Approved

VIRGINIA BOARD OF DENTISTRY
MINUTES
MARCH 7, 2013

TIME AND PLACE: The meeting of the Board of Dentistry was called to order at 11:10 a.m. on March 7, 2013, in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Herbert R. Boyd, III, D.D.S., President

BOARD MEMBERS PRESENT:
Martha C. Cutright, D.D.S.
Surya P. Dhakar, D.D.S.
Charles E. Gaskins, III, D.D.S.
Jeffrey Levin, D.D.S.
Melanie C. Swain, R.D.H.
Tammy K. Swecker, R.D.H.
James D. Watkins, D.D.S.

BOARD MEMBERS ABSENT:
Myra Howard, Citizen Member
Evelyn M. Rolon, D.M.D.

STAFF PRESENT:
Sandra K. Reen, Executive Director for the Board
Elaine J. Yeatts, DHP Senior Policy Analyst
Kelley Palmatier, Deputy Executive Director for the Board
Huong Vu, Operations Manager for the Board

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

ESTABLISHMENT OF A QUORUM: With eight members of the Board present, a quorum was established.

CONFLICT TRAINING: Mr. Casway provided training for Board members on appearance and conflict issues which addressed the following topics:

- Be fair and impartial;
- Avoid appearance of impropriety and actual conflicts;
- Be concerned about public perceptions and always be mindful that the Board protects the public;
- All Board business must take place in public forums;
- Participate and facilitate decisions;
- Once the Board votes, all members should support the Board's decision;

- Do not represent that you speak for the Board unless the Board has specifically authorized your representation;
- Board discussion, activities, and actions should be carefully documented for future reference and public accountability;
- Possible conflicts are financial, personal, or informational in nature;
- Be familiar with the Board's basic law and regulations and consistently uphold them; and
- Prepare by reading agenda materials and case documents.

Mr. Casway took questions and then closed by saying that members should ask the executive director or board counsel for guidance when questions about conduct or conflicts arise. He added that deferring to the executive director to respond to policy and process questions from colleagues or the public was always advisable.

REVIEW OF ADA GUIDELINES FOR CONSCIOUS/MODERATE SEDATION CE TRAINING AND THE BOARD'S REGULATORY REQUIREMENTS:

Ms. Reen stated that the following presentations on the " ADA Guidelines for Teaching the Comprehensive Control of Anxiety and Pain in Dentistry" and the Board's regulatory history for sedation are being provided to lay the foundation for the Board providing guidance on the management of applications for enteral conscious/moderate sedation permits where course content is in question. She noted that the question affects about 30 permit holders and about 28 pending permit applications. The Board's guidance will assist her and the Credentials Committee in addressing the applications and permit holders.

Ms. Yeatts reviewed the definitions and standards for enteral sedation courses in the 2005, 2007, and 2012 ADA Guidelines. Ms. Reen reviewed the Board's regulatory provisions from 1984 to the present. She pointed out that the regulations adopted June 29, 2005, required dentists administering anesthesia or sedation to meet the 2005 education requirements by June 28, 2006.

By consensus, the Board decided that in order to be accepted, verifications must document compliance with the ADA guidelines as follows:

- Courses taken prior to November 1, 2007, must meet or exceed the 2005 Guidelines for an intensive course in "Enteral and/or Combination inhalation-Enteral Conscious Sedation (Combined Sedation") – not less than 18 hours of instruction, plus 20 clinically-oriented experiences. Hands-on clinical participation is required.

- Courses taken on or after November 1, 2007, must meet or exceed the 2007 Guidelines for a competency course in "Moderate Enteral Sedation" – not less than 18 hours of didactic instruction, plus 20 clinically-oriented experiences, including at least three live clinical dental experiences and 17 additional experiences.
- Courses taken on or after November 1, 2012, must meet or exceed the October 2012 Guidelines for a competency course in "Moderate Enteral Sedation" – not less than 18 hours of didactic instruction, plus 20 clinically-oriented experiences, including at least three live clinical dental experiences and 17 additional experiences.

APPLICATIONS FOR ENTERAL CONSCIOUS/SEDATION PERMITS:

Closed Meeting: Dr. Gaskins moved that the Board convene a closed meeting pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia* for consultation and the provision of legal advice to consider applications for Enteral Conscious/Moderate Sedation Permits. Additionally, Dr. Gaskins moved that Board Counsel, Howard Casway, and Board staff - Ms. Reen, Ms. Palmatier, and Ms. Vu - attend the closed meeting because their presence in the closed meeting is deemed necessary and will aid the Board in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Gaskins moved that the Board certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

Ms. Swecker moved that any current enteral conscious/moderate sedation permit holder and applicant who may not satisfy the applicable Board regulations and "ADA guidelines for Teaching the Comprehensive Control of Anxiety and Pain in Dentistry" shall be notified of the deficiencies. The affected applicants and permit holders may become compliant by completion of a course that satisfies the 2012 ADA Guidelines. Another option is a request to appear before the Credentials Committee or an agency subordinate to address their qualifications. The motion was seconded and passed.

ADJOURNMENT: With all business concluded, the meeting was adjourned at 5:30 p.m.

Jeffrey Lorm, RD

Herbert R. Boyd, III, D.D.S., President

September 13, 2013

Date

Sandra K Reen

Sandra K. Reen, Executive Director

September 13, 2013

Date