

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

MINUTES OF MEETING¹

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, November 19, 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
Staphe Fujimoto, D.D.S., Vice Chair, Dental Member
Pearl Arrington, R.D.H., Dental Hygiene Member
Mark Chun, D.M.D., Dental Member
Earl Hasegawa, D.D.S., Dental Member
Dennis Nagata, D.D.S., Dental Member
Garrett Ota, D.D.S., Dental Member
Coy Rebmann, 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 Deputy Attorney General ("DAG")
Sandra Matsushima, Executive Officer ("EO")
Jennifer Fong, Secretary
- Guests: Candace Wada, D.D.S.
Kim Nguyen, Hawaii Dental Association ("HDA")
Dayton Lum, HDA
Sheila Kitamura
Ellie Miyashiro, Hawaii Dental Hygienists' Association ("HDHA")
James Kobashigawa, EO
1. Call to Order: There being a quorum present, Chair Guevara called the meeting to order at 9:01 a.m.

¹ Comments from the public were solicited on each agenda item. If no public comments were given, the solicitation for and lack of public comment are not explicitly stated in these minutes.

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

Chair Guevara noted that past Board Vice Chair Candace Wada's term on the Board has ended. He thanked Dr. Wada for her service and presented her with a certificate of appreciation.

Chair Guevara stated that EO James Kobashigawa has been reassigned and will no longer be an EO for the Board of Dentistry. He thanked EO Kobashigawa for his many years of service with the Board and presented him with a token of the Board's appreciation.

2. Approval of Board Meeting Minutes and Executive Session Minutes of September 17, 2018:

Chair Guevara asked the Board members if there were any additional comments or concerns regarding the Board meeting minutes of September 17, 2018.

There were none.

Chair Guevara called for a motion to approve the Board meeting minutes of September 17, 2018.

It was moved by Dr. Ota, seconded by Dr. Rebmann, and unanimously carried to approve the September 17, 2018 Board meeting minutes as circulated.

Chair Guevara asked the Board members if there were any comments or concerns regarding the Executive Session minutes of September 17, 2018.

There were none.

Chair Guevara called for a motion to approve the Executive Session minutes of September 17, 2018.

It was moved by Dr. Hasegawa, seconded by Ms. Shimabuku, and unanimously carried to approve the September 17, 2018 Executive Session minutes as circulated.

3. Board Member Disaster/Emergency Preparedness:

- a. The Board will view the AVOID/DENY/DEFEND training video developed by Advance Law Enforcement Rapid Response Training (ALERRT™): The intuitive, easy-to-remember three step plan for survival in the event of an active shooter event or other public acts of violence. The training video may be viewed at: <https://youtu.be/j0lt68YxLQQ>

The Board viewed the training video.

Chair Guevara asked if there were any comments or questions.

There were none.

For Informational Purposes Only

b. DCCA Board Member Emergency Procedures

Chair Guevara stated that the DCCA Board Member Emergency Procedures was distributed to the Board members for informational purposes. He asked if there were any comments or questions.

There were none.

4. Applications:

a. Application for License – Dentist

1) Amanda Kerns

Chair Guevara announced that this matter would be deferred to later in the meeting in order to allow members to review the application.

b. Application for License – Dental Hygienist

1) Ashley Waite

Chair Guevara announced that this matter would be deferred to later in the meeting in order to allow members to review the application.

c. Ratifications

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

• Approved Dentist

DT 2778 ROBERTSON T WU
DT 2779 ARIELLE M NAGAO
DT 2780 ERICA C HOLLANDER
DT 2781 LEILA PAKRAVAN
DT 2782 KYLEE N LEIDHOLT

DT 2783 PHILIP A BATSON
DT 2784 KATHLEEN OLIVER
DT 2785 AMBER G GELINAS

It was moved by Ms. Timmerman, seconded by Ms. Shimabuku, and unanimously carried to ratify approval of the following dental hygienist licenses:

- Approved Dental Hygienist

DH2143 KRISTEN L NEVILLE
DH2144 MARIAH J CAPALDI
DH2145 TAYLOR S STANFORTH
DH2146 SHELBY V BARKER
DH2147 TREMAINE-DARRELL ORANGE
DH2148 LINDSEY G SERAPION-PERALTA
DH2149 KRISTIN A GASTINEAU

It was moved by Ms. Timmerman, seconded by Ms. Shimabuku, 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

DH 2128 CHARANAI P KHUY
DH 2129 SHAINA RAE V MACAPULAY
DH 2131 KRISTI LYN C LUCAS
DH 2132 MEGAN M AKAMINE
DH 2133 LISA NICOLE FORBES
DH 2140 KELLY U MANZANO
DH 2141 MARGARETTE Z GARCIA
DH2145 TAYLOR S STANFORTH
DH2148 LINDSEY G SERAPION-PERALTA
DH2149 KRISTIN A GASTINEAU

5. New Business: a. Dr. Thomas Auyong DT-2165 Continuing Education (“CE”) Audit for Renewal Period January 1, 2016 to December 31, 2017

EO Matsushima reported that Dr. Auyong did not comply with the audit and has since placed his license on “inactive” status. Dr. Auyong is requesting that the Board waive his CE requirement for the 2017 renewal since his license is now on “inactive” status and he is not planning to practice in Hawaii.

Chair Guevara announced that this matter would be deferred to later in the meeting in order to allow members to review the information.

b. Approval/Ratification of Continuing Education ("CE") Courses

Chair Guevara asked the Board members if they had all had a chance to review the applications for the CE courses on the agenda.

It was determined that they had not.

- a. Impactful Orthodontics: Improving patient compliance and early treatment of class III malocclusions – Sponsor: Dr. Scott Morita (2 CE hours)

Chair Guevara asked if the Board members had any comments or concerns regarding this application.

There were none.

Chair Guevara announced that further discussion on this matter would be deferred to later in the meeting in order to allow members to review the application.

- b. Community Dental Health Coordinator (CDHC) Program – Sponsor: KCC HENC Program (145 CE hours)

Chair Guevara asked if the Board members had any comments or concerns regarding this application.

There were none.

Chair Guevara announced that further discussion on this matter would be deferred to later in the meeting in order to allow members to review the application.

For Informational Purposes Only

c. Matters Related to the American Dental Association ("ADA")

- Commission on Dental Accreditation ("CODA") Alert – CODA to Begin "Specialty" Terminology Action Plan

At its February 2, 2018 meeting, CODA took action to remove the word *specialty* from all CODA documentation, as well as its

website, and instead refer to all advanced dental education disciplines as *advanced education programs*.

- CODA Call for Site Visitor Volunteer Nominations
 - CODA Communicator: Summer/Fall 2018 Newsletter
- d. Matters Related to the American Association of Dental Boards ("AADB") and the American Board of Dental Administrators ("AADA")
- AADB Board Action Report August, September, and October 2018
 - Recent Board Actions and Staff Changes
- e. Matters Related to the Commission on Dental Competency Assessments ("CDCA")
- CDCA Quarterly Newsletter – October 2018
 - The 50 Anniversary/Annual Meeting on January 17-19, 2019, Orlando, FL

EO Matsushima noted that the meeting is fully funded by the CDCA. She stated that she was planning to attend and asked the members who was interested in attending.

After some discussion, Chair Guevara, Vice Chair Fujimoto, Ms. Arrington, Dr. Chun, Dr. Nagata, Dr. Rebmann and Ms. Shimabuku expressed interest in attending.

- f. Matters Relating to the Dental Assisting National Board, Inc. ("DANB")
- Certified Press Newsletter Vol. 37, Issue 3, Fall 2018
 - Request for Review of Hawaii Information for the 2019 editions of the "DANB State Fact Booklet" and the "DANB State Career Ladder Templates for Dental Assistants"

Ms. Arrington noted that the Board has no information on assistants.

Ms. Arrington and Ms. Timmerman reported that they have reviewed the information and determined that there are no changes.

6. Correspondence: a. Inquiry from Sonia Sarabano regarding tooth gem services

The Board reviewed an email inquiry from Ms. Sarabano asking if a license is required to provide tooth gem services for her clients. She states that the crystal gem will be placed on the tooth using a plastic tool with an adhesive glue.

Ms. Arrington stated that she researched a site that offers a two-part self cure system in which the tooth gems can be flicked off with dental floss.

Dr. Nagata questioned how regulation of such a practice could be done.

Chair Guevara questioned whether tooth gem application would technically fall under the practice of dentistry.

Vice Chair Fujimoto asked DAG Yee if this is a legal issue.

Dr. Chun said he has concerns and would like DAG Yee to research the issue further.

This matter was deferred.

7. Executive Officer's Report on Matters Related to the Board of Dentistry: a. 2019 Board Meeting Schedule

EO Matsushima reported that the 2019 Board Meeting Schedule has been provided to the Board. She reminded the board members if they are unable to attend any of the meetings, they should notify staff as soon as possible.

b. Application for Permit to Administer Deep Sedation/General Anesthesia and Moderate Sedation and Guidelines for On-Site Inspection – Application and renewal fees

Ms. Matsushima stated that she placed this item on the agenda as a reminder that the Board needs to conduct inspections prior to renewal of offices with special privileges. She would like the Board to send a notice out about six months prior to renewal so the Board can assign inspectors and the renewal process can go smoothly. She noted that inspections take a significant amount of time. Every

board member can do it but to date, the inspections have been predominately done by the dentist members.

Vice Chair Fujimoto suggested requiring the anesthesiologist, who is contacted by the dentist, to be present at the inspection.

EO Matsushima said the State may be able to contract with volunteers to provide services. Dr. Hasegawa may have some people willing to volunteer.

DAG Yee said it is a standard practice that a board can accept volunteers. Volunteers have some protections in the statute. It would be possible for the Board to use volunteers as there is an existing structure in place. He said he could get more information if the Board is interested in pursuing this.

Vice Chair Fujimoto asked what the qualifying criteria would be.

DAG Yee said once the Board decides they would like to use volunteers, they will need to decide how the program is to be run. The volunteers would need guidelines and training as well as a procedure to resolve any complaints. All inspections must be done the same way and on the same curve. There would be substantial implementation issues that would have to be ironed out first.

Chair Guevara suggested placing this item on the agenda of the next meeting to allow for further discussion. He noted that Dr. Hasegawa, Dr. Ota and Dr. Wada were the members of the Board's anesthesia committee. He asked if there was a volunteer to replace Dr. Wada.

Vice Chair Fujimoto volunteered.

EO Matsushima reported that the administration is willing to go through rule amendments to change the fees. Currently, the Board is only charging the new application fee, however, there should be a separate facility permit fee.

DAG Yee stated that there are two issues: 1) one dentist with three offices is charged the same as one dentist with one office even though each office requires a separate inspection; and 2) a dentist moving to another office would require a new inspection.

Dr. Hasegawa said there are two other ways to lessen the burden: 1) whittle down the checklist to make it shorter; and 2) require an

inspection for the first office. Any additional offices would only require completion of an attestation form.

Chair Guevara expressed concern about the attestation form. He noted due to past incidents, the Board is under extreme scrutiny. He feels the Board needs to make sure all inspections are done and the facilities have the required permits. He requested that the anesthesia committee put together something for board discussion at their next meeting.

For Informational Purposes Only

c. Department of Commerce and Consumer Affairs ("DCCA")
Disciplinary Actions through August 2018 and September 2018

A listing of DCCA Disciplinary Actions for August 2018 and September 2018 was circulated to the members for their information. There were no sanctions from the Board on either list.

d. Board of Dentistry Applications Historical Stats

EO Matsushima reported the following historical statistics:

- For Fiscal Year ("FY") 2015-16, there were 152 applications submitted, 138 new licenses, 20 temporary permits and 2,643 current licensees.
- For FY 2016-17, there were 171 applications submitted, 125 new licenses, 0 temporary permits and 2,767 current licensees.
- For FY 2017-18, there were 145 applications submitted, 131 new licenses, 0 temporary permits and 2,685 current licensees.

e. Status on the Continuing Education Audit for Renewal Period
January 1, 2016 to December 31, 2017

EO Matsushima reported as of September 7, 2018, a total of 171 licensees have been audited:

- For Dentists, 10 dentists have been referred to the Regulated Industries Complaints Office ("RICO"). Of the 10 dentists, seven did not respond.
- For Dental Hygienists, four dental hygienists who did not respond have been referred to RICO.

f. Two Insurers offer free dental care to those on Medicare

Chair Guevara asked the audience if they had any comments or questions for the Board.

Ms. Kitamura stated that she is making her comments as an individual and not in her capacity with Kapiolani Community College. She wanted to inform the Board that during the upcoming legislative session, the bill to regulate dental assistants will be re-introduced. She said the main goal is to have most of the registration specifics delegated to the Board to ensure that there are minimum standards.

DAG Yee asked if the bill would require registration or licensure.

Ms. Kitamura said registration.

EO Matsushima asked if all dental assistants would need to be registered or only certain levels.

Ms. Kitamura said that would be up to the Board.

Dr. Chun asked if there was any language available.

EO Matsushima stated that the Board has not received anything in writing yet.

Chair Guevara asked if there were any other comments or questions from the public.

There were none.

At this time, Chair Guevara announced that the Board would return to the deferred matters.

5. New Business: b. Approval/Ratification of Continuing Education ("CE") Courses

- 1) Impactful Orthodontics: Improving patient compliance and early treatment of class III malocclusions – Sponsor: Dr. Scott Morita (2 CE hours)

Chair Guevara asked if there were any additional comments or concerns regarding this application.

There being none, upon a motion by Dr. Nagata, seconded by Ms. Shimabuku, it was voted on and unanimously carried to approve the above-referenced CE course.

- 2) Community Dental Health Coordinator (CDHC) Program – Sponsor: KCC HENC Program (145 CE hours)

Chair Guevara asked if there were any additional comments or concerns regarding this application.

There being none, upon a motion by Dr. Chun, seconded by Dr. Nagata, it was voted on and unanimously carried to approve the above-referenced CE course.

Executive Session:

At 10:19 a.m., it was moved by Ms. Shimabuku, seconded by Dr. Ota, and unanimously carried (by roll call with Chair Guevara, Vice Chair Fujimoto, Ms. Arrington, Dr. Chun, Dr. Hasegawa, Dr. Nagata, Dr. Ota, Dr. Rebmann, Ms. Shimabuku, Ms. Tanaka, and Ms. Timmerman voting aye) to move into executive session pursuant to HRS, § 92-5(a)(1) and (4), “To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;” and “To consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities” for the following agenda items:

- 4. Applications, a. Application for License – Dentist, 1) Amanda Kerns
- 4. Applications, b. Application for License – Dental Hygienist, 1) Ashley Waite
- 5. New Business, a. Dr. Thomas Auyong DT-2165 Continuing Education (“CE”) Audit for Renewal Period January 1, 2016 to December 31, 2017

Guests were excused from the meeting room.

At 10:48 a.m., it was moved by Ms. Shimabuku, seconded by Dr. Hasegawa, and unanimously carried to move out of executive session.

Guests re-entered the meeting room.

4. Applications: a. Application for License – Dentist

1) Amanda Kerns

Upon a motion by Ms. Shimabuku, seconded by Dr. Ota, it was voted on and unanimously carried to approve Dr. Kerns' Application for License – Dentist.

b. Application for License – Dental Hygienist

1) Ashley Waite

Upon a motion by Ms. Shimabuku, seconded by Dr. Hasegawa, it was voted on and unanimously carried to defer Ms. Waite's Application for License – Dental Hygienist and directed EO Matsushima to inform Ms. Waite that additional documents are needed.

5. New Business: a. Dr. Thomas Auyong DT-2165 Continuing Education ("CE") Audit for Renewal Period January 1, 2016 to December 31, 2017

Upon a motion by Ms. Shimabuku, seconded by Dr. Hasegawa, it was voted on and unanimously carried that as Dr. Auyong attested that he had completed the CE requirement when renewing his license, the Board directed EO Matsushima to refer Dr. Auyong to the Regulated Industries Complaints Office for disciplinary action.

6. Correspondence: a. Inquiry from Sonia Sarabano regarding tooth gem services

DAG Yee requested that the Board go into Executive Session to discuss this matter further.

Executive Session:

At 10:52 a.m., it was moved by Dr. Hasegawa, seconded by Ms. Shimabuku, and unanimously carried (by roll call with Chair Guevara, Vice Chair Fujimoto, Ms. Arrington, Dr. Chun, Dr. Hasegawa, Dr. Nagata, Dr. Ota, Dr. Rebmman, Ms. Shimabuku, Ms. Tanaka, and Ms. Timmerman voting aye) to move into executive session pursuant to §92-5(a)(4), HRS, to consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities for the following agenda item:

- 6. Correspondence, a. Inquiry from Sonia Sarabano regarding tooth gem services

At 11:03 a.m., it was moved by Dr. Hasegawa, seconded by Dr. Rebmann, and unanimously carried to move out of executive session.

Guests re-entered the meeting room.

Upon a motion by Dr. Nagata, seconded by Ms. Shimabuku, it was voted on and unanimously carried to direct DAG Yee to draft a proposed response to Ms. Sarabano's inquiry for Board review.

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

Monday, January 28, 2018
9:00 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

8. Adjournment: It was moved by Ms. Shimabuku, seconded by Dr. Ota, and unanimously carried to adjourn the meeting at 11:04 a.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Sandra Matsushima

/s/ Jennifer Fong

Sandra Matsushima
Executive Officer

Jennifer Fong
Secretary

SM:jaf

12/14/18

[] Minutes approved as is.

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