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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: 11:03 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

November 19, 2021

State Board of Dentistry
November 19, 2021

BOARD MEMBERS:

K. Kalonji Johnson, Commissioner, Bureau of
Professional and Occupational Affairs
R. Ivan Lugo, D.M.D., M.B.A., Chairperson
Brice D. Arndt, D.D.S.
Shawn M. Casey, D.M.D.
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.
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
Jennifer Unis Sullivan, D.M.D., J.D.
Brian Wyant, Public Health Program Director,
Department of Health designee

BUREAU PERSONNEL:

Dana M. Wucinski, Esquire, Board Counsel
Shana M. Walter, Esquire, Board Counsel
Dean F. Picarella, Esquire, Senior Board Prosecutor
Peter D. Kovach, Esquire, Senior Prosecutor in Charge
Paul J. Jarabeck, Esquire, Board Prosecution Liaison
Christopher K. McNally, Esquire, Board Prosecutor
Gregory Liero, Esquire, Board Prosecutor
Kayla R. Bolan, Esquire, Board Prosecutor
Lisa M. Burns, Board Administrator
Marc Farrell, Deputy Director, Office of Policy,
Department of State
Shannon Boop, Fiscal Management Specialist 1, Bureau
of Finance and Operations, Department of State
Amanda Richards, Acting Fiscal Chief, Bureau of
Finance and Operations, Department of State
Michelle Witmer, Bureau of Finance and Operations,
Department of State

State Board of Dentistry
November 19, 2021

ALSO PRESENT:

Angela Renner, MS, Program Coordinator, Pennsylvania
Coalition for Oral Health
Courtney Kolbrich, BS, RDH, PHDHP, Dental Hygiene
Health Alliance of Pennsylvania
Helen Hawkey, Executive Director, Pennsylvania
Coalition for Oral Health
Jean Byrnes-Ziegler, MS, Professor/Program Director,
Harcum College
Jen Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Committee
Joan Burke, CDA, EFDA, President-elect, Pennsylvania
Dental Assistants Association
John F. Erhard III, DDS
Keith W. Brewster, DDS, Fellowship Academy of Laser
Dentistry
Leigh Jacopetti-Kondraski, DMD, Casey Dental
Institute
Lasondra Maisonette
Margaret Durkin, Government Relations Specialist,
Bravo Group
Peter M. Good, Esquire, Caldwell & Kerns, P.C.
Reddy
Samantha Sabatini
Scott D. Benjamin, DDS, Academy of Laser Dentistry
Steve Neidlinger, CAE, Executive Director,
Pennsylvania Academy of General Dentistry
T.R.

1 State Board of Dentistry

2 November 19, 2021

3 ***

4 The regularly scheduled meeting of the State
5 Board of Dentistry was held on Friday, November 19,
6 2021. R. Ivan Lugo, D.M.D., M.B.A., Chairperson,
7 called the meeting to order at 11:03 a.m.

8 ***

9 Roll Call

10 [A roll call of Board members was taken by Chairperson
11 Lugo.]

12 ***

13 [Chairperson Lugo reminded everyone that the meeting
14 was being recorded, and voluntary participation
15 constituted consent to be recorded.]

16 ***

17 [Chairperson Lugo welcomed Mr. Wyant to the Board and
18 requested he provide a brief summary of his
19 professional background.]

20 ***

21 Approval of minutes of the September 10, 2021 meeting

22 CHAIRPERSON LUGO:

23 The next item on the agenda we will be
24 looking at approving the September
25 minutes, so could have a motion to

1 approve the minutes?

2 DR. JASPAN:

3 So moved.

4 CHAIRPERSON LUGO:

5 Second?

6 MS. GROODY:

7 Second.

8 CHAIRPERSON LUGO:

9 Any questions, comments, feedback?

10 [The Board discussed corrections to the minutes.]

11 CHAIRPERSON LUGO:

12 We will take a roll for approval of the
13 minutes.

14

15 Arndt, aye; Casey, aye; Fowler, aye;
16 Funari, aye; Groody, aye; Hughes, aye;
17 Jaspan, aye; Matta, aye; Mountain, aye;
18 Murray, aye; Sizemore, aye; Sullivan,
19 aye. Any abstentions?

20 [The motion carried. Mr. Wyant abstained from voting
21 on the motion.]

22

23 Introduction of Attendees

24 [Shana M. Walter, Esquire, Board Counsel, provided an
25 introduction of those in attendance. She also

1 requested those whose names were not called to place
2 those in the chat for a complete record.]

3 ***

4 Report of Prosecutorial Division

5 [Shana M. Walter, Esquire, Board Counsel, noted the
6 Board requested a presentation regarding Case No. 20-
7 46-001675.]

8 ***

9 [Christopher K. McNally, Esquire, Board Prosecutor,
10 presented the Consent Agreement for Case No. 20-46-
11 001675.]

12 ***

13 Appointment - Bureau of Finance and Operations Annual
14 Budget Presentation

15 [Michelle Witmer, Bureau of Finance and Operations,
16 Department of State, addressed licensee population
17 from a revenue standpoint. She noted 29,656 licensees
18 when the report was prepared and an increase to 29,701
19 as of this morning.

20 Ms. Witmer addressed revenue by category, noting
21 the biennial total, stating 98% of revenue was coming
22 from renewals and applications.

23 Ms. Witmer provided a categorical breakdown of
24 expenses. She noted expenses incur through direct
25 cost, timesheet-based cost, and licensee-based fees.

1 She reported a budget for FY21-22 and current expenses
2 as of November 10, 2021. She noted the expenses had
3 recently increased, probably due to a payroll run
4 since the report was prepared.

5 Ms. Witmer reviewed revenues and expenses for
6 FY21-22, noting a negative balance. She stated the
7 Board approved a fee increase on November 15 and BFO
8 used those new numbers to calculate the projected
9 years. She reported that the Board starts to come
10 back into the black in FY24-25 with that fee increase.

11 Ms. Hughes commented that the fee increase enacted
12 by the Board was never approved through the regulatory
13 process.

14 Ms. Witmer noted it would not be in effect until
15 the March 2023 renewal and believed it still needs
16 approval from the Independent Regulatory Review
17 Commission (IRRC).

18 Ms. Wucinski mentioned receiving several comments
19 from the public and from IRRC - opposing the fee
20 increases going into effect during COVID. She
21 mentioned that many practitioners were having
22 financial difficulties during this time. . She stated
23 the Board voted to implement the increase in 2023 as
24 opposed to 2021 to address those concerns. The
25 regulation was in the final rulemaking on the agenda

1 for a vote.

2 Ms. Witmer reviewed Board member expenses, noting
3 a breakdown of expenses by expense type. She referred
4 to actual expenses for FY19-20, FY20-21, and the
5 current expenses for FY21-22. She noted the expenses
6 were when the report was prepared.

7 Ms. Witmer stated any excess revenue goes back
8 into the Board's restricted account for the Board's
9 use. She mentioned the amount would be continued into
10 the New Year, and the per diem amount would be
11 increased and physical travel decreased. She noted an
12 updated version would be provided to Ms. Burns.]

13

14 [R. Ivan Lugo, D.M.D., M.B.A., Chairperson, commented
15 that the Board heard the associations and individual
16 dentists when they wrote in and expressed their
17 opinion on delaying the fee. He noted appreciation
18 for the feedback to the Board, stating that the Board
19 acted accordingly to be able to understand the
20 hardships during the pandemic and encouraged the
21 public to remain engaged as the Board deliberates on
22 many things that impact them.]

23

24 Appointment - Dental Hygienists Use of Lasers
25 Presentation

1 [Keith W. Brewster, DDS, Fellowship Academy of Laser
2 Dentistry, provided a summary of his professional
3 background.

4 Scott D. Benjamin, DDS, Academy of Laser
5 Dentistry, also provided a summary of his professional
6 background. He incorporated lasers initially so his
7 hygienists would be part of a scaling and root planing
8 (SRP) periodontal program to get their patients in a
9 healthy condition with periodontal treatment.

10 Dr. Benjamin stated his goal was to get lasers
11 into the academic environment for student graduates in
12 both dental and hygienist schools. He mentioned using
13 lasers in his practice for over 20 years to get
14 patients as healthy as possible and then make the
15 appropriate referrals to the periodontists and oral
16 surgeons.

17 Dr. Benjamin provided information to the Board
18 from the American Dental Association regarding dental
19 hygiene and lasers as an assistant in modern
20 technology to nonsurgical periodontal therapy. He
21 also addressed University of Pittsburgh Medical Center
22 research.

23 Dr. Benjamin noted there is a gamut of different
24 wavelengths available from the low 400s to 10,600 nm
25 being used by clinicians in various capacities

1 throughout the world. He commented that this is
2 enabling hygienists to use light technology within the
3 scope of practice under supervision by using the
4 appropriate wavelength for the treatment outcome that
5 is desired.

6 Dr. Benjamin stated lasers either heat up
7 material or modulate a response and was being used in
8 the periodontal world to kill microorganisms with the
9 idea of being minimally invasive and the concept of
10 moving forward in the right direction.

11 Dr. Benjamin addressed education and training of
12 comprehensive laser educational programs for
13 hygienists. He commented that the functionality of a
14 dental hygienist is to empower them to use more
15 advanced technology for better outcomes for patients.

16 Dr. Brewster mentioned that they do not want to
17 increase the hygiene scope of practice but augment it
18 to control the bacteria in the pocket and increase
19 healing.

20 Dr. Benjamin noted the importance of looking at
21 the prevalence of the disease and controlling
22 periodontal disease relatively fast with significantly
23 improved outcomes. He mentioned that about 75 percent
24 of Americans over the age of 45 have some form of
25 periodontal disease and being trained to manage that

1 in a safe, effective manner is the goal. He noted
2 studies have shown that root planing and scaling by
3 itself is not as effective as they would ideally like,
4 and the idea is to augment this with additional
5 modalities that are not expensive and obtain a better
6 outcome.

7 Dr. Benjamin addressed the addition of laser-
8 assisted periodontal therapy, noting the goal is to
9 get patients as healthy as they can and as safely as
10 possible with the least amount of intervention and
11 least amount of cost to the patient.

12 Dr. Benjamin encouraged the Board to enable
13 hygienists appropriately with therapy as part of their
14 scope of practice in order for them to advance.

15 Dr. Arndt asked Dr. Benjamin what level of
16 supervision do hygienists currently have in regard to
17 laser use in New York.

18 Dr. Benjamin explained that it falls under the
19 same provision as scaling and root planing. He noted
20 that the New York State Dental Board regulates scope
21 of practice and do not care what technology is being
22 used as long as it is in a well-trained, safe, and
23 effective manner. He commented that his
24 recommendation is always direct supervision.

25 Dr. Brewster noted Texas has direct supervision.

1 He mentioned needing to regulate at the educational
2 level. He believed Texas was very good with their
3 regulations, but the way they were written may need to
4 be reevaluated every once in a while. He stated the
5 more prudent way would be to require all to follow the
6 American National Standards Institute regulations. He
7 noted the importance of education, hands-on
8 experience, and appropriate level of educators
9 teaching the use of lasers.

10 Dr. Benjamin addressed states that allow direct
11 supervision with hygienists, noting he is not aware of
12 any increase in malpractice cases or concerns with
13 hygienists improperly utilizing the laser but is aware
14 of misuse of lasers by doctors. He stated the
15 procedures being done were basically noninvasive, and
16 his biggest concern was the appropriate diagnosis and
17 the direction of a doctor with the hygienist
18 performing the procedure.

19 Dr. Benjamin commented that Texas and Arizona
20 require that the dentist who is supervising the
21 hygienist must be educated or to the same level or
22 beyond the hygienist that they are supervising, where
23 the role they have in the profession does not matter
24 because they need to be appropriately educated. He
25 noted that anybody using any technology needs to make

1 sure they are following the American National
2 Standards Institute guidelines for that technology
3 from a legal point of view.

4 Dr. Brewster stated the scope of practice was
5 written into the rules in Texas for the use of the
6 laser by the hygienist and noted that to be an
7 important part in the standards of practice, the
8 hygienic level, and staying within that level.

9 Ms. Fowler referred to Kentucky's regulations and
10 asked whether some of the other dental boards are
11 requiring Board-certified training.

12 Dr. Benjamin stated the idea of the term
13 certification from the American Dental Association's
14 point of view is to be reserved for the specialist.
15 He noted the public must not be misled by stating they
16 are laser certified and giving the idea they went
17 through something at a level of a periodontist or oral
18 surgeon training.

19 Dr. Benjamin noted using it with the scope of
20 practice and appropriate education, where anybody
21 utilizing laser technology need the appropriate
22 expertise to do that.

23 Dr. Brewster commented that Texas requires the
24 laser safety officer to register with the state,
25 noting also having a fee structure in the state for

1 lasers but no separate license at this point.

2 Dr. Benjamin stated the medical director, whether
3 it be the dentist or the physician overseeing the
4 procedure, had to register in order to take on the
5 responsibility of supervising. In several states, the
6 laser safety officer, who was in the practice that
7 ensured everybody had been appropriately trained, also
8 had to register with the regulatory agency.

9 Dr. Benjamin addressed training, where the entire
10 dental staff needs to have something that states
11 anybody using the laser should have something that
12 falls under the realm of recognized continuing
13 education (CE) under the scope of relicensure.

14 Dr. Benjamin mentioned that assistants and
15 contact people, who are not actively involved in the
16 treatment, still need to be trained on laser safety
17 and done internally through a variety of different
18 mechanisms.

19 Dr. Benjamin stated laser safety, education, and
20 training should be going on within the dental practice
21 itself for any place using Class III or Class IV
22 lasers. He noted the long-term goal is to get laser
23 education, noting the national board is pushing for
24 this also as part of the dental school and hygiene
25 school curriculum.

1 Dr. Jaspan noted the presentation is impressive
2 but that a lot of the information is somewhat
3 anecdotal and asked whether there were any studies
4 comparing the split-mouth design with and without the
5 use of lasers.

6 Dr. Benjamin encouraged Board members to review
7 articles he supplied of a systematic review that was
8 published in 2020.

9 Dr. Brewster also encouraged the Board members to
10 review the systematic review and noted a dental
11 bibliography was provided for their review.

12 Chairperson Lugo thanked Dr. Brewster and Dr.
13 Benjamin for their presentation, noting the Board has
14 all of their information for review.

15 Dr. Matta noted that he would schedule a Scope of
16 Practice Committee Meeting and make this a discussion
17 point for members of the Board.]

18

19 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
20 12:21 p.m. the Board entered into Executive Session
21 with Dana M. Wucinski, Esquire, Board Counsel, and
22 Shana M. Walter, Esquire, Board Counsel, for the
23 purpose of conducting quasi-judicial deliberations on
24 a number of matters currently pending before the Board
25 and to receive the advice of counsel. The Board

1 returned to open session at 12:24 p.m.]

2 ***

3 [Chairperson Lugo experienced technical difficulties.]

4 ***

5 MS. HUGHES ASSUMED THE CHAIR

6 ***

7 MOTIONS

8 MS. WALTER:

9 Item 2 on the agenda, Case No. 19-46-
10 011987. For the record, Sizemore,
11 Matta, and Hughes are recused from
12 voting on this Consent Agreement.

13 Is there a motion to approve the
14 Consent Agreement for agenda item 2?

15 DR. FUNARI:

16 I'll make the motion.

17 MS. HUGHES:

18 Second?

19 MS. GROODY:

20 Second.

21 MS. HUGHES:

22 Call the vote.

23

24 Casey, aye; Funari, aye; Groody, aye;

25 Jaspan, aye; Matta, recuse; Mountain,

1 aye; Wyant, aye; Murray, aye; Sizemore,
2 recuse; Arndt, aye; Sullivan, aye.
3 [The motion carried. Ms. Sizemore, Dr. Matta, and Ms.
4 Hughes recused themselves from deliberations and
5 voting on the motion. Case No. 19-46-011987 is Mark
6 B. Hoang, D.M.D.]

7 ***

8 MS. WALTER:

9 Number 4 and 5 on your agenda. Number
10 4, Case No. 20-46-001675 and number 5,
11 Case No. 20-46-011977.

12 I believe the Board would entertain a
13 motion to approve these Consent
14 Agreements?

15 MS. GROODY:

16 I make the motion.

17 DR. JASPAN:

18 Second.

19 MS. HUGHES:

20 Call the question.

21

22 Arndt, aye; Casey, aye; Fowler, aye;
23 Funari, aye; Groody, aye; Jaspán, aye;
24 Matta, aye; Mountain, aye; Murray, aye;
25 Sizemore, aye; Sullivan, aye; Wyant,

1 aye.

2 [The motion carried unanimously. Case No. 20-46-
3 001675 is Gordon T. Noakes, D.D.S. Case No. 20-46-
4 011977 is Leah Elizabeth Seeker.]

5 ***

6 MS. WALTER:

7 Number 3, Case No. 21-46-008335. I
8 believe the Board would entertain a
9 motion to accept this VRP Agreement.

10 MS. GROODY:

11 I make the motion.

12 DR. FUNARI:

13 Second.

14 MS. HUGHES:

15 Call the question.

16

17 Arndt, aye; Casey, aye; Fowler, aye;
18 Funari, aye; Groody, aye; Jaspán, aye;
19 Matta, aye; Mountain, aye; Murray, aye;
20 Sizemore, aye; Sullivan, aye; Wyant,
21 aye.

22 [The motion carried unanimously.]

23 ***

24 Report of Board Counsel - Motion to Enter Default and
25 Deem Facts Admitted

1 MS. WUCINSKI:

2 Moving on to agenda item 7, I believe
3 the Board would entertain a motion to
4 grant the Motion to Deem Facts Admitted
5 for Stuart Jay Danzing, D.D.S., Case No.
6 16-46-03113 & Case No. 18-46-001201 and
7 direct Board counsel to draft an
8 Adjudication and Order as discussed in
9 Executive Session.

10 MS. HUGHES:

11 Could I have a motion, please?

12 DR. FUNARI:

13 I'll make the motion.

14 MS. GROODY:

15 Second.

16 MS. HUGHES:

17 Call the question.

18

19 Arndt, aye; Casey, aye; Fowler, aye;
20 Funari, aye; Groody, aye; Jaspan, aye;
21 Matta, aye; Mountain, aye; Murray, aye;
22 Sizemore, aye; Sullivan, aye; Wyant,
23 aye.

24 [The motion carried unanimously.]

25

1 Report of Board Counsel - Proposed Adjudication and
2 Order

3 MS. WUCINSKI:

4 At agenda item 8, I believe the Board
5 would entertain a motion to direct Board
6 counsel to draft an Adjudication and
7 Order consistent with discussions in
8 Executive Session for Denise Michelle
9 Charles, R.D.H., Case No. 19-46-008763,
10 noting Andrew Matta, Amber Sizemore, and
11 Alice Hart Hughes are all recused.

12 MS. HUGHES:

13 May I have a motion, please?

14 DR. JASPAN:

15 So moved.

16 DR. MOUNTAIN:

17 Second.

18 MS. HUGHES:

19 Call the question.

20

21 Arndt, aye; Casey, aye; Fowler, aye;
22 Funari, aye; Groody, aye; Jaspán, aye;
23 Matta, recuse; Mountain, aye; Murray,
24 aye; Sizemore, recuse; Sullivan, aye;
25 Wyant, aye.

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

4 ***

5 Review of Applications

6 MS. WUCINSKI:

7 At agenda items 11 and 12, I believe the
8 Board would entertain a motion to
9 approve the Applications under Act 41
10 for Asia Pak, Dental Hygienist and Nubia
11 Galeano, Dentist.

12 MS. HUGHES:

13 May I have a motion, please?

14 DR. MOUNTAIN:

15 Motion.

16 MS. GROODY:

17 Second.

18 MS. HUGHES:

19 Call the question.

20

21 Arndt, aye; Casey, aye; Fowler, aye;
22 Funari, aye; Groody, aye; Jaspan, aye;
23 Matta, aye; Mountain, aye; Murray, aye;
24 Sizemore, aye; Sullivan, aye; Wyant,
25 aye.

1 [The motion carried unanimously.]

2 ***

3 MS. WUCINSKI:

4 At agenda item 13, I believe the Board
5 would entertain a motion to deny the
6 Reconsideration Request for Sunczerae
7 Kushkituah, Dentist.

8 MS. HUGHES:

9 Motion, please?

10 DR. MOUNTAIN:

11 Motion.

12 MS. HUGHES:

13 Second?

14 DR. FUNARI:

15 Second.

16 MS. HUGHES:

17 Call the question.

18

19 Arndt, aye; Casey, aye; Fowler, aye;
20 Funari, aye; Groody, aye; Jaspan, aye;
21 Matta, aye; Mountain, aye; Murray, aye;
22 Sizemore, aye; Sullivan, aye; Wyant,
23 aye.

24 [The motion carried unanimously.]

25 ***

1 MS. WUCINSKI:

2 At agenda item 14 and 15, I believe the
3 Board would entertain a motion to
4 approve the Application for Tabasom
5 Ravi, Dentist, and Mehri Zarekari,
6 Dentist.

7 MS. GROODY:

8 I move.

9 DR. ARNDT:

10 Second.

11 MS. HUGHES:

12 Call the question.

13

14 Arndt, aye; Fowler, aye; Funari, aye;
15 Groody, aye; Jaspan, aye; Matta, aye;
16 Mountain, aye; Murray, aye; Sizemore,
17 aye; Sullivan, aye; Wyant, aye.

18 [The motion carried unanimously.]

19

20 MS. WUCINSKI:

21 At agenda item 16, I believe the Board
22 would entertain a motion to approve the
23 EFDA Program of Central Pennsylvania
24 Institute of Technology.

25 MS. GROODY:

1 I move.

2 DR. FUNARI:

3 Second.

4 MS. HUGHES:

5 Call the question.

6

7 Arndt, aye; Casey, aye; Fowler, aye;
8 Funari, aye; Groody, aye; Jaspan, aye;
9 Matta, aye; Mountain, aye; Murray, aye;
10 Sizemore, aye; Sullivan, aye; Wyant,
11 aye.

12 [The motion carried unanimously.]

13 ***

14 CHAIRPERSON LUGO RESUMED THE CHAIR

15 ***

16 [Alice Hart Hughes, Esquire, Secretary, Public
17 Member, withdrew her name for Board chairperson and
18 Board secretary.

19 Chairperson Lugo thanked Ms. Hughes for serving
20 on the Board and thanked her being a great partner
21 this year.

22 Ms. Hughes exited the meeting at 12:35 p.m.]

23 ***

24 Correspondence - American Board of Dental Examiners
25 (ADEX)

1 [R. Ivan Lugo, D.M.D., M.B.A., Chairperson, referred
2 to ADEX correspondence and asked whether any Board
3 members were interested in the two representative
4 positions on the ADEX Committee.

5 Ms. Burns informed the Board that she needed the
6 information, because ADEX had extended their deadline
7 so it could come before the Board.

8 ADEX representative positions to be filled for
9 Pennsylvania are the ADEX Dental Exam Committee Member
10 and the ADEX Dental Hygiene Exam Committee Member/ADEX
11 District 7 Hygiene Representative.

12 Chairperson Lugo stated he would take the ADEX
13 Dental Exam Committee Member representative position
14 if no one else puts their name on it before Ms. Burns
15 sends the email.

16 Dr. Murray offered to take the ADEX Dental
17 Hygiene Exam Committee Member representative
18 position.]

19

20 For the Board's Information/Discussion

21 [R. Ivan Lugo, D.M.D., M.B.A., Chairperson, referred
22 to the 17th Annual ADEX Meeting Report and
23 correspondence from the Southern Regional Testing
24 Agency (SRTA) regarding offering on-demand dental
25 licensure exams for graduating dental students in

1 locations across the country for the Board's review.]

2 ***

3 Report of Board Counsel - Status of Regulations

4 MS. WUCINSKI:

5 Number 6 is the fee increase regulation.

6 I discussed it during the budget
7 presentation. This is a draft of the
8 final rulemaking. It's still waiting
9 for approval from my regulatory
10 supervisor, but I wanted to get it on
11 the agenda today, so it went along with
12 your budget presentation.

13 If everybody is okay with this
14 draft, I believe the Board would
15 entertain a motion to adopt the Draft
16 Final Rulemaking for 16A-4634 entitled
17 Fees and instruct Board counsel to move
18 the regulation through the regulatory
19 process to promulgate as final.

20 CHAIRPERSON LUGO:

21 Could I get a motion?

22 DR. FUNARI:

23 I make the motion.

24 CHAIRPERSON LUGO:

25 Second?

1 DR. MATTA:

2 Second.

3 CHAIRPERSON LUGO:

4 Call the question.

5

6 Arndt, aye; Casey, aye; Funari, aye;

7 Groody, aye; Jaspán, aye; Matta, aye;

8 Mountain, aye; Murray, aye; Sizemore,

9 aye; Sullivan, aye; Wyant, aye.

10 [The motion carried unanimously.]

11 ***

12 Report of Board Counsel - Miscellaneous

13 [Shana M. Walter, Esquire, Board Counsel, referred to
14 Senate Bill 923 regarding telemedicine and the
15 prohibition on the prescription of certain medications
16 via telemedicine for the Board's information. She
17 mentioned that a lengthy list of medications is
18 available online from the Food and Drug Administration
19 (FDA).]

20 ***

21 Report of Board Chairperson

22 [R. Ivan Lugo, D.M.D., M.B.A., Chairperson, expressed
23 thanks again to Ms. Hughes and everyone from counsel
24 to Ms. Burns. He noted appreciation for all of the
25 Board members dedication throughout the pandemic.]

1 ***

2 Report of Commissioner
3 [K. Kalonji Johnson, Commissioner, Bureau of
4 Professional and Occupational Affairs, agreed with
5 Chairperson Lugo. He stated the Board had seen
6 incredible circumstances throughout the pandemic and
7 its response had been phenomenal. He commended
8 Chairperson Lugo and the Board for their perseverance
9 and patience throughout the pandemic.

10 Commissioner Johnson noted some of the regulatory
11 suspensions were extended through March 31, 2022,
12 including the use of a virtual platform. He commented
13 that the General Assembly is currently discussing
14 whether there is the opportunity to provide some type
15 of hybrid platform after March 2022 because of the
16 benefit of opening up the meetings to a wider audience
17 through the use of technology.

18 Commissioner Johnson addressed Board travel,
19 noting the prohibition on physical travel was lifted
20 for national and regional conferences, but the
21 department still prefers virtual participation where
22 available. He mentioned that physical travel is
23 limited to two Board members, but the virtual option
24 is available to everyone.

25 Commissioner Johnson stated physical travel

1 requests needed to be formalized according to the
2 Sunshine Act, and expenditure of funds needed to be on
3 the agenda and voted upon before any administrative
4 approvals. He encouraged Board members to let Ms.
5 Burns, Ms. Walter, or Ms. Wucinski know well in
6 advanced so the request could be placed on the next
7 appropriate agenda.

8 Commissioner Johnson informed Board members of a
9 new administrative process and recommended everyone
10 submit physical travel requests to national or
11 regional conventions through the Commonwealth Out-of-
12 State Travel Application (COSTA) portal as soon as
13 possible for processing.

14 Commissioner Johnson welcomed Mr. Wyant to the
15 Board.

16 Dr. Funari informed Commissioner Johnson of
17 problems accessing Microsoft Office. He mentioned
18 working with information technology (IT) but could not
19 forward emails from that account to one of his
20 personal working accounting. He questioned whether
21 there could be a waiver from Board members who do not
22 routinely log in to that account on a daily basis.

23 Commissioner Johnson explained that it is
24 designed to protect Board members. He discouraged
25 Board members from forwarding those documents into a

1 personal email because those are Commonwealth
2 addresses being specifically used for Board business.

3 Ms. Walter further explained that the Office of
4 Administration would be required to go through
5 someone's entire personal email box looking for emails
6 relevant to the piece of litigation if there was ever
7 a lawsuit. She recommended keeping all Commonwealth
8 emails on pa.gov.

9 Dr. Jaspán asked Commissioner Johnson whether
10 passwords could be extended longer than two months
11 since the Board only meets every other month.

12 Commissioner Johnson explained that the password
13 update is also to avoid potential intrusion or risk of
14 intrusion. He stated there was no way around the 60-
15 day window and advised everyone to familiarize
16 themselves with the web portal to change passwords
17 online and to set a reminder every 45 days or so to
18 change that password.

19 Dr. Funari also informed Commissioner Johnson of
20 problems with the Commonwealth User Provisioning and
21 Self-Service (CUPSS) application when changing
22 passwords, where IT needs to be called to unlock
23 things.

24 Commissioner Johnson suggested tabling the
25 matter.

1 for chairman.

2 CHAIRPERSON LUGO:

3 Second?

4 DR. MOUNTAIN:

5 I would like to nominate Dr. Sullivan

6 MS. WUCINSKI:

7 We have Dr. Sullivan and Dr. Casey. Is
8 there any other nomination?

9 MS. WALTER:

10 Is there a motion to elect Dr. Shawn
11 Casey as chair for 2022?

12 DR. ARNDT:

13 Move.

14 DR. JASPAN:

15 Second.

16 MS. WALTER:

17 Let's do a roll call vote.

18

19 Arndt, aye; Casey, aye; Funari, aye;

20 Groody, aye; Jaspán, aye; Matta, aye;

21 Mountain, nay; Murray, aye; Sizemore,

22 aye; Sullivan, abstain; Wyant, abstain.

23 [The motion carried. Dr. Mountain opposed the motion.

24 Dr. Wyant abstained from voting on the motion.]

25

1 MS. WALTER:

2 Would the Board entertain a motion to
3 elect Dr. Jennifer Unis Sullivan as
4 secretary for the State Board of
5 Dentistry in 2022?

6 We'll do a roll call vote. I need
7 a motion.

8 DR. ARNDT:

9 Motion.

10 DR. JASPAN:

11 Second.

12 MS. WALTER:

13 Arndt, aye; Casey, aye; Funari, aye;
14 Groody, aye; Jaspán, aye; Matta, aye;
15 Mountain, aye; Murray, aye; Sizemore,
16 aye; Wyant, abstain.

17 [The motion carried. Dr. Wyant abstained from voting
18 on the motion.]

19 ***

20 [Shawn M. Casey, D.M.D., thanked everyone and hoped
21 everyone had a happy Thanksgiving and holiday season
22 and looked forward to working with everybody in 2022.

23 Dr. Sullivan thanked everybody for being elected
24 as secretary and wished everyone a great Thanksgiving
25 and healthy holiday.]

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Adjournment

CHAIRPERSON LUGO:

All those in favor of adjourning? Can I
have a motion?

DR. FUNARI:

I'll make a motion to adjourn.

DR. CASEY:

Second.

CHAIRPERSON LUGO:

All in favor?

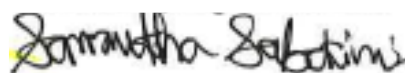
[The motion carried unanimously.]

[There being no further business, the State Board of
Dentistry Meeting adjourned at 1:03 p.m.]

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CERTIFICATE

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



Samantha Sabatini,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF DENTISTRY
REFERENCE INDEX

November 19, 2021

TIME	AGENDA
11:03	Official Call to Order
11:03	Roll Call
11:07	Approval of Minutes
11:11	Introduction of Attendees
11:12	Report of Prosecutorial Division
11:25	Appointment - Bureau of Finance and Operations Annual Budget Presentation
11:35	Appointment - Dental Hygienists Use of Lasers Presentation
12:21	Executive Session
12:24	Open Session
12:24	Motions
12:30	Review of Applications
12:35	Correspondence
12:36	For the Board's Information/Discussion
12:37	Report of Board Counsel
12:41	Report of Board Chairperson
12:43	Report of Commissioner
12:55	For the Board's Information - Election of Officers
1:03	Adjournment