



STATE OF WASHINGTON

**DEPARTMENT OF HEALTH**

PO Box 47852 · Olympia Washington 98504-7852

**DENTAL QUALITY ASSURANCE COMMISSION  
BUSINESS MEETING MINUTES  
Friday, October 21, 2022**

**MEMBERS PRESENT**

Lyle McClellan, DDS, Chair  
Ronald Marsh, DDS, Vice-Chair  
Aaron C. Stevens, DMD  
David Carsten, DDS  
Sonia Pal, DMD  
Tiffany Bass, DDS  
Marlynne Fulton, Public Member  
McKinley Rainey, Public Member  
Miryam Nossa, EFDA  
Joy McDaniel, DMD  
Bryan Swanson, DDS  
Sarah Khan, DMD

Karen Clements, DDS  
Samantha Kofler, DDS  
Kathleen Elling, EFDA  
Nisha Sharoff, DDS

**STAFF PRESENT**

Trina Crawford, Executive Director  
Amber Freeberg, Program Manager  
Adriana Barcena, Assistant Program Manager  
Heather Carter, Assistant Attorney General  
Bill Kellington, Supervising Staff Attorney

**OPEN SESSION**

**1. CALL TO ORDER – Dr. Lyle McClellan, D.D.S., Chairperson**

- 1.1. Introduction of commission members and staff.
  - Ms. Freeberg introduces commission and staff
- 1.2. Public Comment - The public will have an opportunity to provide comments. If you would like to comment during this time, please limit your comments to two minutes. Please identify yourself and who you represent, if applicable, when the Chair opens the floor for public comment.
  - There are no public comments at this time.
- 1.3. Approval of agenda.
  - The agenda is moved and seconded.
- 1.4. Approval of the September 9, 2022, Business Meeting Minutes.
  - The approval of the September 9, 2022, Business meeting minutes is moved and seconded.

## 2. RULES

### 2.1. SSB 5229 – Health equity continuing education –

- The commission will consider authorizing a CR-101 to begin rule writing.
- Ms. Freeberg shares SSB 5229 requires health care professionals to take health equity continuing education every four years. The Department of Health was tasked with creating minimum standards by January 2023.
- The commission must adopt rules for these minimum standards by January 2024.
- Dr. Marsh motions to open CR 101 to begin rule writing.
- Dr. Carsten seconds this motion.
- A vote was taken, and the motion passed.
- Dr. McClellan shares idea of opening new committee by the name of equity discrimination and equity inclusion committee.
- Dr. Marsh recommends tasking this item with an already existing committee.
- Dr. Stevens motions to open a new committee the Inclusion and Equity committee and task this rule writing as first business item.
- Dr. Carsten seconds this motion.
- A vote was taken, and the motion passed.
- The committee members will include Dr. Pal, Dr. Carsten, Ms. Nossa, Dr. McDaniel, Dr. Kofler, Ms. Fulton and Dr. Stevens
- Dr. Pal motions to make Dr. McDaniel the Equity and Inclusion chairperson.
- Dr. Carsten seconds this motion.
- Dr. McClellan thanks the commission for participation in the committee.

### 2.2. WAC 246-817-701 through 790 - Administration of anesthetic agents for dental procedures

- Update and review of submitted comments.
- Ms. Freeberg shares the department is in the process of setting the rules hearing and is projected to be scheduled for December or January business meeting.
- There were letter submissions by WSDA and Washington State Orthodontics Association.
- Dr. Marsh shares due to the lengthy comments, comments can be brought forward and discussed in the Anesthesia committee meeting which is schedule for November 16, 2022.
- Dr. Marsh encourages all commission members to attend in preparation for December meeting.
- Ms. Emily Lovell acknowledges the commission's consideration of comments from WSDA. Ms. Lovell shares concerns are not new, and the issues have been raised over the last 3 years.

## 3. EDUCATION OUTREACH COMMITTEE - Committee meeting held on September 22– Dr. Stevens

- Dr. Stevens shares the committee has been working on FAQ for licensure display.

- Dr. Stevens shares the committee has been challenged in meeting display standards while also guarding confidential information such as addresses of partitioners.
- Dr. Stevens asks the commission if the display of wallet sized licensure meets the intent.
- Dr. Marsh asks if there can be modification which would be more technologically based.
- Dr. Stevens shares in recent discussion, the commission spoke of including the allowance of redacting confidential information.
- Ms. Carter shares there would be no issue in redacting residential addresses as that is confidential information and not information which is obtained in public disclosures.
- Ms. Carter shares the intent of licensure display is to allow patients and consumers to properly be informed of who the care provider is.
- Dr. Swanson shares his current dental license does not have any personal information attached.
- Dr. McDaniel and Dr. Clements agree the wallet sized license and redacting information would meet rule intent.
- Dr. Marsh asks if posting license on website would meet requirements.
- Ms. Carter shares the current statute says the license must be posted in the practitioner's office.
- Dr. Carsten asks if a digital option would meet standards.
- Dr. McDaniel shares this may be a barrier for those who are in a rural setting or for those who do not have access to technology.
- Ms. Crawford provides update from Credentialing office states licenses are not being printed with residential or business addresses.
- Dr. Bryan Edgar shares wallet sized copies are sufficient in indicating license status.
- Dr. Pal, Dr. Swanson, and Dr. Clements are in agreeance that wallet sized license meets intent of rule.
- Dr. Stevens shares the committee has been working on November newsletter and has been working on the topic of infection control.
- Dr. Stevens shares the committee has been discussing whether additional investigator training is needed, and after speaking with lead investigator, Paul Bakala, at commission dental retreat, investigators with extensive dental background have been conducting investigations.
- Dr. McClellan shares all investigations he has been provided were completed well and followed all checklist standards provided by the infection control committee.
- Ms. Crawford shares three investigators completed OSAP training in recent years, in addition to other training elements.
- Ms. Nossa shares she is happy that investigators have completed OSAP training, and it is the commission's responsibility to create standard competency for newer investigators.
- Dr. McClellan shares during the next Education Outreach committee, investigators have been invited to attend to get further insight on investigation process.

#### **4. CORRESPONDENCE**

- 4.1. The commission will discuss a letter dated September 22, 2022, from Dr. Victor J. Barry and letter dated September 23, 2022, from Cindy Snyder regarding the process of annual license renewal.

- Dr. McClellan acknowledged the letter provided by Dr. Barry.
- Ms. Crawford shares in September 9<sup>th</sup> meeting, the commission requested data of those who renewed their license late.
- Ms. Crawford has requested this data and was informed this information cannot be generated and is unsure as to how this was provided to the association or commission in the past.
- Dr. Barry shares before including comment specific to license renewals he would like to announce and acknowledge Dr. Linda Edgar who was just elected president of American Dental Association in Houston.
- Dr. Barry shares renewal information may be able to be provided by Cindy Snyder of WDS as they have claims to file of lapsed licensure and encourages the commission to bring Ms. Snyder to meeting to speak to this topic.
- Dr. Barry shares the current systems have allowed dental providers to work without licensure and should at the very least be able to provide text message reminders.
- Dr. Pal shares there is no easy solution or answer to renewal cycles.
- Dr. McDaniel shares it is the providers responsibility to remember renewals just like they are required to do with their driver's license.
- Dr. McDaniel is in favor of the department creating a system which will alert and provide reminders to providers.
- Ms. Crawford shares this reminder system will be a capability for the HELMS system that is currently being created.
- Ms. Crawford will list a HELMS update as a future agenda item.
- Dr. Pal shares being part of Washington State Dental Association, you are provided with reminders of renewing your license.
- Dr. McClellan asks the commission if there would be value in inviting Ms. Snyder to future business meetings.
- Dr. Pal and Dr. McDaniel share the data provided would be helpful.
- Dr. Marsh asks if there are any professions which receive a grace period for late renewals.
- Ms. Crawford confirms there are no grace periods, just those professions on a different renewal cycle.
- Dr. Carsten shares he understands the difficulty in remembering when time has come to renew especially with providers with multiples licenses but has found personal reminders in calendar and phone can be utilized.
- Dr. McClellan asks that further information is collected from Ms. Snyder

## **5. PUBLIC DISCLOSURE**

**The commission will consider requests for approval from professional associations or educational organizations to receive list and labels:**

### **5.1. Colibri Group and Elite Learning**

- Ms. Freeberg shares this group provides and offers CE and meets all requirements.
- Dr. Stevens motions to approve receiving lists and labels.
- Dr. Marsh seconded the motion.
- A vote was taken, and the motion passed.

## **6. REGIONAL/NATIONAL ORGANIZATIONS**

### **6.1. American Association of Dental Boards (AADB) annual meeting report - Dr. McClellan**

- Dr. McClellan shares he represented the commission for AADB's annual meeting in Asheville, North Carolina and Mr. Bill Kellington represented as the supervising staff attorney.
- Dr. McClellan shares there were various topics on Teledentistry, advances on technology (digital impressions, 3-D printing, milling), dental therapist, discussion on maximizing impacts on dental providers.
- Dr. McClellan reports there was a lengthy discussion at attorney round table with the topic on compact issues. Issues which were raised include "state shopping", remaining self-funded, and if there is an allowance of state moving, there will be staff shortages in states like Alaska or North Dakota. The compact is a legislative process and requires ten states to begin.
- Dr. McClellan also reports there was a speaker from the Indian Health services on achieving healthy equity in the workforce.

## **7. PROGRAM REPORT**

### **7.1. Interim operating budget update**

- Ms. Crawford provides the commission with the current interim operating budget.
- The budget report is through the month of September and shows a deficit in fund balance.
- Ms. Crawford shares there will be a fee increase which will take effect July 2023. The Department is still working on fee study however, the initial suggestions of fee increase is from \$10 to \$20 per licensee- this includes Dentist, dental assistants and EFDA's.
- Ms. Crawford shares there has been an increase in the discipline process and the HELMS project.
- Current fund balance is 2.5 million dollars however there is still two years of paying for the HELMS implementation project which is estimated at one million dollars which would be taken from this fund balance.
- Ms. Crawford states that despite a deficit there was cost savings as there has been limited travel and meeting remotely.
- Ms. Crawford shares the fee study should be completed and provided by scheduled December business meeting.
- Dr. Stevens requests historical context.
- Ms. Crawford explains the Biennium is every two years and runs July 1<sup>st</sup> to June 30 in each fiscal year. The legislature allocates how much money the commission can spend on each biennium, and this is supported by licensure fees which are collected.
- The licensure fees pays for discipline, program support, credentialing, staff attorneys.
- Ms. Crawford shares the statutes requires that the profession is self-sustaining.

## **8. OTHER**

### **8.1. Interpretive Statement Review - Novel coronavirus disease 2019 (COVID-19) vaccine ordering and administration.**

- Ms. Freeberg requests the commission review and vote whether they would like to continue or end.
- Dr. McDaniel shares her support in the continuation of dental professionals providing COVID related vaccines.
- Dr. Carsten shares that COVID-19 is still a concern especially in rural areas. Dr. Carsten is in favor of this continuance.
- Dr. McDaniel moves to approve the allowance of dental professionals to provide COVID related vaccines.
- Dr. Carsten seconded this motion.
- A vote is taken, and the motion is passed.

### **8.2. Policy Statement Review- Enforcement of AIDS education and training rules.**

- Ms. Freeberg requests the commission to review and decide if the commission would like to continue or end.
- Dr. Stevens motions to keep this policy in place.
- Dr. Marsh requests clarification on this statement review.
- Ms. Carter explains the legislature repealed the requirement of AIDS education training as it is now part of universal protection, but current rules stated there needs to be specific training on this training.
- Ms. Carter shares the vote would be on whether the commission would like to not enforce this rule
- Dr. Carsten seconded the motion.
- A vote was taken, and the motion is passed.
- Ms. Carter states in previous months, the commission repealed the rules and adoption of new rule.
- Ms. Carter notes it is timely to repeal the policy statement.
- Dr. Stevens motions to repeal the enforcement of AIDS and HIV training rules on policy statement
- Dr. Carsten moved and seconded this motion
- A vote is taken, and the motion is passed.

### **8.3. Discussion of testing parameters regarding online continuing education (CE) training.**

- Dr. Marsh shares concern of online continuing education especially given the amount of CE's that are assigned as a result of discipline.
- Dr. Marsh shares current systems have hours of continuing education which can be completed in a matter of minutes.
- Panel A of DQAC's disciplinary authority provides that one solution is to directly inform respondents that all online training has to be in person, virtually live and have an exam involved.
- Dr. Marsh asks if there are any solutions which the commission can provide.
- Dr. Bryan Edgar asks if the commission would be able to rule out remote CE.

- Dr. Pal also shares that in discipline, commission can recommend and specify CE requirements specific to respondent to avoid issues.
- Dr. Sara Gordon shares there are two issues as not all online teaching is the same.
- Dr. Gordon shares although the amounts of length of hours provided are important, the commission should keep focus and prioritize robust assessments.
- Dr. Clements shares support in Dr. Gordons comments and asks if it is possible for the commission to preauthorize CE courses that come with assessments to ensure quality education.
- Dr. McClellan asks if it may be a good idea to provide more time in completing CE's so that in person CE requirement can be easily met.
- Mr. Kellington shares orders can specify CE requirements such as assessments. If commissioners are aware of suitable CE trainings, the orders can state the named training is preauthorized by the commission and leave the decision to the respondent in choosing what training will meet the order requirements.
- Ms. Carter shares the general rule for all health care professions states credit hours are defined as time actually spent in course or other activity as determined as the regulatory entity of fulfilling CE requirements. Credit hours actually spent in a course cannot be less than fifteen minutes.
- Dr. Gordon shares if the commission knows what the learning objective is for the respondent, the commission can also consider designing an assessment themselves.
- Dr. Carsten shares support in Dr. Gordon's idea.
- Dr. Clements shares a list of preapproved CE courses would be an effective method.
- Dr. Stevens shares since many cases involve ethics, utilizing EBAS more frequently would be a good idea.
- Dr. McClellan explains EBAS testing and PROB.
- Dr. Marsh shares he accomplished his goal of sharing thoughts on CE requirements and does not believe further work needs to be assigned to a committee.

#### **8.4. Discussion of dentists providing vaccinations.**

- Ms. Crawford shares in September business meeting, staff was tasked with following up with the medical commission regarding dental providers administering vaccines.
- Ms. Crawford shares the medical commission had a robust list of follow up questions
- Dr. Carsten shares processes in place for dental providers administering vaccines
- Dr. Marsh shares it is an important topic and should be further discussed in the collaboration subcommittee.

#### **8.5. Discussion of Washington State Restorative Exam (WARE) update.**

- Dr. McClellan shares there was a meeting with DANB organization
- DANDB administers a test to EFDA's on restorative processes with a 98% pass rate.
- There is an opportunity to complete at home testing, with specific requirements.
- Dr. McClellan reports DANB would like the commission to review and revise the testing to include section consolidation, add or remove content and consider the order of the exam.
- Dr. McClellan recommends DANB meeting with the EFDA committee for revisions and recommendations.

- Ms. Carter recommends this exam be reviewed by committee members so there is not a public meeting detailing exam materials.
- Dr. McClellan asks if EFDA commission members can be tasked with this review.
- Ms. Carter shares as there is no quorum required, EFDA members and two other commission members can work together for collaborative revisions.
- Dr. McDaniel volunteers to assist with this task.

**8.6. Dental, dental assistant, expanded function dental auxiliary, and dental anesthesia assistant license cycle renewal change – Update**

- Ms. Crawford asks if the commission would like to move forward with different renewal cycles, or if the commission would like further information on HELMS.
- The commission unanimously decides to keep annual renewal cycles.

**8.7. Determination of safety of holding a public meeting for the December 9, 2022, Dental Quality Assurance Commission business meeting.**

- The commission votes to have December 9, 2022, and January 20, 2023, business held in a hybrid setting.

**9. ADJOURN**

The meeting is adjourned at 10:27 a.m.

**Submitted by:**

Amber Freeberg, Program Manager  
Dental Quality Assurance Commission

**Approved by:**

Lyle McClellan, DDS, Chair  
Dental Quality Assurance Commission

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