

BOARD OF DENTISTRY

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

Date: September 20, 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 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: R6Mm8PPpM53

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

BOARD OF DENTISTRY
Open Session Agenda September 20, 2023

BOARD MEMBERS:	
Dr. John R. Bailey, DDS – Chairperson	Present
Dr. Iris Jeffries-Morton, DDS – Vice Chairperson	Absent
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 Hygienist) 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	Present
LEGAL STAFF:	
Carla M. Williams, Senior Assistant General Counsel	Present

BOARD OF DENTISTRY

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CALL TO ORDER AND ROLL CALL

OS-0920-01 INTRODUCTION:

The meeting was called to order at 9:03 a.m. as a quorum was maintained.

Board Members

Dr. John Bailey, DDS – Chairperson (**Present**)
Dr. Iris Jeffries-Morton(Absent), DDS – Vice-Chairperson (**Present**)
Dr. Judith Henry, DMD – Board Member (**Present**)
Ms. Dianne Smith, Esq. – Consumer Member (**Excused Absence**)
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 (**Present**)

Legal Staff

Carla Williams, Senior Assistant General Counsel

DC Health Staff

Matteo Lieb, DC Health Legislative Affair Specialist

Public Attendance

Kurt Gallagher, DC Dental Society
Dr. Aliya Kassam, DC Dental Society
Ioano Bettios
Niven Tien DDS, MD
Gail Cherry-Peppers
Lucciola
Sara Hoverter
Richard Cobler
Alex Karr

OS-0920-02 OPEN SESSION AGENDA

Board Action:

Acceptance of the **September 20, 2023**, meeting agenda.

Motion: The Board to accept the **September 20, 2023**, meeting agenda.

Moved by: Dr. John Bailey

Seconded by: Dr. Michelle Latortue

Motion passed unanimously.

OS-0920-03 OPEN SESSION MINUTES:

Board Action:

Consideration of the Open Session minutes from the **July 19, 2023**, meeting.

Motion: The Board to accept the **July 19, 2023**, meeting minutes

Moved by: Dr. John Bailey

Seconded by: Dr. Michell Latortue
Motion passes unanimously.

STAFF REPORTS

OS-0920-04 **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. In addition to informing meeting attendees about the Board's upcoming recess in August, Mrs. Walker reminded all attendees that this is the last meeting for FY2023. Mrs. Walker also provided updates to meeting attendees regarding the transition in leadership as Dr. Ayanna Bennett, assumed her role as the Acting Director of DC Health. Mrs. Walker also shared updates about the IBCC symposium. The location has changed from UDC to 899 North Capitol ST, NE on the fifth floor. Mota is currently recruiting for individuals to serve on one of our many professional boards.

This concluded Mrs. Walkers' report.

1. **DC Health Updates**
2. **BOD Calendar**
 - September 20, 2023 (In-person)
 - October 18, 2023
 - November 15, 2023
 - December 13, 2023 (In-person)
 - January 17, 2024
 - February 21, 2024
 - March 20, 2024 (In-person)
 - April 17, 2024
 - May 15, 2024
 - June 19, 2024 (In-person)
 - July 17, 2024
 - August 2024 (Recess)
 - *September 18, 2024 (In-person)
3. **BOD Census**
 - Dentists (1344)
 - Dental Hygienists (559)
 - Dental Hygienists with the authority to administer Local Anesthesia (109)
 - Dental Hygienists with the authority to administer Local Anesthesia & Nitrous Oxide (94)
 - Dental Hygienists with the authority to administer Nitrous Oxide (0)
 - Dental Assistant Level 1 (159)
 - Dental Assistant Level 2 (599)
 - Teaching Licenses for Dentists (3)

	Sikeetheya	Richardson	DENTAL ASSISTANT - LEVEL II
	Marche	Mansfield-Knight	DENTAL ASSISTANT - LEVEL II
	Virginia	Amparo De Chavarria	DENTAL ASSISTANT - LEVEL II
	Shaquane	Hubbard	DENTAL ASSISTANT - LEVEL II
	Dominique	Wentt	DENTAL ASSISTANT- LEVEL I
	Kaila	Reyes	DENTAL ASSISTANT- LEVEL I
	seyedeh	jaferi	DENTAL ASSISTANT- LEVEL I
	Jerzel	Alvarado	DENTAL ASSISTANT- LEVEL I
	Doxiades	Hill	DENTIST
	Reza	Nikookar	DENTIST
	Nana Yaw	Boamah-Mensah	DENTIST
	Rachel	Taylor	DENTIST
	Faisal	Shakir	DENTIST
	Herbert	Spann	DENTIST
	Brandi	Coyle	DENTIST
	Muhammad	Usmani	DENTIST
	Alexander	Sukys	DENTIST
	Ensiyeh	Bateni	DENTIST
	Leroy	Sutton	DENTIST
	Shaden	Alfaqih	DENTIST
	Priya	Shah	DENTIST
	Jahanzeb	Chaudhry	DENTISTRY TEACHING LICENSE
	Yamen	Safadi	DENTISTRY TEACHING LICENSE
	<p>Board Action: To accept the consent agenda Motion: The Board opposes Dental Assistants to not register with the Board of Dentistry. Moved by: Diane Smith Seconded by: Dr. Michell Latortue Motion passes unanimously.</p>		

DISCUSSION ITEMS

OS-0920-08 LEGISLATIVE UPDATES – OFFICE OF GOVERNMENT RELATIONS

Matteo Lieb, Legislative Affairs Specialist

Health Professional Compact Bills:

Councilmember Gray has introduced bills that would have the District join two health professional licensing compacts:

- The Occupational Therapy Licensure Compact Approval Act of 2023 (B25-0286) would have the District join the Occupational Therapy Licensure Compact and applies to Occupational Therapists and Occupational Therapy Assistants. The compact is not operational but is scheduled to start accepting applications in mid-2024.
- The Counseling Compact Approval Act of 2023 (B25-0287) would have the District join the Counseling Compact and applies to Licensed Professional Counselors (LPCs).
- Additionally, Councilmember Frumin has introduced the District of Columbia Nurse Licensure Compact Authorization Act of 2023 (B25-0430) which applies to Registered Nurses (RNs) and Licensed Practical Nurses (LPNs).
- DC Health is evaluating these bills and anticipates they will receive a hearing later this fall.

DC Health Director Appointment:

- On June 8th, Mayor Bowser announced the appointment of Dr. Ayanna Bennett as DC Health Acting Director.
- Dr. Bennett is a healthcare and public health executive with more than 20 years of experience in clinical practice, clinical service design, system integration, and quality improvement. Dr. Bennett most recently served as Chief Health Equity Officer and Director of the San Francisco Department of Public Health's Office of Health Equity.
- The Council will hold a hearing on the Director of the Department of Health Dr. Ayanna Bennett Confirmation Resolution of 2023 (PR25-0290). The Committee on Health will hold a hearing on October 5th at 10AM to hear from the Director.

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.

	<ul style="list-style-type: none"> It has been referred to the Committee on Health and a hearing has not been scheduled at this time. <p>Council Return from Recess:</p> <ul style="list-style-type: none"> Following a roughly two month recess, Council returned to session on September 15th.
<p>OS-0920-09</p>	<p><u>SMILEDIRECTCLUB</u></p> <p>Background: A lawsuit was filed on December 5, 2022, against SmileDirectClub, an online orthodontics company for requiring harmed and dissatisfied consumers to sign non-disclosure agreements (NDAs) to receive promised refunds.</p> <p>https://oag.dc.gov/release/ag-racine-sues-smiledirectclub-making-consumers</p> <p>Carla Williams: Consumers are no longer unable to file appropriate complaints regarding any issues they have with Smile Direct Club.</p>
<p>OS-0920-10</p>	<p><u>DENTAL BOARD SUB-COMMITTEES</u></p> <ol style="list-style-type: none"> <u>Credentials & Audits:</u> Dr. Iris Jeffries-Morton and Dr. John Bailey. <u>Communications:</u> <u>Regulatory Affairs:</u> Dr. Judith Henry and Ms. Dianne Smith. <p>Board Action: To move forward with the regulation as is. Changes to the regulation will move forward when the new legislation passes.</p> <p>Motion: To move forward with the regulation as is. Changes to the regulation will move forward when the new legislation passes.</p> <p>Moved by: Diane Smith</p> <p>Seconded by: Dr. Michell Latortue</p> <p>Motion passes unanimously.</p>
<p>OS-0920-11</p>	<p><u>PRESENTATION FROM DR. GREGORY TALLEY</u></p> <p>Dr. Gregory Talley, Supervisory Health Physicist of the Radiation Protection/Medical Devices Division, will provide a presentation regarding the registration of radiation devices and machines with DC Health.</p> <p>Radiation Producing Machines - Registration Forms Suppliers of Medical & Dental X-Ray Equipment/Health Physics Service Application Standards for Protection Against Radiation - Part D</p>

OS-0920-12 PRESENTATION FROM DR. JUSTIN ORTIQUE

Dr. Justin Ortique, Executive Director, Board of Pharmaceutical Control

- Prescription Drug Monitoring Program

OS-0920-13 INCENTIVIZED TIME PERIOD FOR REGISTRATION OF DENTAL ASSISTANTS

Ms. Carla Williams outlined the incentivized Time Period For registration of Dental Assistants policy. The policy is to provide a temporary incentivized time period in which to encourage and facilitate unregistered individuals to come into compliance with District of Columbia law. This is not a grant of amnesty. Individuals who have engaged in unregistered practice will remain subject to a penalty as well as the Licensees who have aided in the unauthorized practice. However, those individuals who voluntarily come forward during this time period, pursuant to the parameters set forth in this policy, will receive a greatly reduced financial penalty.

Board Action: To approve the Incentivized time period for the registration of Dental Assistants.

Motion: The Board to approve the Incentivized time period for the registration of Dental Assistants.

Moved by: Diane Smith

Seconded by: Dr. Michell Latortue

Motion passes unanimously.

OS-0920-14 COMMENTS FROM THE PUBLIC

Dr. Niven Tie, “ Is there anybody that has experience with Anesthesia on your sub-committee?

What is the process for being an evaluator for the Anesthesia sub-committee?

Carla Williams answered that Dr. Renee McCoy-Collins was the chairperson of the board and her expertise is what we would use as someone who is familiar with anesthesia. We are just standing up the program as of now

Dr. Kurt Gallagher, “ Is there a tentative date for training for the license renewal process?”.

Ericka Walker answered we do have information that is currently being vetted and intend to share once that is finalized.

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CLOSING	
OS-0920-15	<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>
	ROLL CALL VOTE
	<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 **November 15, 2023**

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.