

BOARD OF DENTAL EXAMINERS
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Monday, February 5, 2018

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Paul Guevara, D.M.D., M.D.S., Chair, Dental Member
Candace Wada, D.D.S., Vice Chair, Dental Member
Pearl Arrington, R.D.H., Dental Hygiene Member
Mark Chun, D.M.D., Dental Member
Staphe Fujimoto, D.D.S., Dental Member
Earl Hasegawa, D.D.S., Dental Member
Dennis Nagata, D.D.S., Dental Member
Garrett Ota, D.D.S., Dental Member
Joy B. Y. Shimabuku, Public Member
Sharon Tanaka, Public Member
Marianne Timmerman, R.D.H., Dental Hygiene Member
Bryan Yee, Esq., Supervising DAG
Sandra Matsushima, Executive Officer ("EO")
James Kobashigawa, EO
Terry Akasaka-Toyama, Secretary

Excused: Coy Rebmann, D.D.S., Dental Member

Guests: Dr. Stanwood Kanna, American Board of Dental Examiners ("ADEX")
Kim Nguyen, Hawaii Dental Association ("HDA")
Ellie Kelley-Miyashiro, Hawaii Dental Hygienists' Association ("HDHA")
Dr. Andrew Tseu, Department of Health ("DOH")
Linda Austin, DOH
Dr. Dayton Lum, HAD
Sheila Kitamura, Kapiolani Community College, Dental Assisting Program
Gerraine Hignite, HDHA
Joseph P. Mayer, Jr., D.D.S.
Melissa Pavlicek, HDA

1. Call to Order: There being a quorum present, Chair Guevara called the meeting to order at 9:07 a.m.

At this time, Chair Guevara announced the Board's procedural format for agenda matters and that meeting will end no later than 1:00 p.m.

2. Applications: a. Ratifications

It was moved by Dr. Wada, seconded by Dr. Fujimoto, and unanimously carried to ratify approval of the following dentist licenses:

- Approved Dentist

Monte Junker
Olga Hamilton

It was moved by Dr. Wada, seconded by Dr. Fujimoto, and unanimously carried to ratify approval of the following dental hygienist licenses:

- Approved Dental Hygienist

Marissa Aragon
Janessa Fisher
Elana Tough-Herrera

At 9:15 a.m., Ms. Shimabuku arrived at the meeting.

It was moved by Dr. Wada, seconded by Dr. Fujimoto, and unanimously carried to ratify approval of the following certifications in the administration of intra-oral block anesthesia:

- Approved Certification in the Administration of Intra-Oral Block Anesthesia

Marissa Aragon
Emeraude Thai

3. Presentation and Update on the American Board of Dental Examiners ("ADEX") Licensing Dr. Kanna presented the history of the ADEX exam and how Hawaii was the first to ever administer the exam in 2005 at the Pearl Harbor Naval Base Dental Clinic. ADEX created/developed their clinical dental and dental hygiene examinations and has it administered by the Commission on Dental Competency Assessments ("CDCA"). Currently, the ADEX exam is accepted in 44 states and three jurisdictions (Jamaica, Puerto Rico, and the U.S. Virgin Islands). It is the most comprehensive

Examination by
Dr. Stanwood
Kanna,
President: and widely accepted dental licensure examination in the country as it has five independent test components: one part computer-based exam (diagnostic skills exam; "DSE"), two parts patient treatment (restorative & periodontal procedures), and two parts manikin-based (fixed prosthodontics and endodontics).

The ADEX Dental Examination is given in two formats: the Curriculum Integrated Format ("CIF") and the Traditional Format. The CIF Format can only be taken by students about to enter their senior year of dental school or graduate students at a school hosting the CIF Format examination. The Traditional Format are for students who elect not to take the CIF Format and for those who have already graduated from dental school. For the CIF Format, if the candidate fails the exam they can remediate and retake the exam.

ADEX is the only test development organization whose members are State Boards of Dentistry (33 member State Boards) and these State Boards help to develop the ADEX exam.

Not all clinical exams in dentistry are equivalent as they do not examine everything nor do they score their exams the same. Some exams have compensatory scoring (averaging scores) while others score by different critical errors and methods of scoring. The Western Regional Examining Board ("WREB") does not have a required prosthodontics component and is changing their exam scoring from conjunctive (passing all parts) to compensatory, the Southern and Central Regional exams do not have a comprehensive treatment planning and oral diagnosis computer-based exam.

A white paper was done to develop an exam based on Canada's exam. They are in the process of getting three independent psychometricians to review the exam.

Dr. Kanna also reported that they are looking to move the administration of the ADEX exam to Maui as Schofield is not an option.

When questioned how is ADEX better than the other exams, Dr. Kanna indicated that the Central Regional Dental Testing Service ("CRDTS") and the Southern Regional Testing Agency ("SRTA") exams were taken from the DSE part of the ADEX exam as they were a part of ADEX in the beginning and do not test treatment planning.

4. New Business: a. Legislative Matters

- S.B. 343, SD1 – RELATING TO DENTAL LICENSURE (Companion Bill H.B. 560)

Expands the required qualifications that applicants may fulfill as part of the requirements for dental licensure to include passage of other examinations substantively similar to ADEX and dental licensure in another state, along with other qualifications.

- S.B. 2448 – RELATING TO DENTAL LICENSURE

Expands the required qualifications that applicants may fulfill as part of the requirements for dental licensure to include passage of any other nationally recognized clinical dental examination recommended by the American Dental Association ("ADA") and dental licensure in another state; provided that the applicant meets specific qualifications.

- S.B. 2492 – RELATING TO DENTAL LICENSURE

Requires the board of dental examiners to issue a license by credentials to a practicing dentist who is licensed in another state and meets other specific requirements.

S.B. 343, SD1 is a carryover bill from the 2017 legislative session.

S.B. 343, SD1, S.B. 2448, and S.B. 2492 essentially would require the Board to accept any other nationally recognized dental exam for licensure or similarly licensing by credentials.

It was mentioned that the sentiment last year when this bill was introduced was that the Board is looking for quality of practitioners and not quantity of practitioners. Also, during the short period of time when the Board did not have an exam for licensure and licensed by credentials, two of those dentists licensed by credentials were indicted for manslaughter or had numerous complaints filed and malpractice lawsuits for dental patient emergencies, complications, and deaths.

After discussion, it was moved by Dr. Wada, seconded by Ms. Shimabuku, and unanimously carried to oppose S.B. 343, SD1 (companion H.B. 560), S.B. 2448, and S.B. 2492 as all three bills are similar in that it would require the Board to issue a license by credentials to a practicing dentist who is licensed

in another state and meets other specific requirements. The Board would recommend additional safeguards for qualification and believes a public safety issue may exist due to the focus on the quantity of practitioners instead of the quality of an individual practitioner.

- S.B. 380 – RELATING TO DENTAL HYGIENISTS

Permits licensed dental hygienists in the State to operate under general, rather than direct, supervision of a licensed dentist.

This is a carryover bill for the 2017 legislative session. It was placed on the agenda for informational purposes only. No action or new position was taken. Board will take same position as in last year's testimony, if need to.

- S.B. 2799 – RELATING TO THE SUPERVISION OF LICENSED DENTAL HYGIENISTS IN A PUBLIC HEALTH SETTING (Companion Bill H.B. 2372)

Allows licensed dental hygienists to practice under the general or direct supervision of any licensed dentist providing dental services in a public health setting.

Dr. Tseu briefly went over the intent of this bill.

As a suggestion, Dr. Mayer indicated when a dental hygienist refers a patient they could give the patient the business card of the dentist at the community health center that way they'll know who they'll be going to and where.

After discussion, it was moved by Dr. Fujimoto, seconded by Dr. Ota, and unanimously carried to support S.B. 2799 (companion H.B. 2372) as these bills and to suggest the following amendments to clarify dental services provided by the licensed dental hygienist operating under general supervision in a public health setting (see bolded material):

(d) **[A] Notwithstanding subsection 447-1(f), a** licensed dental hygienist may operate under the **general** supervision [as provided in section 447-1(f)] of any licensed dentist providing dental services in a public health setting. **As used in this subsection, general supervision means the supervising licensed dentist is available for consultation and shall be responsible for all delegated acts and procedures performed by a licensed dental hygienist. General**

supervision is permitted in a public health setting as long as the supervising licensed dentist is available for consultation, provided that a licensed dental hygienist shall not perform any irreversible procedure or administer any intra-oral block anesthesia under general supervision. In a public health setting, the supervising licensed dentist shall be responsible for all delegated acts and procedures performed by a licensed dental hygienist. As used in this subsection, "public health setting" includes but is not limited to dental services in a legally incorporated eleemosynary dental dispensary or infirmary, private or public school, welfare center, community center, public housing, hospital, nursing home, adult day care center or assisted living facility, mental institution, nonprofit health clinic or facility, or the State or any county. [A] Notwithstanding section 447-1(f), a licensed dental hygienist under the general supervision of a licensed dentist employed in a public health setting may perform dental education, dental screenings, teeth cleanings, intra-oral or extra-oral photographs, x-rays if indicated, and fluoride applications [.] on individuals who are not yet patients of record, have not yet been examined by a licensed dentist, or do not have a treatment plan. Other permissible duties shall be pre-screened and authorized by a supervising licensed dentist, subject to the dentist's determination that the equipment and facilities are appropriate and satisfactory to carry out the recommended treatment plan. A licensed dental hygienist shall refer individuals that are seen in a public health setting to a dental facility for further dental care. No direct reimbursements shall be provided to licensed dental hygienists."

- H.B. 1951 – RELATING TO DENTAL HYGIENISTS

Clarifies the requirements for dental hygienists to practice under the general supervision of a dentist, including requiring that the dental hygienists complete 1 year of employment, complete 4 hours of medical emergency coursework, and retain various certifications and other documents at each office of employment. Requires the supervising licensed dentist to have written emergency protocols and authorization for the general supervision of dental hygienists; to limit the number of generally supervised dental hygienists to 3; and not take a leave of more than 15 days from the office where a dental hygienist practices.

The DOH supports this bill, but suggests looking into new general supervision requirements.

Ms. Pavlicek informed the Board that HDA supports the concept/intent of this bill. This bill was derived from the concern from HDA's members that there not be an open-ended date with regards to general supervision of staff and that there be communication and collaboration between the dentist and dental hygienist. Arriving at the 15-day time frame was achieved from discussions with HDA's membership.

There was discussion on whether the 15-day time frame was either too short or too long depending on the situation for a dentist to be on leave such as for a medical reason or being actively serving in the armed forces and how would this impact the employment of their office staff or who could the dental hygienist refer a patient to. There was a consensus that most dentists would help another dentist to cover their practice if asked. It was suggested that language to have another licensed dentist available in the absence of the supervising dentist be added to this bill.

It was also suggested that on page 4 of the bill to remove subsection (F)(ii), which would require a supervising dentist to file with the Board an attestation form authorizing the general supervision of dental hygienists because the Board does not dictate the business practice of licensed dentists or have the resources to receive and monitor such attestations.

After discussion, it was moved by Mr. Shimabuku, seconded by Dr. Ota, and carried (Chair Guevara, Vice Chair Wada, Dr. Chun, Dr. Fujimoto, Dr. Hasegawa, Dr. Nagata, Dr. Ota, Ms. Shimabuku, Ms. Tanaka, and Ms. Timmerman voting aye while Ms. Arrington abstained) to support H.B. 1951, with the following amendments:

On Page 4 of the bill, remove subsection (ii) in its entirety.

[(ii) Sign and file with the board of dental examiners an attestation form approved by the board of dental examiners authorizing the general supervision of dental hygienists;]

On Page 5, to add to (F)(vi) as follows:

"...dentist; providing that the licensed dentist may be exempt due to proof of undue hardship or any other extenuating circumstances, and that a licensed dentist be made available in the absence of the supervising licensed dentist."

Recess: At 10:59 a.m., Chair Guevara called for a recess.

Reconvene: At 11:10 a.m., the Board returned to its regular order of business.

- S.B. 344, SD1 – RELATING TO DENTAL ASSISTANTS

Clarifies the allowable and prohibited practices requirements for dental assistants. Prohibits the ordering of a person without a dental hygienist license to perform services or procedures within the scope of practice of dental hygiene.

- S.B. 381 – RELATING TO DENTAL ASSISTANTS
(Companion Bill H.B. 565)

Clarifies the allowable and prohibited practices and training requirements for dental assistants.

Both S.B. 344, SD1 and S.B. 381 are carryover bills from the 2017 legislative session.

Regarding S.B. 344, SD1, Ms. Pavlicek informed the Board that HDA established a group to discuss the regulation of dental assistants and is supporting the concept that this group came up with. They also supported the bill that resulted in the Auditor's Report, but are disappointed that the report does not give any direction on how to regulate dental assistants, only that they should be regulated.

Ms. Kitamura informed the Board that Kapiolani Community College ("KCC") is currently the only dental assisting program in Hawaii that is accredited by the Commission on Dental Accreditation. KCC's program trains and prepares dental assistants to take the DANB examination meeting certain parameters; however, the exam is difficult and she cannot see how current dental assistants are expected to pass this examination by 2019. KCC does not have the resources to enroll, train, and certify all currently employed dental assistants by the 2019 effective date as the time period is too short to be able to effectively implement and prepare. She also expressed concerns with the Auditor's Report and has met with the State Auditor to discuss them.

It was questioned whether a grandfather or an on-the-job training clause can be added to these bills.

Dr. Nagata made a motion to oppose this bill, but there was no second to the motion. After discussion, Dr. Nagata rescinded his motion.

For the Board's clarification, it was stated that bills S.B. 344, SD1 and S.B. 381 only refer to changes to the allowable/prohibited duties for dental assistants whereas H.B. 2207 would require the regulation of dental assistants.

After discussion, it was moved by Dr. Nagata, seconded by Dr. Fujimoto, and unanimously carried to oppose S.B. 344, SD1 and S.B. 381 as it would prohibit dental assistants from performing a simple procedure that is within the scope of practice of dental hygiene as provided in Chapter 447, HRS. With changes to the practice of dentistry and rapid improvements to technology and equipment, the Board would like to continue having the ability to implement changes through its administrative rules by using its expertise and in protecting the health, safety and welfare of the public.

- S.B. 2638 – RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING

Prohibits a licensing authority from adopting rules that authorize an unlicensed individual to perform duties that may overlap or conflict with the duties and scope of licensed professions or vocations.

Ms. Matsushima reported that the Board opposed a similar bill last year, which affected overlapping of duties in the Board's statutes whereas this bill affects Chapter 436B, HRS (Professional and Vocational Licensing Law).

After discussion, it was moved by Dr. Hasegawa, seconded by Ms. Shimabuku, and unanimously carried to oppose this bill because if passed, it would prohibit dental assistants from applying fluoride, which the Board considers a simple procedure within the scope of practice of dental hygiene, as provided in HRS Chapter 447.

- S.B. 2926 – RELATING TO DENTISTRY

Requires all dental assistants to obtain certification from the Dental Assisting National Board, Inc. ("DANB"), as certified dental assistants no later than July 1, 2019, or no later than one hundred twenty days after the date of employment.

Dr. Mayer expressed concern over the short time frame to implement this should S.B. 2926 pass.

After discussion, it was moved by Dr. Nagata, seconded by Dr. Wada, and unanimously carried to oppose this bill as written as it is too restrictive, not practical, and it does not affect public safety. It also does not offer enough options to become a dental assistant in Hawaii such as recognizing "grandfathering" or having a tiered dental assistant structure and requiring that all dental assistants employed in Hawaii prior to July 1, 2018 to obtain certification within one year is too short a period within which to comply.

- H.B. 2207 – RELATING TO DENTAL ASSISTANTS

Requires the Board of Dental Examiners to adopt rules to establish a regulatory structure for the regulation of dental assistants in Hawaii.

Ms. Pavlicek stated that HDA supports the intention of H.B. 2207 as suggested by the Auditors Report. They would like to see a task force to work on a regulatory scheme and keep the higher level of education for dental assistants as it gives them more allowable duties.

Members were in favor of a regulatory structure as it legitimizes the profession, but they were not in favor of the high school education requirement for the basic level as high schoolers are currently able to work in dental offices earning school credit.

It was suggested that a grandfather clause and an extended implementation date be added to this bill because it would take time for the Board to research and put together the requirements into their rules.

When questioned why does HDA want to regulate dental assistants, Ms. Pavlicek said she could only comment on what was testified regarding fluoride and the oral health of children.

After discussion, it was moved by Dr. Fujimoto, seconded by Dr. Chun, and carried (ayes from Chair Guevara, Vice Chair Wada, Ms. Arrington, Dr. Chun, Dr. Fujimoto, Dr. Ota, Ms. Shimabuku, Ms. Tanaka, and Ms. Timmerman while Dr. Hasegawa and Dr. Nagata voted nay) to support the concept of this bill with the following amendments as it would establish a tiered approach and regulatory structure for dental

assistants and allows the Board time to thoroughly analyze the Office of the Auditors' Sunrise Analysis: Regulation of Dental Assistants, Report No. 18-02 to develop and amend its administrative rules before moving towards regulation:

"The board of dental examiners shall adopt rules pursuant to chapter 91 Hawaii Revised Statutes, to establish a regulatory structure for the regulation of dental assistants in Hawaii via the following certification options that shall establish educational criteria and permitted duties:

- (1) Basic-level dental assistants[, who shall have graduated from high school or earned a general equivalency diploma];
- (2) Certified dental assistants, who shall have:
 - (A) Graduated from high school or earned a general equivalency diploma; and
 - (B) Successfully passed the certification examination administered by the Dental Assisting National Board, Inc.; and
- (3) Advanced-qualified dental assistants, who shall have:
 - (A) Graduated from high school or earned a general equivalency diploma;
 - (B) Successfully passed the certification examination administered by the Dental Assisting National Board, Inc.; and
 - (C) Received expanded function training in [the application of pit and fissure sealants or advanced remediable intra-oral dental tasks] duties as specified in the rules.

No later than twenty days prior to the convening of the regular session of 2019, the board of dental examiners shall submit to the legislature a report on the progress in adopting rules [detailing the rules adopted] pursuant to section 1 of this Act." (*underlined material to be added and bracketed material to be deleted*)

- H.B. 374, HD2, SD2 / ACT 084 (17) Sunrise Analysis: Regulation of Dental Assistants, Report No. 18-02

This was circulated to the members for their information.

- S.B. 371, SD1, HD1 – RELATING TO THE BOARD OF DENTISTRY AND DENTAL HYGIENE (Companion Bill H.B. 564)

Changes the name of the Board of Dental Examiners to the Board of Dentistry and Dental Hygiene (Board). Beginning on 7/1/2018, changes the Board composition by increasing dental hygienist representation and ensuring Oahu and neighbor island representation among dental hygienist members. Allows neighbor island Board members to attend meetings via teleconference. Requires the Board to develop conflict of interest policies for Board member participation with dental examination companies and to submit a report to the Legislature prior to the 2018 Regular Session on the status of the policy.

This is a carryover bill from the 2017 legislative session.

After discussion, it was moved by Ms. Shimabuku, seconded by Dr. Fujimoto, and unanimously carried that the Board would continue to use the same testimony from last year to support the measure, but maintain the Board's name, and that the addition of a dental hygienist from a neighbor island and the clarification that a dentist member who has a background in public health dentistry be a desirable qualification and not a requirement.

- S.B. 2201 – RELATING TO BOARDS (Companion Bill H.B. 2060)

Removes the word "Examiners" from the State Board of Chiropractic Examiners, Board of Dental Examiners, Board of Examiners in Optometry, and Board of Veterinary Examiners. Renames the boards with titles that accurately reflect their scope and duties.

Similarly to S.B. 371, SD1, HD1, this bill would change the name of the Board, but for this bill the Board would be changed to Board of Dentistry and Dental Hygienists.

Ms. Matsushima reported that she did a poll of 53 state boards and jurisdictions and found the following:

23 state boards are named the "Board of Dentistry"
18 are named the "Board of Dental Examiners" or "Dentistry Examiners"
6 are named the "Dental Board"
6 are in health-related groups or commissions.

In the United States, there is only one state board (Delaware) that is named the "Board of Dentistry and Dental Hygiene".

After discussion, it was moved by Dr. Wada, seconded by Ms. Shimabuku, and unanimously carried to support the proposal to remove the word "Examiners", but to also remove the words "and Dental Hygiene", so that the Board would be renamed the "Board of Dentistry", in accordance with the practice of 23 other states.

- H.B. 696, SD1 – RELATING TO HEALTH

Part I: changes the name of the board of dental examiners to the board of dentistry and dental hygiene; beginning on 7/1/2018, changes the board composition by increasing dental hygienist representation and ensuring Oahu and neighbor island representation among dental hygienist members. Part II: clarifies the allowable and prohibited practices requirements for dental assistants; clarifies that rules shall not infringe upon, overlap with, or conflict with the duties and scope of practice for licensed professionals; and prohibits persons from employing, directing, or ordering a dental assistant or other person to perform services or procedures within the scope of practice of dental hygiene.

This is a carryover bill for the 2017 legislative session. It was placed on the agenda for informational purposes only. No action or new position was taken. Board will take same position as in last year's testimony, if need to.

- S.B. 2931 – RELATING TO DENTISTRY (Companion Bill H.B. 2149)

Amends the ethics training requirement for dentists in the continuing education program to be six hours of ethics training within the previous two years.

During discussion, it was suggested instead of stating the previous two years, it would be clearer to state in the previous two-year biennial period.

After discussion, it was moved by Dr. Chun, seconded by Dr. Fujimoto, and unanimously carried to support this bill with a suggested change to the language that instead of within the previous two years to read as "for each biennial renewal period" which would clarify that the licensee must complete the

six hours of ethics training in the previous two-year biennial period.

- S.B. 191 – RELATING TO HEALTH CARE PRACTITIONER TRANSPARENCY

Requires advertisements for health care services that name a health care practitioner to identify the type of license held by the health care practitioner and be free of deceptive and misleading information. Requires health care practitioners to conspicuously post and affirmatively communicate the practitioner's specific license and related information.

No action required as this was circulated to the Board members for their information only.

- S.B. 726 – RELATING TO HEALTH CARE PRACTITIONERS

Requires health care providers to conspicuously post and communicate their specific type of licensure in their offices, communicate that information to patients in their practices, and include that information in their advertising. Imposes penalties for licensed health care providers who include deceptive or misleading information about their qualifications in their advertising, or misrepresent their qualifications to patient.

No action required as this was circulated to the Board members for their information only.

- S.B. 738 – RELATING TO HEALTH CARE PRACTITIONERS

Requires specified health care practitioners to disclose to patients the practitioner's name, license, highest level of academic degree, and board certification, where applicable.

No action required as this was circulated to the Board members for their information only.

- S.B. 740 – RELATING TO HEALTH

Designates specific professional identifications that may be used by certain persons to advertise, announce, or imply that they are prepared or qualified to practice a particular type of healing art in the State.

No action required as this was circulated to the Board members for their information only.

- H.B. 562 – RELATING TO DENTISTRY

Clarifies that a dentist who has not successfully completed the education specified for the dental specialty as defined by the American Dental Association may be subject to license suspension or revocation or a fine if the dentist uses words or phrases in advertising that are similar to the existing list of prohibited words or phrases. Expands the prohibited words or phrases to include "dentistry for children".

No action required as this was circulated to the Board members for their information only.

- S.B. 2300 – RELATING TO STATE BOARDS AND COMMISSIONS

Clarifies that any member of a state board or commission, whose nomination for reappointment is withdrawn by the governor for cause prior to the senate's action to advise and consent or not advise and consent, shall be considered disqualified and ineligible to continue to serve as a holdover member beyond the member's most recent term of appointment.

No action required as this was circulated to the Board members for their information only.

- S.B. 2298 – RELATING TO HEALTHCARE PRECEPTOR TAX CREDITS (Companion Bill H.B. 1967)

Allows advanced practice registered nurses, physicians, dentists, and pharmacists to receive tax credits for acting as preceptors in volunteer-based supervised clinical training rotations provided to eligible students that enable the students to obtain an eligible healthcare professional degree or certificate.

No action required as this was circulated to the Board members for their information only.

- S.B. 3010 – RELATING TO DENTAL HEALTH

Supports the sustainability of the Hawaii virtual dental home pilot projects by ensuring providers who use certain telehealth procedures and apply caries arresting medications are reimbursed for doing so and clarifying that, for purposes of billing and payment, procedures performed using certain telehealth technologies are equivalent to those procedures performed in person.

No action required as this was circulated to the Board members for their information only.

- b. Notice of Appeal of Sunshine Law Complaint (S APPEAL 18-04)

Ms. Matsushima informed the Board that she had received a complaint from the Office of Information Practices and has submitted a response to that complaint.

- c. Dr. Grace Chen – Restoration of Dentist License (DT-2308)

Executive Session:

At 12:54 p.m., it was moved by Dr. Hasegawa, seconded by Ms. Shimabuku, and unanimously carried (by roll call with Chair Guevara, Vice Chair Wada, Ms. Arrington, Dr. Chun, Dr. Fujimoto, Dr. Hasegawa, Dr. Nagata, Dr. Ota, Ms. Shimabuku, Ms. Tanaka, and Ms. Timmerman voting aye) to move into executive session pursuant to §92-5(a)(1), HRS, to consider and evaluate personal information relating to an individual applying for a professional license cited in section 26-9, HRS.

Guests were excused from the meeting room.

At 1:09 p.m., it was moved by Ms. Shimabuku, seconded by Dr. Wada, and unanimously carried to move out of executive session.

- c. Dr. Grace Chen – Restoration of Dentist License (DT-2308)

It was moved by Dr. Wada, seconded by Ms. Arrington, and carried (ayes from Chair Guevara, Vice Chair Wada, Ms. Arrington, Dr. Chun, Dr. Fujimoto, Dr. Hasegawa, Dr. Nagata, Ms. Tanaka, and Ms. Timmerman while Ms. Shimabuku voted nay and Dr. Ota recused himself) to approve the license restoration for Dr. Grace Chen.

5. Next Meeting: Chair Guevara announced the next meeting as:

Monday, March 12, 2018
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

11. Adjournment: It was moved by Ms. Shimabuku, seconded by Dr. Wada, and unanimously carried to adjourn the meeting at 1:09 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Sandra Matsushima

/s/ Terry Akasaka-Toyama

Sandra Matsushima
Executive Officer

Terry Akasaka-Toyama
Secretary

SM:tat

2/16/18

[X] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____.