

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

MINUTES OF MEETING

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

Date: Monday, July 16, 2018

Time: 9:00 a.m.

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

Present: Paul Guevara, D.M.D., M.D.S., Chair, Dental Member
Candace Wada, D.D.S., Vice Chair, Dental Member
Pearl Arrington, R.D.H., Dental Hygiene Member
Mark Chun, D.M.D., Dental Member
Staphe Fujimoto, D.D.S., Dental Member
Earl Hasegawa, D.D.S., Dental Member
Dennis Nagata, D.D.S., Dental Member
Garrett Ota, D.D.S., Dental Member
Coy Rebmann, D.D.S., Dental Member
Joy B. Y. Shimabuku, Public Member
Sharon Tanaka, Public Member
Marianne Timmerman, R.D.H., Dental Hygiene Member
Bryan Yee, Esq., Supervising Deputy Attorney General ("DAG")
Sandra Matsushima, Executive Officer ("EO")
James Kobashigawa, EO
Jennifer Fong, Secretary

Guests: Gerraine Hignite, Hawaii Dental Hygienists' Association ("HDHA")
Jessica Chang, HDHA/Hawaii Medical Service Association ("HMSA")
Kim Nguyen, Hawaii Dental Association ("HDA")
Dayton Lum, HDA
Danny Cup Choy, Hawaii Public Policy Advocates ("HPPA")
Gayle Chang, HDHA
Andrew Tseu, Department of Health ("DOH")
Lei Fukumura, Special Deputy Attorney General ("SDAG")
Dan Fujii, DOH
Joseph P. Mayer, Jr., D.D.S., KHC

1. Call to Order: There being a quorum present, Chair Guevara called the meeting to order at 9:00 a.m.

2. Approval of Board Meeting Minutes of May 21, 2018:

Chair Guevara requested the following correction on page 2 (underlined material added):

The seventh paragraph should read “It was also discussed on the possible future change by the ADA on using an objective structured clinical exam (“OSCE”) which is a non-patient based exam as well as discussion on the combination of the National Board Dental Exams Parts I and II into a single exam. However, if these changes are made there will be no opportunity for the applicant to remediate should they fail the exam as the OSCE exam would only be given in their senior year and not prior. The roll out for the change to the exam is forecasted for 2022-2023.

Chair Guevara asked the Board members if there were any additional comments or concerns regarding the Board meeting minutes of May 21, 2018.

Ms. Arrington requested the following correction on page 8 (bracketed material to be deleted):

The fourth paragraph should read “California and Oregon allow [dental hygienists and] dental assistants to apply SDF.”

Chair Guevara asked the guests if there were any comments or concerns regarding the Board meeting minutes of May 21, 2018.

There were none.

Chair Guevara called for a motion to approve the Board meeting minutes of May 21, 2018.

It was moved by Vice Chair Wada, seconded by Dr. Fujimoto, and unanimously carried to approve the May 21, 2018 Board meeting minutes as amended.

At this time, Chair Guevara announced the Board's procedural format for agenda matters and stated that the meeting will end no later than 1:00 p.m.

3. Adjudicatory Matters: At 9:06 a.m., Chair Guevara recessed the Board’s meeting to discuss and deliberate on the following adjudicatory matter, pursuant to Chapter 91, HRS.

- a. In the Matter of the License to Practice Dentistry of CHRISTINE M. ISAACS; DEN 2017-36-L – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order; Exhibits 1 and 2

It was moved by Ms. Shimabuku, seconded by Dr. Nagata, and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order.

At 9:12 a.m., the Board moved out of Chapter 91, HRS, and returned to its regular order of business.

4. Applications:

- a. Application for License – Dental Hygienist

- Dawn Hillary D. Pascual

Chair Guevara announced that this matter would be deferred to later in the meeting in order to allow members to review the application.

- b. Ratifications

It was moved by Ms. Shimabuku, seconded by Vice Chair Wada, and unanimously carried to ratify approval of the following dentist licenses:

- Approved Dentist

DT 2748 SPENCER L KIM
DT 2749 MAQSOOD A SERANG
DT 2750 MARIYA S MELNIK
DT 2751 RYAN H L YIM
DT 2752 ADAM R LONG
DT 2753 NEBYAT Y FELIX
DT 2754 NICOLE K I FERNANDEZ
DT 2755 SATYAPRASAD NAYAK
DT 2756 CHRISTOPHER T WU JR
DT 2757 SARAH A UEHARA
DT 2758 AMEER M EGHBARIEH
DT 2759 DAVID A ZANT
DT 2760 COURTNEY R MIYAMOTO

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

- Approved Temporary License – Dentist

DTT 305 DAVID P KIRSCH
DTT 306 PHUC CONG TRAN
DTT 307 ARMIN AFSHAR
DTT 308 SARA M SHULER
DTT 309 NICOLE M TERS
DTT 310 RIZZA AURICA M BEJASA
DTT 311 BRIAN H T WU
DTT 312 CARALYN TAKATA
DTT 313 VAN-ANH LA
DTT 314 SAMIN I HUQUE
DTT 315 STEFANIK SIMARD-LEBEL
DTT 316 BRYCE R BENNETT
DTT 317 SUSAN STROMMER
DTT 318 KRISTEN C TODOKI
DTT 319 BRIAN L YIP
DTT 320 KYLE S K LIN

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

- Approved Dental Hygienist

DH 2113 RACHEL S MCCONNELL
DH 2114 IVETTE G FERNANDEZ
DH 2115 LINDSAY K TIMBERLAKE
DH 2116 JESRELLE D GASCON
DH 2117 SHANICE P FRANCISCO
DH 2118 JULIA LUU
DH 2119 EZEKIELA ROSE B EUGENIO
DH 2120 SANDRA S JAMILLA
DH 2121 KAROLINA A BABICHENKO
DH 2122 KAREN A ALONZO
DH 2123 MYRNA JOY L VISPERAS
DH 2124 CINDY L T T NGUYEN
DH 2125 YEUN H CHO
DH 2126 ASHLEY B LOPEZ

It was moved by Ms. Timmerman, seconded by Dr. Fujimoto, and unanimously carried to ratify approval of the following certifications in the administration of intra-oral block anesthesia:

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

DH 2105 ELANA L TOUGH-HERRERA
DH 2114 IVETTE G FERNANDEZ
DH 2118 JULIA LUU
DH 2119 EZEKIELA ROSE B EUGENIO
DH 2117 SHANICE P FRANCISCO
DH 2116 JESRELLE D GASCON
DH 2120 SANDRA S JAMILLA
DH 2121 KAROLINA A BABICHENKO
DH 2122 KAREN A ALONZO
DH 2123 MYRNA JOY L VISPERAS
DH 2124 CINDY L T T NGUYEN
DH 2125 YEUN H CHO
DH 2126 ASHLEY B LOPEZ

Chair Guevara stated that the Board will be discussing the following topics together since they are related topics:

- 5. Old Business, a. Application of Silver Diamine Fluoride (“SDF”) by Dental Hygienists, 1) Report from the Board’s Permitted Interaction Group regarding the Application of SDF by Dental Hygienists
- 5. Old Business, a. Application of Silver Diamine Fluoride (“SDF”) by Dental Hygienists, 2) Letter from Diane Brucato, HDHA Past President, regarding March 12, 2018 Agenda Item 6. Old Business b. Discussion on the Authority of a Dental Hygienist to Apply SDF

5. Old Business: a. Application of Silver Diamine Fluoride (“SDF”) by Dental Hygienists

- 1) Report from the Board’s Permitted Interaction Group regarding the Application of SDF by Dental Hygienists
- 2) Letter from Diane Brucato, HDHA Past President, regarding March 12, 2018 Agenda Item 6. Old Business b. Discussion on the Authority of a Dental Hygienist to Apply SDF

Dr. Ota gave a brief summary of the report by the Permitted Interaction Group (“PIG”) regarding the Application of SDF by Dental Hygienists. The PIG’s report stated that their recommendation is “The Permitted Interaction Group formed to study SDF use by RDH recommends that RDH be allowed to apply

SDF under Direct Supervision in a private dental office and under General Supervision only in a Public Health Setting, provided that a licensed dentist authorize SDF treatment first. SDF use would require the diagnosing of caries first. Regardless of a private dental office or public health setting, the RDH must be trained in the use of SDF via online or live courses.”

Ms. Jessica Chang (“Ms. J. Chang”) read HDHA’s written statement to the Board, stating that HDHA does not believe the application of SDF is an irreversible procedure because it doesn’t stain good dentin.

Mr. Lum said HDA has discussed this topic and the position of their board of trustees remains neutral. He said while the most irreversible stain is black, the stain is irreversible regardless of whether the stain is black or white. Many studies have determined that further study of SDF and its effects is needed. There is concern about potential overuse and a false sense of security about the product.

Ms. J. Chang said across the country, we are facing the largest rate of childhood caries as well as issues about access to care. The feedback they have received is that RDHs should be allowed to apply SDF under general supervision.

Executive Session:

At 9:40 a.m., it was moved by Ms. Shimabuku, seconded by Dr. Fujimoto, and unanimously carried (by roll call with Chair Guevara, Vice Chair Wada, Ms. Arrington, Dr. Chun, Dr. Fujimoto, Dr. Hasegawa, Dr. Nagata, Dr. Ota, Dr. Rebmann, Ms. Shimabuku, Ms. Tanaka, and Ms. Timmerman voting aye) to move into executive session pursuant to §92-5(a)(4), HRS, to consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities.

Guests were excused from the meeting room.

At 9:58 a.m., it was moved by Dr. Fujimoto, seconded by Dr. Ota, and unanimously carried to move out of executive session.

Guests re-entered the meeting room.

Recess:

At 9:58 a.m., Chair Guevara called for a recess.

Reconvene:

At 10:05 a.m., the Board returned to its regular order of business.

DAG Yee stated that for clarification, one of the primary issues is whether the application of SDF is an irreversible procedure because HRS 447-1(f)(2) does not allow a DH to perform an irreversible procedure under the general supervision of a licensed dentist. The new law also changed HRS §447-3(d) to state that general supervision is permitted in a public health setting provided that the supervising licensed dentist is available for consultation; provided further that a licensed DH shall not perform any irreversible procedure under general supervision.

Dr. Chun said he would like DHs to be able to apply SDF under either direct or general supervision in a private dental office. He also agrees that training should be required.

Chair Guevara noted that once the Board makes a decision, Hawaii will be one of a few states which allows a DH to apply SDF.

Dr. Ota said the Board needs to take the DAG's comments about the law into consideration. He said personally, he feels the DH should be able to apply SDF either way in order to improve access to care.

Chair Guevara commented that allowing application of SDF under general supervision would be breaking the law.

DAG Yee said the question first is whether the application of SDF is considered an "irreversible procedure".

Dr. Chun noted that formulas and available products will change but the Board will be stuck with the position they choose.

Chair Guevara asked the board members for a poll regarding in what settings (private setting, public health setting or both) a DH can apply SDF.

Vice Chair Wada expressed concern that the stain is irreversible.

Ms. Arrington, Ms. Timmerman, Dr. Chun, Dr. Hasegawa, Dr. Nagata, Ms. Shimabuku, Dr. Rebmann and Chair Guevara stated that they were in favor of allowing DHs to apply SDF in all settings.

Dr. Fujimoto said he was in favor of allowing DHs to apply SDF in a public health setting under general supervision and in a private setting under direct supervision. He feels applying SDF should not be the first line of defense.

Dr. Hasegawa said SDF is relatively new and he would like to wait until additional research regarding the effects of SDF can be reviewed, however, he does not think SDF meets the criteria for an irreversible procedure. He said he would be in favor of allowing DHs to apply SDF in all settings. He commented that although access to care is a priority for many of us, it is the Board's duty to first protect the public.

Ms. Arrington questioned why the Board needs to make a decision on the type of supervision required.

DAG Yee said it is because that was part of the inquiry.

After some discussion, the PIG's recommendation was revised to state "The Permitted Interaction Group formed to study SDF use by RDH recommends that RDH be allowed to apply SDF under direct and general supervision in both the private and Public Health Setting, provided that a licensed dentist authorize SDF treatment first. SDF use would require the diagnosing of caries first. Regardless of a private dental office or public health setting, the RDH must be adequately trained in the use of SDF."

Upon a motion by Ms. Shimabuku, seconded by Dr. Nagata, it was voted on to accept the PIG's revised recommendation with Chair Guevara, Vice Chair Wada, Ms. Arrington, Dr. Chun, Dr. Hasegawa, Dr. Nagata, Dr. Rebmann, Ms. Shimabuku and Ms. Timmerman voting "yes" and Dr. Fujimoto, Dr. Ota and Ms. Tanaka voting "no". The motion passed.

At this time, Chair Guevara announced he was taking the agenda out of order to return to the following agenda item:

- 4. Applications, a. Application for License – Dental Hygienist, Dawn Hillary D. Pascual.

4. Applications: a. Application for License – Dental Hygienist

➤ Dawn Hillary D. Pascual

Upon a motion by Dr. Fujimoto, seconded by Dr. Ota, it was voted on and unanimously carried to approve Ms. Pasual's application for license – dental hygienist.

The Board returned to its regular order of business.

6. New Business: a. Approval/Ratification of Continuing Education ("CE") courses

Upon a motion by Ms. Shimabuku, seconded by Dr. Fujimoto, it was voted on and unanimously carried to approve the following CE course:

- OSHA Updates & Training
Dental Educational Solutions & Training
4 hours

The motion passed.

For Informational Purposes Only

b. Matters Related to the American Dental Association ("ADA")

- The Commission on Dental Accreditation ("CODA") Alert – Summer 2018 CODA Meeting Invitation

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

- AADB Foundation "White Paper" written by Dr. Larry J. Sangrik
- AADB News – "Game changer": Brush-on liquid allows Tucson kids to avoid anguish of dental drill
- AADB News – Massachusetts Considers Licensing Dental Therapists
- Board Action Report – May 2018

EO Matsushima reported there were no actions from Hawaii.

d. Matters Related to the American Board of Dental Examiners, Inc. ("ADEX")

- Alton Harvey, Sr., letter of resignation from the ADEX House of Representatives
- Letter from Dr. Stanwood Kanna, re: Resignation of ADEX BOD Member, Alton Harvey

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

- CDCA Dental Exam Calendar – July 20-22, 2018, University of Hawaii Maui College
- CDCA Dental Hygiene Exam Calendar – July 21, 2018, University of Hawaii Maui College
- CDCA Steering Committee Mid-Year Meeting

f. Matters Relating to the Central Regional Dental Testing Service, Inc. ("CRDTS")

- Invitation to attend CRDTS Workshop and Annual Meeting, August 24-25, 2018, Kansas City, MO

EO Matsushima reported that Dr. Fujimoto and Ms. Arrington as well as herself and EO Kobashigawa will be representing the Board at the CRDTS Workshop and Annual Meeting.

g. Matters Relating to the Dental Assisting National Board, Inc. ("DANB")

EO Matsushima noted there are no DANB related matters.

h. Matters Relating to the Western Regional Examining Board ("WREB")

- Letter from Marsha A. Pyle, DDS of UMKC School of Dentistry requesting consideration of acceptance of other clinical licensure examinations for initial licensure

7. Correspondence: a. Email from Jodie Waldron, ADHA Advocacy Intern, inquiring whether Laser Curettage is permitted, not permitted, or not addressed by state law for Dental Hygienists in your state; If it is permitted, is it allowed with direct or general supervision.

The Board reviewed the email request from Ms. Waldron.

Chair Guevara noted that Diane Brucato submitted written comments regarding this matter which stated in part "according to the Hawaii Board of Dental Examiners' Meeting Minutes of May 7, 2001, the HBODE determined that dental hygienists are allowed to use laser for certain allowable procedures under the direct

supervision of a dentist, including soft tissue curettage. With recent legislation allowing general supervision of dental hygienists in private practice, curettage utilizing appropriate instrumentation has not been disallowed. “

Ms. Gayle Chang stated that when laser procedures are performed, anesthesia is required. Since anesthesia must be given under direct supervision, dental hygienists are precluded from performing such procedures under general supervision.

After some discussion, it was the consensus of the Board to respond to Ms. Waldron’s inquiry as follows:

1. Whether Laser Curettage is permitted, not permitted, or not addressed by state law for Dental Hygienists in your state.

Board’s Response: Laser Curettage is permitted for Hawaii licensed dental hygienists.

2. If it is permitted, is it allowed with direct or general supervision

Board’s Response: It is allowed with direct supervision.

- b. Email from Dan Fujii, DDS, inquiring about HRS §447.1(f)(2) with regards to dental hygienists and what is considered an “irreversible” procedure

Chair Guevara asked Dr. Fujii if he would like to address the Board.

Dr. Fujii stated that he stands on his submitted testimony. He said he would like the Board to consider adding a definition for “irreversible” and/or provide a list of procedures that dental hygienists are allowed to perform.

Chair Guevara noted that the Board may need to discuss the possible addition of a definition for “irreversible” in the future as there currently is no definition. He reminded the Board that right now, there are proposed rule revisions which are moving forward. Any additional changes would need to be for the next go round.

By consensus, the Board deferred this matter.

8. Executive Officer's Report on Matters Related to the Board of Dental Examiners:
 - a. Department of Commerce and Consumer Affairs ("DCCA") Disciplinary Actions

A listing of DCCA Disciplinary Actions through May 2018 was circulated to the members for their information. There were no sanctions from the Board on the list.
 - b. Status on Continuing Education Audit for Renewal Period January 1, 2016 to December 31, 2017

EO Matsushima reported that the audit is still ongoing as some licensees are still deficient. She is currently waiting for those licensees to comply.
 - c. Letter from National Transportation Safety Board regarding Safety Recommendations I-14-1 and -2

EO Matsushima reported that the letter from the National Transportation Safety Board ("NTSB") was regarding opioid use and awareness. The NTSB issued recommendations to the State on September 23, 2014 as a result of a safety study. The matter was pending for several years and was just recently classified as "Closed – Acceptable Action".
9. Election of Officers: Chair Guevara called for nominations for the position of Chair and Vice Chair for the Board of Dentistry.

Upon a motion by Vice Chair Wada, seconded by Dr. Chun, it was voted on and unanimously carried to appoint Dr. Fujimoto to the position of Vice Chair.

Upon a motion by Vice Chair Wada, seconded by Dr. Fujimoto, it was voted on and unanimously carried to reappoint Chair Guevara to the position of Chair.
10. Next Meeting: Chair Guevara announced the next meeting as:

Monday, September 17, 2018
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

10. Adjournment: It was moved by Ms. Shimabuku, seconded by Vice Chair Wada, and unanimously carried to adjourn the meeting at 10:56 a.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Sandra Matsushima

/s/ Jennifer Fong

Sandra Matsushima
Executive Officer

Jennifer Fong
Secretary

SM:jaf

8/8/18

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____.