

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

**MINUTES OF MEETING<sup>1</sup>**

Date: July 18, 2022

Time: 10:00 a.m.

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

Virtual Videoconference Meeting – Zoom Webinar  
<https://dcca-hawaii-gov.zoom.us/j/95454778316>

Present: Paul Guevara, D.M.D, M.D.S., Chair, Dental Member  
Andrew Tseu, D.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  
Joyce Yamada, Ed.D., R.D.H., Dental Hygiene Member  
Craig Yamamoto, D.D.S., Dental Member  
Joseph Chu, D.D.S., Dental Member  
Katherine Fukushima, R.D.H., Dental Hygiene Member  
Staphe Fujimoto, D.D.S., Dental Member  
Joy Shimabuku, Public Member  
Bryan Yee, Esq., Deputy Attorney General (“DAG”)  
Sandra Matsushima, Executive Officer (“EO”)  
Marc Yoshimura, Secretary  
Christopher Fernandez, Tech Support  
Mia Trung Hoang, Tech Support

Excused: None

Zoom Webinar  
Guests: Candace Ito  
Lei Fukumura  
Ellie Kelley-Miyashiro  
Richael Cobler - CRDTS  
Calix Ramos-Rodriguez  
Gerraine Hignite

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<sup>1</sup> 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.

Lloyd  
Iphone  
Briley Moates  
12015198901  
Christian  
Marisa Lee  
Esra  
Danny Cup Choy  
Sheila  
Dr. Anthony Kim  
Lawrence Shin  
Martin Lieberman  
Lloyd  
Anna D'Emilio  
Sharon Shishido

In-Person  
Guests:

Rachel DiPasquale, Waikiki Health  
Brian Higa, Bay Clinic  
Jason Hiramoto, KKB  
Ken Yasuhara, D.D.S.  
Ronald Kashiwada, D.D.S.  
Clinton Chu, D.D.S.  
Brian Kim, D.D.S.  
Stuart Tsuzaki, D.D.S.  
William Lee, D.D.S.  
Keith Koga, D.D.S.

Virtual Meeting  
Instructions:

A short video regarding virtual meetings was played for attendees.

The Chair provided information on internet and phone access for today's virtual meeting and announced that today's meeting was being recorded and that the recording will be posted on the Board's web page.

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").

Call to Order:

There being a quorum present, Chair Guevara called the meeting to order at 10:15 a.m.

Roll Call:

Chair Guevara welcomed everyone to the meeting and proceeded with a roll call of the Board members. All Board members confirmed that they were present. There being a quorum present, the meeting proceeded.

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

Approval of  
Board Meeting  
Minutes of the  
May 16, 2022  
Board Meeting:

Chair Guevara requested for amendments:

Page 6, last paragraph:

“It was moved by Vice-Chair Guevara, seconded by Dr. [~~Tsue~~ **Tsue**] **Tseu**, 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.”

Page 12, first paragraph:

“EO Matsushima asked if still practicing in Hawaii. Vice-Chair Guevara acknowledged he still has [~~his~~ **his**] practice in Hawaii and is eligible.”

Ms. Tanaka requested for the following amendment:

Page 7, first paragraph:

“After discussion, it was moved by Vice-Chair Guevara, seconded by Dr. [~~Tsue~~ **Tseu**], and unanimously carried to approve 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).”

After discussion, it was moved by Vice-Chair Tseu, seconded by Dr. Chu, and unanimously carried to approve the minutes of the May 16, 2022 meeting, with the aforementioned revisions (with new material underscored in bold and repealed material bracketed and stricken through).

Legislative  
Matters:

- a. S.B. 2280 S.D. 2 CD1, Relating to Dental Assistants = Act 067

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

licensed in the State. (CD1)

EO Matsushima shared that Act 067 was passed and is effective as of June 27, 2022. Currently, dental assistants are able to work under/with a licensed dental hygienist in a public health setting.

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

Chair Guevara stated that after he closes public testimony no further public testimony will be allowed.

Chair Guevara asked if there were any questions or comments from the Board. There were none.

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

Chair Guevara asked if there is anyone wishing to provide oral testimony and reminded those individuals who are testifying that they are limited to 5 minutes each.

*Dr. Ronald Kashiwada attended in-person and approached the Board to Provide testimony at 10:25 a.m.*

Dr. Kashiwada referred to correspondence from HDS that was provided to the Board, which indicated that his license was revoked. Dr. Kashiwada stated that the second page of the renewal instructions states the following:

“The failure to timely renew a license, including payment of fees and completion of the continuing education requirement, shall cause the license to be automatically forfeited. A license which has been forfeited may be restored within two (2) years after the date of forfeiture upon compliance with the licensing renewal requirements and payment of all applicable fees.”

Dr. Kashiwada emphasized this discrepancy in the terms being used to refer to his expired license.

Dr. Kashiwada directed the Board to review an email from Diane Paloma, the CEO of HDS, which indicated that the Board has previously made an exception for restorations to be effective on the date the Licensing Branch received the restoration form; even if the CE's were not received until a later date. He expressed his appreciation for this.

Dr. Kashiwada continued, stating that Ms. Paloma also indicated that HDS must abide by Hawaii Revised Statutes, Chapter 448, which indicates, "no person shall practice dentistry in the State without having a valid unrevoked license." He noted that his license was forfeited, not revoked.

Dr. Kashiwada shared that HDS is demanding full repayment of all dental procedures filed from January 1, 2022 to the date his dental license was restored. He advised that if his license is back-dated, HDS is willing to reimburse all moneys due and collected by HDS.

Dr. Kashiwada shared an article that was placed in the Hawaii Dental Association Journal in February 2022, which includes a statement from a dentist who shares his same position. This article also indicates the reason is unknown why postcards were not received by some, and not others.

Dr. Kashiwada claimed that he has been conditioned to expect a reminder postcard for each renewal. He stated that he did not renew on time because he did not receive a reminder postcard.

To summarize, HDS did a bylaw change in regard to humanistic values. He advised he is only asking for a one-time exemption due to the severity of COVID and normalcy in lieu of COVID. He shared he understands the position of the Board, and the Boards duty to ensure public safety.

*Dr. Ronald Kashiwada finished his testimony at 10:32 a.m.*

Chair Guevara asked if the Board had questions for Dr. Kashiwada. There being none, he called on the next testifier.

*Dr. Clinton Cho attended in-person and approached the Board to provide testimony at 10:32 a.m.*

Dr. Cho thanked the Board for their time, and expressed the following:

Imagine my concern and dismay when I realized I overlooked my license renewal and placed it in jeopardy. I have done this exercise 20 times in the past without fail. And I'll be honest, we are here as 25 of your colleagues have been penalized tens and thousands of dollars due to this oversight. None of us deliberately intended to practice without a license. None of us wanted to deceive anybody or had any ill intent. I'm sure that none of our patients were placed in peril because we failed to renew. Your job is to protect the public, and I don't think this situation had anything to do with the standard of care. The world is looking pretty stable now, which you must now realize the situation actually started almost a year ago. All of our lives were different 12 months ago. We were working probably in the most dangerous job in America. We were all small business owners as you are, and are trying to negotiate our personal life, offices, pay our staff and finances in a COVID pressure packed world. I'm sure that all of you had something fall through the cracks and inadvertently overlooked something in your personal lives.

I believe that professional boards are populated by human beings for a reason. It is to be empathetic and knowledgeable about the profession that you monitor, to use human judgement and apply human life experiences to the rules and regulations. I respectfully ask you to vote for a one-time exemption for this situation. During the COVID crisis, hard core institutions like the DMV, property tax department, rent relief, and of all people, the IRS, have extended one-time exemptions and extensions during this unprecedented time. Our large local dental insurance carrier has voted unanimously to not let this happen again in the future by instituting a grace period. We are not asking for a change to your by-laws. I have the utmost respect for my profession, my patients, and this Board. I have served this very Board for over 10 years as a licensing examiner. We have been dealt a penalty that is disproportionate to the oversight and at no time was the public's welfare or safety in question.

*Dr. Clinton Cho finished his testimony at 10:35 a.m.*

Chair Guevara asked if the Board had questions for Dr. Cho. There being none, he called on the next testifier.

*Dr. Brian Kim attended in-person and approached the Board to provide testimony at 10:35 a.m.*

Dr. Kim thanked the Board for their time, and expressed the following:

I have been practicing for twenty-two years, which includes being in the military and licensed in multiple states. During this period, I have never had my license expire, in question, or in risk or revocation in any way. I have deep respect for all of the rules and regulations, which I know are in place to protect the public. I always keep a high priority in making sure all of my requirements are met. When I was made aware of license having expired, I was able to provide all documents for restoration on that same afternoon. My dental license in another state happened to have the same renewal date last year, weeks ahead thanks to postcard and email reminders.

As archaic as it sounds, I do rely a lot on these reminders. I rely on them for radiology survey renewals, amalgam separator renewals, car insurance premium payments. I wish I could have them all on auto renewal, like vast majority bills, as I am inundated with many renewal requirements with operating business and personal needs. If something is expired, normally I would pay late fee renewal and late a lesson. But I am in front of you [the Board] today because of the disproportionate hardship that I, and my staff, are experiencing through this mishap. I am suffering a hardship that is comparable to a result of a serious infraction -- intentionally practicing with my license revoked. HDS is considering all treatment performed during this period as invalid and non-existent for patients I have been treating for many years. Some of them will actually suffer due to the discontinuation of care because the regulatory dental procedures are non-existent, which makes it ineligible for the next maintenance procedure. Like many of you, me and my staff are coming off a horrible pandemic. We huddled up through cooperation and compassion to get through this.

This situation is turning out to be more of a threat to my office than the pandemic itself. I'm also here as a solution is available. HDS has graciously express they are willing to reimburse for the procedures if we can have our license valid from January 1, 2022.

I want to emphasize again that during this time, my license was never in question, in jeopardy. All CE's, requirements were up-to-date. It was never my intention to deceive the public. I am humbly asking the Board to consider this situation and to reach a decision

of empathy and compassion.

*Dr. Brian Kim finished his testimony at 10:40 a.m.*

Chair Guevara asked if the Board had questions for Dr. Kim. There being none, he called on the next testifier.

*Dr. Keith Caa attended in-person and approached the Board to provide testimony at 10:40 a.m.*

Dr. Caa expressed the following:

I have been a licensed dentist in Hawaii since 1991. I appreciate this opportunity to represent my fellow colleagues and myself regarding this unfortunate matter.

In February of this year [2022], I received a call from HDS that my Hawaii dental license was not renewed and I shouldn't be practicing. I immediately cancelled all of my scheduled patients for that day. I started to look for a way to expedite restoring this license. Learning that the quickest way was to submit my required documents.

In the thirty-one years that I have been practicing in Hawaii, this is the first time I have missed my renewal. I didn't know where to start – do I cancel my patients indefinitely until my restoration has been confirmed? How do I tell my patients with urgent need that they need to see someone else that they don't know? How can I pay my staff who rely on their paychecks for an indefinite amount of time? These are just a few of the questions that overwhelmed me at the time. I know that it is my responsibility to renew, but for some unknown reason I never received a DCCA reminder postcard that I have been conditioned to rely on all these years.

Thanks to the Board my license was reinstated on the day of the restoration payment, however, I still couldn't work until I got the letter approving the restoration of my license which came over a week later. Then the notice came that we all are here for. HDS will not recognize services rendered and required us to reimburse all patient payments and HDS payments for services rendered from January 1, 200 to February 4, 2022, due to contract with the subscriber groups.

To make matters worse, HDS said that all the services that were



rendered at the time were not recognized, therefore any future services related to those unrecognized services would also not be covered. An example of this, a patient work at the time were not eligible for necessary maintenance visits. This really seemed unfair. Is the care that I provided any less than it would have been if I had a renewed license? If all CEs and requirements are met, why is the penalty so severe? I had no other alternative, but I paid everything and I continued those maintenance visits for free. Then in May 2022, I was surprised to learn that more than 25 other dentists also had their license expire. I was aware that HDS did sympathize with the dentists in changing their contract with their member dentists going forward so that there will be a grace period for forfeited licenses due to failure to renew. They are also willing to reverse reimbursements if the state licensing Board will restore our licenses to January 1, 2022.

My plea is to make this one-time change. We all have suffered and continue to suffer through these unprecedented pandemic times with staffing shortages, supply chain issues, cancelled appointments, and inflation, just to name a few.

Now the reimbursements are yet another blow. Hawaii is not one of the easiest places to run a small business, as you all know, but we all love this place and the people. Caring for these people is why we are dentists. I humbly ask for your consideration to this matter. Thank you.

*Dr. Keith Caa finished his testimony at 10:44 a.m.*

Chair Guevara asked if the Board had questions for Dr. Caa. There being none, he called on the next testifier.

*Dr. Stuart Tsuzaki attended in-person and approached the Board to provide testimony at 10:44 a.m.*

Dr. Tsuzaki expressed the following:

I am in complete agreement with the arguments and comments of my fellow colleagues, but my intention today is just to present you with the facts of what happened to me.

Some background – I came from a long tradition of family dentists in Hawaii. My father was a dentist in Hawaii from 1961, the year I was born, until 1984. My brother and I inherited his practice. He

started work in 1986, and I have been a practicing dentist in good standing since 1988. My son just graduated from dental school and I'm proud to say he is starting a career in the U.S. Navy.

So, on January 1<sup>st</sup>, I inadvertently let my license expire, and I completed all of my continuing education requirements well before the end of the year. This has never happened to me before. I did not receive a reminder card from the DCCA. The HDS sent me several reminders to me to pay my dues, but I never got a reminder to renew my license. The COVID pandemic was a major distraction and limited my interaction with my fellow dentists.

In mid-February, I received notification from HDS saying that my license has not been renewed, that I should stop working immediately. I complied. The next day I submitted payment and documents to the DCCA. It took about a week and then they informed me my license was reinstated. I checked with HDS and resumed work soon after.

At the end of March, I received a letter from HDS saying that the total of all HDS payments I received between January 1<sup>st</sup> and February 14<sup>th</sup> had to be returned to them by May 1<sup>st</sup>. I complied.

To help offset costs, I did not pay myself for one pay period in February, and another pay period in April. I am not a high production dentist. My patients are mostly blue-collar families and retirees living on a budget, and they mainly want work done within the confines of their insurance coverage.

In conclusion, by not being paid for the equivalent of one month, combined with the disruption caused by the COVID pandemic, it has adversely affected my practice and me personally. All I am asking for is a one-time only exemption to back date my license so I can get compensated for work that I did in good faith. HDS is willing to accommodate us, and just need Board approval. Thank you.

*Dr. Stuart Tsuzaki finished his testimony at 10:48 a.m.*

Chair Guevara asked if the Board had questions for Dr. Tsuzaki. There being none, he called on the next testifier.

*Dr. William Lee attended in-person and approached the Board to provide testimony at 10:48 a.m.*

Dr. William expressed the following:

I have been a licensed dentist in Hawaii for 29 years, and just like my colleagues here, I have shared the same situation. This is the first time that this has ever happened, and instead of rehashing what my colleagues have stated earlier, I am just going to point out a few things that have made this quite unusual.

Of course, our profession is so detail oriented that when I found out I did not renew my license I tried to do it right away. Actually, I was seeing patients, but I tried to fill out the paperwork online, but couldn't do it online so I actually came down in-person to fill out and provide my credentials. The next thing I did was, when I discovered my license was expired, I called my professional liability carrier to inform them of what happened. I don't want to take light of this, but I think they realized this happened every year. My biggest fear was if something had happened, I would not have the coverage of my insurance, but they reassured me as long as I filled out the paperwork and was in the process of having my license renewed, it wouldn't be an issue.

Another organization I called was the American Dental Association legal counsel and when I finally got them on the line, they told me they never had a real situation like this ever before nationwide. And so, they could not give me any recommendations. I thought that was quite unusual since this is nationwide, and not just one state.

When my colleagues have said that we have suffered financially and emotionally, but also our patients have suffered. When I found out that my license had expired, I had to reschedule all of my patients. I follow the rules and I know all of my colleagues have, but it put a big impact not only on me but also my staff and patients. One of the patients I saw was actually my own mom. She fractured a tooth which became abscessed, so when I finally could see her it was pretty bad. I had to cure it out of the socket, and she is still a little sensitive there.

In short, we humbly ask for the Board to consider our request. Like Clinton said earlier, other state and federal agencies have postponed expired safety checks, gave us rent relief, so I would like you to please think about this. It not only impacted the dentist, but also the staff and also the patient. When you multiply that twenty-five times, by twenty-five dental practices, that's quite a bit. In

conclusion, I would like to thank Sandra Matsushima for her being sympathetic to our concerns and expediting our licensing process because it could have taken a lot longer. Thank you.

*Dr. William Lee finished his testimony at 10:52 a.m.*

Chair Guevara asked if the Board had questions for Dr. Lee. There being none, he called on the next testifier.

*Dr. Ken Yasuhara attended in-person and approached the Board to Provide testimony at 10:52 a.m.*

Dr. Yasuhara expressed the following:

This is my thirty-second year in practice. I would like to preface my comments by saying I take full responsibility for my actions, or in this case my non-action, in not renewing my license on time.

I don't want to belabor the point. Everybody has stated everything that needs to be said. I know during this COVID years, many business and government agencies have either shut down or experienced decreased hours or had severe staffing shortages. For me, personally, in trying to keep my practice afloat, especially looking out for the welfare of my employees and their families. With both my wife and I being hospitalized with COVID, I can assure you that licensure renewal was not the top issue in my mind. By not receiving the reminder card, I just simply did not renew my license. If there had not been any financial ramifications this would be a non-issue. I think all of us has had our license renewed and are currently in good standing with DCCA.

I'm not sure what other avenues of appeal are available to us, but with your advocacy on our behalf that would be extremely helpful. And we would appreciate any assistance you would be able to give us in helping us to bring this matter to a reasonable and equitable resolution. Thank you.

*Dr. Ken Yasuhara finished his testimony at 10:55 a.m.*

Chair Guevara asked if the Board had questions for Dr. Yasuhara. There being none, he called on the next testifier.

*Dr. Lloyd Hataishi attended virtually and was promoted to panelist at 10:55 a.m.*

Dr. Hataishi expressed the following:

Simply to reiterate, licenses were never forfeited and hope that the Board make the date of reinstatement to January 1, 2022. I have been working for 32 years and have come to rely on receiving my notice to renew my license. The last 15 times I did get it. With the added burden of COVID over the last two years, we seemed to have had the misfortune of falling through the cracks, and now I am affected too. Having to pay the heavy penalty just makes it worse. Forfeiture was not intentional, as all of us have continued to work. Again, I hope the Board can make a clerical modification on this reinstatement. Thank you.

*Dr. Lloyd Hataishi finished his testimony, and returned to attendee at 10:58 a.m.*

Chair Guevara asked if the Board had questions for Dr. Hataishi. There being none, he called on the next testifier.

Chair Guevara asked if the Board had any questions.

At 11:01 a.m., it was moved by Ms. Shimabuku, seconded by Dr. Chu, 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 11:22 a.m., it was moved by Ms. Shimabuku, seconded by Dr. Chu, and unanimously carried to move out of executive session. Board members and staff returned to the Zoom Webinar meeting.

After further discussion, it was moved by Ms. Shimabuku, seconded by Dr. Chu, and unanimously carried to deny the request for restoration/exemption to revert the renewal/restoration date back to January 1, 2022.

Correspondence: 1. Email from Dr. Brian Higa regarding the reconsideration of Canadian dental students for temporary dental licenses; and the current license application process for incoming student residents for temporary dental license.

*Dr. Brian Higa attended in-person and approached the Board to provide testimony at 11:26 a.m.*

Dr. Brian Higa stated that he is the Dental Director of Bay Clinic on the Big Island, of Hawaii, and is speaking on behalf of NYU Langone's Advanced Education in General Dentistry (AEGD) residency program, and fellow practicing Dental Directors in the State of Hawaii.

The federally-qualified health centers are FQHCs – Bay Clinic of Waikiki, KKB Waimanalo and Maui. They have participated with an AEGD residency program through NYU Langone since 2002. The AEGD program through NYU Langone is CODA accredited. The AEGD residents not only receive an education but contribute to the professional workforce at one of the FQHCs. He added that a vast majority of patients treated are disadvantaged and underserved.

Currently, there are two (2) residents accepted by the Hawaii program who have graduated from dental schools accredited by the Commission of Dental Accreditation of Canada ("CDAC") and were denied temporary licenses. One in Waikiki and one in Bay Clinic. The basis of this denial is based on an interpretation of the current state law which states that an applicant must be a graduate from a dental school accredited by CODA. However, a reciprocal agreement between CODA and CDAC states that the commissions agree that educational programs accredited by the other agency are equivalent to their own and no further education is required for eligibility of licensure. He stated that this exact language was confirmed in a recent email from Dr. Sherin Tooks, Director of CODA, who was informed of the current situation. Pursuant to this agreement, Canadian dental school graduates would qualify for licensure in the U.S.

Dr. Higa shared that temporary licenses were granted to six of their previous Canadian residents from 2004 to 2021 in Hawaii, with no one being denied license. Two of six residents were granted full, unrestricted licenses to practice in Hawaii. No changes to the law have been made since the last few Canadian dental school graduates were given dental licenses in Hawaii.

This AEGD program has been training residents in 27 states and 2 U.S. territories since 1988. None of the states or territories, including Hawaii, has ever restricted Canadian graduates from

obtaining a temporary license to practice within the scope of the program. This is the first time.

Dr. Higa asserted that Hawaii licensing laws don't question CODA's methods, processes, and standards in accrediting dental schools. Dr. Higa does not believe it would be fair or consistent to pick and choose from year to year what parts of CODA the Board decides to acknowledge. He stated that it is hard to understand why the reciprocal agreement is being ignored only this year. If the AEGD residents are not able to participate in the program, it will result in the disruption of their education and further financial and emotional hardship. It would also negatively impact the sites that are supposed to train them and would disrupt and delay the treatment of patients in those communities. Host FQHCs will then face financial hardships by losing a provider they were accounting for in their budgets.

Dr. Higa requested that the Hawaii Dental Board interpret the language in the CODA reciprocal agreement as a satisfactory credential requirement for applicants from accredited Canadian dental schools. He further requested to allow these applicants to apply for and receive their temporary licenses or amend the language in the regulation to include, "be a graduate from a dental school accredited by a CODA or CDAC".

Dr. Higa indicated that he understood that the latter request would require legislation and asked that the Board urgently consider the two current Canadian applicants to be granted their temporary licenses immediately. He based this request on the history described that confirms interpretation CODA has on CDAC graduates being able to obtain licensure in the U.S. and to prevent the harm it may cause these residents and the health centers and communities they are assigned to.

*Dr. Brian Higa finished his testimony at 11:30 a.m.*

Chair Guevara asked if there were any other public comments. Dr. Anthony Kim raised his hand to provide testimony.

*Dr. Anthony Kim attended virtually and was promoted to panelist at 11:31 a.m.*

Dr. Kim advised he is the Dental Director for the Waimanalo Health Center, which serves as a site for the NYU Langone AEGD

program.

[He is] testifying on behalf of Dr. Michel Rivard and Dr. Jordan Walle. These two are excellent candidates for the residency program, as referenced transcripts, gone through a rigorous application process. They have been selected to participate in the Waikiki and Bay Clinic programs. They were simply following in the footsteps of their predecessors from Canadian dental schools, who were able to successfully complete residency program in years past. I am asking the Board to consider the financial hardship that denying their temporary license would cause.

Dr's Rivard and Walle had given up other opportunities and have chosen a path of service learning in our communities. We really want them here. I ask that you use your professional discretion to please approve their temporary licenses so to allow them to complete their residency programs.

*Dr. Anthony Kim finished his testimony and was returned to attendee at 11:33 a.m.*

Chair Guevara asked if the Board had any comments on this agenda item. Dr. Tseu asked to enter Executive Session.

At 11:34 a.m., it was moved by Dr. Tseu, seconded by Dr. Chu, 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 11:59 a.m., it was moved by Ms. Shimabuku, seconded by Dr. Chu, and unanimously carried to move out of executive session. Board members and staff returned to the Zoom Webinar meeting.

EO Matsushima briefed the Board on information regarding non-CODA accredited degrees. She shared that prior temporary license applicants with non-CODA accredited degrees were denied when their applications were brought before the Board. She mentioned there was a dentist that did receive a temporary license, though this dentist had a community service dentist license prior to applying for a general dentist license. The general dentist license



application was not brought to the Board, but rather approved by licensing branch staff, of which the prior EO at that time was not made aware of this application. In the past, the Board relied on the licensing branch staff's decision to grant licenses. EO Matsushima shared that it is her understanding the Board will not review and/or question any past decisions made by staff, and will not revoke a license if granted erroneously.

She explained that CDAC accredited degrees are received from schools that are accredited by CDAC, not CODA. She further clarified, that while CODA recognizes CDAC accredited degrees, degrees with a CDAC accreditation do not undergo the same standards, policies, evaluations, and site visits that CODA uses to grant their accreditation. The Board cannot make an exception to their statutes and rules and cannot accept CDAC accredited degrees.

It was moved by Dr. Fujimoto, seconded by Ms. Fukushima, it was voted on with the Chair, Dr. Tseu, Dr. Chong, Ms. Tanaka, Ms. Yamada, Dr. Yamamoto, and Ms. Shimabuku and Dr. Chu abstaining to deny the request for reconsideration of dental students with CDAC accredited degrees being approved for temporary dental licenses.

*The Chair advised agenda will be taken out of order.*

4. Correspondence from Marisa Lee regarding the 18-month requirement for retaking the failed portions of the ADEX examination

*Dr. Marisa Lee attended virtually and was promoted to panelist at 11:57 a.m.*

Dr. Lee expressed the following:

I am asking the Hawaii Dental Board for a one-time extension for the 18-month rule for the ADEX clinical and DSE OSCE portion of the exam. Back in July 20<sup>th</sup>, I did take the clinical portion at the University of Southern California. I currently have been practicing for 11 years in San Diego, where I have been in public and private practice and have been in good standing. Unfortunately, I did fail the endodontic portion by less than 1.00 mm of the marginal ridge, and the prosthodontic portion for having less than a 1.00 m lingual wall. Unfortunately, these two portions led to an automatic failure in

both portions, however, I did pass the anterior, posterior, as well as the periodontal portions.

Unfortunately, from the middle of 2019 to the end of the year, I had multiple family members (mom, dad, nephew) who needed severe medial surgeries and medical help, so I quit my job to return to Hawaii to help care for them. I was planning to take the failed portions again in the summer of 2020, as well as the written portion, however during that time everything went into closure in March of 2020. The test through Prometric, as well as working full-time having to pay bills, and not being a traditional student, I was not allowed access or communicated in regard to options to retake and was left in the air through 2021. Since then, I had recently moved back to continue to help take care of my family members. I would like to seek retaking the failed portion as well as the written portion of those exams, if given that one-time exemption. I am also seeking a temporary license as I do have the experience in working during COVID in public health as well as in private practice.

Chair Guevara asked if there were additional comments. There being none, he asked if there was any Board discussion from Board members.

Ms. Fukushima asked Dr. Lee if she applied for a temporary license.

Dr. Lee advised she did not as one of the rules states you cannot have a failed exam. She explained that because it happened during the pandemic, she considered it a half-failed portion. Dr. Lee clarified that she did not apply as she did not know how it would apply to her specific situation.

Ms. Tanaka asked if Dr. Lee has heard back from an ADEX representative.

Dr. Lee advised she did not hear back. She checked multiple times, which was quite a while ago, during the pandemic.

EO Matsushima asked the Board examiners if they know about the 18-month requirement.

Chair Guevara shared he would need to reference the rules, and is not sure what ADEX requires, as it is not in the purview.

Dr. Tseu advised that Dr. Lee would have to contact CDCA to request any type of exception, as it is not really a Board decision.

Chair Guevara responded that if issue deals with the CDCA or ADEX, the Board only reviews if the applicant has passed or failed the exam from the two entities, as the Board cannot affect what they do. He shared that the Board had this issue in the past where applicant had failed the exam by 1 point and had deny request. The Board felt bad about their decision, but they have to follow the standards. A passed exam is required, not a partially passed exam.

Dr. Tseu advised Dr. Lee that ADEX is conducting a manikin-exam on August 14, 2022 at the University of Hawaii at Manoa.

Chair Guevara added that the Board also accepts the manikin-exam, instead of a live patient exam.

It was moved by Dr. Tseu, seconded by Dr. Chu, and unanimously carried to deny Dr. Lee's request for an exemption to retake the failed portions of the ADEX examination, which was seconded by Dr. Chu, with the majority agreement, with Dr. Chu abstaining.

*Dr. Marisa Lee returned to attendee at 12:05 p.m.*

*Due to time, the following agenda items, under Correspondence, were deferred to the next Board meeting:*

*2. Email from Dr. Kris Nip regarding the practice of portable dentistry inside the physical location of the patient's property; and,*

*3. Email from Dr. Stephen E. Stanley regarding the administration of IV drip therapy to patients in office*

7. Applications: a. Ratification

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

- Approved Dentist

DT-2969 ANDRES W SETAPUTRI  
DT-2970 MATTHEW J HAYASE

DT-2971 DAVID KIM CHUN  
DT-2972 FRANK W FU  
DT-2973 INJEA PARK  
DT-2974 CHIH YUNG IAN SHEE  
DT-2975 THOMAS T MOON  
DT-2976 TZU-MIN CHIEN  
DT-2977 EVAN M KOPECKY  
DT-2978 GRACE Y CHANG  
DT-2979 MEGAN E CHING  
DT-2980 AURORA R ALVA  
DT-2981 BRADLEY MICHAEL NEWBERRY  
DT-2982 TINA MARIE LEE  
DT-2983 RACHEL N JAHRAUS  
DT-2984 RAN WEI  
DT-2985 NICHELE MALIA WADA  
DT-2986 RYAN CHUN  
DT-2987 MICHAEL H FABER  
DT-2988 KELLY B WHELAN CHAN  
DT-2989 KATHRYN S TERUYA  
DT-2990 TAMMY T. T. TRAN  
DT-2991 NURA ABUJBARA  
DT-2992 SPENCER A SCHIAPPA  
DT-2993 SIMON BELL  
DT-2994 SOFIA HISANO HIRAI  
DT-2995 ASHLEY E BRODIGAN  
DT-2996 MARINA YOUNG  
DT-2997 CLAIRE C PARK  
DT-2998 HA BIN PARK  
DT-2999 PRIYA SABHARWAL  
DT-3000 SAEKYU OH  
DT-3001 JASON G ZHANG  
DT-3002 ARGHAVAN FARHADI

- Approved Dental Hygienist

DH-2365 KIMBERLEY L WALLWORK  
DH-2366 HEIDI J SCHRITTER  
DH-2367 BRIANNA A CHIMENTO  
DH-2368 LAURA G NOBLE  
DH-2369 LYNN L XU

- Approved Temporary Dentist License

DTT-360 MAY AHMED MANSWER

DTT-361 SHAYMA THOPPIYIL  
DTT-362 ANDREW J YOON  
DTT-363 ANDY H DINH  
DTT-364 CHRISTIE N LE

Board of  
Dentistry Audit  
for CE  
Requirement for  
the 2021 Renewal:

a. Jayna L. Chung, D.D.S., request for modification of the CE requirement due to undue hardship or other extenuating circumstances

Chair Guevara shared, that in the past, requests for modification of the CE requirement due to hardships were denied. He provided a recommendation to file licensee with the Regulated Industries Complaints Office, as licensee is past the CE deadline date.

It was moved by Ms. Shimabuku, seconded by Dr. Tseu, and unanimously carried to deny the request for modification of the CE requirement due to undue hardship or other extenuating circumstances.

b. Status of the December 2021 Renewal Audit

EO Matsushima shared that 22 out of 88 dentists who were chosen for the random audit are either deficient or late. For dental hygienists, 11 out of 64 are deficient or late.

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

EO Matsushima advised the Board that the P.I.G. update was provided to them.

Chair Guevara shared the paperwork from the Committee, which includes Dr. Earl Hasegawa, Dr. Staphe Fujimoto, and Dr. George Wessberg, was shared with the Board to finalize, and for the Board to approve at the next Board meeting.

Dr. Yamamoto added that he agrees with the recommendations provided in the paperwork.

b. P.I.G. Update on Committee members to discuss draft proposals to the anesthesia rules and facility inspection process

Chair Guevara asked that due to Dr. Wessberg having resigned from the Board, with Dr. Yamamoto taking his place, does the Board need to vote to have Dr. Yamamoto on the P.I.G. Committee.

EO Matsushima inquired with DAG Yee if okay to have a vote to add Dr. Yamamoto, or does the Board need to create a new P.I.G. to add Dr. Yamamoto.

DAG Yee advised a vote is not needed, and Dr. Yamamoto is effective immediately, as he is now on the Board.

Next Meeting: Monday, September 19, 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

Adjournment: The meeting adjourned at 12:14 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Chelsea Fukunaga  
for Sandra Matsushima  
Executive Officer

/s/ Marc Yoshimura  
Marc Yoshimura  
Secretary

SM:my

8/17/2022

[ X ] Minutes approved as is.

[ ] Minutes approved with changes; see minutes of