



STATE OF WASHINGTON  
**DEPARTMENT OF HEALTH**  
PO Box 47852 · Olympia Washington 98504-7852

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

**MEMBERS PRESENT**

David Carsten, DDS, Chair  
Lyle McClellan, DDS, Vice Chair  
Aaron Stevens, DMD  
McKinley Rainey, Public Member  
Sonia Pal, DDS  
Ronald Marsh, DDS  
Miryam Nossa, EFDA  
Tiffany Bass, DDS  
Karen Clements, DDS  
Kunal Walia, DDS  
Marlynne Fulton, Public Member

**MEMBERS ABSENT**

Abhishake Banda, DMD, MD  
Kathleen Elling, EFDA  
Joy McDaniel, DMD  
Julia Richman, DDS

**STAFF PRESENT**

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

**OPEN SESSION**

1. **CALL TO ORDER** – David Carsten, DDS, Chairperson, called the meeting to order at 8:30 a.m.
  - 1.1. The commission and staff introduced themselves.
  - 1.2. The new commission members introduced themselves.
  - 1.3. Ms. Santiago requested to add agenda item 7.6 regarding a Washington State Dental Association (WSDA) annual report. The commission approved the agenda as amended.
  - 1.4. The commission approved the June 25, 2021 Business Meeting Minutes as presented.
2. **RULES**
  - 2.1. WAC 246-817-581 COVID-19 vaccination delegation.
    - The CR102 is in process for setting a hearing date.
  - 2.2. WAC 246-817-440 Dentist continuing education.

- The CR102 is in process to set a hearing date. Ms. Santiago will draft a frequently asked question regarding recorded interactive webinars.
- 2.3. WAC 246-817-195 Licensure requirements for expanded function dental auxiliaries (EFDAs).
  - The CR101 is in process to begin rule consideration of amendments.
- 2.4. WAC 246-817-580 Coronavirus screening delegation.
  - The CR103 was filed. The permanent rule is effective August 28, 2021.
- 2.5. WAC 246-817-230 Dentist retired active status
  - The retired status rule continuing education requirement needs to be updated to be consistent with new continuing education requirements in WAC 246-817-440.
  - Dr. Marsh moved to open the rule for potential modification. Dr. Clements seconded the motion. A vote was taken and the motion passed with none opposed or abstained.
- 2.6. The commission received a summary of rules in progress and list of priorities for rule modifications.

### **3. DENTAL EDUCATIONAL OUTREACH COMMITTEE**

- 3.1. Dr. Stevens reported to the commission on the committee meeting held on July 8, 2021.
  - The committee has focused on the upcoming commission retreat, and has created plans for both in-person and webinar options due to the uncertainty of the availability of in-person meetings.
- 3.2. The commission received a copy of the July 2021 Dental Commission Newsletter.

### **4. OTHER**

- 4.1. The commission discussed WAC 246-817-160 Graduates of nonaccredited schools.
  - Clinical training in accredited programs for orofacial pain, oral medicine and others.
    - Dr. Marsh shared that the Commission on Dental Accreditation (CODA) recently approved foreign schools, and recommended that the commission review the rule for potential updates. Currently, specialty education is being utilized to meet the requirements in this rule.
    - Ms. Carter indicated that per RCW 18.32.040, general practice residency, pediatric residency, or advanced education in general dentistry allows application to obtain licensure by residency in lieu of examination.
    - The commission agreed that this would need to be a larger discussion and should go to the Continuing Competency Committee for further discussions.
    - Dr. Bryan Edgar with the Washington State Dental Association expressed concerns that the commission has misinformation regarding CODA requirements as it pertains to foreign schools. Only one international school has been approved by CODA thus far. The rule appears to be clear that there is a requirement for two additional years of education to obtain licensure.

- Dr. Carsten suggested Dr. Edgar or another representative with expertise of CODA's requirements participate in the committee.
- 4.2. The commission discussed disciplinary hearing panels.
- Ms. Santiago shared that a recent hearing was continued due to a lack of available commission members to participate on the panel. Being a commission member, participating on disciplinary panels is one of the expectations.
  - Dr. Pal expressed concerns that the 10-day rule is not always followed, so it makes scheduling challenging when hearings are cancelled last minute.
  - Mr. Kellington shared that staff attorneys have an obligation to share settlement offers if they address the commission's concerns. The goal of the commission is to protect the public.
  - Ms. Crawford clarified that the 10-day timeline is not a rule, but more an agreement and is adhered to as closely as possible. Ms. Crawford acknowledged that cancellations are frustrating, but a settlement is a good outcome for all involved. Additionally, discussions with health law judges and prosecuting attorney's may be helpful to determine length of hearings, one day vs. four days.

## 5. CORRESPONDENCE

- 5.1. The commission discussed an email received from Kate Christian on June 15, 2021 regarding orofacial pain specialty related to new rule WAC 246-817-420 Specialty representation.
- Dr. Carsten suggested updating responding with "practice is limited to" rather than claiming a specialty.
  - A comment from Dr. Rod Wentworth was submitted to the chat: WRT general dentist limiting practice. I would ask that any response include reference to the ADA Code of Ethics section on announcement of limitation of practice as a general dentist.
  - Ms. Santiago will draft a response for Dr. Carsten's signature.
- 5.2. The commission discussed a request from Kathleen Marcus, DOCS to present to the commission regarding evaluation of DOCS courses.
- Ms. Carter shared history of DOCS inviting commissioners to attend a seminar, which raised concerns that it could be construed as a special privilege. The commission declined a previous invitation for a commissioner to audit a DOCS seminar/course.
  - Ms. Marcus clarified that the invitation is to audit only, which is an exception within the ethics statutes that the commission is bound by. There is no economic value or approval involved, so no risk of influence over regulatory matters. DOCS offers this to every state dental board.
  - The commission agreed to send this issue to the Anesthesia committee for further discussion.
- 5.3. The commission received a copy of response letter to Himanshu Tiwari regarding display of license requirement.

- 5.4. The commission received a copy of a response letter to Dara H. regarding sleep dentistry.

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

- 6.1. The June 2021 interim operating budget report is not yet available.
- Ms. Crawford shared that due to the end of the fiscal year in June, there is no current accurate budget report. The current spending is appropriate.
  - The Department is moving forward with legislation that would add a public member to the commission, remove the requirement that a commission member be a US citizen and increase all board and commission pay to \$250 per day.
  - Ms. Crawford shared that she will be temporarily leaving her position as executive director for the dental commission. Ms. Santiago will be stepping in as acting executive director, and Bruce Bronoske, Jr. will be taking over as program manager for the dental commission.
- 6.2. The commission received 2021 and 2022 commission business meeting dates.
- 6.3. The commission discussed the commission member recruitment.
- Governor Inslee made the final appointment for the commission, Dr. Samantha Kofler of Walla Walla. Dr. Kofler was unable to attend today's meeting.
- 6.4. The commission received a list of active committees.

## **7. REGIONAL/NATIONAL ORGANIZATIONS**

- 7.1. Commission on Dental Accreditation (CODA) summer meeting August 5-6, 2021.
- The commission discussed a request from CODA to participate in site visit of Providence St. Peter Hospital general practice residency review on September 3, 2021.
    - Dr. Pal shared she could likely go, as long as she can rearrange her schedule. She will check her schedule and get back to the commission later today.
  - Dr. Edgar shared that site visit reports will be shared and reviewed at the August 5-6 meeting. CODA develops accreditation criteria for dental educational programs, and many states use CODA standards as a part of their licensure requirements. Standards are reviewed every seven years, and every five years for oral surgery programs.
  - Dr. Marsh inquired whether there was reciprocity for CODA accredited foreign schools, as well as what percentage of students will come to the US to practice instead of staying in their home country. Dr. Marsh expressed concerns that there is no limit on the number of foreign students. Dr. Edgar explained CODA does not have reciprocity to other countries and there is no data on number of students coming or staying in originating countries.
- 7.2. The commission received information regarding the Western Regional Examining Board (WREB) and Commission on Dental Competency Assessments (CDCA) merger.
- Potential rule change will be required in WAC 246-817-120.

- Ms. Santiago is researching other states to determine how their examination rules are written.
- 7.3. Central Regional Dental Testing Service (CRDTS) annual meeting August 28, 2021.
  - Dr. McClellan and Ms. Santiago will be attending as representatives of the commission.
- 7.4. American Association of Dental Boards (AADB) annual meeting October 30-31, 2021.
  - Dr. McClellan will be attending as representative of the commission.
- 7.5. American Association of Dental Administrators (AADA) annual meeting October 28-29, 2021.
  - Ms. Santiago shared that the meeting will be live, and she will be attending this year.
- 7.6. WSDA Annual Report.
  - Ms. Santiago requested to update the report template from 2019 with current 2021 information and send to WSDA.
  - The commission approved.

## 8. ADJOURN

The commission adjourned at 10:28 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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David Carsten, DDS, Chairperson