



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 OCTOBER 9, 2019 MEETING

Present: Robert Ruhl, William Koch, Jennie Kendall, Gerald Theberge, David Baasch, Randall Miller, Sally Buell, and Lucille Kelly. Absent: Cheryl Ullman, Mimi Kevan and Elizabeth Merrill; Office of Professional Regulation Personnel: Gabriel Gilman, Lauren Layman and Diane Lafaille; Others present: Ellen Grimes, Diane Dumas, John Lavoie, Linda Greene, Chris Mann, and Debora Teixeira.

1. The meeting was called to order at 9:00 a.m.
2. Ms. Kendall moved, seconded by Ms. Buell, to approve the minutes of the September 11, 2019 meeting with a typo correction. Approved.
3. Stipulation and Summary Suspension Hearings
 - a. 2019-77 – Dr. William McDonald - A Stipulation and Consent Order was heard. Ms. Kendall moved, seconded by Dr. Baasch, to reject the Stipulation and Consent Order. Approved. Dr. Miller was opposed.
 - b. 2019-154 – Tammy Larocque – A Summary Suspension Hearing was held. Dr. Baasch moved, seconded by Dr. Theberge, to accept the Summary Suspension. Approved.
 - c. 2019-88 – Deanna Boucher – A Stipulation and Consent Order was heard. Dr. Baasch moved, seconded by Ms. Buell, to approve the Stipulation and Consent Order. Approved.
 - d. 2018-80 – Christina Shatney – A Stipulation and Consent Order was to be heard. The Board did not have a quorum to hear this case. It will be presented at the Boards November 13, 2019 meeting.
4. Other:
 - a. Dr. John Lavoie attended the meeting to present the Board with an update of the ADEX meeting he attended in August.
 - b. The Board has decided to use the current dental jurisprudence exam for the dental therapy jurisprudence exam. Questions will be added to the current dental exam. The Office will revise the exam and submit it to the Board for review.
 - c. The Board received comments from the Nurse Anesthetists regarding the draft rules.

They asked in Part 8-1: May a dentist who does not hold the anesthesia specialty perform procedures with a CRNA in charge of the anesthesia? The Board agreed with Attorney Gilman that the answer to this is yes and that rule 8-1 works the way they want.

They also asked in Part 8-5 (c)(1)(c): Do the personnel rules permit the same dentist who is applying anesthesia to perform the dental procedure? The Board agreed with Attorney

Gilman that the answer to this is yes. The Board will take this under consideration at a future meeting.

Attorney Gilman stated that the Director and the Office have concerns relative to our mutual obligation to regulate by the least restrictive means necessary to protect the public for the following:

1) The absence of a safety-regulated justification for increases in continuing education requirements. The Board noted that the continuing education requirements for dental hygienists and dentists had not changed. The Board did add to the draft rule, continuing education for dental therapists and for dental assistants. Dental assistants have not previously been required to obtain continuing education to maintain registration. The Board does not feel that it is a hardship for dental assistants to obtain 9 continuing education credits. Ms. Kendall moved, seconded by Dr. Baasch, to keep the 9 hours of continuing education in the draft rules. Approved.

2) Parity between New York PGY-1-complete dentist and those from other states whose clinical skills are verified by examination rather than a period of supervised practice. The Board stated that in the draft rule it had lowered the number of years from 5 to 3 for when one can apply for a license who is PGY-1 licensed. It does not feel that the residency program is equivalent to a regional board examination. Ms. Kendall moved, seconded by Ms. Buell, to keep the draft rule as currently written. Approved.

- d. The Board tabled its review of technical edits and other comments received on the draft rules until its November 13th meeting.
 - e. The Board's next meeting is scheduled for November 13, 2019.
5. Public Comment
6. The Board adjourned at 11:06 a.m.

Respectfully submitted by: Diane Lafaille, Licensing Administrator I