

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

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

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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 Meeting Minutes – June 21, 2023

BOARD MEMBERS:	
Dr. John R. 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
Vacant – (Dentist) Board Member	
Vacant – (Dental Hygiene) Board Member	
BOARD STAFF:	
Ericka L. Walker, MSW – Executive Director	Present
Gregory Scurlock, Compliance Officer	Present
Rebecca Odrick-Austin, Board Investigator	Present
Kathleen Ibeh, Health Licensing Specialist	Present
Zaneta Batts, Health Licensing Specialist	Excused Absence
LEGAL STAFF:	
Carla M. Williams, Senior Assistant General Counsel	Present

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	<p><u>OPEN SESSION MINUTES:</u></p> <p>Board Action: Consideration of the Open Session minutes from the May 17, 2023, meeting.</p> <p>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.</p>
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STAFF REPORTS

OS-0621-04	<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 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.</p> <p>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.</p> <p>This concluded Mrs. Walkers' report.</p> <p>1. <u>BOD Calendar</u></p> <ul style="list-style-type: none"> • June 21, 2023 • July 19, 2023 • August 2023 Recess • September 20, 2023, In-Person
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	<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></p> <p>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>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 **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.