



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

PO Box 47852 · Olympia Washington 98504-7852

**DENTAL QUALITY ASSURANCE COMMISSION
BUSINESS MEETING MINUTES
Friday, September 8, 2023**

MEMBERS PRESENT

David Carsten, DDS, Chair
Sonia Pal, DMD
Marlynn Fulton, Public Member
Carolin Spice, Public Member
Miryam Nossa, EFDA
Joy McDaniel, DMD
Sarah Khan, DMD
Nisha Sharoff, DDS
Mac Rainey, Public Member
Samantha Kofler, DDS
Bryan Swanson, DDS, Vice-Chair

MEMBERS ABSENT

Ronald Marsh, DDS
Tiffany Bass, DDS

STAFF PRESENT

James Chaney, Executive Director
Amber Freeberg, Program Manager
Bruce Bronoske Jr., Program Manager
Adriana Barcena, Assistant Program Manger
Heather Carter, Assistant Attorney General
Bill Kellington, Supervising Staff Attorney

OPEN SESSION

OPEN SESSION – 10:00 a.m.

1. CALL TO ORDER – Dr. David Carsten, D.D.S., Chairperson

- 1.1. Introduction of commission members and staff.
 - Ms. Freeberg introduces commission members 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.
 - Braken Killpack on behalf of the Washington State Dental Association (WSDA) provides public comment which is later repeating during rules testimony.
- 1.3. Approval of agenda
 - There is a motion to approve the agenda as presented.
 - The motion is moved and seconded.

1.4. Approval of the July 28, 2023, business meeting minutes

- There is a motion to approve the July 28, 2023, meeting minutes.
- The motion is moved and seconded.

2. RULE HEARING

The commission will consider for public comment and adoption of proposed rules for WAC 246-817-701 through 246-817-790 administration of anesthetic agents for dental procedures. Filed on July 31, 2023, as WSR 23-16-108.

- The hearing begins at 10:09 AM and is held via webinar and in person at the Olympia Parks and Art Center located at 222 Columbia Street NW, Olympia, Washington.
- Dr. Carsten shares the proposed rule amendments include 24 hour on call availability, updates to basic life support education, added requirements for emergency protocols and training, clarified record keeping and emergency medications, established self-inspections for all dentists when administering anesthetic, updates onsite inspections for dentists with moderate sedation with parental agents or general anesthesia permits, and creates a pediatric sedation endorsement.
- Dr. Carsten opens the floor for public testimony on the proposed rules.
- Braken Killpak testifies on behalf of the WSDA. Mr. Killpak shares there are several portions of the proposed rule that will negatively impact access to care for patients in Washington State. The concerns were articulated in the September 5 letters submitted to the Commission.
- Mr. Killpak expresses concern with the small business impact analysis provided by the Department of Health (DOH) as it underestimates the financial impact of these regulations, especially since the hourly wage assumptions provided in the analysis are far lower than market rates over the past several years related to the pandemic and workforce shortages.
- Robert Hsiung testifies on behalf of the Washington State Society of Anesthesiologist (WSSA), and also notes submission of letter.
- Dr. Hsiung expresses his support for those 13 and younger who are healthy should still be monitored if they are to be receiving sedation or anesthesia and finds this to be a safety benefit for the public.
- Dr. Carsten opens comment from the Commission.
- Dr. Swanson thanks the WSSA for their letter submission and feedback.
- Dr. Carsten provides comment on WSDA letter as it relates to emergency drills and CPR and AED training.
- Dr. Pal inquires on access to care will be affected by increasing amounts of training.
- Dr. Carsten and Dr. Swanson clarify the emergency drills duration have been left to the discretion of the providers.
- Dr. Carsten provides the next steps following today's hearing. If the Commission chooses to adopt rules, the notice of adoption will be filed with the code reviser and the rules will be effective 31 days from the date they are filed with the code reviser.
- The hearing is concluded at 10:26 a.m.
- Dr. Swanson makes a motion to adopt the proposed rules.

- Ms. Nossa second the motion.
- A roll call vote is taken and unanimously passes by all present Commission members.

3. RULE UPDATE

3.1. SB5113 – Dental school faculty – Commission will discuss amendments to WAC 246-817-150 Licenses—Persons licensed or qualified out-of-state who are faculty at school of dentistry—Conditions. Commission may vote

- The Commission have no comments or discussion.
- There is a motion to file a CR 102 for amendments made to WAC 246-817-150
- The motion is moved and seconded.
- A vote is taken and unanimously passes.

4. DENTAL INCLUSION COMMITTEE – Committee meeting held on August 3, 2023 – Dr. Joy McDaniel

- Dr. McDaniel provides the Commission with committee summary.
- The committee discussed underrepresented communities and was provided a presentation from Dr. Matthew Weed, a disabled patient advocate who discussed access to care, transportation barriers and marginalized populations.
- There is vote to provide the recommendation of inviting Dr. Weed to Education Outreach Committee when they begin to plan the April 2024 retreat.
- The vote unanimously passes.
- Dr. Sharoff requests to be included to the Dental Inclusion Committee.

5. EFDA EDUCATION COMMITTEE – Committee meeting held on August 10, 2023 – Dr. David Carsten

5.1. Commission will review Arizona Expanded Function Dental Auxiliary (EFDA) licensure standards to determine if substantially equivalent to Washington state EFDA licensure standards under WAC 246-817-200 Licensure without examination for expanded function dental auxiliary (EFDA) – Commission may vote.

- Dr. Carstens shares the committee found the licensure requirements substantially equivalent.
- There is a motion to approve the Arizona EFDA licensure standards substantially equivalent to Washington State EFDA licensure standards.
- The motion is moved and seconded.
- A vote is taken and unanimously passes.

6. DENTAL COLLABORATION COMMITTEE – Committee meeting held on August 14, 2023 – Dr. Sonia Pal

- Dr. Pal provides the Commission with the committee summary.
- The committee has been discussing vaccine administration and determining whether an interpretive statement should be created as it relates to the topic.

- After discussion and expert feedback, the committee voted to not move forward with the topic.

7. CONTINUING COMPETENCY COMMITTEE – Committee meeting held on August 22, 2023 – Dr. Ronald Marsh

7.1. Commission will discuss acceptance of State Resources for Testing and Assessment (SRTA) comprehensive treatment planning and diagnostic skills examination section as acceptable clinical examination sections under WAC 246-817-120 Examination content – Commission may vote

- Dr. Carsten provides the Commission with the committee summary.
- There is a motion to approve SRTA as an acceptable clinical examination.
- The motion is moved and seconded.
- A vote is taken and unanimously passes.

7.2. Commission will discuss WAC 246-817-160 Graduates of nonaccredited schools – Commission may vote

- There is a motion to open CR 101 to examine, clarify or improve rules for graduates of non-accredited schools for licensure and assigning this task to the continuing competency committee.
- The motion is moved and seconded.
- A vote is taken and unanimously passes.

8. REGIONAL/NATIONAL ORGANIZATIONS

8.1. Approve report for American Association of Dental Administrators (AADA) annual meeting on October 18-19, 2023

- Ms. Freeberg presents report. This annual report will be provided to the American Association of Dental Administrators.
- The Commission has no comments or discussion.
- There is a motion to approve the report as presented.
- The motion is moved and seconded.
- A vote is taken and passes unanimously.

9. OTHER

9.1. Commission will discuss signing up for hearing panels

- Dr. Carsten opens discussion around hearing panels and encourages Commissioners to sign up and attend hearings.
- Dr. Kofler requests if more details could be provided such as tentative times and dates when hearing requests are emailed.
- Dr. McDaniel shares that a potential concern for lack of participation may be due to the events of frequency of hearing being cancelled the day before or day of the hearing leading to no compensation either as a Commission member or for regular employment.

- Staff confirm research could be conducted as to whether a Commission member could be compensated for hearings despite their cancellations.

10. ADJOURN

- The meeting is adjourned at 11:01 a.m.

Submitted by:

Amber Freeberg, Program Manager
Dental Quality Assurance Commission

Approved by:

David Carsten, DDS, Chair
Dental Quality Assurance Commission

on file

Signature

on file

Signature

Date

Date