

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

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

Date: November 21, 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  
Staphe Fujimoto, D.D.S., Dental Member  
Jonathan Lau, D.D.S., Dental Member  
Joy Shimabuku, Public Member  
Lee Ann Teshima, Executive Officer ("EO")  
Chelsea Fukunaga, Executive Officer ("EO")  
Bryan Yee, Esq., Deputy Attorney General ("DAG")  
Marc Yoshimura, Secretary

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

Zoom Webinar  
Guests: Carol Weber  
Dean Sueda  
Janet Montijo  
Joseph Lim DDS  
Kelly Seattle  
Kim Nguyen-Hawaii Dental Association  
Kelly Jones

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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.

Ellie Kelley Miyashiro  
Gerraine Hignite  
Danny Cup-Choy

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, with the exception of Ms. Fukushima who was excused. There being a quorum present, the meeting proceeded.

At this time, Chair Guevara announced the Board's procedural format for agenda matters.

Chair's Report:

**Announcements**

Chair Guevara stated there were no announcements.

**Approval of the Minutes of the July 18, 2022 Meeting**

Chair Guevara asked if there were any corrections or discussion to the minutes for the July 18, 2022 meeting.

There being none, Chair Guevara asked for a motion to approve the open session minutes of the July 18, 2022 meeting.

Upon a motion by Dr. Yamamoto, seconded by Vice-Chair Tseu, it was voted on and unanimously carried to approve the open session minutes of the July 18, 2022 meeting.

Chair Guevara asked for a motion to approve the executive session minutes of the July 18, 2022 meeting.

Upon a motion by Ms. Shimabuku, seconded by Dr. Yamamoto, it was voted on and unanimously carried to approve the executive session minutes of the July 18, 2022 meeting.

New  
Business:

**Extension of Board's Previous Waiver to Allow Virtual CE**

EO Teshima stated the reason for placing this on the agenda is in regard to the Board having previously granted this waiver to allow all CEs to be completed virtually due to COVID-19, pursuant to laws and rules. She added there are still individuals afraid of catching COVID-19 and asked the Board to consider extending the waiver for the 2023 renewal period.

Chair Guevara explained to the Board that this extension would allow licensees to complete all of their CEs virtually for the 2023 renewal period.

Chair Guevara asked if there was any discussion.

There being none, Chair Guevara asked for a motion.

Upon a motion by Vice-Chair Tseu, seconded by Dr. Chu, it was voted on and unanimously carried to approve the extension to allow all CEs to be completed virtually for the 2023 renewal period.

**Email from Dr. Kris Nip regarding the practice of portable dentistry inside the physical location of the patient's property – Deferred from the July 18, 2022 Board meeting**

Chair Guevara stated that the Board received the following email inquiry:

"My name is Kris Nip. I am a practicing general dentist from the state of Hawaii. I was forwarded by Dr. Joseph Chu to contact you regarding specific questions pertaining to practicing portable dentistry. He mentioned that you may be able to provide me with more insight/answers regarding this topic. In summary, portable dentistry can be described as a dentist who practices inside the physical location of the patient's property. This of it as dentist who does house calls! Here's a video that shows insight to this form of practice vs actual mobile dentistry: <https://youtu.be/3TQIpsoZmvo>

Just to make sure I would not break any laws, I would to hear your

insight regarding this topic.”

Chair Guevara asked if there was public testimony.

There being none, he asked if the Board had any discussion.

Chair Guevara stated that the Board previously discussed a similar inquiry where it was decided that so long as the dentist is not breaking any rules or statutes, OSHA regulations, and has the necessary licenses/permits, a dentist may practice as they see fit. Chair Guevara noted that an exception to this decision would be in regard to radiographs where if a portable NOMAD machine is being utilized; adding that a dentist would have to contact the Department of Health’s indoor/outdoor radiation branch for approval for this type of service.

Vice-Chair Tseu stated that the Hawaii Dental Practice Act and the Board’s laws and rules are silent on the topic of practicing in community sites or other physical sites like a home. He added that there are other regulations that Dr. Nip would need to be aware of to practice dentistry that the Board cannot advise on.

Chair Guevara asked DAG Yee if a motion needs to be made.

DAG Yee responded that the Board should make a motion to allow the Executive Officers to provide a response. He also advised a caveat on the Board’s motion stating that although it is true that the dental license is not restricted by location, the permit to administer general anesthesia is restricted.

Upon a motion by Vice-Chair Tseu, seconded by Ms. Shimabuku, it was voted on and unanimously carried to informally opine, that based solely on the information provided, the Board was not able to identify any prohibitions within the Hawaii Dental Practice Act that prohibits the practice of portable dentistry. The Board noted that there are other State and Federal regulations that must be complied with and that although a dental license is not restricted by location, the permit to administer general anesthesia is restricted by location.

In accordance with HAR section 16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and thus, not be viewed as binding on the Board.

**Email from Dr. Stephen E. Stanley regarding the administration of IV drip therapy to patients in office – Deferred from the July 18, 2022 Board meeting**

Chair Guevara stated that the Board received the following email inquiry:

“Aloha,

Dr. Stephen E. Stanley (Hawaii Lic#2806) is interested in offering IV drip therapy (hydrating fluid, electrolytes, vitamins, ozone, glutathione, NAD, etc.) to our clientele. We do not have an RN on staff and would like to understand the Hawaii State requirements for the Dr. to be able to administer these treatments in our offices. Would you please advise?”

Chair Guevara asked if there was public testimony.

There being none, he asked if the Board had any discussion.

Chair Guevara stated this inquiry is outside the venue of dentistry and Dr. Stanley may need to inquire with other Boards to obtain clarification if this is allowable.

EO Teshima stated that she is the former EO for the Board of Pharmacy and is familiar with IV practice but is not familiar with the Board of Dentistry’s scope of practice in regard to IV practice. EO Teshima inquired whether dentists are able to compound drugs.

Chair Guevara responded that dentists do not make the drugs in their offices. He mentioned that some of the oral surgeons on the Board may be better able to answer that question as they do administer IV sedation drugs.

Dr. Yamamoto asked if Dr. Stanley has a license as a general dentist.

Chair Guevara answered yes.

Dr. Yamamoto stated that there is no therapeutic reason to administer IV hydration and does not believe that it is covered within the scope of dentistry. Dr. Yamamoto added that the administration of IV hydration or compounding is irrelevant as it

doesn't fall under a general dentist's scope of practice. If a person requires hydration, they would need to go to the ER. He added the Dr. Stanley does not have an RN on-staff to administer IV nor does he have an on-staff physician to supervise the RN.

Chair Guevara acknowledged that administering IVs is not within a dentist's scope of practice.

Dr. Yamamoto clarified that oral surgeons do provide administration of IV fluids with medications. He added that there are times that hydration is also administered as part of therapy, of which a separate license is required.

Chair Guevara agreed, adding that only Hawaii dentists who have an anesthesia permit are allowed to administer IVs and provide hydration. Generally oral surgeons and periodontists are usually the individuals who hold anesthesia permits under the Dental Practice Act.

Dr. Yamamoto commented that the inquirer is asking to administer therapy for a specific purpose not related to IV sedation. Dr. Yamamoto conceded that under IV sedation, some patients are so anxious and stressed that they begin to experience fluid loss which would then require IV hydration as part of their therapy. This is not offered as a separate service just because the patient is dehydrated.

Upon a motion by Dr. Yamamoto, seconded by Vice-Chair Tseu, it was voted on and unanimously carried that the administration of IV drip therapy is not within the scope of general dentistry.

**Email from Dr. Dean Sueda regarding providing free dental clinics in Hawaii through Aloha Medical Mission which is a non-profit medical/dental organization**

Chair Guevara stated that the Board received the following email inquiry:

"My name is Dean Sueda, DDS and I am the President of Aloha Medical Mission and we are Hawaii's only free dental clinic providing free dental services to Oahu's poor and underinsured. Enclosed is an email addressed to the Hawaii Dental Board expressing our plans to expand our free dental services to a similar but isolated population in the Ka'u district on the Big Island. I

realize that this may be a last minute thing but if this letter can be presented and discussed at this coming Monday's Board meeting it would be greatly appreciated. I sincerely thank you for your assistance and consideration. Please let me know if you have any questions."

Chair Guevara asked if Dr. Sueda was in attendance.

Staff confirmed Dr. Sueda was in attendance and was promoted to panelist.

*Due to technical difficulties on Dr. Sueda's end, this agenda item was deferred to the next Board meeting for additional information.*

*Dr. Sueda was returned to attendee.*

**Email from Dr. Joseph Lim regarding starting a non-profit dental mobile outreach**

Chair Guevara asked if Dr. Lim was in attendance.

Staff confirmed Dr. Lim was in attendance and was promoted to panelist.

Chair Guevara welcomed Dr. Lim to the meeting.

Dr. Lim shared that he is general dentist practicing on Hawaii island and is planning to perform a dental clinic which will venture to the southern portion of the island where the population is neglected and do not have easy access to dental care. He asked if: 1) A separate dental license is required to open a mobile clinic; and 2) Whether his unlicensed dentist friends who do not have a Hawaii dental license would be able to practice with him.

Chair Guevara asked if the Board had any questions.

Chair Guevara shared that Dr. Lim, in his email inquiry to the Board, stated he read online that unlicensed dentists can perform dentistry on an indigenous population here in Hawaii under supervision of a license dentist. Chair Guevara asked Dr. Lim where he found this information.

Dr. Lim replied that he did research online and found a dental clinic which allows Hawaii licensed dentists to supervise unlicensed

dentists.

EO Teshima asked if this would fall under a Community Service dentist license.

Chair Guevara stated those working under a Community Service license are working in underserved areas, of which is a license to practice dentistry, and would not apply to the ability of supervising an unlicensed dentist in Hawaii.

Vice-Chair Tseu added that, in regard to general dentist license, he is allowed to practice in community setting sites. In regard to individuals being able to volunteer as a dentist without a Hawaii license, this is not allowed as a Hawaii dental license is required to practice in Hawaii within any scope, including a temporary license.

DAG Yee commented that during the COVID-19 duration, there was a relaxation of licensing requirements under emergency rules, which are now over. DAG Yee is unsure whether the dentists were ever included in the proclamation. There was an expanded list of what dental hygienist would do under the direct or general supervision of a licensed dentist, but that still requires a dental hygienist license. There is no provision for unlicensed individuals to do dental-related work other than dental assistants.

Dr. Lim asked if his general dentist license would be adequate to practice in a mobile dental clinic.

Chair Guevara answered yes, as long as all other rules and regulations are followed, which includes Public Health, OSHA.

Dr. Lim thanked the Board and was returned to attendee.

**Email from Dr. Carol Weber regarding practicing under a restricted dental license**

Chair Guevara stated that the Board received the following email inquiry:

“Aloha Executive Officer of the Board,

I spoke to your receptionist on the phone who asked me to send you a detailed email regarding my concern.



I am board certified Endodontist who received, by credentials, a restricted Hawaii dental license in 2006 (DT-2203). As you are aware, this was when Hawaii was experiencing a shortage of dental specialists and had no reciprocity with other states.

At this time, I have been asked to join the team of the Hawaii Keiki Dental Sealant Program coordinated by UH School of Nursing and Hawaii Dental Service (grant based program). My duties include: dental screening for Keiki in Title I schools (ages 7-8), determining if they are in need of sealants and overseeing the hygienist's placement of sealants. If there are emergent needs, I would be referring the Keiki to primary health care or medical home services. I am in the process of applying and have been told that there are questions regarding my restricted dental license and to ask you if there is any issue with my scope of care or conflict of interest in regards to this work.

My dental career history involves: multiple years working as a dental assistant, 6 years as a dental hygienist, 14 years as a general dentist and 16 years as an Endodontist. In addition, I served on active duty in the US Navy for 30 years as a general dentist and Endodontist.

I very much desire to be involved in this needed public health initiative. Am I allowed to join this team with a restricted dental license?

Please provide guidance for me. Thank you for your attention to this matter.”

Chair Guevara asked if Dr. Weber was in attendance.

Staff confirmed Dr. Weber was in attendance and was promoted to panelist.

Chair Guevara welcomed Dr. Weber to the meeting.

Dr. Weber shared that she has a restricted Hawaii dental license which was issued during a time when the state of Hawaii was short on dental specialists. She began an application with the Hawaii Keiki Dental Sealant Program in mid-September which resulted in some questions regarding her restricted license. She added that she will no longer be practicing endodontics and will only be diagnosing caries.

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

DAG Yee asked whether Dr. Weber is currently qualified for the general dentist license.

Dr. Weber answered that she is not aware of the current requirements.

DAG Yee asked Dr. Weber if she is currently practicing dentistry.

Dr. Weber responded that she is not actively working full-time. She indicated that she is currently in school for landscape architecture and is teaching one class at the University of Hawai'i. She added that she is pretty much retired from full-time dentistry.

Chair Guevara asked Dr. Weber if she has been actively renewing her license.

Dr. Weber answered yes and has been maintaining her CEs.

EO Fukunaga asked Dr. Weber if she knows what the restriction on license is for.

Dr. Weber answered it is a restriction to practice endodontics, of which license was issued by credentials.

Chair Guevara stated the Board stopped administering their own Board exam in 2006 and was in the process of requiring passage of the ADEX. For a 10-month period, no one could take an exam in the state of Hawai'i to obtain a dental license. The board at that time, accepted any State Dental Board exam at the time. This included specialists who were granted a license because of their specialty or if you took and pass a Board exam. Even general dentists who did not have a license or did not take the ADEX were able to obtain a Hawaii dental license. Once Hawai'i became an ADEX state, only those who passed the ADEX were accepted. He added that he was unsure as to how the restricted license applies.

DAG Yee stated Chair Guevara is referencing Act 121 which was passed during the 2005 session laws. The Act allowed a person who took one of the regional exams, the ADEX, or graduated from an accredited dental specialty education program, who also

submitted an application which indicated that they graduated from an accredited school, held an unencumbered license from another State and has been engaged in the practice of dentistry for the past three (3) years. DAG Yee clarified that Act 121 specified that if an individual were licensed by specialty that they are only allowed to practice within their specialization.

Dr. Weber clarified that she does not want to do anything illegal but feels that she is able to diagnose caries.

DAG Yee stated that under a restricted license, Dr. Weber would not be able practice outside the field/specialty that the license was granted under. In regard to the program being described, if it qualifies for a community service license (in the employment of the Department of Health, a Federally Qualified Health Center, Native Hawaiian health systems center, or a post-secondary dental auxiliary training program accredited by the American Dental Association Commission on Dental Accreditation) then there is a less restrictive requirement. However, one of the requirements would be to provide evidence of passage of Part II of the National Board within 5 years of date of request, or evidence of active practice in clinical dentistry of not less than 1,000 hours per year immediately prior to the date of request.

DAG Yee noted this may be an issue for Dr. Weber as she may not be able to meet these requirements. Dr. Webber would either need to qualify for the position as an Endodontist or she would need to obtain a general dentist or community service license. DAG Yee clarified that the question is whether the practice of diagnosing caries as described by Dr. Weber, falls within the scope of endodontics.

Chair Guevara informed the Board that he is a practicing Endodontist, he does diagnose caries and conduct exams. However, if the Board is to follow the laws and rules to the letter of the law, Dr. Weber would be bound to work within the restricted scope of her license.

Chair Guevara asked the Board if there was additional discussion.

Vice-Chair Tseu stated that with the proposed dental screenings, determining if a sealant is necessary, and supervising a dental hygienist seems to be very safe but would not fall in the scope of an endodontist.

Dr. Yamamoto asked if there is a mechanism in the laws to transition from a restricted license to a general dental license.

EO Teshima asked DAG Yee if Act 121 provided a pathway.

DAG Yee stated Act 121 did not have a provision upon expiration of the Act.

Chair Guevara replied that it is within the realm of dentistry to look for caries and do exams. Every specialist has to do general dentistry in one way or another in their field of specialization. He added that most Hawaii licensed dentists are general dentists as Hawaii does not currently license by specialty.

EO Teshima asked the Board if they would have an issue if an endodontist were allowed to perform Dr. Weber's proposed practice.

Ms. Tanaka stated that Dr. Weber may actually be proposing to only determine if individuals are in need of caries or sealants, rather than treating.

Dr. Weber stated that is correct, the proposed job would be to diagnose caries, need for sealants, and need for additional treatment.

EO Teshima asked if Dr. Weber's proposed practice falls under general dentistry.

Chair Guevara answered, "yes", adding that it does not fall under endodontics. He stated that he is torn on his decision. Chair Guevara commented that if a dentist were to only practice within their specialty, the scope would be very limited as compared to general dentistry. For example, Endodontists are not supervisors of dental hygienists. Because general dentists are allowed to practice in specialties, the question is whether specialists can perform general dentistry.

DAG Yee stated that the issue of a general license and not distinguishing between the general practice of dentistry and endodontics makes it difficult as the current license authorizes all practices of dentistry. For a brief period, a distinction was made in the licensing scheme. Looking back on something was done in 2005 and trying to decide by what "endodontics" meant or agreeing

to practice only as a dental specialist within the area of the applicant's specialization is something that only the Board can determine.

EO Teshima stated that based on DAG Yee's statement that the Board does not have a choice and Dr. Weber would need to apply for a community service license or a dentist license. The whole purpose of the Board is protect the public, patient safety in the practice of dentistry. Develop these requirements to become a dentist or dental hygienist for that purpose. There are no exceptions to the requirements; anyone who wishes to provide that service must qualify for a community service or general dentist license.

DAG Yee inquired whether Dr. Weber took and passed a regional exam and whether she took it after February 1, 2004.

Dr. Weber replied that she took and passed the NERB (North East Regional Board of Dental Examiners Exam) and no, she did not take it after February 1, 2004.

DAG Yee replied that Dr. Weber did not qualify for the general license exemptions during that brief period of time before the statute was changed.

Upon a motion by Ms. Shimabuku, seconded by Vice-Chair Tseu, it was voted on and unanimously carried to deny Dr. Weber's request as the Board does not have the authority to grant an exception, and any individual who wants to provide these services is required to hold a community service license or general dentist license.

Executive Session: The Chair motioned to move into executive session in accordance with HRS §92-4 and §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;" and that the Board will vote on the applications after coming out of executive session.

It was seconded by Vice-Chair Tseu, voted on and unanimously carried to move into executive session at 11:42 a.m.

The Board resumed the meeting at 12:21 p.m. after coming out of executive session.

Applications:

**Ratification Lists**

Upon a motion by Vice-Chair Tseu, seconded by Dr. Chu, it was voted on and unanimously carried to approve the following ratification lists:

DTs, license numbers 3003-3041 (39);  
DTTs, license numbers 365-368 (4);  
DHs, license numbers 2370-2403 (34);  
CSDTs, license numbers 109-111 (3);  
and DHs with the Certification in the Administration of Intra-Oral Block Anesthesia

**Applications for License**

The Chair called for a motion in regard to the applications.

Dentists

Upon a motion by Chair Guevara, seconded by Vice-Chair Tseu, it was voted on and unanimously carried to approve the following applications:

**McIlhatten, Alexander**  
**Kim, Skye**  
**Lee, Marisa**  
**Ullah, Anjum**

Dental Hygienist

Upon a motion by Chair Guevara, seconded by Vice-Chair Tseu, it was voted on and unanimously carried to approve the following application:

**Montijo, Janet**

Chapter 91, HRS –  
Adjudicatory  
Matters:

Chair Guevara asked if there was any discussion by the Board members on the following adjudicatory matter.

Seeing none, upon a motion by Chair Guevara, seconded by Ms. Shimabuku, it was voted on and unanimously carried to approve the following adjudicatory matter:

In the matter of the Application for a Dental License of **Erika B. Rydell; DEN-LIC-2022-001**; Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order; Transmittal Memorandum, and Board's Final Order

Executive Officer's Report:

**Report – ADEX 18<sup>th</sup> Annual Meeting**

EO Fukunaga stated this article is for informational purposes only.

**2023 Board of Dentistry Meeting Schedule**

EO Fukunaga stated the 2023 meeting schedule has been provided to all Board members.

Next Meeting:

Monday, January 23, 2023  
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 12:31 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Chelsea Fukunaga  
Chelsea Fukunaga  
Executive Officer

/s/ Marc Yoshimura  
Marc Yoshimura  
Secretary

CF:my

12/29/2022

[ ] Minutes approved as is.

[ X ] Minutes approved with changes; see minutes of: January 23, 2023