

The Dental Examiner

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President's Message

Greetings from the West Virginia Board of Dentistry. It is once again my honor to serve as President of the Board for a third term.

In many ways this year finds us in the same waters as last year while we continue to navigate our way through the COVID19 pandemic. I would like to thank the members of the COVID19 Task Force once again for their continued efforts and guidance in helping to keep our patients and staff safe. I am also incredibly thankful to work with such an outstanding group that currently serve on the Board. Their commitment is second to none and it will always be a privilege to work alongside any and all of them.

A special thank you must also go to our Executive Director, Susan Combs, and Administrative Assistant, Christina Lesko. Their diligence and hard work allow the Board to focus on our most important charge, protecting the public. Lastly, I would also like to thank Keith Fisher. Prior to leaving the AG's office, Keith served as our attorney for the last 4 years and we thank him for his counsel during that time.

In closing, I want to thank all of our licensees for their continued patience and diligence during this unique time. Should anyone have any questions or concerns please contact the Board at any time. We want to hear from you!

All the best,

S. Vince Veltri DDS



S. Vincent Veltri, DDS

CE REQUIREMENTS DURING THE STATE OF EMERGENCY

While the State of West Virginia State of Emergency Proclamation is in effect, all required continuing education credits may be obtained online or via self-supervised instruction for the current reporting period. CEs are due with your upcoming renewal.

CPR, ACLS, PALS & ATLS re-certifications may be done online. Initial certifications shall be done in person for licensees or qualified monitors.

RENEWAL FORMS - COMPLETING THEM PROPERLY

Renewals are due in the Board office February 1, 2022. Late fees will be applied to renewals received in the office after this date.

Since this is a CE year, CE reports not received by the due date will also incur a late fee.

Example:

Dentist Renewal, late fee, late CE fee is \$555 plus \$10 DRN fee = \$565

Hygienist Renewal, late fee, late CE fee is \$225 plus \$5 DRN fee = \$230

When completing your renewal form you are required to list your current employers and related business information. This applies to ALL licensees. If you are retired or unemployed, please indicate such status on your form.

Address and employment changes are required to be reported to the Board within 30 days of the change. You may mail, fax or email changes to the Board office whenever they occur.

Late fees, as previously mentioned, will be applied to renewals received in the office after February 1, 2022.

CPR certification is to remain current.

The current Continuing Education period started February 1, 2020 and ends January 31, 2022. CE credits are to be reported by February 1, 2022.

Renew  Online

Online renewals should be available mid to late November. When completing the renewal form online, please complete all sections. Please be sure to fill out your employer information, even if you are self-employed. Include the WV County in all of the appropriate sections. The

Board is required to report retirement statistics to the legislature annually. Be sure to complete the retirement information, including the estimated date of retirement, and the direct professional services and administrative percentages. All of the information on your renewal form supplies the information needed to complete legislative mandated reports.

Please read all questions on the renewal form carefully before answering them. Should you find your online renewal form insufficient in answering personal history or any other questions, you may email or fax additional information to the Board office to be added to your renewal information.

Call the office if you have problems with your online login instead of emailing.

BOARD ACTIONS

2019-DB-00240 - Consent Agreement & Order - Reprimand; Reimburse patient costs; Complete Continuing Education; Assessed costs of \$474.05 and a fine of \$1,000.

2020-DB-00030 - Consent Agreement & Order - Reprimand; Assessment of Costs of \$536.00 and fine of \$1,000.

2020-DB-00040 - Consent Agreement & Order - Reprimand; Complete Continuing Education; Assessed costs of \$500.00 and a fine of \$1,000.

2020-DB-00230 - Consent Agreement & Order - Reprimand; Assessed costs of \$377.82 and a fine of \$1,500.



BIOLOGICAL SPORE TESTING GUIDANCE

The Board has received several inquiries about biological spore testing. The Center for Disease Control and Prevention (CDC), the American Dental Association (ADA), and the Organization for Safety, Asepsis and Prevention (OSAP) recommend at least weekly biological spore testing. Biological indicators (BI) (i.e., spore tests) are the most accepted method for monitoring the sterilization process. According to the CDC, correct functioning of sterilization cycles should be verified for each sterilizer by the periodic use (at least weekly) of biological indicators.

For specific guidelines within our state, The WV Dept of Health and Human Resources (WVDHHR) requires that autoclaves be evaluated for effectiveness a minimum of every forty (40) hours of operation. The Infectious Medical Waste Rule requires the use of *Bacillus stearothermophilus* spores for this testing because of their high heat resistance.

Every load containing implantable devices should be monitored with indicators and the items quarantined until biological indicator results are known. Offices should refer to manufacturer's directions to determine the placement and location of BI in the sterilizer.

According to WVDHHR, facilities may use any type of instant read test strips or any other bacterial spores for daily checks but must also spore test every forty (40) hours of operation using *Bacillus stearothermophilus*.

In-office biological monitoring is available; mail-in sterilization monitoring services can also be used to test both the BI and the control.

If a positive spore test is received and mechanical (e.g., time, temperature, and pressure) and chemical (i.e., internal or external) indicators demonstrate that the sterilizer is functioning correctly, the spore test should be repeated immediately. Correctly load the sterilizer and use the same cycle that produced the failure. A single positive spore test probably does not indicate sterilizer malfunction. The sterilizer should be removed from service, and all records reviewed of chemical and mechanical monitoring since the last negative BI test. Also, sterilizer operating procedures should be reviewed, including packaging, loading, and spore testing, with all persons who work with the sterilizer to determine whether operator error could be responsible.

Overloading, failure to provide adequate package separation, and incorrect or excessive packaging material are all common reasons for a positive BI in the absence of mechanical failure of the sterilizer unit. A second monitored sterilizer in the office can be used, or a loaner from a sales or repair company obtained, to minimize office disruption while waiting for the repeat BI.

If the repeated test is negative, put the sterilizer back in use. If the test is positive, recall the sterilized instrument packs and quarantine them. Call your technician for service and use a back-up sterilizer. After servicing and upon obtaining a negative spore test result in 3 consecutive empty-chamber sterilization cycles, then put the sterilizer back in use.

Certain circumstances indicate additional spore testing. These include:

- * With every load that contains an implantable device
- * When new type of packaging material or tray is used
- * After training of a new employee
- * During the first run after a repair or maintenance
- * After any change in sterilizer loading procedures

Results of biological monitoring should be recorded and sterilization monitoring records (i.e., mechanical, chemical, and biological) retained long enough to comply with state and local regulations. In the State of West Virginia there is not specific guidelines for log retention. The Department of Infectious Waste recommends the same time frame as Biohazard Waste log retention which is 3 years. Such records are a component of an overall dental infection-control program.

DINA AGNONE VAUGHAN, BSDH, MS, Investigator

“The WVDHHR requires that autoclaves be evaluated for effectiveness a minimum of every forty (40) hours of operation.”

PROPOSED RULES FOR THE 2022 LEGISLATIVE SESSION

[Title 5 Code of State Rules Series 1 - Rule for the West Virginia Board of Dentistry](#)

The proposed changes in this rule were requested by an accredited program at Cabell Huntington Hospital to include a dental residency program in the teaching permit section. Other changes clarify intern permit processes as well as licensure process for foreign trained graduates with US accredited specialty training. The rule adds a pathway to licensure for a foreign trained graduate after specified accredited training in general dentistry of at least two years. It also changes secretary to director in 6.1.a as the title was changed to director in the practice act a few years ago.

[Title 5 Code of State Rules Series 2 - Formation and Approval of Professional Limited Liability Companies](#)

The proposed changes in this rule will give a definitive time-frame and guidance when a PLLC authorization is not renewed in a timely manner and the process to renew or reinstate the authorization after expiration.

[Title 5 Code of State Rules Series 3 - Formation and Approval of Dental Corporations and Dental Practice Ownership](#)

The proposed changes in this rule will give a definitive time-frame and guidance when a Corporation authorization is not renewed in a timely manner and the process to renew or reinstate the authorization after expiration.

[Title 5 Code of State Rules Series 11 - Continuing Education Requirements](#)

The proposed changes in this rule corrects the letter and number formatting. It clarifies the process for licensees who have not completed CEs timely, strikes through language concerning retired licensees, as the Board does not have a retired status. Also, the rule sets forth CE requirements for teledentistry registrants.

[Title 5 Code of State Rules Series 12 - Administration of Anesthesia by Dentists](#)

The proposed changes in this rule include a section regarding time-frames and steps to re-evaluate and/or re-inspect a permit holder who has failed an evaluation or inspection, whether initial or subsequent. The rule adds a time-frame for scheduling and completing the re-evaluation and/or re-inspection.

[Title 5 Code of State Rules Series 13 - Expanded Duties of Dental Hygienists and Dental Assistants](#)

The proposed changes in this rule corrects the letter and number formatting. It clarifies the duties requiring a certification from the Board and adds the ability of dental hygienists to be trained and certified to use a laser for non-surgical periodontal treatment as requested by dentists from several organizations in West Virginia. The proposed rule deletes the requirement of a dental hygienist to make application for a certificate to apply bleaching agents.

[Title 5 Code of State Rules Series 16 - Teledentistry](#)

This proposed rule is in response to HB2024, which passed during the 2021 Legislative Session. The Board has been reviewing teledentistry over the past couple of years. The Emergency rule is in effect as of September 6, 2021. It addresses the application for registration and annual renewal; the delivery of teledentistry; and complaints and investigations.

All of the current versions of these rules may be viewed on the homepage of the Board's website.

CORPORATION & PLLC AUTHORIZATIONS

A licensed dentist shall apply to the Board for an authorization in order to practice dentistry as a Corporation or Professional Limited Liability Company in the State of West Virginia. The Secretary of State's Office will not approve a Corporation or PLLC without Board authorization. Applications to form a Corporation or PLLC are located on the Board's website under [Applications \(PDF\)](#).

An application must be submitted to the Board prior to attempting to complete the online registration for a business with the Secretary of State. Registering with the Secretary of State first will cause delays.

Office Staff will review the application for compliance with the Board's application requirements, as well as compliance with rules for naming the Corporation or PLLC.

Once an authorization has been issued by the Board, it is necessary to renew that authorization annually. Renewals must be completed in a timely manner. Authorizations that are expired will require a late fee. The Board may file a complaint and take disciplinary action against a company and/or its licensee members of a Corporation or PLLC whose authorization has expired and continues to practicing dentistry.

Once the Board determines a Corporation or PLLC is not in compliance, the Board will notify the Secretary of State that the certificate of authorization is no longer valid.

PUBLIC NOTIFICATION OF EXPENSES

FISCAL YEAR 2021 EXPENSES

Salaries & Employee Benefits*	\$174,283.21
Professional Services**	\$60,646.68
Contractual Services***	\$11,745.00
Association Dues	\$6,885.00
Operations/Office Expenses	\$76,132.49
TOTAL EXPENSES	\$329,692.38

*Includes Staff Salaries, and Board and Anesthesia Committee Member per diems.

**Includes Attorney General Pay.

***Includes fees paid to Dental Recovery Network





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THE BOARD'S MISSION

The West Virginia Board of Dentistry is an agency of the State mandated by legislature to protect the health, safety, and welfare of its citizens. The Board regulates the profession of dentistry and licenses dentists and dental hygienists who have proven minimal competency standards by examination.

WEBSITE INFORMATION

The Board's website is a resource for information concerning dentistry in West Virginia. The site includes the following information:

Licensing - applications, license verifications, background check instructions, as well as individual and business login in order to apply or renew a license.

Board information - list of Board members, anesthesia committee members, Board staff, meeting calendar and agendas, and guideline and position statements and resolutions.

Licensee information - continuing education requirements, emergency drug kit and equipment list, laws and rules, newsletters and various forms.

Public information - complaint form, Board actions, special health advisories, archived notices and meeting minutes.

The site includes various other Board information such as notification of proposed rules, emergency rules, and information concerning COVID19.

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