has been introduced in the Council as the *Health Occupations Revision General Amendment Act of 2023* (<u>B25-0545</u>).
- This legislation received a hearing on <u>December 7th</u>. Over 80 witnesses, many
 of whom were healthcare professionals, signed up to provide testimony. DC
 Health's Associate Director of Health Professional Licensing Boards provided
 testimony in support and answered questions from the Council. This bill will
 likely be marked up in Committee in March, before which DC Health will work
 closely with the Council on any potential changes.

Health Professional Licensing Boards Residency Requirement Amendment Act of 2023:

- Councilmembers Henderson and Parker introduced the Health Professional Licensing Boards Residency Requirement Amendment Act of 2023 (B25-0312) on June 2, 2023.
 - This legislation would permit non-District residents to serve on health professional licensing boards.
 - There would be restrictions, including that the Board Chair and Consumer Members would continue to need to be District residents and





no more than 50% of the Board could be made up of non-District residents.

This bill received a hearing on <u>July 13, 2023</u>. DC Health testified during this
hearing and expressed support for the need for innovative solutions to fill board
vacancies and offered some changes to the bill. It then passed on final reading
on November 7th and was signed by the Mayor on November 21st. It is now
undergoing Congressional Review and is expected to become law in early
February of 2024.

Dental Hygiene and Dental Assistants Scope of Practice Amendment Act of 2023:

- The Dental Hygiene and Dental Assistants Scope of Practice Amendment Act of 2023 (B25-0347) has formally been introduced in the Council at the request of the Mayor.
 - This bill expands the scope of practice for Dental Hygienists and Dental Assistants in the District. The legislation also allows the Board of Dentistry to develop rules to vary the levels of supervision required based on the tasks performed.
- It has been referred to the Committee on Health and a hearing was held on <u>December 7th</u>. The Committee heard testimony from public witnesses as well as representatives from DC Health.

Dental Specialties Licensure and Scope of Practice Amendment Act of 2023

- Following efforts by the Board of Dentistry, Chairman Mendelson (at the request of Mayor Bowser) introduced the *Dental Specialties Licensure and Scope of Practice Amendment Act of 2023* (<u>B25-0632</u>) on December 13, 2023.
 - The bill expands the scope of practice for dentists, including adding the ability to provide immunizations. It establishes a new license for those seeking to practice oral and maxillofacial surgery. Finally, it closes a loophole to ensure non-licensed professionals are not involved in the operations or management of a dental practice.
- This legislation has not received a hearing. It may not receive one as DC Health is working with the Committee on Health to incorporate this bill into another one, the *Health Occupations Revision General Amendment Act of 2023* (B25-0545).

Clean Hands Certification Economic Expansion and Revitalization Amendment Act

- Councilmember McDuffie introduced the Clean Hands Certification Economic Expansion and Revitalization Amendment Act of 2023 (<u>B25-0619</u>) on December 16, 2023.
 - This legislation would remove the Clean Hands requirement from several occupational and professional licenses including any health professional license issued through DC Health.
- This bill is not scheduled for a hearing at the current time.

This concludes Mr. Lieb's report.





OS-0117-09 DENTAL HYGIENIST AND PUBLIC HEALTH SETTINGS

Deborah Vishnevsky, Oral Health Program Manager from DC Health, presented quick overview of the Community Health Administration and the Primary Care Office, whose two objectives are to reduce the use of the Emergency Department for preventable dental emergencies and to increase the percentage of adults who visit dentist within a 12 month period. She briefly described some of the health initiatives that the Oral Health Program is currently implementing within the District. Ms. Vishnevsky then discussed all the aspects of the School-Based Oral Health Program in detail. She explained that the School-Based Oral Health Program contracts with dental providers in the District. Those providers then visit schools where they perform prevention focused care. Children's parents sign a consent form which allows for the children to receive a screening, cleaning, and possibly fluoride varnish. If the dental screening show signs of more serious issues, the children receive written documentation to give to their parents explaining the details of the visit as well as recommendations for follow up treatment.

Dr. Bailey posed a question of how this program different from what is already in place within the District, to which Ms. Vishnevsky responded that it is the same program but she was reintroducing it to the Board to provide clarity on the main focus of the program. Ms. Williams then asked for clarification on the process of how both the providers and the children participants become part of the program. Ms. Vishnevsky then described all steps for both processes. Ms. Williams then added that the main focus of the presentation today was for the Board to start the conversation of clarifying the regulations on the role of Dental Hygienist within this program. She stated the reason for today was to provide clarity on the scope of practice for hygienists and providers within the program. Mr. Lieb then posed a question of whether the provider would have to examine the patient prior to the Dental Hygienist as based on a consumer's interpretation of the regulations, the answer could be no. Ms. Vishnevsky feels this is an opportunity for the Dental Hygienist to take the lead in this program as long as they are under the general supervision of a dentist. To that statement Ms. Williams re-emphasized that the point of the presentation was for the Primary Care Office to partner Board of Dentistry help clarify of existing standard in regard to what is already allowed by laws and regulations and to expand the program.

BOARD ACTION:

Motion: Assign it to a committee to discuss and have recommendations ready for the March meeting.

Moved by: Ms. Dianne Smith (Consumer Member)
Seconded by: Dr. Michelle Latortue (Board Member)
Motion passed unanimously.

OS-0117-10 DENTAL BOARD SUB-COMMITTEES

- Credentials & Audits: Dr. Iris Jeffries-Morton and Dr. John Bailey. No report
- 2. Communications: no report
- 3. Regulatory Affairs: Dr. Judith Henry and Ms. Dianne Smith. No report





OS-0117-11 "TELEDENTISTRY" QUESTIONS REGARDING RULES AND STATUTES

The Board has received an inquiry asking to discuss the laws and statutes regarding "Teledentistry" in the District and whether dental exams can be performed by the dentist through a Telehealth call.

BOARD ACTION:

Motion: Tabled until March meeting

OS-0117-12 Anonymous Question

The Board has received an inquiry from a Dental Hygienist Licensee who would like to know if they can start an LLC, then use this LLC to be compensated for any temp hygienist work. The hygienist states they receive a 1099 at the end of each tax year but usually owe a large sum of taxes as they are not a W-2 employee.

BOARD ACTION:

Motion: Tabled until March meeting

OS-0117-13 COMMENTS FROM THE PUBLIC

Mr. Kurt Gallager with the DC Dental Society looks forward to working with the Board and is happy to be back. He looks forward to working with the Board on advancing the oral health of the public, and is ready to provide input on regulations with any topics discussed during today's meeting.





BOARD OF DENTISTRY

Open Session Agenda January 17, 2024

	on Agenda January 17, 2024	
CLOSING		
OS-0117-14	MOTION TO CLOSE	
	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	
	BOARD ACTION:	
	Motion: To vote to close the open session meeting	
	Moved by: Dr. Michelle Latortue (Board Member)	
	Seconded by: Ms. Dianne Smith (Consumer Member)	
	Motion passed unanimously.	
	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 Meeting.
The next meeting is scheduled on March 20, 2024
The meeting adjourned at 10:11 AM.

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.