



## Board of Dental Examiners

### Office of Professional Regulation - Vermont Secretary of State

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#### UNAPPROVED MINUTES OF THE VERMONT BOARD OF DENTAL EXAMINERS NOVEMBER 14, 2018 MEETING

Present: Robert Ruhl, William Koch, Gerald Theberge, Sally Buell, Mimi Kevan, Randall Miller; Cheryl Ullman, Elizabeth Merrill and Jennie Kendall; Absent: David Baasch and Dixie Vallie; Office of Professional Regulation Personnel: Gabriel Gilman, Lauren Layman, and Diane Lafaille; Others present: Robin Miller, Linda Greaves, Diane Dumas, Jenny Pitz, and Ellen Grimes.

1. The meeting was called to order at 9:02 a.m.
2. Ms. Kevan moved, seconded by Dr. Ullman, to approve the minutes of the October 10, 2018 as written.
3. Correspondence:
  - a. Winnie Furnari submitted an email to the Board requesting that the American Academy of Dental Hygiene, Inc. be approved as a sponsor for continuing education. Ms. Kendall moved, seconded by Dr. Theberge, to add AADH as an approved sponsor when revising the rules. Approved.
  - b. Mark Allen emailed the Board asking if dental assistants can use a prophyjet to clean debris from a tooth before placing a sealant. Ms. Kevan moved, seconded by Ms. Merrill that dental assistants are permitted to use the prophyjet so long as such use is consistent with the dental assistant rules and statutes. Approved.
4. Topics for Discussion:
  - a. At the Board's October 10, 2018 meeting, it waived the restrictions of Rule 10.6 to allow Public Health Dental Hygienists to incorporate Silver Diamine Fluoride in their practice. At this time the Board incorporated a protocol. Ms. Kendall moved, seconded by Ms. Buell, to revise the protocol to read as follows:

*This waiver is applicable only to Dental Hygienists. This waiver shall be nullified by: (1) final adoption of revised Administrative Rules, now under development by the Board, or (2) express revocation by the Board.*

*A Dental Hygienist may apply Silver Diamine Fluoride (SDF), in accordance with the SDF Protocol maintained and published by the Vermont Department of Health and the following principles and rules:*

*(1) As used by a Dental Hygienist, SDF is a valuable dental first-aid, which in the presence of suspected caries, may mitigate pain and arrest decay until appropriate diagnosis and care can be obtained from a dental home. SDF must not be employed in such a manner as to lower the standard of care for disadvantaged populations or to supplant tooth restoration where clinically indicated. In no circumstance should SDF be applied more than twice to the same tooth without evaluation by a dentist and development of a plan of dental care. Applications ideally should be six months apart, continuing no more than twelve months.*

*(2) A Dental Hygienist shall have successfully completed a SDF training course offered by the Vermont Department of Health or a CODA-approved dental education program.*

*(3) A Dental Hygienist must complete a visual inspection of the teeth and document all relevant findings.*

*(4) SDF may be applied only if all of the following apply:*

- (i) inspection shows suspected caries;*
- (ii) there appears an immediate need for care;*
- (iii) SDF is clinically indicated;*
- (iv) the patient does not have an appropriate dental home and cannot reasonably be expected to obtain timely access to an appropriate dental home; and*
- (v) the patient, parent, or guardian of the patient has executed a Board-approved, SDF-specific informed consent that includes illustrative photos of the blackening effect of SDF upon carious tissue, warns of the risk of food impaction in cavitated areas, and informs that follow-up care should be obtained from an appropriate dental home.*

*(5) SDF must not be applied if:*

- (i) abscess is suspected; or*
- (ii) pulpal exposure is observed.*

Approved.

b. Ms. Kevan moved, seconded by Ms. Merrill, to approve the Informed Consent Form to be used by dental hygienists in the public health setting with respect to SDF application. The pictures in the Informed Consent Form must be in color. Approved. This form will be published on the Board's website.

c. Ms. Kevan moved, seconded by Ms. Merrill, to approve the Report of Dental Findings to be offered on the Board's website as an illustrative template. Approved.

5. Other:

a. Draft rules were tabled due to limited time.

b. The Board reviewed and discussed proposed revisions to the General Supervision Agreement forms. Some amendments were made. Dr. Koch and Ms. Kendall will work together to address remaining issues and will update the Board at its next meeting.

c. Dr. Kiafar Haghkerdar submitted a renewal application. The Board approved his renewal application.

d. Ms. Kendall moved, seconded by Ms. Kevan, that the Board find the *CDC Guidelines for Infection Control in Dental Health-Care Settings* set out the essential standards of acceptable and prevailing practice in respect to infection control. Approved.

e. The Board took up a question concerning the use of Botox (onabotulinumtoxinA) and dermal fillers by licensed dentists. OPR General Counsel attorneys advised that the scope of dental practice is bounded by 26 V.S.A. § 561(3) and limited to treatment "of the human oral cavity, teeth, gingiva, maxilla, or mandible or adjacent associated structures." Use of Botox in relation to temporomandibular joint dysfunction is within the scope of dental practice; cosmetic dermatology is not and may constitute the unauthorized practice of medicine. Ms. Kendall moved, seconded by Ms. Kevan, that a response be sent to the requestor consistent with that interpretation and advice. Approved.

- f. The Board noted proposed changes to the VDH *Rule Governing the Prescribing of Opioids for Pain*.
  - g. Attorney Gilman reminded the Board of the protocol surrounding emails and discussions outside a Board meeting, with particular attention to the need to refer outside inquiries to the licensing analyst and to copy to the licensing analyst any correspondence produced or acquired in the course of Board business, in order to comply with the Public Records Act and Governor Scott's E.O. 19-17.
  - h. The Board's next meeting is scheduled for December 12, 2018.
6. Public Comment
7. The Board adjourned at 1:05 p.m.

Respectfully submitted by: Diane Lafaille, Licensing Administrator I