

**NEW HAMPSHIRE BOARD OF DENTAL EXAMINERS
121 S. FRUIT ST.
CONCORD, NH 03301-2412**

MEETING MINUTES – August 29, 2016

Hygienists Committee Meeting – 1:00 p.m.

Board Meeting – 3:00 p.m.

**Public Hearing – 3:00 p.m. –
Proposed Rule Notice # 2016-140
Addressing the adoption of opioid prescribing
administrative rules for dentists - #16-178**

The August 29, 2016 meeting of the New Hampshire Board of Dental Examiners was called to order at 3:03 p.m. by Charles E. Albee, DMD with the following members present:

Charles Albee, DMD, President
Stacy Plourde, RDH
Arthur D. McKibbin, Jr. DMD
Ellen Legg, RDH
Tara Levesque-Vogel, DMD
Linda Tatarczuch, MSW
Puneet Kochhar, DMD
Salman Malik, DMD, MD

Absent: Nilfa Collins, DMD

Dr. Albee opened the public hearing on proposed rule notice #2016-140, addressing the adoption of opioid prescribing administrative rules for dentists - #16-178. Dr. Albee closed the hearing at 4:08 p.m.; no members of the public attended the hearing. Subsequently, the Board voted to approve the final proposal of the opioid rule, as included on the agenda.

The Board also voted to post a risk assessment on its website.

Review minutes of August 1, 2016 Board Meeting – The Board voted to approve the minutes as published.

ADMINISTRATIVE

1. Hygienists Committee

- a. Minutes of June 6, 2016 Hygienists Committee Meeting – The Board voted to accept the minutes (Dr. Kochhar had not been present at the June 6, 2016 meeting and abstained.)

- b. Minutes of August 1, 2016 Hygienists Committee Meeting (FYI) - The Board voted to accept the minutes (Dr. McKibbin and Ms. Legg were not present at the August 1, 2016 meeting and abstained).
 - c. Hygienists Committee Comments – Lisa Malfait reported that the Committee will be sending to the Board its recommendations on Den 402.01. She asked that the Board provide it with specifics when it asks the Committee to consider a particular issue.
2. Hygienists' Association Comments – None.
 3. Dental Society Comments – Executive Director Mike Auerbach advised the Board as follows:
 - The NHDS would like to thank the Board for working with it on the dental assistants/Board of Registration for Medical Technicians issue.
 - The NHDS is in the process of working with its certified public health dental hygienist partners to build and strengthen referral networks across the state.
 - On behalf of the NHDS, Executive Director Auerbach congratulated Dr. Salman Malik on his recent appointment to the Board of Dental Examiners. Dr. Malik will undoubtedly prove to be an energetic, thoughtful and positive contributor to the BoDE.
 - Congratulations also to BoDE members Dr. Tara Levesque-Vogel and Dr. Puneet Kochhar on being two of NH Magazine's 2016 Top Dentists.
 4. Commission on Dental Competency Assessments (CDCA) Comments – Ms. Plourde reported that when she was at NYU last week for an Endodontic/Prosthodontic make-up exam, a number of the individuals (6%) failed the exam and she showed the Board photographs some of the poor work done by those taking the exam. She asked the Board to remember these photos when next considering whether it would accept an exam without a hands-on portion.
 5. Board Office Comments – None.
 6. Criminal Background Checks for Licensure - #16-179 – The Board voted to have its Executive Director check with those Boards who do criminal records checks to determine what level of background check they have done.
 7. Laser Questions (2) - #16-180, also Atch I – The Board voted to advise Ms. Martin and Ms. Boisvert that it does not regulate the use of lasers.
 8. Inquiry from CDA re: Qualifications - #16-181 – The Board voted to advise Mr. Gordon that pursuant to Den 302.05, he is qualified to take a tooth whitening course because he is a certified dental assistant.

9. Statements of Professional Character - #16-182 – The Board voted to approve the documents, with the addition of the New Hampshire Board of Dental Examiners on the documents.
10. Den 302.05 (Memo and Atch I and II) - #16-183 – The Board voted as follows:

DENTAL HYGIENISTS

- DOES THE BOARD WANT TO APPROVE A COURSE OR EXAM, INCLUDING APPROVAL OF THE PASSING GRADE FOR SUCCESSFUL COMPLETION OF THE COURSE OR EXAM? CURRENTLY, THE BOARD DOES NOT DO THIS.
The Board voted No.
- DOES THE BOARD WANT TO PRE-APPROVE EXPANDED DUTY COURSES, IF ASKED? **The Board voted yes, that it would consider those requests on a case by case basis.**
- DOES THE BOARD THINK IT IS NECESSARY FOR A DENTAL HYGIENIST TO COMPLETE AN EXPANDED DUTY COURSE IN PROVISIONAL CROWN AND BRIDGE RESTORATIONS? **The Board voted Yes.**
- DO YOU THINK IT IS NECESSARY FOR A DENTAL HYGIENIST TO COMPLETE AN EXPANDED DUTY COURSE IN ORTHODONTIC DUTIES?
The Board voted Yes.
- DO YOU THINK IT IS NECESSARY FOR A DENTAL HYGIENIST TO COMPLETE AN EXPANDED DUTY COURSE IN DENTAL SEALANTS?
The Board voted No.
- DO YOU THINK IT IS NECESSARY FOR A DENTAL HYGIENIST TO COMPLETE AN EXPANDED DUTY COURSE IN LOCAL ANESTHESIA?
The Board voted Yes.
- DO YOU THINK IT IS NECESSARY FOR A DENTAL HYGIENIST TO COMPLETE AN EXPANDED DUTY COURSE IN MONITORING THE ADMINISTRATION OF NITROUS OXIDE? **The Board voted Yes.**
- DOES THE BOARD WANT TO CHANGE 'CARDIOPULMONARY RESUSCITATION' TO 'BLS-HCP'? **The Board voted Yes.**
- DO YOU THINK IT IS NECESSARY FOR A DENTAL HYGIENIST TO COMPLETE AN EXPANDED DUTY COURSE IN TOOTH WHITENING?
The Board voted No.
- WHAT KIND OF SUPERVISION SHOULD A DENTAL HYGIENIST HAVE WITH RESPECT TO IN-OFFICE TOOTH WHITENING: DIRECT OR INDIRECT SUPERVISION OF A LICENSED DENTIST? **The Board voted that in-office tooth whitening should be done under General Supervision.**

The Board voted to refer its comments on Den 302.05 to the Dental Hygienists Committee for its comments.

DENTAL ASSISTANTS

- SHOULD THE DEFINITION OF DENTAL ASSISTANT IN DEN 101.06 REMAIN THE SAME: "DENTAL ASSISTANT' MEANS ANY PERSON WHO ASSISTS THE DENTIST IN CARRYING OUT THE CLINICAL DUTIES OF A DENTAL OFFICE."? **The Board voted yes.**
- SHOULD IT BE RENAMED "ENTRY-LEVEL DENTAL ASSISTANT"? **The Board voted that it would continue to discuss this issue.**
- SHOULD WE DEFINE "GRADUATE DENTAL ASSISTANT"? **The Board voted Yes, and to use the language taken from Den 401.02.**
- SHOULD WE DEFINE "CERTIFIED DENTAL ASSISTANT"? **The Board voted Yes, and to use the language taken from Den 401.02.**
- SHOULD WE CHANGE THE LAST SENTENCE TO READ: "ENTRY-LEVEL DENTAL ASSISTANTS, BEFORE QUALIFYING IN ANY OTHER AREA ADDRESSED IN DEN 302.05, SHALL QUALIFY IN INFECTION CONTROL IN THE DENTAL OFFICE AS STATED IN DEN 302.05(AG) AND SHALL QUALIFY TO PERFORM A PRELIMINARY INSPECTION OF THE ORAL CAVITY AS STATED IN DEN 302.05(E)." (IF SO, THEN WE WILL DELETE THOSE SECTIONS THAT REPEATEDLY REFERENCE BEING QUALIFIED TO PERFORM A PRELIMINARY INSPECTION OF THE ORAL CAVITY.) **The Board voted Yes.**
- SHOULD WE REQUIRE ALL DENTAL ASSISTANTS TO BE CERTIFIED IN BLS-HCP? **The Board voted Yes.**
- DOES THE BOARD WANT TO PRE-APPROVE EXPANDED DUTY COURSES? **The Board voted that it would consider these requests on a case by case basis.**
- DOES THE BOARD WANT TO REQUIRE ALL ENTRY-LEVEL DENTAL ASSISTANTS TO HAVE 400 HOURS (OR ANOTHER NUMBER OF HOURS) OF EXPERIENCE IN CLINICAL DENTAL ASSISTING IN ORDER TO QUALIFY TO TAKE A COURSE IN INTRODUCTION TO DENTAL ASSISTING? **The Board voted that no hours would be required.**
- The Board voted to change references to Preliminary Inspection of the Oral Cavity to an Introduction to Dental Assisting.
- The Board voted to include in Den 302.05(e):
 - taking blood pressure
 - change "oral anatomy" to "oral and dental anatomy"
 - add HIPPA
 - add Inspection of the Oral Cavity.
- The Board voted to require that the course must provide a written exam to the participants.

- The Board voted that the course must provide to the dental assistant written evidence certifying that the course has been successfully completed and which is signed by the course provider.
- DOES THE BOARD WANT TO ADD THE FOLLOWING: ANY DENTAL ASSISTANT WHO HAS SUCCESSFULLY COMPLETED AN INTRODUCTION TO DENTAL ASSISTING COURSE SHALL BE QUALIFIED TO PERFORM THOSE DUTIES SET FORTH IN DEN 401.01 AND DEN 401.02? **The Board voted Yes.**
- WHICH LEVELS OF DENTAL ASSISTANT DOES THE BOARD WANT TO HAVE 400 HOURS OF CLINICAL DENTAL ASSISTING TO QUALIFY TO TAKE A RADIOLOGY COURSE? AND IS IT 400 HOURS OR ANOTHER NUMBER? **The Board voted to require this course for entry level dental assistant only and to require 200 hours.**
- DOES THE BOARD WANT TO REQUIRE, IN ADDITION TO PASSING THE DANB RADIOLOGY WRITTEN EXAM, A WRITTEN EXAM GIVEN BY THE EXPANDED DUTY COURSE? **The Board voted Yes.**
- CAN THE 8 LECTURE HOURS CURRENTLY REQUIRED BE TAKEN ONLINE? **The Board voted Yes.**
- Den 302.05(h)(3)c – The Board voted to change to read as follows: Full mouth projections, panoramic projections, projections and extra-oral projections.
- WHICH LEVELS OF DENTAL ASSISTANT DOES THE BOARD WANT TO HAVE 400 HOURS OF CLINICAL DENTAL ASSISTING TO QUALIFY TO TAKE A CROWN AND BRIDGE? **The Board voted to require this of entry level dental assistants only and to require 200 hours. (Ms. Plourde and Ms. Legg wanted to require 400 hours).**
- DOES THE BOARD WANT TO REQUIRE THE DENTAL ASSISTANT TO TAKE AND PASS A WRITTEN EXAM GIVEN BY THE COURSE PROVIDER? **The Board voted Yes.**
- WHICH LEVELS OF DENTAL ASSISTANT DOES THE BOARD WANT TO HAVE 400 HOURS OF CLINICAL DENTAL ASSISTING TO QUALIFY TO TAKE AN ORTHODONTIC COURSE? **The Board voted to require this of all entry level assistants and to require 200 hours.**
- DOES THE BOARD WANT TO REQUIRE THE DENTAL ASSISTANT TO TAKE AND PASS A WRITTEN EXAM GIVEN BY THE COURSE PROVIDER? **The Board voted Yes.**
- WHICH LEVELS OF DENTAL ASSISTANT DOES THE BOARD WANT TO HAVE 400 HOURS OF CLINICAL DENTAL ASSISTING TO QUALIFY TO TAKE A DENTAL SEALANTS? **The Board voted to require this of all entry level assistants and to require 400 hours.**
- DOES THE BOARD WANT TO REQUIRE THE DENTAL ASSISTANT TO TAKE AND PASS A WRITTEN EXAM GIVEN BY THE COURSE PROVIDER? **The Board voted Yes.**

- WHICH LEVELS OF DENTAL ASSISTANT DOES THE BOARD WANT TO HAVE 400 HOURS OF CLINICAL DENTAL ASSISTING TO QUALIFY TO TAKE A CORONAL POLISHING COURSE? **The Board voted to require this of entry level assistant and to require 400 hours.**
- DOES THE BOARD WANT TO REQUIRE THE DENTAL ASSISTANT TO TAKE AND PASS A WRITTEN EXAM GIVEN BY THE COURSE PROVIDER? **The Board voted Yes.**
- WHICH LEVELS OF DENTAL ASSISTANT DOES THE BOARD WANT TO HAVE 400 HOURS OF CLINICAL DENTAL ASSISTING TO QUALIFY TO TAKE A COURSE IN MONITORING THE ADMINISTRATION OF NITROUS OXIDE ANESTHESIA? **The Board voted to require this of entry level dental assistants and to require 400 hours.**
- DOES THE BOARD WANT TO REQUIRE THE DENTAL ASSISTANT TO TAKE AND PASS A WRITTEN EXAM GIVEN BY THE COURSE PROVIDER? **The Board voted Yes.**
- DOES THE BOARD WANT TO REQUIRE A DENTAL ASSISTANT QUALIFIED TO MONITOR THE ADMINISTRATION OF NITROUS OXIDE TO BE CERTIFIED IN BLS-HCP, INSTEAD OF CARDIOPULMONARY RESUSCITATION? **The Board voted to require this of all levels of dental assistants.**
- WHICH LEVELS OF DENTAL ASSISTANT DOES THE BOARD WANT TO HAVE 400 HOURS OF CLINICAL DENTAL ASSISTING TO QUALIFY TO TAKE A TOOTH WHITENING COURSE? **The Board voted to require this of entry level dental assistants and to require 400 hours.**
- DOES THE BOARD WANT TO REQUIRE THE DENTAL ASSISTANT TO TAKE AND PASS A WRITTEN EXAM GIVEN BY THE COURSE PROVIDER? **The Board voted Yes.**
- Den 302.05(ag)(1)c. – The Board voted to change the reference to “American Dental Association” to the “Centers for Disease Control”.
- Den 302.05(ag)(1)c.3. – The Board voted to change “hand washing” to “hand hygiene”.

11. Additional Proposed Rule Changes (for Board vote) - #16-184 – The Board voted that the requirements regarding the documentation to be provided to the Board from a licensee who is going from inactive to active status and for a licensee who has lapsed license and wants to be reinstated, should be the same. The Board voted to change, in Den 301.06(b)(2)b., “completion of a refresher course approved by the board”, to “completion of refresher courses approved by the board”. (Dr. Kochhar opposed and Dr. Malik abstained.)

12. Inquiry re: WREB and Licensure by Endorsement - #16-195 – The Board voted to accept the credentials of Dr. Derek Collins if all else is in order.

13. Inquiry re: facial cosmetic laser treatment (Fraxel) - #16-196 – The Board voted to advise Dr. Jaeman Woo that facial cosmetic laser treatment is within the scope of practice of dentistry.
14. Inquiry re: ADEX and Licensure by Endorsement - #16-197 – The Board voted to advise Ms. Barrette that she qualifies for licensure by endorsement.
15. Certificate of Completion of Degree Requirements - #16-185 (5 dentist/new grad applicants pending approval) - The Board voted not to accept the certificate of completion and to enforce the rule as written. The Board voted to change the rule so that it can accept a certificate of completion, but not more than 3 months prior to the degree being conferred.
16. Qualification for Local Anesthesia Permit for Hygienists - #16-186 (3 pending applications for review) – The Board voted that its staff should send these applications to Lisa Malfait or another member of the Dental Hygienists Committee to review the local anesthesia courses from outside of New Hampshire, to determine whether they meet the requirements of its administrative rules.
17. Questions from Dr. Crowley re: Concept of Age Related Resuscitation - #16-204
Resolution from Dr. Kuepper - The Board voted to change the rules to require all licensees who have an anesthesia/sedation permit to have both PALS and ACLS.
Dr. Malik abstained.
18. Informational (emailed previously)
 - Upcoming Annual Meeting of the AADA - October 16-17, 2016

LICENSURE AND REPORTS

1. DENTIST APPLICATIONS APPROVED

Christopher D. Baker, DMD
 Elizabeth W. Bingham, DMD
 Donald B. Farrell, DMD
 Brandon R. Jolley, DDS
 Kathleen R. Libby, DDS
 Danielle B. Miskulin, DMD
 Alokh Persha, DMD

2. HYGIENIST APPLICATIONS APPROVED

Agne J. Berube, RDH	Katelyn M. Goupil, RDH
Nicole A. Bonanno, RDH	Jacqueline M. Hutchinson, RDH
Christopher J. Coffill, RDH	Samantha L. Pare, RDH
Jennifer L. Davis, RDH	Krysten L. Payment, RDH
Krista L. Enderson, RDH	Kelly D. Tufts, RDH
Camille L. Fagadore, RDH	

3. PUBLIC HEALTH SUPERVISION

(a) #16-187 - The Board voted to accept the Public Health Summary Report and send a letter of appreciation to the following agencies:

- Concord Dental Sealant Coalition
- Milford School Dental Clinic
- Smiles for Strafford County
- Sununu Youth Services Center

4. ANESTHESIA/SEDATION

(a) The Board voted to approve the applications for General Anesthesia/ Deep Sedation Permits (2nd practice location) for the following dentists:

- #16-198 - David Greene, DMD
- #16-199 - Angel Torio, DMD
- #16-200 - Rachel Madden, DMD
- #16-201 - Corey Decoteau, DMD

Note: All votes were unanimous unless otherwise indicated.

At 6:15 p.m. pursuant to RSA 91-A:3, the Board voted to go into non-public session by roll call vote because public disclosure may render a proposed action ineffective or adversely affect the reputation of a person other than a Board member.