



STATE OF WASHINGTON

**DEPARTMENT OF HEALTH**

PO Box 47852 · Olympia Washington 98504-7852

**DENTAL QUALITY ASSURANCE COMMISSION  
BUSINESS MEETING MINUTES  
Friday, April 30, 2021**

**MEMBERS PRESENT**

Aaron Stevens, DMD, Chair  
David Carsten, DDS, Vice Chair  
Karla Briggs, Public Member  
Abhishake Banda, DMD, MD  
Sonia Pal, DDS  
Ronald Marsh, DDS  
Bree Kramer, EFDA  
Karen Clements, DDS  
Kathleen Elling, EFDA  
Kunal Walia, DDS  
Lyle McClellan, DDS  
John Liu, DDS  
Brian Macall, DDS  
Julia Richman, DDS  
Marlynne Fulton, Public Member

**MEMBERS ABSENT**

Tiffany Bass, DDS

**STAFF PRESENT**

Trina Crawford, Executive Director  
Jennifer Santiago, Program Manager  
Becky McElhiney, Assistant Program  
Manager  
Bill Kellington, Staff Attorney  
Heather Carter, Assistant Attorney General  
(AAG)

**OPEN SESSION**

1. **CALL TO ORDER** – Aaron Stevens, DMD, Chairperson, called the meeting to order at 8:32 a.m.
  - 1.1. The commission and staff introduced themselves.
  - 1.2. There was a request to add agenda item 4.3 regarding a dental therapy workgroup. The commission approved the agenda as amended.
  - 1.3. The commission approved the March 12, 2021 Business Meeting Minutes as presented.

**2. RULES HEARING**

The commission held a rule hearing to accept comment and consider adoption on the proposed rule WAC 246-817-420 Specialty representation filed as WSR 21-06-105 on March 3, 2021.

- Dr. Carsten moved to adopt the rules as proposed. Dr Marsh seconded the motion. A vote was taken and the motion passed with none abstained or opposed.

### 3. PRESENTATION

Scot Armstrong from Promethean Dental Systems provided information to the commission regarding their remediation services that could be used in disciplinary cases.

- Promethean is a dental education company that focuses on providing dental education using technology.
- The most common subjects are licensure recertification, ethics, risk management, and behavioral remediation.
- Custom programs are created to fit the needs, budget and laws for each dental board.
- Results are sent to the state board for evaluation and next steps.
- Dr. Marsh expressed concerns that this program is not as comprehensive as the Dentist-Professional Review and Evaluation Program (D-PREP) program and may not address issues with clinical skills.
- Dr. Armstrong clarified that their technology can assess dexterity and clinical skills using a simulator or manikin.

### 4. LEGISLATION

- 4.1. Dr. Richman reported to the commission on the Department of Health weekly “Meet me call” conference calls.
  - SB 5229 requiring health equity continuing education every four years for health professions passed both chambers. Each profession will need to write rules. Dr. Richman suggested the Continuing Competency Committee take on the rule writing task as a part of their current rule writing.
  - Dr. Marsh proposed this should be a separate project instead of rolling it into the existing rule writing work of the committee.
  - Ms. Santiago shared that the Secretary of Health is likely writing rules for the health secretary professions at the same time. Ms. Santiago expects more direction from the Secretary in the coming months. The commission can address the issue again at that time.
- 4.2. The commission discussed 2021 legislation.
  - Ms. Santiago shared that the majority of the rules passed will not affect the dental rules, but the commission may need to be aware of some of them.
- 4.3. The commission discussed SB 5092 regarding dental therapy
  - The bill would require a workgroup, including one commission member.
  - Drs. McClellan, Steven and Carsten offered to participate in the workgroup.
  - Ms. Santiago and Ms. Crawford clarified that only one commission member was needed for the workgroup.
  - Dr. Carsten shared that he has been looking at this issue for several years and feels it is important.

- Dr. McClellan has been involved in dental therapy in several ways and would like to continue that involvement.
- Dr. Stevens stated that he may not be as involved as Drs. Carsten and McClellan. He believes dental therapy is in the future and believes the commission should have a voice.
- Drs. Carsten, Richman and Stevens expressed support of Dr. McClellan participating in the workgroup.
- The commission approved Dr. McClellan as the commission representative on the workgroup.

## 5. RULES

- 5.1. WAC 246-817-580 COVID-19 screening delegation.
  - Ms. Santiago shared that an extension for the Emergency CR-103 has been submitted.
  - The CR-102 has been filed, and a rules hearing is scheduled for June 25, 2021.
- 5.2. WAC 246-817-581 COVID-19 vaccination delegation.
  - Dr. Stevens stated that the Washington State Dental Hygienists' Association (WDHA) has expressed their support of the rule.
  - Drs. Marsh and Carsten shared their support of the rule.
  - Ms. Santiago commented the commission received a letter from the Washington State Medical Association regarding concerns about the permanent rulemaking.
  - Dr. Carsten clarified that the attorney general and staff attorney have reviewed the proposed rules and they are consistent with dental statutes.
  - Heidi Desmarais with the Washington State Oral Health Coalition shared her experience that there have been questions about why the commission is moving forward with permanent rulemaking. An adverse event that may occur would likely happen in a medical facility, where medical providers would be on site to attend to it.
  - Dr. Carsten shared that per statute, the commission cannot delegate this task.
  - Dr. Carsten moved to adopt the rule language as proposed. Dr. Marsh seconded the motion. A vote was taken and the motion passed with none opposed or abstained.
- 5.3. WAC 246-817-440 Continuing education.
  - Ms. Santiago shared that the CR-101 has been filed. The Continuing Competency Committee has a meeting scheduled for May 28, 2021 to discuss online continuing education credit.
- 5.4. WAC 246-817-120 Examination content.
  - Ms. Santiago shared that the CR-103 was filed and the permanent rule will be effective May 9, 2021, at which time she will rescind the emergency rule.
- 5.5. The commission received a summary of rules in progress and list of priorities for rule modifications.

## 6. DENTAL EDUCATIONAL OUTREACH COMMITTEE

- 6.1. Dr. Stevens reported to the commission on the committee meeting held March 18, 2021.
- The commission typically holds a retreat each year, but was unable to hold the retreat in 2020 due to COVID-19 preventing in-person meetings. The committee has discussed whether the commission would like to plan a retreat for fall 2021, whether in-person or via webinar. It is unclear whether the commission will be able to meet in-person by fall.
  - Dr. Marsh shared his opinion that a webinar is a good alternative to an in-person meeting.
  - Dr. Carsten stated that there is evidence the commission may be able to hold an in-person meeting by the fall.
  - Ms. Fulton shared her opinion that she would like to attend a retreat.
  - Dr. Stevens expressed concerns about timing around the holidays, and suggested a retreat in October.
  - Drs. Carsten and Marsh agreed with Dr. Stevens' suggestion.
  - Dr. Stevens asked the commission if there were any topics they would like addressed.
  - Dr. McClellan proposed basic information since it has been awhile since the commission was able to hold a retreat.
  - Dr. Marsh stressed the importance of the networking aspect of this meeting.
  - Dr. Richman expressed her support of the use of mock cases as they were beneficial in learning others thought process when reviewing cases.
  - Ms. Santiago will look at possible meeting dates and present them to the commission.
- 6.2. The commission received a copy of March 2021 Dental Commission Newsletter.

## 7. DENTAL ANESTHESIA COMMITTEE MEETING

- 7.1. Dr. Marsh reported to the commission on the committee meeting held March 25, 2021.
- The committee is addressing some important and challenging issues and will meet again May 14, 2021. Dr. Marsh encouraged the commission and stakeholders to submit input.
- 7.2. The commission received copy of proposed rules for WAC 246-817-701 through 790 Dental anesthesia rules

## 8. PUBLIC DISCLOSURE

The commission discussed a request from Affordable Dentures and Implants to be approved as a professional association or educational organization to receive list and labels.

- Ms. Carter shared that she does not see any indication this is a professional organization and recommended denying the request.

- Dr. Liu moved to deny the request. Dr. Marsh seconded the motion. A vote was taken and the motion passed with none abstained or opposed.

## 9. OTHER

- 9.1. The commission discussed a request from Providence Medical Group Dental Residency for their new general practice residency program.
- Dr. Marsh shared his opinion that the commission may not be the appropriate organization to approve this request but shared his support of this program.
  - Dr. Bryan Edgar asked why the commission is approving each program individually when they are already approved by the Commission on Dental Accreditation (CODA).
  - Ms. Carter clarified that approval for programs for licensure through the residency route, CODA accreditation is only one part. Per RCW 18.32.040, the role of the commission is to review and ensure the program meets all criteria.
  - Dr. Carsten moved to approve the program. Dr. Richman seconded the motion. A vote was taken and the motion passed with none abstained or opposed.
- 9.2. The commission discussed 2021-2023 Delegation forms.
- Ms. Santiago shared that the forms included have been approved in the past. One form is signature delegation for items like routine applications and notices of correction. The other form is decision-making delegation for discipline for dental assistants related to criminal charges.
  - Dr. Liu moved to approve both items. Dr. Marsh seconded the motion. A vote was taken and the motion passed with none abstained or opposed.
- 9.3. The commission discussed holding a retreat in 2021 during agenda item 6.1.

## 10. CORRESPONDENCE

- 10.1. The commission discussed an email from Dr. Vic Barry dated March 15, 2021 regarding license renewal.
- Dr. Barry has asked the commission to request legislation to address his issue of licensure renewal dates. The commission could choose to petition the legislature or not to respond.
  - Dr. Clements stated her opinion that the letter made valid points and expressed her support for petitioning the legislature.
  - Dr. Carsten inquired whether other professions have grace periods for licensure renewal dates.
  - Ms. Santiago stated that the other professions require licensure renewal on the practitioner's birth date.
  - Dr. Marsh shared his opinion that this issue has been addressed and that the commission is not the appropriate venue to request this from the legislature.
  - Dr. McClellan echoed Dr. Marsh's comments and suggested Dr. Barry submit a request to the legislature.

- Dr. Barry shared that his main concern was the licensure gap created when a credential is renewed late because it stays on the provider's record for life. Dr. Barry understands the commission's position and will consider other options to approach the legislature.
  - Dr. Liu shared his opinion that even if the legislature changed the statute to include a grace period, it would likely not address the insurance challenges retroactively when there is a gap in licensure.
  - Dr. Stevens suggested the commission provide educational resources to practitioners, perhaps in an article in the next newsletter.
  - Dr. Barry stated that per his discussions with insurance companies, it could potentially be resolved retroactively.
  - Dr. Carsten inquired whether the proposal of a blanket renewal date for all dental providers was feasible.
  - Ms. Santiago stated that a renewal date for all dental providers would present logistical challenges to renewal staff.
  - Ms. Crawford added that with the implementation of the Department's new licensing system, email reminders may be an option in the future.
- 10.2. The commission discussed a request from Dr. Fred Quarnstrom requesting to be an approved CPR/BLS certification provider.
- Dr. Stevens stated that the law is vague in this matter.
  - Ms. Carter shared that the rule does not define certification. There would have to be some certifying body to provide certification. The anesthesia rules are open right now and the Anesthesia Rules Committee may be an appropriate arena to discuss this issue.
  - Dr. Richman agreed that the Anesthesia Rules Committee would be a good venue to discuss this item, and could respond to Dr. Quarnstrom after a determination is made.
  - Dr. Stevens suggested sending a letter to Dr. Quarnstrom informing him of the commission's decision on the path forward on this issue.
- 10.3. The commission discussed a joint letter from American Academy of Sleep Medicine (AASM), American Academy of Neurology, American Academy of Otolaryngology-Head and Neck Surgery, and American Thoracic Society dated March 5, 2021 regarding concerns with recent American Academy of Dental Sleep Medicine (AADSM) position statement.
- A letter received from AADSM expresses that they should be permitted to send sleep testing appliances to patients, which conflicts with AASM's opinion on this issue.
  - Dr. Stevens suggested the commission send a letter sent previously, with the addition of a statement about discipline cases related to the matter.
  - Dr. Banda shared his opinion that it would not be appropriate for the commission to get involved in this conflict.
  - Dr. Stephen Carstensen clarified that the request is not related to diagnosis of a medical problem. It is related to the ordering of the devices and referral to appropriate dental providers. The results are interpreted by a sleep physician.

There is a concern in the community about patients being underdiagnosed. More patients being exposed to the diagnosis process could resolve the issue.

- Dr. Carsten inquired whether the tests were benign and inexpensive. Dr. Carstensen confirmed that they are.
  - Ms. Carter advised the commission to consider not only what is appropriate, but what is legal per the current dental rules and laws.
  - Dr. Carstensen clarified that the position of AADSM is that this task should only be performed by a dentist who has the appropriate training and skills.
  - Dr. Stevens advised the commission that there are parameters that dental providers must stay within per law. The duty of the commission is to set and enforce those parameters.
  - Dr. Carsten clarified that since there is no diagnostic component, this could be considered screening and would require a referral.
  - Ms. Carter advised the commission to consider the legal scope of practice of dentistry, which is fairly limited except the provision that allows anything taught at CODA-approved dental schools (RCW 18.32.020).
  - Dr. Banda submitted the following written comments through the webinar chat:
    - Speaking as both a physician and a dentist, I too would not be comfortable managing a truly diagnosed OSA patient without a sleep medicine specialist (neurologist, pulm, ENT, OMFS for surgical cases, Psych).
    - I perform surgery for airway management and for OSA, and the diagnostics require a comprehensive approach. That does not include dentists (including myself), diagnosing from first line testing alone.
  - Dr. Carstensen will research whether distributing diagnostic devices to patients is taught at more than one CODA-accredited dental school and send this information to Ms. Santiago.
  - Dr. McClellan expressed concerns with general dentists ordering sleep studies.
  - The commission will send AADSM the letter previously sent on this topic. The commission will also review the information to be provided by Dr. Carstensen and address this topic at a future commission meeting if evidence for further discussions about this task being within the dental scope of practice is provided.
- 10.4. The commission discussed an invitation from DOCS Education for commission members and investigators to attend their Interactive Live Streaming Seminar from May 21-22, 2021.
- Ms. Carter expressed concerns that this may be a special privilege extended to dental commission members, and suggested the commission invite DOCS to a future meeting to speak on this topic if appropriate.
  - Drs. Carsten and Marsh agreed with Ms. Carter's concerns.
  - A response will be provided to DOCS.

## 11. PROGRAM REPORT – Becky McElhiney, Jennifer Santiago and Trina Crawford

- 11.1. The commission received the interim operating budget report.

- Ms. Crawford shared that the current spending is exceeding revenue, but it is not concerning at this point.
- 11.2. The commission discussed the Dentist Jurisprudence Examination.
- Ms. Santiago shared that the examination has been updated with changes to infection control questions and published.
- 11.3. The commission received an update on the Investigator Infection Control training.
- Ms. Santiago shared that the Department’s Healthcare Associated Infections Office offered to provide training to Department’s dental investigators. There were some questions that came out of the meeting that are being addressed by the Infection Control Committee.
  - Dr. Richman asked whether COVID-19 protocols are being presented as mandated or recommended. Ms. Santiago shared her understanding that they were presented as CDC recommendations, except the items required by the Governor’s directives.
- 11.4. The commission discussed the Dental Member Recruitment.
- The commission has been conducting interviews for potential new candidates. There were 35 applications for three dentist positions. Dr. Pal has reapplied for a second term. The commission was hoping for specialists, but only one endodontist applied. Dr. Macall leaving the commission leaves a spot on the east side of the state. There are four applicants for two EFDA positions. Kathleen Elling has reapplied for a second term. Ms. Briggs will not be reapplying, so there is a public member position that will be vacated.
  - Dr. Pal asked whether the requirement to be a citizen of the U.S. is within the commission’s purview. Ms. Santiago clarified that it is in statute.
  - Dr. Edgar inquired if there was a requirement for length in time of practice. Ms. Santiago stated that it is a 5-year minimum in practice to qualify for the commission.
- 11.5. The commission received a list of active committees.
- Ms. Santiago would like to wait until the commission recruitment process is finished, and requested the existing commission members consider participation on the committees.

## 12. ADJOURN

The commission adjourned at 10:51 a.m.

Submitted By:

Commission Approval By:

Signature on file

Signature on file

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Jennifer Santiago, Program Manager

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Aaron Stevens, DMD, Chairperson