

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES

- Dates:** July 20 & 21, 2023
- Location:** The Greenbrier Hotel
101 W. Main Street
White Sulphur Springs, WV 24986
- Members Present:** John E. Bogers, DDS, President
William A. Klenk, Secretary
Terry L. Coatney
David G. Edwards, DDS
C. Richard Gerber, DDS
Lewis D. Gilbert, DDS
Kimberly A. Lowe, RDA
Gina M. Sharps, MPH, BSDH
S. Vincent Veltri, DDS
- Staff Present:** Mrs. Susan M. Combs, Executive Director
- Guests Present:** Lora D. Graves, DDS (July 21, 2023)

The Board's President, Dr. Bogers, determined this meeting was properly noticed with the Secretary of State's office and a sufficient number of members were in attendance to constitute a quorum. The quorum was determined by the presence of all nine Board members. Therefore, the meeting of the West Virginia Board of Dentistry was called to order.

At this time the President announced the need for an Executive Session to consider matters under provisions contained in Chapter 6, Article 9A, Section 4, not limited to, but primarily for those contained in Subsections (4) and (6), specifically to review applications for licensure, complaints, and investigations. Dr. S. Vincent Veltri made a motion to go into Executive Session. Dr. David G. Edwards seconded the motion, which unanimously passed. Thereafter, the Board went into a General Session by motion of Dr. S. Vincent Veltri. Dr. Lewis D. Gilbert seconded the motion, which unanimously passed.

The next order of business were the minutes from the Spring meeting. Upon motion by Dr. Lewis D. Gilbert, and properly seconded by Mrs. Gina Sharps, and unanimously passing the minutes were approved.

The next order of business was the appointment of Dr. C. Richard Gerber to the Board by Governor Justice. Dr. Gerber was appointed on July 10, 2023. His term expires

June 30, 2028.

The next order of business was the general legislative discussion. The Board reviewed their proposed rule, 5CSR10, concerning access to the controlled substance monitoring database. The Board did not receive any comments concerning this rule. Only minor numbering corrections were made to the rule. Dr. David G. Edwards made a motion to file the rule as the agency approved rule. Dr. Lewis D. Gilbert seconded the motion, which passed unanimously.

The next order of business was a review of the performance measures report from the Dental Recovery Network, which was taken for information purposes.

The next order of business was a discussion concerning regional boards, which was taken for information purposes.

The next order of business were requests for approval of continuing education transcripts from the Academy of General Dentistry (AGD) and CE Broker. The Board directed the Board staff to inform the AGD the Board will accept their transcript and to confirm the current continuing education requirements. Also, the Board directed Board staff to request further information from CE Broker about their program.

The next order of business was a letter from the American Association of Dental Sleep Medicine concerning the standards of practice in oral appliance therapy, which was taken for information purposes.

The next order of business was the Rural Pediatric Oral Health Report from the American Academy of Pediatric Dentistry, which was taken for information purposes.

The next order of business were the slides from the National Practitioner Databank's recent webinar presentation concerning state licensure reporting, which was taken for information purposes.

The next order of business was a letter from the WV Department of Health & Human Services, Bureau for Public Health, Office of Laboratory Services concerning recent changes to the dental practice act by passage of HB3141 this past legislative session. The purpose is to ensure dentists and dental hygienists, who perform FDA authorized diagnostic tests during a declared public health emergency, are certified by the Centers for Medicaid and Medicare Services in compliance with Clinical Laboratory Improvement Amendments regulations, 42 CFR 493. The Board will include this information in their fall newsletter.

The next order of business was a review of the Financial and PCard reports. Dr. David G. Edwards made a motion to accept the financial and PCard reports as distributed. Dr. William A. Klenk seconded the motion, which unanimously passed.

The next order of business was an update on the licensing software development contract with GL Solutions and the dental workforce survey. The Board recently completed several projects such as requesting and paying a licensure verification online and adding the three new specialties to the specialty application and the back end of the system. Currently the Board has three projects going within the system that focus on updating the survey questions on the dental and hygiene renewals, online and in the report. Future projects will include adding the non-surgical laser therapy certifications in the back end of the database system, ability to request and pay for rosters on the Board's website, and an online complaint form.

The next order of business were newsletters from the American Association of Dental Boards; Central Regional Dental Testing Service and the West Virginia Dental Association. All newsletters were taken for information purposes only.

The next order of business were future meetings and the lodging reimbursement rate for this meeting. The Southern Regional Testing Agency will hold its annual meeting virtually the end of July. The Central Regional Dental Testing Service will have their annual meeting in August. The Southern Conference of Dental Deans and Examiners will hold their meeting in January of 2024. The Board's January 2024 meeting will be on January 12 & 13, 2024 in Charleston, WV, at a specific location to be determined. The Board discussed lodging reimbursement for this meeting. Dr. William A. Klenk made a motion, in accordance with travel rules, the Board reimburse 300% of the per diem allowed for lodging per night during these meetings at The Greenbrier. Dr. S. Vincent Veltri seconded the motion, which unanimously passed.

The next order of business were the Non-Surgical Laser Therapy Guidelines. After discussion concerning the same and the requirements for applicants who hold such permits in other states, Dr. William A. Klenk made a motion to amend the guidelines to allow hygienists who are licensed in WV, and hold a non-surgical laser therapy permit in another state, to get a permit from the WV Board without taking any further courses. However, we will require verification of the permit prior to issuing a permit in WV. Mrs. Gina Sharps seconded the motion, which unanimously passed.

At this time the President announced the need for an Executive Session to consider matters under provisions contained in Chapter 6, Article 9A, Section 4, not limited to, but primarily for those contained in Subsections (4) and (6), specifically to discuss the Board's representation by the Attorney General's office and an In-House Counsel. Dr. William A. Klenk made a motion to go into Executive Session. Dr. Lewis D. Gilbert seconded the motion, which unanimously passed. The Executive Director stepped out of the Executive Session meeting. Thereafter, the Board went into a General Session by motion of Dr. S. Vincent Veltri. Dr. Lewis D. Gilbert seconded the motion, which unanimously passed.

The next order of business was the consideration of the Consent Agreement and Orders in case numbers 2021-DB-0043D and 2023-DB-0004D. Dr. Lewis D. Gilbert made a motion the Board accept and enter the Consent Agreements. Dr. S. Vincent Veltri seconded the motion, which unanimously passed.

The next order of business was the consideration of all other Complaint Committee recommendations. Dr. David G. Edwards made a motion to accept all other recommendations. S. Vincent Veltri seconded the motion, which unanimously passed.

Mrs. Gina Sharps made a motion to recess until tomorrow morning. Dr. S. Vincent Veltri seconded the motion, which unanimously passed.

July 21, 2023

The morning started with a presentation from the National Center for Interstate Compacts concerning the Dentist and Dental Hygienist Compact. After review and discussion Mrs. Gina Sharps made a motion the following statement by the Board be approved concerning the compact. The Board will take facts on the compact into consideration and delay decision on support of participation until the compact is in operation for a period of time. The Board has reservations concerning the clinical assessment language, legal ramifications of interstate commerce and financial and budgetary concerns. Dr. David G. Edwards seconded the motion, which passed unanimously.

At this time the President announced the need for an Executive Session to consider matters under provisions contained in Chapter 6, Article 9A, Section 4, not limited to, but primarily for those contained in Subsection (4) concerning licensure issues. Dr. Lewis D. Gilbert made a motion to go into Executive Session, Dr. David G. Edwards seconded the motion, which unanimously passed. As outlined on the Board's agenda, a licensure interview was conducted. Thereafter, the Board came back into general session upon motion by Dr. David G. Edwards, properly seconded by Dr. Samuel V. Veltri, and unanimously passing.

The next order of business was a vote concerning licensure of the applicant interviewed. Dr. S. Vincent Veltri made a motion to issue a full license to the applicant. Dr. Lewis D. Gilbert seconded the motion, which unanimously passed.

At this time the Board adjourned upon motion by Dr. David G. Edwards, properly seconded by Dr. Lewis D. Gilbert and unanimously passing with the next regular meeting scheduled for October 27 & 28, 2023, at The Blennerhassett Hotel, Parkersburg, West Virginia. The Board intends to hold a special meeting some time this Summer.