

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

MINUTES OF MEETING¹

Date: May 16, 2022

Time: 10:00 a.m.

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

Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/91321212788>

Present: Earl Hasegawa, D.D.S., Chair, Dental Member
Paul Guevara, D.M.D, M.D.S., Vice-Chair, Dental Member
Wallace Chong, III, D.D.S., Dental Member
Wesley Choy, D.D.S., Dental Member
Sharon Tanaka, Public Member
Andrew Tseu, D.D.S., Dental Member
Joyce Yamada, Ed.D., R.D.H., Dental Hygiene Member
George Wessberg, D.D.S., Dental Member
Bryan Yee, Esq., Deputy Attorney General (“DAG”)
Sandra Matsushima, Executive Officer (“EO”)
Marc Yoshimura, Secretary
Rochelle Araki, Tech Support
Mia Trung Hoang, Tech Support

Excused: Joseph Chu, D.D.S., Dental Member
Katherine Fukushima, R.D.H., Dental Hygiene Member

Zoom Webinar Danny Cup Choy
Guests: Kim Nguyen, Hawaii Dental Association
Sheila Kitamura
M5529 (Michael C. Izumi)
Ellie Kelley Miyashiro

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.

In-Person Joelle Tanabe, HDS
Guests: Patti Garrett, HDS
William Lee, D.D.S.
Ronald Kashiwada, D.D.S.
Ken Yasuhara, D.D.S.

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

A short video was played to explain the meeting procedure and how members of the public could participate in the virtual meeting.

1. Call to Order: There being a quorum present, Chair Hasegawa called the meeting to order at 10:12 a.m.

2. Roll Call: Chair Hasegawa welcomed everyone to the meeting and proceeded with a roll call of the Board members. All Board members confirmed that they were present, with the exception of Dr. Choy who was experiencing technical difficulties. While he was able to connect through video, he was unable to hear due to audio difficulties. There being a quorum present, the meeting proceeded.

At this time, Chair Hasegawa announced the Board's procedural format for agenda matters and stated that the meeting will end no later than 12:00 p.m.

Pursuant to §92-7(d) Hawaii Revised Statutes. Executive Officer proposed an amendment to the agenda to add under item number 6. Applications, new item number 6.d. Biennial License Renewal Continuing Education ("CE") for period January 1, 2020 to December 31, 2021, DT-641 Earl Ah Moo, Requesting a Waiver of the Continuing Education ("CE") Requirements.

It was moved by Vice-Chair Guevara, seconded by Dr. Chong, and unanimously carried to approve the amendment to the agenda to add under item number 6. Applications, new item number 6.d. Biennial License Renewal Continuing Education ("CE") for period January 1, 2020 to December 31, 2021, DT-641 Earl Ah Moo, Requesting a Waiver of the Continuing Education ("CE") Requirements.

Chair Hasegawa Stated the following:

“Because we are conducting this meeting virtually, public testimony is being held a little differently. After each agenda item is presented, I will call for public comment. Testimony will be taken before each agenda item. If you wish to testify, you can then left-click the raised hand icon on your computer or phone found on your Zoom screen. You can find it on most computers at the bottom center of the screen. We will then know you want to provide public testimony.”

“We will identify who wants to testify based on who has raised their hand. You will be called in order by the user name you selected, enabled to unmute, and asked to identify yourself. You will then need to unmute your microphone before speaking and mute your microphone after you finish speaking in order to prevent audio feedback. When testifying, you will be asked to identify yourself and the organization, if any, that you represent, then provide your public testimony. Please note that you will NOT be automatically unmuted. You will need to unmute yourself. You will have a maximum of five minutes for your testimony. At the end of five minutes, you will be asked to summarize and conclude. If you have submitted written testimony, we kindly ask that you summarize your points.”

“PHONE ACCESS:”

“When the Chairperson asks for public testimony, you may indicate you want to testify by entering “*” and then “9” on your phone’s keypad. After entering “*” and then “9”, a voice prompt will let you know that the host of the meeting has been notified. When recognized by the Chairperson, you may unmute yourself by pressing “*” and then “6” on your phone. A voice prompt will let you know that you are unmuted. Once you are finished speaking, please enter “*” and then “6” again to mute yourself”

“The public will be able to make comments and give testimony. After that, the Board will be given the opportunity to ask questions, make comments and do decision making if necessary”

3. Approval of Board Meeting Minutes of the February 7 and March 7, 2022 Board Meetings: Chairperson Hasegawa requested for amendments regarding the February 7, 2022 open session minutes: Page 6, the discussion of Chapter 91 starts right after the first sentence, “Sponsor agreement for CE from Lloyd T. Narimatsu,” so **5. Chapter 91 Adjudicatory Matters** should be provided in the left

margin.

Page 7, the second and third paragraphs should be switched.

Page 7, seventh paragraph, Mr. Choy should be **Mr. Cup Choy**, which should be amended for all references to Mr. Cup Choy.

Page 9, fifth paragraph:

“Vice-Chair Guevara advised that he is in the process of getting a license in another state. He explained that the licensing credentials are far more stringent than what it is on this bill. He stated that this bill is broad to allow across the board to get licensure by **credentials**.”

Page 9, sixth paragraph:

“Vice-Chair Guevara reiterated that it does not require checking in to **the** professional background, such as requesting your diplomas, what residency did you attend, what other licenses do you hold, or basically everything about you as a dentist.

Page 9, seventh paragraph:

“Vice-Chair Guevara stated that he understands that people are aiming for [~~affordability~~] **portability** for their license but this **is** sort of [~~brought~~] **brings** in [~~with the~~] loop holes that could give some problems in the future. He noted that he is not for or against this bill and stated that the Board **needs** to look at the bigger picture. “

Page 10, second to the last paragraph:

“Mr. Donnelly greeted the Board and explained that he would like to provide a background and [~~contacts~~] **context** on why H.B. 1977 and S.B. 2280 Relating to Dental Assistants had come up through HOHC.”

Page 11, third paragraph:

“Mr. Donnelly expressed that this bill describes the very limited set of [~~duty~~] **duties**, as such HOHC is proposing that the duties allowed [~~or~~] **are** not even to the full scope of what would be allowed under the direct supervision **and** is what would only [~~deem~~] **be deemed** essential to assist the dental hygienist.”

Page 11, fifth paragraph:

“Mr. Donnelly advised that the committee passed with the proposed amendment from the Oral Health Coalition regarding the direct supervision of the assistant. He further advised that it has been presented that the dental hygienist would have some direct supervisory [~~in~~ **capacity**] over the dental assistant. He explained that HOHC proposed amendment to that language was to change that to the license dental hygienist or referring to the duties being directed by the hygienist but not labeling any supervisory responsibility was adopted.”

Page 12, paragraph four:

“Mr. Donnelly advised that the House Bill accepted the DOH amendment related to the employment of dentist [~~and~~] **in the** public health setting, however, the house did not acknowledge HOHC proposed language related to hygienist directly supervising the assistant.”

Page 12, paragraph eight:

“Ms. Kelley-Miyashiro greeted the Board and indicated that the Hawaii Dental Hygienist Association “HDHA” would like to go on record that they are in support of H.B.1977 and S.B. 2280. She advised that both bills have the potential to increase access to [~~carry~~] **care in** the public health settings to high risk[s] members of the community.”

Page 12, last paragraph:

“Ms. Kitamura acknowledgedd that the scope of duties for the dental assistant listed on the bills are limited. However, Ms. Kitamura indicated that she sees potential errors to be made or some sort of harm to occur.

Page 13, second paragraph:

“Chair Hasegawa thanked Ms. Kitamura for her comments and testimony.”

Page 13, third paragraph:

“Chair Hasegawa recognized Mr. Donnelly, who [~~would like~~] **wanted** to provide a [~~respond~~] **response** to Ms. Kitamura’s concerns and questions pertaining to dental hygienist providing direct supervision to a dental assistant.”

Page 13, ninth paragraph:

“Ms. Kelly-Miyashiro explained that the HDHA chose to support the bill with the understanding that general dentist supervision would both [~~exhilarate~~] **exonerate** personnel as well as the liability from the health center that’s providing employment for everyone.”

Page 14, tenth paragraph:

“EO Matsushima turned **ed** to DAG Yee for legal [~~advised~~] **advice** and inquired if it is okay for the Board to comment on the amended version.”

Page 17, third paragraph:

“It was moved by Vice-Chair Guevara, seconded by Dr. Chu, and unanimously carried to recommend referral of the renewal of DT-2124, Robert K. Steadman to The Regulated Industries Complaint Office.

Chairperson Hasegawa requested for amendments regarding the March 7, 2022 open session minutes:

Page 2, third paragraph:

“Pursuant to §92-7(d) Hawaii Revised Statutes. Executive Officer proposed **d** an amendment to the agenda to add under item number 4. Applications, 4.c. Restoration of license DT-1578, Shawn T Murphy, Requesting a Waiver of the Continuing Education (“CE”) Requirements.”

Page 5, fourth paragraph:

“It was moved by Vice-Chair Guevara, seconded by Dr. [~~Tsue~~] **Tsue**, and unanimously carried, with the exception of Dr. Choy who is experiencing audio difficulty to ratify approval of the following dentist licenses, dental hygienist licenses, and certification in the administration of intra-oral block anesthesia:”

After discussion, it was moved by Vice-Chair Guevara, seconded by Dr. Tsue, and unanimously carried to approved the minutes of the February 7, 2022 and March 7, 2022 meetings, with the aforementioned revisions (with new material underscored in bold and repealed material bracketed and stricken through).

4. Legislative Matters:

a. HB 1977 H.D.2/SB 2280 S.D.2 C.D.1 Relating to Dental Assistants

This bill allows dental assistants to perform limited duties under the general supervision of a licensed dentist in the State in public health settings and under the direction of a dental hygienist licensed in the State. (CD1)

Chair Hasegawa asked if there were any members from the public wishing to provide testimony on this matter. There were none.

Chair Hasegawa stated that after he close public testimony no further public testimony will be allowed.

Chair Hasegawa asked if there were any questions or comments from the Board. There being none, Chair Hasegawa asked EO Matsushima to update the Board on this bill.

EO Matsushima advised that the Board does not have to do anything at this point unless it wants to make comments on the bill. We can just accept it as is and continue to monitor it.

5. Correspondence: a. Email from Ronald Kashiwada, D.D.S., regarding dental license renewals

Chair Hasegawa asked if there is anyone wishing to provide oral testimony.

Dr. Ronald Kashiwada attended in-person and approached to provide testimony at 10:36 a.m.

Dr. Kashiwada advised he brought exhibits for each of the Board members to review, though was under the intent that the Board members would be attending in-person, not virtually. Due to this, he requested to re-schedule to allow the Board members the opportunity to review the exhibits. EO Matsushima stated she informed him.

EO Matsushima shared the next Board meeting will be Monday, July 18, 2022, noting that the next meeting will also be hybrid, and acknowledged the exhibits will be distributed to the Board members.

EO Matsushima asked what Dr. Kashiwada's specific request is.

Dr. Kashiwada admits dentists know it is their responsibility to renew licenses by the deadline. He has been licensed for over 41 years, and this is the first renewal deadline that was missed. He states that he was under the assumption that DCCA always sends out reminders, though it was not received. Claimed that DCCA and HDA acknowledged some dentists did not receive their reminders. Upon finding out, they did their due diligence, came to the office in-person to rectify payment. The basis of complaint stems from not receiving payments, from HDS, during the period license was not active, due to failure of renewing on-time.

He was in communication with EO Matsushima, through email, regarding compliance with CEs. When submitting CEs to the Licensing Branch, he claims the clerk advised this situation has been occurring, which will be rectified, and late charge need not be payed.

HDS advised Dr. Kashiwada his license still is not active, and he was surprised as he turned in CEs and payment. He feels he followed all requirements for an active license.

EO Matsushima confirmed a late fee was not charged. Also, the date license was made active, current was the date the restoration form was received, not when CEs were received. She advised there are several in place which states once late for renewal, license is forfeited as of renewal deadline, until date license is restored.

Dr. Kashiwada thanked the Board for their time, sharing he will be in attendance for the next Board meeting.

At 11:02 a.m., it was moved by Vice-Chair Guevara, seconded by Dr. Chong and unanimously carried, for the Board to enter executive session in 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 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”. Board members and staff entered into Microsoft Teams.

6. Applications: a. Ratification

It was moved by Vice-Chair Guevara, seconded by Ms. Tanaka, and unanimously carried, with the exception of Dr. Choy who is experiencing audio difficulty to ratify approval of the following dentist licenses, dental hygienist licenses, and certification in the administration of intra-oral block anesthesia:

- Approved Dentist

DT-2959 DONG UM
DT-2960 LUKE D. VICKERS
DT-2961 KENNETH P. LIM
DT-2962 HARRY JOSEPH JACKSON
DT-2963 PRASHANT CHARUGUNDLA
DT-2964 CODY W. SIA
DT-2965 STEVEN L. HIBBERT
DT-2966 MADELINE P. K NGUYEN
DT-2967 LISA-MARIE LUMABAO AGNI
DT-2968 KISSENDRAH S. JOHNSON

- Approved Dental Hygienist

DH-2356 MUNGUNCHIMEG TOGTNOL
DH-2357 SHELBY M. MURDOCK
DH-2358 ERIN E. BAUR
DH-2359 KERI N. BIEHL
DH-2360 RAHIM N. BHARWANI
DH-2361 ZEBO SCHAFFER
DH-2362 CAROLINA Y. LEON-CISNEROS
DH-2363 JAMIE LYNN CURLEY
DH-2364 JAMARIS DEJESUS

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

DH-2357 SHELBY M. MURDOCK
DH-2361 ZEBO SCHAFFER

- Approved Community Service Dentist

CSDT-107 PHUC CONG TRAN
CSDT-108 GORDON R. STANGER

At 11:02 a.m., it was moved by Vice-Chair Guevara, seconded by Dr. Chong, and unanimously carried for the Board to enter executive session in pursuant to HRS, §92-5(a)(4), "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities". Board members and staff entered into Microsoft Teams.

EXECUTIVE SESSION

At 11:14 a.m., it was moved by Vice-Chair Guevara, seconded by Dr. Wessberg, and unanimously carried to move out of executive session. Board members and staff returned to the Zoom webinar meeting.

b. Applications for License – Dentist*

- i) Kopecky, Evan Michael

It was moved by Vice-Chair Guevara, seconded by Dr. Tseu, and unanimously carried to approve the above reference application for dentist license.

- ii) Chien, Tzu-min

It was moved by Vice-Chair Guevara, seconded by Dr. Tseu, and unanimously carried to approve the above reference application for dentist license.

c. Biennial License Renewal Continuing Education ("CE") Audit for period January 1, 2020 to December 31, 2021, DT-1577 Michael C. Izumi Requesting an extension in completing the CE requirements

At 10:50 a.m., Dr. Michael C. Izumi was promoted to panelist.

Dr. Izumi asked if the Board has any questions.

Chair Hasegawa advised they may have questions during executive session.

Dr. Izumi returned to attendee at 10:56 a.m.

After further discussion, Vice-Chair Guevara motioned to grant no extension, and deadline remains as June 30, 2022, as CEs can be completed online, which was seconded by Dr. Chong, and unanimously carried to approve.

- d. Biennial License Renewal Continuing Education ("CE") for period January 1, 2020 to December 31, 2021, DT-641 Earl Ah Moo, Requesting a Waiver of the Continuing Education ("CE") Requirements

After further discussion, Vice-Chair Guevara motioned to grant no extension, and deadline remains as June 30, 2022, as CEs can be completed online, which was seconded by Dr. Wessberg, and unanimously carried to approve.

7. Ongoing Business:

- a. Update on the Report from the Board's Permitted Interaction Group ("P.I.G.") pursuant to § 92-2.5(b)(1), Hawaii Revised Statutes, to discuss draft proposals to the anesthesia rules and facility inspection process

Chair Hasegawa shared that the group is in the final stages of a report that should be ready to present at the next meeting. The report will have some proposals for the Board to vote on and will give an update on the policies and processes involved in the anesthesia inspections that are required every two years.

8. Election of Officers:

Chair elect

Chair Hasegawa announced nominations are now open.

Ms. Tanaka nominates Vice-Chair Guevara.

Vice-Chair Guevara asked EO Matsushima for confirmation, to fulfill role, as he no longer works full-time in Hawaii, rather currently working full-time in Las Vegas. He is able to do the responsibilities, but would be unable to testify in front of the legislature in-person, if required, which could apply to other responsibilities which may require to be in-person.

EO Matsushima asked if still practicing in Hawaii. Vice-Chair Guevara acknowledged he still has his practice in Hawaii and is eligible.

With no further nominations, Dr. Wessberg motioned to approve nomination of Vice-Chair Guevara to be the next Chair, seconded by Dr. Tseu, unanimously carried to approve.

Vice-Chair elect

Dr. Wessberg nominates Dr. Tseu.

With no further nominations, Vice-Chair Guevara motioned to approve nomination of Dr. Tseu to be the next Vice-Chair, seconded by Dr. Chong, unanimously carried to approve.

9. Executive
Officer's
Report:

a. Certificate of Appreciation for Outgoing member

EO Matsushima recognized Chair Hasegawa as this Board meeting was his last, as term expired, and thanked him as he went over and beyond his duty as a Board member by chairing the PIG Anesthesia Group and the anesthesia rules.

EO Matsushima also shared that Chair Hasegawa would use his own expenses and time to conduct, most if not all, inspections of anesthesia for renewal.

b. Appointments for 2022 – Incoming members

Dr. Staphe Fujimoto and Joy Shimabuku, a public member, will be joining the Board.

c. Update on the Audit for Continuing Education Requirement from the December 31, 2021 Renewal

EO Matsushima advised the deadline to submit CEs, if randomly selected for audit, is June 30, 2022.

A total of 88 dentists and 64 dental hygienists were sent audit letters. As of this meeting, 44 dentists (50%) and 43 dental hygienists (67%) have complied.

A few are deficient, and deficiency letters have been mailed out, which advises what is still required to be submitted.

10. Next Meeting: Monday, July 18, 2022
10:00 a.m.
In-Person: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813
- Virtual
Participation: Virtual Videoconference Meeting – Zoom Webinar

11. Adjournment: The meeting adjourned at 11:33 a.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Sandra Matsushima

/s/ Marc Yoshimura

Sandra Matsushima
Executive Officer

Marc Yoshimura
Secretary

SM:my

6/20/2022

[] Minutes approved as is.

[X] Minutes approved with changes; see minutes of 7/18/22.