

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES - GENERAL SESSION

Dates: June 11, 2021

Location: Hilton Garden Inn
606 Emily Drive
Clarksburg, WV 26301

Members Present: Samuel V. Veltri, DDS, President
John E. Bogers, DDS
Lewis D. Gilbert, DDS
Stan W. Kaczkowski, DDS
William A. Klenk, DDS
Mary Beth Shea, RDH

Members Absent: David G. Edwards, DDS
Beverly L. Stevens, COMSA

Staff Present: Mrs. Susan M. Combs, Executive Director

June 11, 2021

The Board's President, Dr. Veltri, determined this meeting was properly noticed with the Secretary of State's office and a sufficient number of Board members were in attendance to constitute a quorum. The quorum was determined by the presence of six of the eight current Board members. Therefore, the meeting of the West Virginia Board of Dentistry was called to order.

The first order of business were the meeting notices to the Secretary of State which were distributed for information purposes only.

The next order of business was the review of the guidance for the dental workforce from the WV COVID19 Dental Task Force. After review and discussion Dr. Stan Kaczkowski made a motion to change the word guidance to recommendations, add the ADHA to the list in paragraph three and change the word recommends in the same paragraph to uppercase and bold lettering. Mrs. MaryBeth Shea seconded the motion, which unanimously passed. The recommendations are approved and will be placed on the Board's website.

At this time the Board President, re-arranged the topic list and moved the regional testing agency information and revision of clinical practice guidelines from the American Association of Orthodontists ahead of the review of rules.

The next order of business was the information concerning regional testing agencies and the Southern Regional Testing Agency's (SRTA) annual meeting information and voting slate. After a review of past voting slates, this years voting slate will be as follows: Dr. John E. Bogers, Dr. David G. Edwards, Dr. C. Richard Gerber, Dr. Lewis D. Gilbert, Dr. Michelle G. Klenk, Dr. William A. Klenk, Dr. Diane Paletta, Mrs. MaryBeth Shea, Dr. Charles L. Smith, Dr. Richard D. Smith, Dr. S. Vincent Veltri, and Mrs. Dina A. Vaughan. Proxy forms will be sent to those who will not be attending the annual meeting. Committee assignments were discussed. The Executive Director will ask past Board members about several positions and will send the assignments to SRTA.

The next order of business was the revision of clinical practice guidelines from the American Association of Orthodontists, which were taken for information purposes at this time.

The next order of business was a review of the final draft of the proposed rules for the 2022 legislative session.

Series 1 - Rule for the West Virginia Board of Dentistry

After a review of this rule draft, Dr. John E. Bogers made a motion to make changes to Section 3 of the proposed rule. In section 3.3. to change the sentence mid-paragraph and add the words in their particular specialty to the sentence. The sentence will then read as follows: The holder of the permit may perform all operations which a person licensed in their particular specialty to practice dentistry in this State may perform, but only within the confines of the primary location of the dental school, or teaching hospital adjacent to a dental school located within the state and as an adjunct to his or her teaching functions in the dental school. Also, to add a section 3.6. Foreign Trained Dental Graduates with Accredited Dental Specialty Advanced Education Training. The Board may issue a dental license to an applicant trained in a foreign dental school, who possesses a certification of a two-year, or more, dental specialty advanced education training program from a dental school accredited by the Commission on Dental Accreditation. The applicant shall apply for both a general and specialty dental license and shall limit his or her practice of dentistry only to the specialty in which he or she is licensed. With this the title of this section will need amended by adding licensing of foreign trained dentists. Mrs. MaryBeth Shea seconded the motion, which passed unanimously. The rule will be filed with these amendments.

Series 2 - Formation and Approval of Professional Limited Liability Companies

After a review of this rule draft, Dr. John E. Bogers made a motion to file the rule as drafted. Dr. Lewis D. Gilbert seconded the motion, which passed unanimously. The rule will be filed as drafted.

Series 6 - Formation and Approval of Dental Corporations; And Dental Practice Ownership

After a review of this rule draft, Mrs. MaryBeth Shea made a motion to file the rule as drafted. Dr. Lewis D. Gilbert seconded the motion, which passed unanimously. The rule will be

filed as drafted.

Series 11 - Continuing Education Requirements

After a review of this rule draft, Dr. Lewis D. Gilbert made a motion to make changes to the drafted rule as follows: Correct any dates that need corrected throughout the rule; and change section 5 to read as follows:

5.1. A dentist registered to provide teledentistry services shall complete continuing education as required by the State they are licensed in, but shall complete 3 hours of drug diversion as set forth in section 3.5.4. of this rule every two years.

5.2. A dental hygienist registered to provide teledentistry services shall complete continuing education as required by the State they are licensed in.

5.3. The Board may randomly audit the continuing education records maintained by a teledentistry registrant.

5.4. A false statement on a renewal form or continuing education reporting form constitutes unprofessional conduct and may result in disciplinary action against the registrant as set forth in W. Va. Code §30-4-19.

Dr. Stan Kaczowski seconded the motion, which unanimously passed. The rule will be filed as amended.

The Board directed the Executive Director to look into how many CE hours are required for dentists and dental hygienists across the country and report back to the Board when reviewing rule comments for an agency approved rule.

Series 12 - Administration of Anesthesia by Dentists

After a review of this rule draft, Dr. Lewis D. Gilbert made a motion to file the rule as drafted. Dr. John E. Bogers seconded the motion, which passed unanimously. The rule will be filed as drafted.

Series 13 - Expanded Duties of Dental Hygienists and Dental Assistants

After a review of this rule draft, Dr. John E. Bogers made a motion to make changes to the drafted rule. At 5.1.(11) strike through after successful completion of a board-approved course. The sentence will now read Applying bleaching agents. This will remove the necessity of a dental hygienist to apply for a certificate to do bleaching procedures. In sections where the use of dental lasers is set forth to say dental diode lasers. This change would be made in 5.1.(14) and 5.1.(14)(a); 6.3.(4); and 7.1.(k)(4). Dr. Lewis D. Gilbert seconded the motion, which passed unanimously. The rule will be filed as amended.

Series 16 - Teledentistry

After a review of this rule draft, Dr. John E. Bogers made a motion to make changes to the drafted rule. In section 2.6. add the words “within their scope of practice” to the definition after the words health care services. In 4.9. remove the words “unless expressly authorized by another section of this code” at the end of the paragraph. Add a 4.10.d. to read as follows: Charge for a general consultation or giving advice without a definitive diagnosis. Dr. Lewis D. Gilbert seconded the motion, which passed unanimously. The rule will be filed as amended.

Emergency Rule - Series 16 - Teledentistry

Mrs. MaryBeth Shea made a motion to file Series 16, as amended, as an Emergency Rule. Dr. Lewis D. Gilbert seconded the motion, which passed unanimously. The emergency rule will be filed.

At this time the meeting was adjourned upon motion of Dr. Stan Kaczowski, properly seconded by Dr. Lewis D. Gilbert, and unanimously passing, with the next regular meeting scheduled for July 22 & 23, 2021, at The Greenbrier Hotel, White Sulphur Springs, West Virginia.