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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF DENTISTRY  
VIA VIDEOCONFERENCE**

TIME: 10:45 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

January 14, 2022

State Board of Dentistry  
January 14, 2022

BOARD MEMBERS:

Arion Claggett, Deputy Commissioner, Bureau of  
Professional and Occupational Affairs, on behalf of  
K. Kalonji Johnson, Commissioner  
Shawn M. Casey, D.M.D., Chairman  
Jennifer Unis Sullivan, D.M.D., J.D., Secretary  
Brice D. Arndt, D.D.S.  
Barbara (Bonnie) L. Fowler, Public Member  
Godfrey Joel Funari, M.S., D.M.D.  
Theresa A. Groody, EFDA  
Alice Hart Hughes, Esquire, Secretary, Public  
Member  
Joel S. Jaspan, D.D.S.  
R. Ivan Lugo, D.M.D., M.B.A.  
Andrew S. Matta, D.M.D.  
LaJuan M. Mountain, D.M.D.  
Donna L. Murray, RDH, PHDHP, MSDH  
Amber Sizemore, Esquire, Office of Attorney General  
Brian Wyant, Public Health Program Director,  
Department of Health designee

BUREAU PERSONNEL:

Dana M. Wucinski, Esquire, Board Counsel  
Shana M. Walter, Esquire, Board Counsel  
Carolyn A. DeLaurentis, Deputy Chief Counsel,  
Prosecution Division  
Peter D. Kovach, Esquire, Senior Prosecutor in Charge  
Paul J. Jarabeck, Esquire, Board Prosecution Liaison  
Julia A. Feld-Caralle, Esquire, Board Prosecutor  
Christopher K. McNally, Esquire, Board Prosecutor  
Gregory Liero, Esquire, Board Prosecutor  
Timothy J. Henderson, Esquire, Board Prosecutor  
Lisa M. Burns, Board Administrator  
Marc Farrell, Deputy Director, Office of Policy,  
Department of State  
Deena Parmelee, Legal Office Administrator 1,  
Department of State  
Danie Bendesky, Director of Intergovernmental Affairs,  
Department of State

State Board of Dentistry  
January 14, 2022

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ALSO PRESENT:

- Alexander Timolinski
- Angela Renner, MS, Program Coordinator, Pennsylvania Coalition for Oral Health
- Ann Hart
- David Buono, Deputy Insurance Commissioner, Office of Market Regulation, Pennsylvania Insurance Department
- Joshua Haentges, D.D.S
- Marc Moyer, D.M.D., American Dental Solutions of Wyomissing
- Jessica Weaver
- Joan Burke, CDA, EFDA, President-elect, Pennsylvania Dental Assistants Association
- Michelle Lapidus
- Samantha Sabatini
- Samarth Setru, D.M.D., University of Pennsylvania Dental Medicine
- Shawn A. Kiser, RDH, M.Ed., Director of Dental Hygiene, Pennsylvania College of Technology
- Sandy Ykema, J.D., Department Counsel, Pennsylvania Insurance Department
- Steve Neidlinger, CAE, Executive Director, Pennsylvania Academy of General Dentistry
- Wesley J. Rish, Esquire, Rish Law Office, LLC
- Margaret Durkin, Government Relations Specialist, Bravo Group
- Charles Hartwell, Esquire, Dethlefs Pykosh & Murphy

1 State Board of Dentistry

2 January 14, 2022

3 \*\*\*

4 The regularly scheduled meeting of the State  
5 Board of Dentistry was held on Friday, January 14,  
6 2022. Shawn M. Casey, D.M.D., Chairman, called the  
7 meeting to order at 10:45 a.m.

8 \*\*\*

9 [Chairman Casey reminded everyone that the meeting was  
10 being recorded.]

11 \*\*\*

12 Introduction of Board Members

13 [Chairman Casey requested an introduction of Board  
14 members.]

15 \*\*\*

16 Approval of minutes of the November 19, 2021 meeting

17 CHAIRMAN CASEY:

18 At this time, can I have the approval of  
19 the draft minutes from the November 19,  
20 2021 meeting?

21 [The Board discussed corrections to the minutes.]

22 DR. JASPAN:

23 I make a motion the minutes be approved  
24 as amended.

25 DR. LUGO:

1 Second.

2 CHAIRMAN CASEY:

3 All in favor? Any recused? Any  
4 abstentions?

5 [The motion carried unanimously.]

6 \*\*

7 [Chairman Casey reminded Board members of the  
8 presentations at 11:00 and 11:30 this morning.]

9 \*\*\*

10 Introduction of Attendees

11 [Shana M. Walter, Esquire, Board Counsel, provided an  
12 introduction of those in attendance. She also  
13 requested those whose names were not called to place  
14 those in the chat for a complete record.]

15 \*\*\*

16 Report of Prosecutorial Division

17 [Dana M. Wucinski, Esquire, Board Counsel, noted the  
18 Board waived presentations on items 3 through 7 but  
19 requested a presentation on item 2.

20 Ms. Wucinski reminded everyone that the meeting  
21 was being recorded, and those who continued to  
22 participate were giving their consent to being  
23 recorded.]

24 \*\*\*

25 [Julia A. Feld-Caralle, Esquire, Board Prosecutor,

1 presented the Consent Agreement for Case No. 19-46-  
2 004337.]

3

\*\*\*

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
5 10:59 a.m. the Board entered into Executive Session  
6 with Dana M. Wucinski, Esquire, Board Counsel, and  
7 Shana M. Walter, Esquire, Board Counsel, for the  
8 purpose of conducting quasi-judicial deliberations and  
9 to receive the advice of counsel. The Board returned  
10 to open session at 11:06 a.m.]

11

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12 Appointment - Prosecution Division Annual Report  
13 Presentation

14 [Carolyn A. DeLaurentis, Esquire, Deputy Chief  
15 Counsel, Prosecution Division, provided a summary of  
16 the prosecution division's caseload during 2021.

17 Ms. DeLaurentis informed the Board that 530 cases  
18 were opened in 2021 for the State Board of Dentistry,  
19 which is up from 449 cases in 2020. She noted closing  
20 506 cases in 2021 and 517 in 2020. She reported 478  
21 open cases for the Board as of January 1, 2022.

22 Ms. DeLaurentis addressed enforcement actions,  
23 noting 37 cases resulted in discipline. She noted 24  
24 cases resulted in fines, 1 citation, 4 suspensions, 15  
25 reprimands, 1 revocation, 5 voluntary surrenders, and

1 10 probations. She thanked prosecutors, counsel, and  
2 the Board for collaborating with each other. She  
3 reported 108 warning letters in 2021, which is an  
4 increase from 54 in 2020.

5 Ms. DeLaurentis noted the prosecution division as  
6 a whole opened 1,223 COVID-related cases in 2020 with  
7 86 of those cases for the State Board of Dentistry.  
8 She reported 543 COVID cases were opened in 2021 with  
9 35 of those cases for the Board. She mentioned  
10 receiving complaints concerning masking and quarantine  
11 and isolation periods mainly for the Board.

12 Paul J. Jarabeck, Esquire, Senior Board  
13 Prosecutor, stated there are always varying places and  
14 individuals where complaints come from as seen in  
15 regular work outside of COVID. He noted the  
16 complaints are reviewed with particular notice to  
17 their investigators and working with them in order to  
18 obtain the information and make quick determinations  
19 to ensure public protection.

20 Ms. DeLaurentis reported 18,363 cases were opened  
21 in 2021, which is up from 2020 at 13,394. She also  
22 reported closing 15,994 files for 2021 and 13,274 in  
23 2020. She mentioned being proud of the prosecution  
24 division and counsel division for continuing to  
25 process the cases and getting the work done with the

1 increases seen from one year to the next.

2 Ms. DeLaurentis noted the total number of current  
3 cases for the office as of January 1, 2022, is 15,141.

4 Ms. Hughes thanked Ms. DeLaurentis, Mr. Jarabeck,  
5 and the rest of the team from the office for the work  
6 they do for the Board. She commented that those who  
7 serve on the Probable Cause Screening Committee  
8 interact with the attorneys more frequently than the  
9 rest of the Board and see their amazing work.

10 Dr. Lugo noted appreciation for the hard work and  
11 dedication of the prosecutorial division and Mr.  
12 Jarabeck in protecting the public.

13 Ms. DeLaurentis also thanked Mr. Jarabeck for all  
14 of his work as one the senior prosecutors.

15 Chairman Casey thanked Ms. DeLaurentis and Mr.  
16 Jarabeck for the presentation and also noted the  
17 Board's appreciation for the work they do for the  
18 Board.]

19 \*\*\*

20 MOTIONS

21 MS. WALTER:

22 Pursuant to Section 708(a)(5) of the  
23 Sunshine Act, the Board entered into  
24 Executive Session at 9:00 this morning  
25 for the purpose of conducting quasi-



1 judicial deliberations on a number of  
2 matters that are currently pending  
3 before the Board and to receive the  
4 advice of counsel.

5 The Board discussed the consent  
6 agreements as well as agenda items 8  
7 through 11 and 15 through 18.

8 I believe the Board would entertain  
9 a motion to reject as too lenient the  
10 Consent Agreement at Case No. 19-46-  
11 004337.

12 CHAIRMAN CASEY:

13 Do I have a motion?

14 DR. FUNARI:

15 I'll make that motion.

16 DR. LUGO:

17 Second.

18 CHAIRMAN CASEY:

19 All in favor? Anyone opposed? Any  
20 abstentions? Any recusals?

21 [The motion carried. Ms. Hughes opposed the motion.]

22 \*\*\*

23 MS. WALTER:

24 Numbers 3 and 4 on the agenda. Number 3  
25 is Case No. 20-46-002892. Number 4 is

1 Case No. 20-46-009865.

2 I believe the Board would entertain  
3 a motion to accept these Consent  
4 Agreements.

5 CHAIRMAN CASEY:

6 Do I have a motion at this time?

7 DR. FUNARI:

8 So moved.

9 CHAIRMAN CASEY:

10 Do I have a second?

11 MS. MURRAY:

12 Second.

13 CHAIRMAN CASEY:

14 All in favor? Anyone opposed? Any  
15 abstentions? Any recusals?

16 [The motion carried unanimously. The Respondent's  
17 name at number 3 is Rhonda Rohloff, D.M.D. The  
18 Respondent's name at number 4 is Francis A. Ronco,  
19 D.M.D.]

20 \*\*\*

21 MS. WALTER:

22 Numbers 5 through 7. Number 5 is Case  
23 No. 21-46-0156888. Number 6 is Case No.  
24 21-46-015889. Number 7 is Case No. 21-  
25 46-016155.

1 I believe the Board would entertain  
2 a motion to accept these VRP Agreements.

3 CHAIRMAN CASEY:

4 Do I have a motion?

5 DR. FUNARI:

6 I make a motion.

7 CHAIRMAN CASEY:

8 Do I have a second?

9 MS. GROODY:

10 Second.

11 CHAIRMAN CASEY:

12 All in favor? Any abstentions? Any  
13 recusals? Any opposed?

14 [The motion carried unanimously.]

15 \*\*\*

16 Report of Board Counsel - Proposed Adjudications and  
17 Orders

18 MS. WUCINSKI:

19 Moving on to agenda item 8, I believe  
20 the Board would entertain a motion to  
21 direct Board counsel to draft an  
22 Adjudication and Order consistent with  
23 discussions in Executive Session for  
24 Joshua Lee Haentges, D.D.S., Case No.  
25 21-46-011866.

1 CHAIRMAN CASEY:

2 Do I have a motion?

3 DR. FUNARI:

4 I make a motion.

5 DR. JASPAN:

6 Second.

7 CHAIRMAN CASEY:

8 All in favor? Any opposed? Any  
9 abstentions? Any recusals?

10 [The motion carried unanimously.]

11 \*\*\*

12 MS. WUCINSKI:

13 I believe the Board would entertain a  
14 motion to direct Board counsel to draft  
15 an Adjudication and Order consistent  
16 with discussions in Executive Session  
17 and addressing exceptions for Marc T.  
18 Moyer, D.M.D., Case No. 20-46-014143,  
19 noting Dr. Matta, Amber Sizemore, and  
20 Alice Hart Hughes are recused.

21 CHAIRMAN CASEY:

22 Do I have a motion?

23 DR. ARNDT:

24 Motion.

25 CHAIRMAN CASEY:

1 Do I have a second?

2 DR. JASPAN:

3 Second.

4 CHAIRMAN CASEY:

5 All in favor? Any opposed? Any  
6 abstentions? Any recusals?

7 [The motion carried. Dr. Matta, Ms. Sizemore, and Ms.  
8 Hughes recused themselves from deliberations and  
9 voting on the motion. Dr. Funari opposed the motion.]

10 \*\*\*

11 MS. WUCINSKI:

12 I believe the Board would entertain a  
13 motion to approve the Draft Adjudication  
14 and Order for Robert L. Romeo, D.M.D.,  
15 Case No. 15-46-11873 consistent with  
16 discussions in Executive Session.

17 The Draft A&O rewrites the hearing  
18 examiner's A&O in its entirety and  
19 addresses exceptions.

20 CHAIRMAN CASEY:

21 Do I have a motion?

22 DR. ARNDT:

23 Motion.

24 CHAIRMAN CASEY:

25 Do I have a second?

1 DR. LUGO:

2 Second.

3 CHAIRMAN CASEY:

4 All in favor? Any opposed? Any  
5 abstentions? Any recusals?

6 [The motion carried unanimously.]

7 \*\*\*

8 Report of Board Counsel - Final Adjudication and Order

9 MS. WUCINSKI:

10 I believe the Board would entertain a  
11 motion to approve the Draft Adjudication  
12 and Order as Final for Denise Michelle  
13 Charles, R.D.H., Case No. 19-46-008763,  
14 noting Dr. Matta, Amber Sizemore, and  
15 Alice Hart Hughes are all recused.

16 CHAIRMAN CASEY:

17 Do I have a motion?

18 DR. LUGO:

19 Motion.

20 CHAIRMAN CASEY:

21 Do I have a second?

22 DR. JASPAN:

23 Second.

24 CHAIRMAN CASEY:

25 All in favor? Any opposed? Any

1 abstentions? Any recusals?

2 [The motion carried. Dr. Matta, Ms. Sizemore, and Ms.  
3 Hughes recused themselves from deliberations and  
4 voting on the motion.]

5 \*\*\*

6 Review of Applications

7 MS. WUCINSKI:

8 Agenda items 15 and 18. I believe the  
9 Board would entertain a motion to  
10 provisionally deny the Application for a  
11 License to Practice as a Dentist Under  
12 Act 41 for Shweta Deshmukh, D.D.S. and  
13 Amaris Ramirez, D.M.D.

14 CHAIRMAN CASEY:

15 Do I have a motion?

16 DR. MOUNTAIN:

17 Motion.

18 CHAIRMAN CASEY:

19 Do I have a second?

20 DR. LUGO:

21 Second.

22 CHAIRMAN CASEY:

23 All in favor? Anyone opposed? Any  
24 abstentions? Anyone recusing?

25 [The motion carried unanimously.]

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MS. WUCINSKI:

Agenda items 16 and 17. I believe the Board would entertain a motion to approve the Application for a License to Practice as a Dentist for Peter Grumbos, D.D.S. under Act 41 and Caitlin Libby, D.D.S. under Act 41.

CHAIRMAN CASEY:

Do I have a motion?

DR. JASPAN:

Motion.

CHAIRMAN CASEY:

Do I have a second?

MS. GROODY:

Second.

CHAIRMAN CASEY:

All in favor? Anyone opposed? Any abstentions? Any recusals?

[The motion carried unanimously.]

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Report of Board Counsel - Miscellaneous

[Shana M. Walter, Esquire, Board Counsel, referred to Act 100 of 2021 for the Board's information. She noted Act 100 of 2021 provides for virtual supervision



1 requirements and virtual participation in Board  
2 meetings simultaneous with in-person public board  
3 meetings. She stated it also allows virtual  
4 attendance at a meeting to be used to establish a  
5 quorum.

6 Dr. Jaspan asked whether this was the majority  
7 now or a temporary measure until the COVID issue is  
8 gone.

9 Ms. Walter stated the legislation does not have  
10 an end date, so any termination of the provisions  
11 would be up to the legislature.

12 Dr. Funari asked whether the boards would have to  
13 develop guidelines.

14 Ms. Walter believed the Commissioner's Office is  
15 making arrangements for virtual participation once  
16 they go back to in-person meetings and is making  
17 adjustments as necessary. She noted it also allows  
18 for distance continuing education. She mentioned that  
19 different boards will be promulgating regulations  
20 relating to Act 100 of 2021.

21 Ms. Wucinski commented that she and Ms. Walter  
22 will be responsible for drafting whichever regulations  
23 are appropriate and would discuss sending it to the  
24 committee at the next Board meeting.

25 Ms. Wucinski addressed the Prescription Drug

1 Monitoring Program (PDMP) system vendor transition  
2 from PMP AWARxE and PMP Clearinghouse to LogiCoy. She  
3 referred to the December 17, 2021 letter that outlines  
4 the enhancements LogiCoy will offer and what  
5 prescribers and pharmacists will need to do to  
6 transfer accounts to the new system.

7 Ms. Wucinski informed the Board that the  
8 transition began on January 10 and prescribers will  
9 have until February 14 to make their transition.

10 Dr. Lugo encouraged associations to spread the  
11 word and notify those practicing in Pennsylvania of  
12 the February 14 deadline.

13 Arion Claggett, Deputy Commissioner, Bureau of  
14 Professional and Occupational Affairs, noted the  
15 Bureau assisted the Department of Health by sending  
16 out emails about the transition.]

17 \*\*\*

18 Appointment - Pennsylvania Department of Insurance -  
19 No Surprises Act

20 [David Buono, Deputy Insurance Commissioner, Office of  
21 Market Regulation, Pennsylvania Insurance  
22 Department (PID), informed the Board that material  
23 presented today was prepared by the Commonwealth of  
24 Pennsylvania Insurance Department based on law,  
25 regulations, and guidance as of December 1, 2021. He

1 stated dentists are not excluded from health care  
2 providers covered by the No Surprises Act (NSA). He  
3 stated dental services may be covered under major  
4 medical policies and may be provided at a hospital  
5 facility, especially in an emergency situation, where  
6 the no surprise balance billing provisions actually  
7 apply. He noted that other provisions of the law  
8 beyond the no surprise billing provisions also apply  
9 to dentists.

10 Mr. Buono stated the disclosure requirement,  
11 provider directory requirement, and the Good Faith  
12 Estimate requirement applies to all health care  
13 providers, including dentists, and is only applicable  
14 to dentists who are in-network for major medical  
15 insurance policies.

16 Mr. Buono addressed which facilities and services  
17 must follow the No Surprises Act. He commented that  
18 if a health plan covers any benefits for emergency  
19 services, including air ambulance, the No Surprises  
20 Act requires emergency services to be covered without  
21 any prior authorization regardless of whether a  
22 provider or facility is in-network. He also commented  
23 that if a health plan covers any benefits for  
24 nonemergency services related to the visit in an in-  
25 network facility, the No Surprises Act requires that

1 patients are protected when they have little or no  
2 control over who provides their care.

3 Mr. Buono stated ancillary providers, such as  
4 labs or doctors, involved in a surgery that the  
5 patient does not select may not balance bill. He  
6 noted cost sharing for ancillary providers is treated  
7 as in-network. He commented that the No Surprises Act  
8 protects people from unexpected bills for emergency  
9 services, air ambulance services, and certain  
10 nonemergency services related to a visit to a  
11 facility.

12 Mr. Buono mentioned that emergency ground  
13 ambulance services are not included and deferred to  
14 further study at the federal level. He stated  
15 nonemergency services at an in-network facility is  
16 treated as in-network in all circumstances. He  
17 reported that other nonemergency services may only be  
18 billed if it is out of network with advanced notice  
19 and consent from the patient.

20 Mr. Buono stated the No Surprises Act limits the  
21 high out-of-network cost sharing, where patient cost  
22 sharing, such as coinsurance or deductible, cannot be  
23 higher than if such services were provided by an in-  
24 network doctor and any coinsurance or deductible must  
25 be based on an in-network provider rate.

1 Mr. Buono stated No Surprises Act billing  
2 protection applies if coverage is through an employer,  
3 state-based marketplace Pennie, or directly through an  
4 individual market health insurance company. He  
5 mentioned that the Act does not apply to Medicare,  
6 Medicaid, Indian Health Services, Veterans Affairs, or  
7 TRICARE.

8 Mr. Buono addressed plans that do not have the  
9 balance billing protection, including indemnity or  
10 accepted benefit plan enrollees because it is not  
11 individual market coverage and does not typically have  
12 a network. He noted short-term limited duration plan  
13 enrollees, health care sharing ministries, or the  
14 Amish are not individual market coverage.

15 Mr. Buono addressed uninsured individuals, noting  
16 providers are required to provide a Good Faith  
17 Estimate upon request or scheduling an item or  
18 service. He mentioned the Good Faith Estimate  
19 requirement will eventually apply to insured as well  
20 as uninsured and self-pay individuals. He noted the  
21 focus is only on the uninsured and self-pay for now  
22 due to technical challenges.

23 Mr. Buono addressed specific providers listed in  
24 the law, noting Health and Human Services (HHS) may  
25 decide on others in the future. He noted it does not

1 include advanced diagnostic laboratory testing and  
2 other items and services identified by HHS.

3 Mr. Buono stated providers and facilities must  
4 have a business process to give provider directory and  
5 network information to plans anytime there is a  
6 material change. He commented that provider  
7 directories may, by contract, impose on plans the duty  
8 to keep the directory current in the event of contract  
9 termination. He noted that the provider or facility  
10 must reimburse the patient plus interest if a provider  
11 or facility bills a patient more than the in-network  
12 cost-sharing amount and the patient pays it.

13 Mr. Buono addressed continuity of care, where a  
14 contract with a plan terminates and the provider or  
15 facility is no longer in-network, the provider must  
16 accept the continuing care patient, including cost-  
17 sharing calculated on an in-network basis for the  
18 duration of the continuity of care.

19 Mr. Buono stated providers with complaints about  
20 a plan should contact the Pennsylvania Insurance  
21 Department or HHS. He mentioned that providers with  
22 complaints about a patient should first make sure the  
23 patient understands the Act and are encouraged to  
24 contact the Pennsylvania Insurance Department. He  
25 noted that patients who do understand the Act should

1 be handled the way they did before but with the  
2 understanding in the case of a surprise medical bill,  
3 the provider may not collect more than the in-network  
4 cost sharing.

5         Sandy Ykema, Esquire, J.D., Department Counsel,  
6 Pennsylvania Insurance Department, stated dentists and  
7 other health care providers are required to provide  
8 disclosures that give a high level of what the No  
9 Surprises Act is, so consumers are aware of their  
10 ability to avoid having a surprise balance bill.

11         Ms. Ykema commented that contracting with a  
12 hospital would require them to provide the disclosure.  
13 She noted that Pennsylvania has a model notice but  
14 that it may require slight revisions due to proposed  
15 revisions by HHS.

16         Ms. Ykema stated dentists are not on the provider  
17 list, so a dentist who is providing services in  
18 connection with a visit to a facility may give notice  
19 and get consent to do work even if they are not in-  
20 network with the consumer's health plan. She  
21 mentioned consent must be received in advance and be  
22 retained, which allows the consumer time to decide  
23 against the service because someone is not in-network  
24 and would charge more than what their health insurance  
25 would pay.

1 Ms. Ykema addressed notice and consent, where  
2 providers would have to identify that they do not  
3 participate in the consumer's plan, provide a Good  
4 Faith Estimate amount of what may be charged for the  
5 services, and when services are combined with services  
6 from other providers, the providers will work together  
7 to provide a composite of the entire estimated amount.

8 Ms. Ykema noted that providers need to give  
9 notice that the service may not be authorized or may  
10 have to be preauthorized by the plan and state that  
11 the notice is optional, and the consumer does not have  
12 to consent. She mentioned that availability is key,  
13 and if there is no in-network provider around, a  
14 provider cannot get consent to balance bill.

15 Ms. Ykema addressed payment, where the provider  
16 will need to confirm the patient's coverage. She  
17 explained that a provider who has a surprise medical  
18 service can collect in-network cost sharing from the  
19 patient and bill the patient's plan even if the  
20 provider is not in-network, where the plan will pay a  
21 qualifying payment amount.

22 Ms. Ykema stated there was already litigation on  
23 the matter. She noted the federal government  
24 established what is in the regulation. The  
25 calculation would be based on the median in-network



1 rate for the service in the geographic area. She  
2 mentioned that there is an independent dispute  
3 resolution process that HHS has set up at the federal  
4 level, so a provider can arbitrate if not satisfied  
5 with the qualifying payment amount.

6 Ms. Ykema addressed uninsured patients. She  
7 stated the patient may access the patient provider  
8 dispute resolution process if the Good Faith Estimate  
9 is more than \$400 off from the bill. She noted that  
10 the patient will pay a small administrative fee around  
11 \$25 to start the process and will get that money back  
12 if the patient prevails.

13 Ms. Ykema discussed the Good Faith Estimate,  
14 which is an estimate of the cost of services provided  
15 to the patient ahead of time. She noted that  
16 providers would have to coordinate with insurance  
17 companies for insured patients and it must be  
18 presented to the uninsured individual ahead of time  
19 also.

20 Ms. Ykema provided the Board with a website at  
21 [www.insurance.pa.gov/nosurprises](http://www.insurance.pa.gov/nosurprises) for concerns related  
22 to the No Surprises Act. She explained that the  
23 Pennsylvania Insurance Department is a Commonwealth of  
24 Pennsylvania agency under the governor's jurisdiction  
25 that is coordinating enforcement with the state

1 agencies to have oversight over providers, including  
2 facilities.

3 Ms. Ykema mentioned working closely with the  
4 Department of State, Department of Health, and  
5 Department of Drug and Alcohol Programs. She noted  
6 having a good complaint process in making sure they  
7 are handled the best way possible. She commented that  
8 the Pennsylvania Insurance Department has oversight  
9 over the companies and will work collaboratively with  
10 other state agencies to coordinate enforcement  
11 efforts.

12 Ms. Ykema noted the federal complaint process  
13 response time will be delayed. She mentioned working  
14 with Ms. Sizemore in the past on other issues at the  
15 Office of Attorney General, noting they coordinate  
16 with them as well where appropriate. She explained  
17 that state law applies unless it prevents the  
18 application of federal law and noted collaborating  
19 with the federal government as well.

20 Ms. Ykema addressed reporting complaints to the  
21 Pennsylvania Insurance Department, noting the  
22 Department of State staff report the calls and  
23 guidelines can be found on their website. She  
24 mentioned that the Department of Health and Human  
25 Services addresses insurance plans and providers and

1 facilities, and the Department of Labor deals with  
2 self-funded plans. She also noted that the Federal  
3 Employees Health Benefits (FEHB) program is included  
4 in this law, and the Office of Personnel Management  
5 has an interest in it.

6 Ms. Ykema noted the importance of dentists and  
7 providers complying with the law to protect consumers  
8 and to assure the public gets needed services at  
9 expected prices.

10 Dr. Lugo asked whether the law applies to dental  
11 hygiene.

12 Ms. Ykema explained that the definition of health  
13 care provider is very broad and to assume it does  
14 unless something comes out that says no.

15 Dr. Funari commented that he works for both a  
16 university hospital system where he is covered and  
17 they provide all of the documentation but also takes  
18 calls at an independent hospital system, where he is  
19 an employee and will have to go through this paperwork  
20 and provide estimates and put himself at risk for a  
21 dispute resolution.

22 Dr. Funari expressed concern with independent  
23 oral surgeons dropping calls in emergency situations  
24 and less providers for patients who are in need. He  
25 stated the calls will be directed to university

1 environments where they have a staffed oral surgery  
2 program or dental program, which is going to overwhelm  
3 that system. He noted that there were many unintended  
4 consequences that were not addressed when this was put  
5 forth and approved by the government.

6 Ms. Ykema commented that notice and consent is  
7 not an option in an emergency situation. She stated  
8 Congress enacted this and it is an issue, noting there  
9 is the hope that doctors will be in-network and  
10 facilities, doctors, and oral surgeons will work  
11 together to provide the care that is needed.

12 Ms. Hughes requested the PowerPoint presentation  
13 be made available on their OneDrive.

14 Ms. Ykema noted that the provider presentation is  
15 already available, but a few points to personalize  
16 this to dentists was added and will make the  
17 presentation available.

18 Chairman Casey thanked Mr. Buono and Ms. Ykema  
19 for their presentation.]

20 \*\*\*

21 Report of Board Chairperson

22 [Shawn M. Casey, D.M.D., Chairman, thanked Ray in  
23 information technology (IT), Ms. Wucinski and Ms.  
24 Walter, and Ms. Burns for all of their assistance in  
25 helping him prepare for this year.]

1 \*\*\*

2 Report of Commissioner

3 [Lisa M. Burns, Board Administrator, reiterated  
4 Commissioner Johnson has taken on a new position with  
5 the Senate Appropriations Committee, noting today is  
6 his last official day and that Arion Claggett has been  
7 named Acting Commissioner starting January 15, 2022.

8 Arion Claggett, Deputy Commissioner, Bureau of  
9 Professional and Occupational Affairs, had nothing to  
10 report but expressed excitement with being a part of  
11 the Board.]

12 \*\*\*

13 Report of Board Administrator - No Report

14 \*\*\*

15 Report of Committees - List of Committees

16 [Shawn M. Casey, D.M.D., Chairman, read committee  
17 assignments, where cochairs for the Legislation and  
18 Regulatory Committee are Dr. Arndt and Ms. Fowler with  
19 members being Ms. Hughes, Dr. Lugo, Dr. Sullivan, and  
20 Ms. Sizemore; Accreditation and Licensing Committee  
21 cochairs are Ms. Groody and Dr. Funari with members  
22 being Dr. Matta, Ms. Murray, Dr. Arndt, and Dr.  
23 Jaspan; Probable Cause Screening Committee cochairs  
24 are Ms. Sizemore and Dr. Mountain with members being  
25 Ms. Hughes and alternate Dr. Sullivan; and Scope of

1 Traditional and Emerging Practice Committee cochairs  
2 are Dr. Matta and Ms. Murray with members being Dr.  
3 Mountain, Dr. Funari, and Dr. Jaskan.

4 Chairman Casey asked Board members to reach out  
5 to him with any concerns or questions. He noted there  
6 were some questions early on regarding regulations and  
7 licensure and will make sure the Board gets busy this  
8 year regarding those concerns.]

9

\*\*\*

10 Correspondence

11 [Shawn M. Casey, D.M.D., Chairman, asked whether any  
12 Board members wished to participate in the 2022  
13 accreditation site visits. He noted the first one is  
14 the General Practice Residency (GPR) education at  
15 Allegheny General Hospital in Pittsburgh on May 12,  
16 2022, and Dr. Sullivan offered to attend.

17 Ms. Burns informed Dr. Sullivan that she would  
18 submit her name and information to the Commission on  
19 Dental Accreditation (CODA) and they would then reach  
20 out directly to Dr. Sullivan.

21 Chairman Casey also asked whether any Board  
22 members wished to participate in the Oral and  
23 Maxillofacial Surgery (OMS) education at Temple  
24 University in Philadelphia on August 2, 2022, and Dr.  
25 Funari volunteered pending approval from CODA because

1 he is a CODA site visitor.

2 Ms. Burns informed Dr. Funari that CODA would  
3 look at that information and let him know one way or  
4 another before final approval.

5 Dr. Lugo offered to be the backup for Dr. Funari  
6 at the Temple University site visit.]

7

\*\*\*

8 For the Board's Information/Discussion

9 [Shawn M. Casey, D.M.D., Chairman, referred to the  
10 2021 Commission on Dental Accreditation Annual Report  
11 and Sunshine Act/Recusal Guidelines for the Board's  
12 information.

13 Dr. Jaspan mentioned prior discussion in the  
14 Scope of Traditional and Emerging Practice Committee  
15 regarding licensing dental hygienists as part of their  
16 practice for use of lasers and asked whether the Board  
17 is going to pursue that investigation.

18 Ms. Murray noted the decision was made to table  
19 that discussion for another meeting to obtain more  
20 information.

21 Chairman Casey suggested having a discussion  
22 after today's meeting with Ms. Wucinski and Ms. Walter  
23 to organize things for the committees.

24 Ms. Walter commented that she and Ms. Wucinski  
25 would go through the meeting minutes to make sure

1 everyone is on the same page. She reminded the Board  
2 that any committee meetings would have to be properly  
3 sunshined.

4 Ms. Groody requested an update on the general  
5 revisions package regarding the clinical exam for  
6 expanded function dental assistants (EFDAs).

7 Ms. Groody asked whether the Accreditation and  
8 Licensing Committee is also the EFDA Program Review  
9 Committee.

10 Chairman Casey believed that everything was  
11 merged together.

12 Chairman Casey looked forward to working with  
13 everybody this year.]

14 \*\*\*

15 Adjournment

16 CHAIRMAN CASEY:

17 Do I have a motion to end today's  
18 meeting?

19 DR. FUNARI:

20 I'll make a motion to adjourn the  
21 meeting.

22 CHAIRMAN CASEY:

23 Second?

24 DR. SULLIVAN:

25 Second.



1 CHAIRMAN CASEY:

2 All in favor?

3 [The motion carried unanimously.]

4 \*\*\*

5 [There being no further business, the State Board of  
6 Dentistry Meeting adjourned at 12:13 p.m.]

7 \*\*\*

8

9 CERTIFICATE

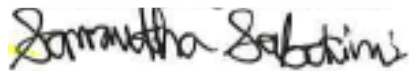
10

11 I hereby certify that the foregoing summary  
12 minutes of the State Board of Dentistry meeting, was  
13 reduced to writing by me or under my supervision, and  
14 that the minutes accurately summarize the substance of  
15 the State Board of Dentistry meeting.

16

17

18



19

Samantha Sabatini,

20

Minute Clerk

21

Sargent's Court Reporting

22

Service, Inc.

23

24

25

26

STATE BOARD OF DENTISTRY  
REFERENCE INDEX

January 14, 2022

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	10:45	Official Call to Order
10		
11	10:45	Roll Call
12		
13	10:47	Approval of Minutes
14		
15	10:50	Introduction of Attendees
16		
17	10:53	Report of Prosecutorial Division
18		
19	11:06	Appointment - Carolyn A. DeLaurentis,
20		Esquire, Deputy Chief Counsel,
21		Prosecution Division Annual Report
22		Presentation
23		
24	11:19	Motions
25		
26	11:22	Report of Board Counsel
27		
28	11:25	Review of Applications
29		
30	11:26	Report of Board Counsel - Miscellaneous
31		
32	11:32	Appointment - Pennsylvania Insurance
33		Department
34		
35	12:03	Report of Board Chairperson
36		
37	12:03	Report of Committees
38		
39	12:04	Correspondence
40		
41	12:09	For the Board's Information/Discussion
42		
43	12:13	Adjournment
44		
45		
46		
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48		
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