

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, January 27, 2020
- Time: 9:00 a.m.
- Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813
- Present: Staphe Fujimoto, D.D.S., Chair, Dental Member
Earl Hasegawa, D.D.S., Vice Chair, Dental Member
Pearl Arrington, R.D.H., Dental Hygiene Member
Joseph Chu, D.D.S., Dental Member
Mark Chun, D.M.D., Dental Member
Dennis Nagata, D.D.S., Dental Member
Garrett Ota, D.D.S., Dental Member
Joy Shimabuku, Public Member
Sharon Tanaka, Public Member
Andrew Tseu, D.D.S., Dental Member
George Wessberg, D.D.S., Dental Member
Joyce Yamada, R.D.H., Dental Hygiene Member
Bryan Yee, Esq., Deputy Attorney General ("DAG")
Sandra Matsushima, Executive Officer ("EO")
Jennifer Fong, Secretary
- Guests: Gerraine Hignite, Hawaii Dental Hygienists' Association ("HDHA")
Jonathan Mah
Kim Nguyen, Hawaii Dental Association ("HDA")
Sheila Kitamura, Kapiolani Community College ("KCC")
Jessica Chang, HDHA/HMSA
Gayle Chang, HDHA
Ellie Miyashiro, HDHA
1. Call to Order: There being a quorum present, Chair Fujimoto 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 Fujimoto announced the Board's procedural format for agenda matters and stated that the meeting will end no later than 1:00 p.m.

Upon a motion by Vice Chair Hasegawa, seconded by Dr. Tseu, it was voted on and unanimously carried to take the following agenda item out of order for discussion prior to item 7. Applications:

- 8. Public Comments on Matters Related to the Board of Dentistry.

Chair Fujimoto asked the public to introduce themselves.

After the introductions, Chair Fujimoto noted that Dr. Mah's renewal application was on the agenda.

Upon a motion by Vice Chair Hasegawa, seconded by Dr. Chu, it was voted on and unanimously carried to take the agenda out of order to discuss the following agenda item:

- 7. Applications, f. Renewal Application for Dentist License, 2) Jonathan Mah, DT-1617.

7. Applications: f. Renewal Application for Dentist License
2) Jonathan Mah, DT-1617

Executive Session:

At 9:09 a.m., upon a motion by Vice Chair Hasegawa, seconded by Dr. Ota, it was voted on and unanimously carried 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".

Guests, with the sole exception of Dr. Mah, were excused from the meeting room.

At 9:43 a.m., Dr. Mah was excused from the meeting room.

At 10:02 a.m., it was moved by Vice Chair Hasegawa, seconded by Ms. Shimabuku, and unanimously carried to move out of executive session.

Upon a motion by Dr. Wessberg, seconded by Ms. Shimabuku, it was voted on and unanimously carried that Dr. Mah must provide proof of completing the CE requirement before his dentist license can be restored.

The Board returned to its regular order of business.

2. Approval of Board Meeting Minutes and Executive Session Minutes of November 18, 2019: Chair Fujimoto asked the Board members if there were any comments or concerns regarding the Board meeting minutes of November 18, 2019. There being none, upon a motion by Dr. Ota, seconded by Vice Chair Hasegawa, it was voted on and unanimously carried to approve the minutes of the November 18, 2019 meeting as circulated.

Chair Fujimoto asked the Board members if there were any comments or concerns regarding the Executive Session Minutes of November 18, 2019.

Upon a motion by Ms. Arrington, seconded by Dr. Chun, it was voted on and unanimously carried to approve the November 18, 2019 Executive Session Minutes as circulated.

3. New Business: *For Informational Purposes Only*

a. Matters Related to the American Association of Dental Boards ("AADB") and the American Board of Dental Administrators ("AADA")

- 1) AADB Board Action Reports for November and December 2019

A copy of the above-referenced information was circulated to the Board members for their review.

None of the AADB Board Action Reports included any sanctions from the Board.

b. Matters Related to the Commission on Dental Competency Assessments ("CDCA")

- 1) CDCA 2020 Annual Meeting, January 9-11, 2020, Nashville, TN

Dr. Chun and Dr. Tseu gave a brief summary of their experiences at the CDCA Meeting.

Dr. Tseu reported that some states are moving away from using live patients. Currently, research is being done on prosthetic teeth that could be used during exams.

- 2) American Board of Dental Examiners (“ADEX”) Press Release 2019

A copy of the above-referenced press release was circulated to the Board members for their review.

c. Matters Related to the Western Regional Examining Board (“WREB”)

- 1) Dental Exam Review Board (“DERB”) Executive Summary, November 8, 2019

A copy of the above-referenced DERB Executive Summary was circulated to the Board members for their review.

- 2) WREB Hygiene Exam Review Board (“HERB”) Executive Summary, November 15, 2019

A copy of the above-referenced HERB Executive Summary was circulated to the Board members for their review.

- 3) 2020 WREB Dates – HERB Meeting on October 17, 2020; DERB Meeting on November 14, 2020

A copy of the above-referenced email was circulated to the Board members for their review.

d. Matters Related to the American Dental Association (“ADEA”)

- 1) 2019-2020 ADEA Snapshot of Dental Education

A copy of the above-referenced booklet was circulated to the Board members for their review.

e. Matters Related to the Hawaii Dental Association (“HDA”)

- 1) HDA Journal – Fall 2019

A copy of the above-referenced HDA Journal was circulated to the Board members for their review.

4. Correspondence: a. Inquiry from Gary Pashanian regarding: 1) if x-rays are required to diagnose/treat cavities; and 2) if dentists are required to use a thyroid lead collar on patients

Chair Fujimoto read the contents of Dr. Pashanian's email inquiry in its entirety.

Ms. Chang noted that while the answer to Dr. Pashanian's first question is up to the Board, the answer to his second question is in the Board's rules.

Chair Fujimoto questioned whether this inquiry is appropriate for the Board to address. He suggested that it might better be addressed by HDA.

Dr. Wessberg suggested that this email inquiry may be due to a dispute between a dentist and a patient.

DAG Yee noted that the Board does not have to answer questions that are not within the Board's purview.

After some discussion, upon a motion by Dr. Wessberg, seconded by Ms. Shimabuku, it was voted on and unanimously carried to inform Mr. Pashanian that the Board will not be responding to his inquiry.

5. Legislative Matters: a. H.B. 1806 – RELATING TO DENTISTRY

Establishes the licensure and regulation of dental therapists.

EO Matsushima gave a brief summary of the bill.

Chair Fujimoto asked if there was any public comment regarding this bill.

Ms. Nguyen stated that HDA has not yet met to discuss the bill.

Ms. Kellie-Miyashiro stated that HDHA is more in support than opposed to the bill but they also have not met yet.

Chair Fujimoto asked if there were any additional comments from the public.

There were none.

EO Matsushima gave a brief overview of how other states are addressing the regulation of dental therapists. She noted that a sunrise analysis may be required.

Chair Fujimoto asked the Board if they had any comments on this bill.

Ms. Arrington said she did some research and there are currently nine states that recognize dental therapists. Montana and Vermont are the only two states that currently have schools for dental therapists.

Dr. Wessberg asked how dental therapists are related to dental hygienists.

Ms. Arrington said it doesn't say in the bill but she thinks dental therapists are advanced dental hygienists.

Dr. Wessberg questioned what the differences are between dental therapists and dental hygienists.

Ms. Arrington said it appears in the nine states that recognize dental therapists, the target is the underserved population. In Hawaii, many practices don't take Quest insurance. Dental therapists could be hired to address these children that are not accepted as patients because they are not money makers. If it was not in a public health setting, dentists would be responsible for dental therapists.

Dr. Wessberg stated that some clinics do not provide on-site dental supervision as the dentist does not practice there and basically is given a small ownership share so their name can be put on paper. The problem is implementation.

Ms. Arrington said it would have to be a collaborative agreement between the dentist and the dental therapist.

Dr. Tseu said if you look at the statistics and the distribution of where dentists are, there is a disparity in services available in low income areas.

Dr. Nagata said he printed out an article about what a dental therapist does. He feels that time, transportation and resources are all barriers to access to care. In his opinion, the way the bill is currently written, the implementation dates are unrealistic and would be unduly stressful to the Board. He feels the Board should

look at implementation of the regulation of dental therapists in other states and weigh the benefits versus the negative things.

Dr. Tseu agreed, saying he feels the Board should take their time to do a more thorough evaluation of the issue.

Dr. Wessberg stated that regulating additional providers doesn't mean that patients will go to the dentist more regularly. He noted that most patients only go to the dentist when their teeth hurt.

Ms. Arrington said she spoke to some dental therapists and was told that there are very few in private practice.

Dr. Wessberg said he doesn't think the problem is access to care. The problem is the cost of materials.

Ms. Shimabuku said if someone wants to be a dental therapist, they should go to one of the two accredited schools for dental therapists.

Chair Fujimoto said his understanding is that a licensed dental hygienist takes additional training to become a dental therapist.

Dr. Chu noted that he lives on Kauai where there are two community health centers. There are many community health centers on Oahu. He agrees with Dr. Wessberg that the issue is not access to care.

Dr. Tseu agreed, saying that the way the bill is written, he is opposed.

Ms. Arrington said she agrees with the concept of the bill but doesn't like the way it is written.

Vice Chair Hasegawa said he thinks there are good intentions involved but he feels the Board should oppose the bill until the safety and effectiveness of dental therapists can be evaluated. He noted that the education requirements in the bill are very vague, especially the language about not being an accredited program.

Chair Fujimoto said he has a friend on the Minnesota Board. The problem with the Minnesota bill was that while it was intended to address access to care, it ended up with dental therapists being able to practice anywhere. 73% of dental therapists in the Twin Cities, not remote areas. It is also hard to tell if the dental

therapists are under the employment of a dentist, an independent contractor or something else.

Dr. Wessberg says he has concerns about supervision as there could be lots of potential for abuse.

Chair Fujimoto noted that if the dental therapist is only required to have general supervision, they will not need to follow a dentist's treatment plan and use their own judgment when treating a patient.

Dr. Tseu noted that the bill also allows dental therapists to supervise dental assistants.

Chair Fujimoto said he is in favor of requiring the sunrise analysis.

Dr. Chun asked who authored the bill.

EO Matsushima said she doesn't know, however, it may be the Pew Foundation as they are advocating for allowing the practice of dental therapists nationwide.

After some discussion, upon a motion by Ms. Shimabuku, seconded by Dr. Wessberg, it was voted on and unanimously carried to request a sunrise analysis pursuant to Chapter 26H, HRS, which requires sunrise analyses that examine whether proposals for occupational regulations should be enacted.

b. H.B. 1606 – RELATING TO PROFESSIONAL AND VOCATIONAL LICENSURE

Specifies the documentation needed for a military spouse to receive a temporary licensure by endorsement. Requires issuance of the license within 30 days of the application and supporting documents.

EO Matsushima gave a brief summary of the bill.

Chair Fujimoto asked if there was any public comment regarding this bill.

There was none.

Chair Fujimoto asked the Board if they had any comments on this bill.

DAG Yee noted that the bill removes the equivalency requirements.

Dr. Wessberg asked if the spouse would have to have an active license in another state.

DAG Yee said yes.

Dr. Wessberg noted that the intent of the military spouse provision seems to be for spouses of active duty military personnel. He asked if an applicant's spouse could join the reserves so a dentist or dental hygienist that would not meet the Board's current licensing requirements could qualify for licensure as a military spouse.

DAG Yee noted that the military spouse provision is for a maximum of four or five years. After that, the licensee would have to meet the same licensing requirements as a regular applicant.

It was the consensus of the Board to take no position on this bill.

c. S.B. 2038 – RELATING TO BOARD MEMBERS

Permits two or more members of a board to attend state of the city, state of the county, state of the State, or state of the judiciary addresses; provided that the board members do not discuss board business and no commitment to vote is made or sought.

EO Matsushima gave a brief summary of the bill.

Chair Fujimoto asked if there was any public comment regarding this bill.

There was none.

Chair Fujimoto asked the Board if they had any comments on this bill.

There was none.

It was the consensus of the Board to take no position on this bill.

6. Executive Officer's Report on Matters Related to

a. Meeting with Stakeholders regarding Dental Assistants - December 2, 2019 and January 13, 2020

EO Matsushima reported that there was a meeting on December 2,

the Board
of Dentistry:

2019. There was some confusion regarding the January 13, 2020 meeting. She thought the meeting was cancelled because as of that date, no bill had been proposed but ultimately, the meeting was held via teleconference. In addition to herself, there were representatives from HDA, HDHA and KCC. She noted that S.B. 2584 which addresses dental assistants will be discussed at the Board's next meeting as it was not introduced in time to be on the agenda for this meeting.

b. DCCA Disciplinary Actions through December 2019

A listing of DCCA Disciplinary Actions through December 2019 was circulated to the members for their information.

There were sanctions from the Board's November 18, 2019 meeting in the listing.

c. Oregon Board of Dentistry News – Vol. 34, No. 1 – December 2019

A copy of the Oregon Board's December 2019 newsletter was circulated to the Board members for their review.

EO Matsushima noted that Oregon is the first state to allow dentists to prescribe and administer vaccines to their patients.

d. National Association of Boards of Pharmacy ("NABP") 2019 Rogue RX Activity Report

The above-referenced report was circulated to the Board members for their review.

e. Dentist and Dental Hygiene License renewal stats

EO Matsushima reported the following renewal statistics:

- For dental hygienists, of 1,202 licenses eligible for renewal, 1,069 licenses were renewed. Of those renewed, 1,029 licenses were renewed online which is 96.3% of total licenses renewed.
- For dentists, of 1,580 licenses eligible for renewal, 1,466 licenses were renewed. Of those renewed, 1,373 licenses were renewed online which is 93.7% of total licenses renewed.

EO Matsushima stated that now that the license renewal is over, the Board can proceed with the discussion on rule amendments regarding facility permit fees, the definition of hospitalization and foreign degrees. She said if they would like, she can bring proposed language regarding these issues to the Board's next meeting.

It was the consensus of the Board to place discussion of amendments to the Board's rules on the agenda of the Board's next meeting.

Chair Fujimoto announced that based upon the vote earlier in the meeting, he was now taking the agenda out of order to discuss the following agenda item:

- 8. Public Comment on Matters Related to the Board of Dentistry.

8. Public Comment on Matters Related to the Board of Dentistry:

Chair Fujimoto asked if there were any public comments.

There were none.

The Board returned to its regular order of business.

7. Applications:

a. Ratifications

It was moved by Vice Chair Hasegawa, seconded by Dr. Chu, and unanimously carried to ratify approval of the following dentist licenses:

- Approved Dentist License

DT 2838 CAITLIN L ARMSTRONG
DT 2839 RASHEED B SIDDIQUI
DT 2840 RIZZA AURICA M BEJASA
DT 2841 NELSON A PEREZ ESPINOSA
DT 2842 ROCIO CAROLINA ESCOBAR BUSTAMANTE
DT 2843 ALYSSA M SHAIKH

It was moved by Vice Chair Hasegawa, seconded by Dr. Ota, and unanimously carried to ratify approval of the following dental hygienist licenses:

- Approved Dental Hygienist License

DH 2232 LANI BIER
DH 2233 DESIREE M LEE
DH 2234 ERIN N CORTEZ
DH 2235 JUAN M CORTEZ
DH 2236 MEGAN J TROYER

It was moved by Dr. Tseu, seconded by Ms. Shimabuku, and unanimously carried to ratify approval of the following applications for certification in the administration of intra-oral block anesthesia:

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

DH 2229 ASHLYN K R CHEE
DH 2233 DESIREE M LEE
DH 2235 JUAN M CORTEZ
DH 2234 ERIN N CORTEZ

It was moved by Vice Chair Hasegawa, seconded by Dr. Chu, and unanimously carried to ratify approval of the following community service dentist licenses:

- Approved Community Service License – Dentist

CSDT 103 BRIAN J ROSS (WAIKIKI HEALTH CENTER)
CSDT 104 BEHZAD YOUSEFI (KALIHI-PALAMA HEALTH CENTER)

Executive Session:

At 10:53 a.m., upon a motion by Dr. Ota, seconded by Ms. Shimabuku, it was voted on and unanimously carried 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”.

Guests were excused from the meeting room.

At 11:33 a.m., it was moved by Vice Chair Hasegawa, seconded by Ms. Arrington, and unanimously carried to move out of executive session.

b. Application for License – Dentist

1) Cheryl Lee

Upon a motion by Dr. Chun, seconded by Dr. Chu, it was voted on and unanimously carried to approve Dr. Lee's application

c. Application for License – Dental Hygienist

1) Meadow Hetland

Upon a motion by Ms. Arrington, seconded by Dr. Wessberg, it was voted on and unanimously carried to defer Ms. Hetland's application for a dental hygienist license pending receipt of additional information.

d. Application for Certification in the Administration of Intra-Oral Block Anesthesia – Dental Hygienist

1) Megan Troyer

Upon a motion by Dr. Ota, seconded by Ms. Shimabuku, it was voted on and unanimously carried to approve Ms. Troyer's application for certification in the administration of intra-oral block anesthesia – dental hygienist.

2) Karen Martin

Upon a motion by Ms. Arrington, seconded by Dr. Chu, it was voted on and unanimously carried to approve Ms. Troyer's application for certification in the administration of intra-oral block anesthesia – dental hygienist.

e. Renewal Application for Dental Hygienist License

1) Carol Breckterfield, DH-1367

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

There being none, upon a motion by Ms. Arrington, seconded by Dr. Ota, it was voted on and unanimously carried to direct the EO to inform Ms. Breckterfield that upon review of her application and supporting documents, she is short CE hours.

f. Renewal Application for Dentist License

1) Thomas Auyong, DT-2165 (Inactive Status)

Upon a motion by Dr. Wessberg, seconded by Ms. Shimabuku, it was voted on and unanimously carried to direct the EO to inform Dr. Auyong that as he previously voluntarily surrendered his license indicia, his dentist license DT-2165 was forfeited and a forfeited license cannot be renewed.

3) Dave Fukuhara, DT-1820

Upon a motion by Dr. Nagata, seconded by Dr. Chu, it was voted on and unanimously carried to grant a waiver of the CE requirements to Dr. Fukuhara pursuant to Hawaii Administrative Rules §16-79-147 and approve his renewal application for dentist license.

g. Application for Program Sponsor Agreement for Continuing Education ("CE")

1) OSHA Updates & Training – Sponsor: Dental Educational Solutions & Training (4 CE hours)

Upon a motion by Dr. Wessberg, seconded by Dr. Ota, it was voted on and unanimously carried to approve the above-referenced CE course.

9. Next Board Meeting:

Chair Fujimoto announced the next meeting as:

Monday, February 10, 2020
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

//
//
//

10. Adjournment: It was moved by Ms. Shimabuku, seconded by Ms. Arrington, and unanimously carried to adjourn the meeting at 11:40 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

2/20/2020

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of March 9, 2020.