

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

MINUTES OF MEETING¹

Date: July 17, 2023

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/83038970701>

Members 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
Staphe Fujimoto, D.D.S., Dental Member
Katherine Fukushima, R.D.H., Dental Hygiene Member
Jonathan Lau, D.D.S., Dental Member
Joy Shimabuku, Public Member
Joyce Yamada, Ed.D., R.D.H., Dental Hygiene Member
Craig Yamamoto, D.D.S., Dental Member

Members Excused: None

Staff Present: Sheena Choy, Executive Officer (“EO Choy”)
Chelsea Fukunaga, Executive Officer (“EO Fukunaga”)
Lee Ann Teshima, Executive Officer (“EO Teshima”)
Bryan Yee, Esq., Deputy Attorney General (“DAG”)
Marc Yoshimura, Secretary
Cortnie Tanaka, Secretary

In-Person Guests: Charles Kamimura
Clayton McElroy

Zoom Webinar

Guests: Tia Barrier

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.

Katina Eisermann
Danny Cup Choy
Heera Chang

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 10:06 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; those on Zoom confirmed they were present and alone.

Chair's Report:

Announcements

Chair Guevara asked if there were any announcements. Seeing none, the Chair moved to the next agenda item.

Approval of the Minutes of the May 15, 2023 Meeting

Chair Guevara asked if there were any corrections to or discussion of the open session minutes for the May 15, 2023 meeting, or any public comments.

Seeing none, Chair Guevara asked for a motion to approve the open session minutes of the May 15, 2023 meeting.

Upon a motion by Ms. Shimabuku, seconded by Vice Chair Tseu, it was voted on and unanimously carried to approve the open session minutes of the May 15, 2023 meeting.

Applications:

Ratification Lists

After reading the license numbers on the ratification lists, Chair Guevara asked if there was any public testimony.

Seeing no public testimony, public testimony was closed. Chair Guevara asked for a motion to approve the ratification lists.

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

- 1) Approved Dentists
DT-3077 TOMOMI J IDA
DT-3078 LEENA BAHU
DT-3079 KELLEY NICOLE HOARD
DT-3080 TOMMY BAE
DT-3081 HADEAR Y ELHALAWANY
DT-3082 RILEY D JOHNSON
DT-3083 MONICA CHANG
DT-3084 NICHOLAS B DELISLE
DT-3085 PAUL L HUNG
DT-3086 JUSTIN MICHAEL CHANG
DT-3087 KRISHNA K GORADIA
DT-3088 MARTIN COHEN
DT-3089 ANGELA J CHEN
DT-3090 ROBERT M MARUSKO
DT-3091 BRITNEY M CRUZ
DT-3092 BOBBY HYUNG IL KIM
DT-3093 SHALI C NIEMEYER
DT-3094 JESSICA RAMIREZ
DT-3095 CAROLINE CHOU
DT-3096 MICHAEL K YANG
DT-3097 PHUONG C NGUYEN
DT-3098 KEVIN Y KAI
DT-3099 KEVIN A SCHLANG
DT-3100 CONNOR A DANG
DT-3101 MAX B FEINBERG
DT-3102 RENNY Y CHO
DT-3103 HANNA NGUYEN
DT-3104 JI WON YOON
DT-3105 NATALIA B KIM
DT-3106 RYAN A DAVIS
DT-3107 JESSICA M FUKUSHIMA
DT-3108 GUILLERMO C CASTRO
DT-3109 YOO JUNG CHUNG
DT-3110 KIMBERLY RAABE MCBARNET

- 2) Approved Dental Hygienists
DH-2414 CASSANDRA A WARREN
DH-2415 MELANIE CAHILL

DH-2416 KELLY E DONAVAN
DH-2417 KRISTIE M LEONGUERRERO
DH-2418 KAROLEE GOINS
DH-2419 SHAYNA M TASANI
DH-2420 LINDSEY K YAMASAKI
DH-2421 BAILEY O RITTER
DH-2422 JOANNA M GALIZA
DH-2423 LOUISE J LOPEZ
DH-2424 ASHLEY R BEARDEN
DH-2425 COLLETTE DIMANARIG
DH-2426 DENISE L KOPF
DH-2427 SARA K NAGAMINE
DH-2428 JENNIFER GAIL PERKINS
DH-2429 PHUONG VAN N HERRING
DH-2430 RILEY J ADAMS
DH-2431 KRISTEN RENAE GRADY

3) Approved DH Certification in the Administration of
Intra-Oral Block Anesthesia

DH-2407 KARI L SMITH
DH-2417 KRISTIE M LEONGUERRERO
DH-2419 SHAYNA M TASANI
DH-2420 LINDSEY K YAMASAKI
DH-2421 BAILEY O RITTER
DH-2422 JOANNA M GALIZA
DH-2423 LOUISE J LOPEZ
DH-2424 ASHLEY R BEARDEN
DH-2425 COLLETTE DIMANARIG
DH-2427 SARA K NAGAMINE
DH-2429 PHUONG VAN N HERRING
DH-2430 RILEY J ADAMS

4) Approved DT Permit to Administer Anesthesia
DT-2720 MORGAN K STRAWN

5) Approved DT Community Service
CSDT-112 CECILIA SERRATO

Applications

Dental Hygienist – Certification in the Administration of Intra-Oral
Block Anesthesia

Tia Barrier

Chair Guevara asked if there was public testimony.

Tia Barrier raised her hand via Zoom and was promoted to panelist.

Chair Guevara welcomed Ms. Barrier to the meeting and advised her she has five minutes to present her testimony.

Ms. Barrier stated that she is providing testimony regarding her request for the Board to accept the 6 IA/L injections she has completed with the Community College of Denver, Dental Hygiene to remediate the 5 IA/L injections her previous coursework from the Sheridan Dental Hygiene Program is short on to meet the Hawaii requirements for Dental Hygienist Certification of Intra-Oral Block Anesthesia.

Ms. Barrier stated that since appearing before the Board at its May 15, 2023 meeting, she has submitted letters from her past and current course administrators as well as her current CPR/BLS certification for the Board's review. She stated that if the remediation coursework is approved, she will be submitting any remaining documents and fees for her Dental Hygienist Certification of Intra-Oral Block Anesthesia application. Ms. Barrier also inquired whether the Board requires the completion letter from her course administrator to be stamped or submitted on a specific letter template.

Chair Guevara thanked Ms. Barrier for presenting her testimony and asked if the Board had any questions for the applicant.

There were none.

At 10:15 a.m., upon a motion by Chair Guevara, seconded by Ms. Shimabuku, it was voted on and unanimously carried 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."

At 10:29 a.m., upon a motion by Dr. Yamamoto, seconded by Vice Chair Tseu, it was voted on and unanimously carried to move out of executive session.

Chair Guevara summarized the executive session discussion, stating that the Board discussed whether they would accept the remediation coursework Ms. Barrier submitted from Community

College of Denver, Dental Hygiene.

EO Choy clarified that the Board's determination is based solely on the information submitted by the applicant. The Board is not voting to approve the Community College of Denver, Dental Hygiene course as meeting the minimum requirements for certification in the administration of intra-oral block anesthesia, but rather on approving the coursework as remediating the deficient IA/L injections missing from Ms. Barrier's previously submitted certification coursework from Sheridan Dental Hygiene Program.

Upon a motion by Vice Chair Tseu, seconded by Dr. Chong, it was voted on and unanimously approved to accept Ms. Barrier's submission of the Community College of Denver Dental Hygiene coursework to remediate the 5 IA/L injections she is currently short of for her Dental Hygienist Certification of Intra-Oral Block Anesthesia application.

Volunteer Inspector – Dentist Special Permit Facility Inspection

Earl Hasegawa

EO Choy stated the Board received an application from Dr. Earl Hasegawa to serve as a volunteer inspector for the dentist special permit facility inspection. EO Choy stated that in accordance with HRS §448-30 and HAR §16-79-78(c)&(d), prior to the issuance or renewal of a written authorization or permit pursuant to section §448-29, the board shall, in addition to other requirements established by statute or administrative rule, require an on-site inspection of the facility, equipment, and personnel to determine whether the facility and staff requirements pursuant to section §448-29(d) have been met. The inspection to determine whether the facility is adequate and properly equipped may be carried out in a manner that generally follows the guidelines, standards, requirements, and basic principles as described in the most current edition of the American Association of Oral and Maxillofacial Surgeons' Office Anesthesia Evaluation Manual. The inspection and evaluation shall be carried out by a team of consultants appointed by the board.

EO Choy stated that Dr. Hasegawa is already on the Anesthesia Permitted Interaction Group ("PIG") but is submitting a formal application to serve as a volunteer inspector since he is no longer a Board member. His license is current, active, and in good standing, and he currently holds an anesthesia permit.

EO Choy reminded the Board that at its July 22, 2019 meeting, it was voted on and unanimously carried that facility inspections would be carried out by current or former board members and those dentists who have a current anesthesia permit.

Chair Guevara asked if there was any discussion of or public testimony for this agenda item.

Seeing none, Chair Guevara asked for a motion.

Upon a motion by Ms. Shimabuku, seconded by Dr. Yamamoto, it was voted on and unanimously carried to approve Dr. Earl Hasegawa's application for volunteer inspector – dentist special permit facility inspection.

Scope of Practice: **Testimony from Katina Eisermann requesting information on courses to fulfill the dental hygienist anesthesia certification requirement**

Chair Guevara asked if there was any public testimony.

Ed Eisermann raised their hand via Zoom and was promoted to panelist.

Chair Guevara welcomed the testifier and requested that they clarify their name. The testifier confirmed her name as Katina "Tina" Eisermann. Chair Guevara advised Ms. Eisermann that she has 5 minutes to present her testimony.

Ms. Eisermann stated that she recently moved to Hawaii and is a licensed dental hygienist in Texas, which is a jurisdiction that does not allow its dental hygienists to administer anesthesia. She stated that she is trying to fulfill Hawaii's licensure requirements. She is retaking her clinical exam and stated that she emailed the syllabus for an Arizona anesthesia certification course to the Board late last week. She was unable to find any local courses in Hawaii and was advised by the University of Hawaii that a standalone anesthesia certification course is not offered at this time.

Ms. Eisermann stated that she is requesting approval for the course she submitted from Phoenix College Dental Hygiene to meet the requirements pursuant to HRS §447-1(a)(3) that all applicants must be officially certified in the administration of intra-oral infiltration local anesthesia and intra-oral block anesthesia by an accredited dental hygiene school or by a certification program previously approved by the board. She reported that the deadline to enroll in

this semester-long class is August 14, 2023. She stated that she understands that due to the late submittal of the course materials, the Board may not have had time to review the supporting submittals prior to the meeting.

Chair Guevara thanked Ms. Eisermann for her testimony and asked if the Board had any questions.

There were none.

At 10:43 a.m., upon a motion by Chair Guevara, seconded by Ms. Shimabuku, it was voted on and unanimously carried 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."

At 11:05 a.m., upon a motion by Chair Guevara, seconded by Ms. Shimabuku, it was voted on and unanimously carried to move out of executive session.

Chair Guevara summarized that in executive session, the Board was reviewing the course materials from Phoenix College provided by Ms. Eisermann. He stated that the course syllabus from Phoenix College Dental Hygiene seems to meet the requirements pursuant to the Board's laws and rules; however, it is Ms. Eisermann's choice whether to proceed with the course or not.

EO Choy clarified that because the agenda item for Ms. Eisermann was not regarding "approval" for the course, the Board is unable to approve or disprove the course at this meeting. EO Choy also stated that the Board does not have an application submitted from Ms. Eisermann at this time.

In accordance with Hawaii Administrative Rules section 16-201-90, the above interpretations are for informational and explanatory purposes only. They are not official opinions or decisions, and therefore are not to be viewed as binding upon the Board or the Department of Commerce and Consumer Affairs.

Proposal for Board Update to the List of Approved Courses for Dental Hygienist Certification for the Administration of Intra-oral Block Anesthesia

EO Choy stated that in addition to the inquiries discussed at this Board meeting from Ms. Barrier and Ms. Eisermann, the Board anticipates receiving other inquiries in the future from dental hygienists regarding remediation options for the certification requirements.

EO Choy stated that she suggests the Board consider updating a list providing a starting guide of Board-approved courses to applicants given that anesthesia regulations vary by state. EO Choy stated that a chart was provided to the Board taken from the American Dental Hygienists' Association's (ADHA) website titled "Local Anesthesia Administration by Dental Hygienists – State Chart," which was last revised on May 2023. Texas, Mississippi, and Delaware appear to be three states where dental hygienists are prohibited from administering local anesthesia.

EO Choy clarified that she is not asking the Board to change its requirements, but rather that the Board may consider creating a "starting resource" of course options. The Board does not "recommend" courses.

Chair Guevara asked EO Choy to clarify if the requirement for dental hygiene applicants to be certified to administer anesthesia is in the Board's laws or rules.

EO Choy clarified that this requirement is in the Board's laws, pursuant to HRS §447.

Chair Guevara stated that if the Board would like to form a committee to investigate this matter further, they would only be providing a resource for the public as the Board does not recommend courses. All applicants are still responsible for doing their own research and due diligence to meet the Board's requirements.

EO Choy stated that at this time, there are no institutions in Hawaii offering a standalone certification course, so general dental hygiene applicants looking to remediate the anesthesia certification requirement do not currently have any local options.

Chair Guevara requested that this matter be added to the agenda for the Board's September 18, 2023 meeting so the Board can discuss and vote on forming a committee.

2023 Anesthesia Permit Facility Renewal Inspections - Updates

EO Choy stated that since the May 15, 2023 Board meeting, Board staff has mailed out a letter with FAQs reminding all 43 dentist special permit holders to request and complete a renewal inspection with the Board if they want to maintain their special permit privilege to administer general/deep sedation and/or moderate (conscious) sedation. The renewal facility inspections will take place between July to November 2023.

As mentioned previously, all licensees should be reminded that while the Board provides website notices and postcard reminders, it is ultimately the responsibility of the licensees, not the Board or Board staff, to ensure timely renewal of licenses, including the renewal inspection.

Central Regional Dental Testing Service, Inc. (CRDTS) 2023 Annual Meeting

EO Choy stated that the Board received an announcement that the Central Regional Dental Testing Service (CRDTS) will have its 2023 Annual Meeting on August 23, 2023.

Ms. Fukushima and Ms. Yamada will be representing the Board at this meeting and will provide an update to the Board at its September 18, 2023 meeting.

Consolidated Appropriations Act of 2023 – enactment of new one-time eight-hour training requirement for all Drug Enforcement Administration (DEA)-registered practitioners. Impact on Hawaii Dental Board Continuing Education (CE) requirements

EO Choy stated that as of June 27, 2023, a new controlled substance education requirement is in effect for U.S. Department of Justice Drug Enforcement Administration ("DEA") registration.

Sec. 1263 of the spending bill Congress passed in December 2022 requires controlled substance prescribers to complete 8 hours of one-time training on safe controlled substance prescribing as a condition of receiving or renewing a DEA registration.

EO Choy stated that the Board staff posted a notice on the Board's website regarding this matter. However, it is the responsibility of each licensee to familiarize themselves with the new DEA training requirement. DEA registration is not a process that is overseen by the Board.

EO Choy stated that the 8 hours of DEA training may count towards the Board's 2023 renewal CE requirements only if:

1. The course falls under the eligible CE categories listed in Hawaii Administrative Rules (HAR) §16-79-141; and
2. The course is offered by an approved sponsoring organization listed under HAR §16-79-142; and
3. The training is a continuing education course; and
4. The course was completed within the biennium renewal period (i.e. CEs submitted for 2023 renewal period must have been completed between 1/1/2022 – 12/31/23)

Affected parties should visit deadiversion.usdoj.gov for more information.

Update on 2023 Legislative Session Regarding: SB162 SD2 HD2 CD1 (Act 100) Relating to Dentistry Licenses.

SB 162, SD2, HD2, CD1 Relating to Dentistry Licenses

Adds community health centers, rural health clinics, and mobile dental outreach programs to the list of eligible organizations at which persons with community service licenses may practice. Allows dental hygiene and dental college graduates who have graduated from educational programs that have a reciprocal agreement with the American Dental Association Commission on Dental Accreditation to apply for temporary or community service licenses. Expands eligibility for a community service license to practice dentistry to those candidates who have passed the Integrated National Board Dental Examination within five years of the date of request. (CD1)

EO Choy stated that this bill was officially signed into law by the governor on June 22, 2023 as "Act 100." Board staff is working on updating the applications accordingly and has posted the Governor's Message regarding Act 100 on the Board's website.

Formation of Rules Committee

EO Choy stated that the Board has been working on rules revisions to HAR §16-79, but that the revision process has been on pause.

The Board may consider forming a Rules Committee again to continue the rules revision process. The Board has been given a copy of the most recent rules draft.

Chair Guevara asked if there was any Board discussion.

He stated that he recommends at least one dentist member, one dental hygiene member, and one public member be on the Committee.

Chair Guevara asked for a motion to form a Rules Committee.

Upon a motion by Vice Chair Tseu, seconded by Ms. Shimabuku, it was voted on and unanimously agreed to form a Rules Committee.

Chair Guevara asked if anyone would like to volunteer to be on the Rules Committee.

The following Board members volunteered to be on the Committee:

- Vice Chair Tseu, dentist member
- Ms. Shimabuku, public member
- Ms. Yamada, dental hygiene member
- Dr. Lau, dentist member

Vice Chair Tseu volunteered to chair the Rules Committee.

Upon a motion by Ms. Fukushima, seconded by Vice Chair Tseu, it was voted on and unanimously agreed to add the aforementioned members to be on the Rules Committee.

Election of Officers:

Chair Guevara announced that in accordance with HRS §436B-6(a), the Board is annually required to hold an election for the roles of Chair and Vice-Chair.

EO Choy stated that the Board may consider several options for each position – the current Chair/Vice Chair may volunteer again for another year; Board members may nominate someone to the Chair/Vice Chair position; Board members may nominate themselves to the Chair/Vice Chair position.

Chair Guevara and Vice Chair Tseu volunteered to remain in their positions for another year. There were no other volunteers or nominations.

EO Choy took the vote for the Chair position. It was voted on and unanimously agreed to have Dr. Guevara serve as Chair for the next year.

EO Choy took the vote for the Vice Chair position. It was voted on and unanimously agreed to have Dr. Tseu serve as the Vice Chair for the next year.

Next Meeting: Monday, September 18, 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 11:29 a.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Sheena Choy
Sheena Choy
Executive Officer

/s/ Marc Yoshimura
Marc Yoshimura
Secretary

SC:my

07/20/23

[X] Minutes approved as is.

[] Minutes approved with changes; see minutes of