

**BOARD OF DENTAL EXAMINERS**  
Professional & Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

**MINUTES OF MEETING**

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Monday, September 19, 2011

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Present: Mark Baird, D.D.S., Dental Member  
Armand Chong, D.D.S., Vice Chair  
Paul Condry, Public Member  
Dan Fujii, D.D.S., MPH, Dental Member  
Marian Grey, Public Member  
Paul Guevara, D.M.D., M.D.S., Dentist  
Cheryl Nakagawa, R.D.H., Dental Hygienist Member  
Marilyn Nonaka, R.D.H., Dental Hygienist Member  
Robert Sherman, D.M.D., Dental Member  
Melanie Vallejos, D.D.S., Dental Member  
Candace Wada, D.D.S., Dental Member  
Stephen Levins, Esq., Deputy Attorney General  
James Kobashigawa, Executive Officer  
Sandra Matsushima, Executive Officer  
Terry Akasaka-Toyama, Secretary

Excused: Wayne Atebara, D.D.S., Dental Member

Guests: Lei Fukumura, Esq., Special Deputy Attorney General, Professional and Vocational Licensing Division  
Diane Brucato-Thomas, RDH, EF, BS, FAADH, Hawaii Dental Hygienists' Association ("HDHA") Past President  
Jill Rethman, RDH, BA, HDHA President Elect

1. Call to Order: There being a quorum present, Chair Baird called the meeting to order at 9:02 a.m.

2. Additions/  
Revisions  
to Agenda:

It was moved by Dr. Vallejos, seconded by Dr. Chong, and unanimously carried to add the following to the agenda:

- Under 4. Applications, add b. *Application for Permit to Administer General Anesthesia – Dr. Emmanuel Taylor*
- Under 7. New Business, add i. *Ratification of Continuing Education Courses*
- Under 8. Correspondence, add c. *E-mail from William Koustas* and d. *E-mail from Sonya Gupta, D.D.S.*

At this time, Dr. Guevara was introduced as an interim dental member to the Board replacing Dr. Miyazawa. He still needs to be confirmed during next year's Legislative session.

3. Approval of  
Board Meeting  
And Executive  
Session  
Minutes of  
July 18, 2011  
Meeting:

It was moved by Dr. Chong, seconded by Ms. Nakagawa and unanimously carried to approve both the board and executive session minutes of the July 18, 2011 meeting.

4. Chapter 91,  
HRS,  
Adjudicatory  
Matters:

At 9:08 a.m., Chair Baird recessed the Board's meeting to discuss the following adjudicatory matters pursuant to Chapter 91, HRS. Guests were excused from the meeting room except for Ms. Fukumura.

- a. In the Matter of the Community Service License of Paul W. Thomas, D.D.S. – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

It was moved by Ms. Grey, seconded by Dr. Vallejos, and unanimously carried to approve the above settlement agreement.

At 9:13 a.m., Dr. Wada arrived at the meeting.

At 9:22 a.m., the Board came out of Chapter 91, HRS, and returned to its regular order of business.

4. Applications:

- a. Ratifications

It was moved by Mr. Condry, seconded by Dr. Chong, and unanimously carried to ratify the following:

Approved Dentist

- KANEMARU, Kelli
- KUNZ, Kevin
- LO, John Jen-Hung
- MANDICH, Brett
- MATSUURA, Blake
- MIYAI, Aaron
- ODA, Nalani

Approved Dental Hygienist

- BRIGGS, Katie
- CHALOUPEK, Heather
- FISHER, Samantha
- LE, Gam
- MAGNUSON, Jennifer
- NAKO, Diana
- O'SHAUGHNESSY, Breanna
- PETROVICH, Clarina
- PLASTER, Michelle
- SANDOVAL, Maria
- SHIROTA-PURDY, Leina
- WOLF, Jason
- YUREVITZ, Keith

Approved Certification in the Administration of Intra-Oral  
Infiltration and Block Anesthesia

- BRIGGS, Katie
- CHALOUPEK, Heather
- LE, Gam
- MADAUS, Danielle
- MAHOUTCHI, Solmaz
- NAKO, Diana
- PETROVICH, Clarina
- SANDOVAL, Maria
- SHIROTA-PURDY, Leina
- YUREVITZ, Keith

Approved Community Service License – Dentist

- HATCH, Darren (Hana Community Health Center)
- FU, Jonathan (Waianae Coast Comprehensive Health Center)
- SORENSEN, Clinton (Hana Community Health Center)

Approved Community Service License – Dental Hygienist

- SLUSS, Heather (Molokai Health Care, Inc.)

Approved Temporary Permit – Dentist

- BAXTER, Trace (Queen's Medical Center)

b. Application for Permit to Administer General Anesthesia

It was moved by Mr. Condry, seconded by Dr. Chong, and unanimously carried to approve the following application:

- Dr. Emmanuel Taylor

6. Old Business: a. Discussion on 2011 Legislation

None.

b. Discussion of Proposed Amendments to Chapter 16-79, Hawaii Administrative Rules, Sections 16-79-1 to 16-79-148 and Revisions or Changes Thereto

Executive Session:

At 9:27 a.m., it was moved by Ms. Nakagawa, seconded by Dr. Chong, and unanimously carried to enter into executive session pursuant to HRS §§ 92-4 and 92-5(a)(4), to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

Guests were excused from the meeting room.

At 9:35 a.m., it was moved by Ms. Nakagawa, seconded by Dr. Chong, and unanimously carried to move out of executive session and return to its regular order of business.

Proposed amendments were previously approved and no further action was taken.

7. New Business: a. Matters Relating to the American Board of Dental Examiners ("ADEX")

- ADEX House of Representatives ("HOR") Meeting

The 7<sup>th</sup> ADEX HOR Meeting is scheduled for Sunday, November 6, 2011 at the Doubletree Hotel in Rosemont, IL. A preliminary agenda was distributed to the members for their information.

- Delegation of Representative to the Meeting

Dr. Baird will be the Board's delegate to attend the ADEX HOR Meeting. Ms. Grey will be representing as the district public member.

b. Matters Relating to the Central Regional Dental Testing Service ("CRDTS")

- The CRDTS Report

The July 2011 issue of CRDTS newsletter "The CRDTS Report" was distributed to the members for their information.

- Report on Annual Meeting

Ms. Nakagawa attended the breakfast meeting and reported the following:

- CRDTS is advocating for the continued "live patient" examinations to ensure fidelity.
- Regarding national licensure examination, the Curriculum Integrated Format ("CIF") will be more the norm. Dr. Marv Dvork says that the regions should get together and create one national examination that each regional agency can use and test in their own region.

c. Matters Related to the American Association of Dental Boards ("AADB")

- AADB Annual Meeting

This year's annual meeting will be held on October 9-10, 2011 in Las Vegas, NV. Dr. Sherman is the Board's delegate. Ms. Matsushima will also attend the AADB Annual Meeting as well as the American Association of Dental Administrators' ("AADA") meeting for board administrators. The AADA's Annual Meeting will be held after the AADB meeting.

- Board liaison to AADB

Dr. Baird will be the Board's liaison to AADB.

- Introduction of Special Pilot Program

AADB has a new program which will assist state dental boards with disciplinary cases. This is the result of collaboration between AADB and the University of Maryland Baltimore College of Dental Surgery, Marquette University School of Dentistry, and Louisiana State University School of Dentistry. This new program promises to be a significant new regulatory resource for dental boards across the country.

- AADB Guidelines on Advertising

A proposed guideline was compiled from the efforts of multiple attorneys within the AADB Attorneys Roundtable and contain substantial revisions in order to help protect the public from misleading and deceptive advertising, while keeping in mind recent court decisions that have resulted in adverse decisions to licensing boards.

The proposed guidelines were distributed to the members for their information.

- Survey Results Relating to Developing Guidelines on Ethical Behavior for Dental Boards and Licensees

AADB recently surveyed the executive directors of state dental boards. The survey asked about aspects of the board's dealings with licensees and about policy and practice regarding the board's internal functioning. The results will be used as general background information for consideration as it works to develop Guidelines on Ethical Behavior for Dental Boards and Licensees.

The results were distributed to the members for their information.

d. Matters Relating to the American Dental Association ("ADA")

- Commission on Dental Accreditation to Establish Standards for Dental Therapy Education Programs

The Commission on Dental Accreditation granted a request from the University of Minnesota, School of Dentistry to establish accreditation standards for dental

therapy education programs. A task force to develop new standards for dental therapy education programs will be appointed and must report their progress at the August 2012 CODA meeting. The process of developing dental therapy standards will take a minimum of two years.

- Commission on Dental Accreditation August 5 Unofficial Report of Major Actions

The report was distributed to the members for their information.

- ADA Course – Recognition and Management of Complications during Minimal and Moderate Sedation

The ADA and the Council on Dental Education and Licensure are pleased to again offer the ADA's two-part continuing education course, "Recognition and Management of Complications during Minimal and Moderate Sedation" on October 27-28, 2011. The course focuses on patient monitoring and airway management and is for dentists who administer minimal or moderate sedation in their offices.

- Joint Commission Newsletter

This edition of the newsletter reports on actions taken by the Joint Commission on National Board Dental Examinations, examination policy changes, new endodontic terminology to be used in Part II, pass/fail score reporting, obtaining a National Board replacement certificate, an update on Committee for an Integrated Examination activities and other need to know information.

A copy of the newsletter can be downloaded at the following webpage:

[www.ada.org/sections/educationAndCareers/pdfs/vol\\_4\\_nbr\\_1.PDF](http://www.ada.org/sections/educationAndCareers/pdfs/vol_4_nbr_1.PDF)

e. Matters Relating to the North East Regional Board of Dental Examiners, Inc. ("NERB")

- Letter from Guy Champaine, DDS

The NERB Executive Committee extended an invitation to the Board to submit an application to become active members in NERB since the Board already accepts the NERB administered ADEX exam in dentistry. There are no costs or fees to a member state associated with NERB membership and there are no membership fees or costs to attend meetings and/or examinations.

Dr. Baird and Dr. Wada observed the administration of the ADLEX administered by NERB and the Nevada Board and were impressed with how well the exam was administered.

Dr. Baird and Dr. Sherman recommended becoming a member of the NERB.

After discussion, it was moved by Dr. Sherman, seconded by Dr. Wada, and carried (ayes from Baird, Chong, Condry, Fujii, Grey, Guevara, Nakagawa, Sherman, Vallejos, and Wada while Nonaka voted nay) to entertain the offer of becoming a member of NERB.

f. Discussion on Amending the Board's Application

Dr. Sherman reported that the Applications Task Force is still researching and looking at what other states are requiring on their applications.

g. Approval of Regulated Industries Complaints Office ("RICO") Dental Advisory Committee

It was moved by Dr. Sherman, seconded by Dr. Fujii, and unanimously carried to approve the following licensees to RICO's Dental Advisory Committee, which also includes any additional interim appointees that RICO deems necessary to aid in its investigations:

Pearl Arrington  
Dr. Robert Atebara  
Diane Brucato-Thomas  
Dr. Clarence Chinn  
Dr. Norman Chun  
Dr. Milton Fujiuchi  
Dr. Glenn Hanada  
Dr. Lili Horton  
Dr. Marcy Kawasaki



Laura Mallery-Sayre  
Dr. Harvey Misaki  
Dr. Anthony Sur  
Dr. Luke Teruya  
Dr. George Wessberg  
Dr. Lewis Williamson  
Dr. Craig Yamamoto  
Dr. Herman Zampetti Jr.

Recess: At 10:25 a.m., Chair Baird called for a recess.

Reconvene: At 10:37 a.m., the Board returned to its regular order of business.

h. Discussion on Role of RICO

Mr. Levin briefly explained to the Board the process of how RICO works after complaints are filed.

It was questioned if RICO follows up on settlement agreements that were rejected from the Board as the Board has had some in the past and there has been no word about the status of it since then. The Board would like to see improved communication with RICO.

There were also questions as to the types of violations/complaints that are filed with RICO such as quality of care or public safety issues, etc.

By consensus of the Board, RICO will be asked to attend the next Board meeting at which time the Board can ask questions and voice any concerns they may have.

i. Ratification of Continuing Education Courses

It was moved by Ms. Nonaka, seconded by Dr. Chong, and unanimously carried to approve the following course:

- "Wilson 3D Appliance: Treatment and Technique"  
Rocky Mountain Orthodontics  
6 hours

By consensus of the Board, after reviewing and discussing the course's content, the following will be deferred for further review:

- 2011-2012 Medical-Dental-Legal Update  
American Educational Institute, Inc.

8. Correspondence: a. Letter from Lesley Royak, Oral Health Enrichment

Oral Health Enrichment ("OHE") is an organization that dental boards can utilize to educate/remediate dentists who have fallen below minimal competency. Costs are only to the licensee. OHE is currently approved with 18 state dental boards

For information only.

b. E-mail from Dr. Craig Fujioka

Dr. Fujioka inquired whether general dentists are allowed to use Botox therapeutically for treatment and management of TMD, bruxism, migraine and facial pain. He also questioned whether general dentists are allowed to use collagen fillers intraorally for filling in of "black triangles" or enhancing ridges under pontics.

After much discussion, it was moved by Dr. Vallejos, seconded by Ms. Nakagawa, and unanimously carried to form an investigative committee to research the use of the products and off-label use of prescription medications allowed within the practice of dentistry. The following members form the Committee:

Dr. Armand Chong  
Dr. Paul Guevara  
Dr. Robert Sherman  
Dr. Melanie Vallejos

The Committee is to investigate the use of botox and dermal fillers in the practice of dentistry, and report back at the next meeting. After discussion, by consensus of the Board, this matter will be deferred and Mr. Kobashigawa is to ask Dr. Fujioka to provide literature/resource materials on the products; how and where the procedures will be performed; where the products will be administered on the patient; and the necessity, use, risks and benefits of administering dermal fillers intra-orally.

c. E-mail from William Koustas

Mr. Koustas inquired whether dentists are permitted to order and administer prescription products such as a dermal filler or prescription sclerosing agent (for varicose veins) from the company marking the product.

After discussion, by consensus of the Board Mr. Kobashigawa is to inform Mr. Koustas that a dentist cannot order or administer prescription products such as dermal fillers or prescription sclerosing agents for purposes other than the practice of dentistry.

d. E-mail from Sonya Gupta, D.D.S.

Dr. Gupta, along with a local pediatrician and the Kihei Rotary Club, would like to do an oral health outreach project by going into schools on Maui to educate first graders on cavity prevention as well as to apply fluoride varnishes for children who have not been to a dentist.

It was suggested that Dr. Gupta go through the proper channels first by submitting a written proposal to the Department of Education and the Department of Health.

There were questions relating to the supervision and whether the pediatrician would be supervising the dental hygienist if the hygienist is the one to administer the fluoride varnish.

By consensus of the Board, Mr. Kobashigawa is to respond to Dr. Gupta informing her that she should go through the proper channels by contacting the Department of Education and the Department of Health regarding their proposal of an oral health outreach project on Maui.

9. Executive Officer's Report on Matters Related to the Board of Dental Examiners:

a. Update on Joint Commission on National Dental Examinations – Policy Changes and Survey

The Joint Commission on National Dental Examinations ("JCNDE") developed language State Boards might find useful should the JCNDE make policy changes regarding the reporting of National Board Dental Examinations and National Board Dental Hygiene Examination results where applicants shall have achieved a standard score of 75 or higher, where 75 is designated as the minimum passing standard score by the JCNDE.

b. Oral Health Enrichment

(see Correspondence, a. Letter from Lesley Royak, Oral Health Enrichment)

c. Letter to University of Hawaii School of Dental Hygiene

Mr. Kobashigawa informed the Board that he wrote to Ms. Carolyn Kuba requesting that the University of Hawaii ("UH") School of Nursing and Dental Hygiene revisit the possibility of hosting the dental hygiene licensure examination at their dental hygiene facility on the UH-Manoa campus citing not only would a change in venue eliminate a potential cancellation of examination that now exists at the Naval Dental Clinic, but UH students would have the benefit of familiarity at the UH-Manoa clinic, and patients would have the convenience of a centrally-located facility.

He has not received a response as of yet.

10. Public Comment on Matters Related to the Board of Dental Examiners: None.

11. Announcements: None.

12. Next Meeting: Monday, November 21, 2011  
9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813


13. Adjournment: It was moved by Dr. Chong, seconded by Ms. Nakagawa, and unanimously carried to adjourn the meeting at 11:40 a.m.

Taken and recorded by:



Terry Akasaka-Toyama  
Secretary

Reviewed and approved by:



James Kobashigawa  
Executive Officer

JKK:tat  
10/18/11

[ ] Minutes approved as is.

[ X ] Minutes approved with changes; see minutes of 11/21/11.