

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES

Dates: July 21 & 22, 2022

Location: The Greenbrier
300 West Main Street
White Sulphur Springs, WV 24986

Members Present: John E. Bogers, DDS, President
William A. Klenk, DDS, Secretary
David G. Edwards, DDS
Lewis D. Gilbert, DDS
Stan W. Kaczkowski, DDS
Beverly L. Stevens, COMSA
Samuel V. Veltri, DDS

Members Absent: Mary Beth Shea, RDH

Staff Present: Mrs. Susan M. Combs, Executive Director

July 21, 2022

The Complaint Committees met to review complaints and disciplinary matters with no decisions or votes being made.

The Board's President, Dr. John E. 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 seven of the eight sitting Board members. Therefore, the meeting of the West Virginia Board of Dentistry was called to order.

The first order of business was the meeting notice to the Secretary of State which was distributed for information purposes only.

The next order of business were the minutes from the April meeting. Upon motion by Dr. Samuel V. Veltri, and properly seconded by Dr. Stan W. Kackowski, and unanimously passing the minutes were approved.

The next order of business was the Final Report of the Regulatory Board Review by the Legislative Auditor, which was taken for information purposes only.

The next order of business was the general legislative discussion.

The Board reviewed information from the WVU School of Dentistry concerning questions regarding foreign trained dental graduates with accredited dental specialty advanced education training; anesthesia permits for individuals with a teaching permit with US specialty training; and the periodontics fellowship program. The answers to their questions are found in the Dental Practice Act, The Dental Anesthesia Law, and the Board's procedural rule concerning application procedures. The Board was asked to consider full licensure for individuals who are foreign trained without a clinical board who are US board certified in their specialty. After discussion the board decided to continue with requiring clinical boards for full licensure. In regard to the internship/externship/fellowship program for periodontics, if there is no patient contact and it is observation only, no license or permit is necessary. Dr. Veltri will contact the school to discuss these issues.

The Board considered an agency approved rule concerning the rules put out for comment, 5CSR15 - Dental Recovery Networks, which no comments were received. Dr. David G. Edwards made a motion to approve the rule as put out for comment to be the agency approved rule. Dr. Samuel V. Veltri, seconded the motion, which passed unanimously.

The Board considered a proposed rule for comment concerning procedural rules 5CSR9 - Application Procedures. Dr. Stan W. Kaczkowski made a motion to put the proposed rule out for comment. Dr. David G. Edwards seconded the motion, which passed unanimously.

The next order of business was a review of the Dental Recovery Network Performance Measurers, which were taken for information purposes only.

The next order of business was a review of proposed changes to some of the Board's guidelines and position statements and updated applications.

Assistants Course Guidelines - the proposed change to these guidelines state dental assistants from another state with prior education and training, equivalent to the program and education as outlined in these guidelines, may submit their certification and application to the Board office for review. Document clinical experiences by the supervising dentist are required. Dr. David G. Edwards made a motion to approved the proposed change. Dr. William A. Klenk seconded the motion, which passed unanimously.

Coronal Polishing Guidelines - the proposed change to these guidelines state dental assistants from another state with prior education and training, equivalent to the program and education as outlined in these guidelines, may submit their certification and application to the Board office for review. Document clinical experiences by the supervising dentist are required. Dr. Samuel V. Veltri made a motion to approve the proposed change. Dr. David G. Edwards seconded the motion, which passed unanimously.

Nitrous Monitoring Guidelines - the proposed change to these guidelines allow for the Board to approve courses give on the internet. Dr. Stan W. Kaczkowski made a motion to approve the proposed change. Dr. Samuel V. Veltri seconded the motion, which passed unanimously.

Laser Position Statement - the proposed changes to the Board's position regarding the use of lasers are in line with the expanded duties rules that passed during the 2022 legislative session. The third paragraph of the previous statement was changed to read - The Board regards the use of any laser which can cut tissue to be practicing dentistry, and therefore limits its use to dentists and hygienists who hold a certificate to perform non-surgical periodontal laser therapy as described in the Board's rules reference below. This includes the so-called "low power" lasers used for periodontal treatments, such as pocket debridement, scaling polishing, planing and the removal of calculus deposits. The fourth and fifth paragraphs remain the same. A section was added to reference the rules 5CSR13 - Expanded duties. This section includes specific language from the rules which are from 5.1.14 and 5.1.14.a. Dr. Samuel V. Veltri made a motion to approve the changes to the Board's position statement. Dr. William A. Klenk seconded the motion, which passed unanimously.

Updated applications were reviewed. Dr. William A. Klenk made a motion to limit the occupational list to that of dental experiences for the last ten years on the dental, specialty and hygiene applications. Dr. Samuel V. Veltri seconded the motion, which passed unanimously.

The next order of business was information concerning the recognition of the American Board of Orofacial Pain as the National Certifying Board for Orofacial pain, which was taken for information purposes only.

The next order of business were regional board reports and representation issues. CDCA-WREB and CITA announce a combination, the organization will be known as CDCA-WREB-CITA. The Board's voting roster has been set for the upcoming Southern Regional Testing Agency annual meeting. The Southern Regional Testing Agency master committee appointments will remain the same.

The next order of business was a discussion concerning Board representation by the Attorney General's Office and the possibility of an in-house counsel. Dr. Lewis D. Gilbert made a motion to explore the possibility of having an in-house counsel. Dr. Samuel V. Veltri seconded the motion, which passed unanimously.

The next order of business were the financial and pcard reports, which includes the Ghost Travel report, with all board members having the opportunity to review the PCard logs, documentation and receipts at this time. Dr. Samuel V. Veltri made a motion to accept the reports as distributed. Dr. Lewis D. Gilbert seconded the motion, which passed unanimously.

The next order of business was an update concerning the licensing software development with GL Solutions. The new contract began in May. The reduction of fees project is underway and seems to be going well. Other projects and/or tasks will be started soon.

The next order of business were the Board of Risk and Insurance Management related safety requirements. The following were reviewed: Driver safety; drug & alcohol-free workplace; workplace harassment; IT and information policy; protecting personally identifiable information; safety committee appointment document; safety inspection checklist; safety minutes; safety policy;

and workplace security. The Board Safety Committee minutes, certificates and inspection list were reviewed as well.

The next order of business were newsletters and publications, which were taken for information purposes, from the following: American Association of Dental Boards, Central Regional Dental Testing Service News, Central Regional Dental Testing Service Report, Dental Assisting National Board - The Dental Advancement through Learning and Education Foundation News, Nebraska Board of Dentistry News, and WV Dental Association News (2).

The next order of business were future meetings, which included the Central Regional Dental Testing Service's Annual Meeting in August, 2022; Southern Regional Testing Agency annual meeting in August, 2022; the Board of Dentistry calendar; the West Virginia Dental Association Meeting in January 2023; and the WV Rural Health Association Meeting in October, 2022. The Board's fall meeting will be October 21 and 22, 2022, at Hilton Garden Inn, Morgantown. The Board will resume the lunch and learn program with the junior and senior dental and dental hygiene students at WVU, School of Dentistry on October 20, 2022. The Board will provide lunch for the students. The January meeting dates will be January 13 & 14, 2023, with the location to be determined.

The Board also discussed reimbursement for lodging during meetings at the Greenbrier, currently occurring. Dr. Stan W. Kaczkowski 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. Lewis D. Gilbert seconded the motions, which passed unanimously.

The next order of business was the State Purchasing Review Report transmitted to the Board office wherein a letter grade of B (89.5%) was received with no further action needed. This report was taken for information purposes only.

The next order of business was a Nitrous Course for approval from the Raleigh County Academy of Careers and Technology, which was tabled until July 22nd.

The next order of business was a proposal from Ms. Tracy Cox concerning a denture cleaning service. After review, the Board, by general consensus, directed the Executive Director to communicate to Ms. Cox, that although it would be a good service, and her efforts are applauded, the Board cannot approve such service as proposed.

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 complaints and investigations. Dr. Stan W. Kaczkowski made a motion to go into Executive Session, Dr. Samuel V. Veltri seconded the motion, which passed unanimously. At this time the Board recessed until morning.

July 22, 2022

The morning started with an Executive Session to review complaints and investigations. Thereafter, the Board came back into general session upon motion by Dr. Samuel V. Veltri, properly seconded by Dr. William A. Klenk, and unanimously passing.

The next order of business was the consideration of recommendations by the complaint committees of the Board. Upon motion by Dr. David G. Edwards, and properly seconded by Dr. Lewis D. Gilbert, and unanimously passed, the Board approved all committee recommendations.

The next order of business was the review of the nitrous oxide course from the Raleigh County Academy of Careers and Technology. Dr. William A. Klenk made a motion to approve the course. Dr. Lewis D. Gilbert seconded the motion, which passed unanimously.

At this time the Board requested to re-review the Nitrous Oxide Guidelines. Dr. William A. Klenk made a motion to add “or” after lines 1 and 2 in section C of the guidelines so nitrous courses may be taught in other schools or facilities. Dr. Lewis D. Gilbert seconded the motion, which passed unanimously.

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 21 & 22, 2022, at the Hilton Garden Inn, Morgantown, West Virginia.