

**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, July 23, 2012

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., Chairperson, Dental Member  
Mark Chun, D.M.D., Dental Member  
Marian Grey, Public Member  
Paul Guevara, D.M.D., M.D.S., Dental Member  
Cheryl Nakagawa, R.D.H., Dental Hygiene Member  
Marilyn Nonaka, R.D.H., Dental Hygiene Member  
Garrett Ota, D.D.S., Dental 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  
Jennifer Fong, Secretary

Guests: Kathleen Kelly, Nevada State Board of Dental Examiners Executive Director  
Bruce Barrette, D.D.S., American Board of Dental Examiners ("ADEX") President  
Diane Brucato-Thomas, RDH, EF, BS, FAADH, Hawaii Dental Hygienists' Association ("HDHA") Past President  
Gayle Chang, RDH, HDHA  
John Hassler, Regulated Industries Complaints Office ("RICO") Supervising Attorney  
Stan Kanna, D.D.S., ADEX Vice President  
Nanette Kosydar Dreves, RDH, ADEX Dental Hygiene Examination Committee

Carolyn Kuba, UH Dental Hygiene Department Chair  
Loren Liebling, Hawaii Dental Association ("HDA")  
Jill Rethman, HDHA President  
Guy Shampaine, D.D.S., American Association of Dental Boards  
("AADB")  
Kathy Shampaine

1. Call to Order: There being a quorum present, Chair Baird called the meeting to order at 9:05 a.m.
  
2. Additions/Revisions to Agenda: It was moved by Ms. Nakagawa, seconded by Ms. Grey, and unanimously carried to add the following to the agenda:
  - Under 6. New Business, d. Matters Relating to the Central Regional Testing Service ("CRDTS"), add *CRDTS Examiners*
  - Under 6. New Business, add *k. Request for Approval of CE Course – American Trauma Event Management*
  - Under 6. New Business, add *l. Request for Modification of CE Requirement – Cindy (Kam) Inayoshi*
  - Under 7. Correspondence, add *d. E-mail from Eric Muraoka*
  - Under 8. Executive Officer's Report on Matters Related to the Board of Dental Examiners, add *f. ABC News Story on Oral Sedation Deaths*
  - Under 8. Executive Officer's Report on Matters Related to the Board of Dental Examiners, add *g. Article on Colorado Oral Surgeon Re-Using Needles on Patients*
  - Under 10. Announcements, add *b. Board Roster*
  
3. Approval of Board Meeting And Executive Session Minutes of May 21, 2012: It was moved by Dr. Vallejos, seconded by Ms. Nakagawa, and unanimously carried to approve the May 21, 2012 Board meeting minutes.

It was moved by Ms. Nakagawa, seconded by Ms. Grey, and unanimously carried to approve the Executive Session minutes of the May 21, 2012 meeting.
  
4. Applications:
  - a. Ratifications

It was moved by Ms. Nonaka, seconded by Ms. Nakagawa,

and unanimously carried to ratify the following:

Approved Dentist

- CHING, Jason
- CHUNG, Michelle
- FELTY, Trista
- KIM, John
- ROBERTS, Soleil
- SHIM, Susan
- SHITAMOTO, Lisa

Approved Dental Hygienist

- BAEK, Joshua
- BARTOL, Stephanie
- BLAZER, Tawny
- CHASE, Bernita
- DOI, Kelly
- GURAT, Karina
- HABELL, Monica
- HERNANDEZ, Diana
- HUGHES, Tara
- HUNTLEY, Jennifer
- KOPORSKI, Yana
- LEE, Penny
- MATHISON, Maile
- MATSUOKA, Shawncie
- MITCHELL, Stacy
- PASCUA, Diene
- RANKIN, Tommi
- SAGE, Gabrielle
- SCHOENY, Mercedes
- STONE, Rachel
- TENORIO, Joaquin
- TRINH, Thanh
- TSUBOTA, Amy
- WASDO, Shawna
- WYMORE, Dawn

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

- BAEK, Joshua
- BARTOL, Stephanie

- BLAZER, Tawney
- DOI, Kelly
- GURAT, Karina
- HABELL, Monica
- LEE, Penny
- LOFTIN, Brittney
- MATHISON, Maile
- MATSUOKA, Shawncie
- PASCUA, Diene
- RANKIN, Tommi
- TENORIO, Joaquin
- TRINH, Thanh
- TSUBOTA, Amy
- WASDO, Shawn

Approved Temporary License – Dentist

**Kokua Kalihi Valley Comprehensive Family Svcs**

- BOURRET, Courtney
- BROWN, Ashley
- CANTORI, Heather
- CHAU, Mary
- CHENG, Jared
- CHON, Sophia
- FOGEL, Sandra
- JOHNSON, Michael
- KORNBLATT, Michael
- NAKAMURA, Christopher
- SCHMIDT, Paris
- SUH, Betty

**The Queen's Medical Center**

- HOLLANDER, Jesse
- PAK, Jaclyn
- TAUCHER, Jared

**Waianae Coast Comprehensive Health Center**

- LIM, Jane
- YOUNG, Lauren
- YU, Serena

At this time, Chair Baird announced he was taking the agenda out of order to

discuss the following agenda items:

- 4. Applications, b. Application for Dental Hygiene License – Lana Monestier
  - 4. Applications, c. Application for Community Service License – Dentist – Michael Olmstead
  - 6. New Business, a. Discussion on Fees
  - 6. New Business, b. Discussion on Continuing Education
  - 6. New Business, c. Matters Relating to the American Association of Dental Boards (“AADB”), presentation on AADB Assessment Services Program.
  - 6. New Business, e. Matters Relating to the American Board of Dental Examiners (“ADEX”)
  - 6. New Business, f. Matters Relating to the North East Regional Board of Dental Examiners (“NERB”), June 2012 Steering Committee Report.
  - 6. New Business, j. Election of Officers
  - 7. Correspondence, d. E-mail from Eric Muraoka
6. New Business: f. Matters Relating to the North East Regional Board of Dental Examiners, Inc. (“NERB”)
- June 2012 Steering Committee Report

Ms. Nakagawa made the following report:

- ✓ ADEX is an organization of State Dental Boards and its goal is the development of a National Uniform Exam.

As of June 7, 2012, 29 states are members of ADEX and 43 states accept the ADEX examinations

- ✓ Page 7 of The NERB DH Candidates Manual will be corrected to clarify that the ADEX Examination Committees develop the examinations and NERB administers the examinations.

- ✓ In 2013, the Southern Regional Testing Agency (“SRTA”) will administer the ADEX.
- ✓ The name/title of the ADEX Examinations has changed. The “ADLEX” to “ADEX Dental Examination” and the “ADHLEX” to “ADEX Dental Hygiene Examination”.
- ✓ Occupational Task Analyses determine the content of what is tested on the exams (e.g. why important procedures such as fabricating temporaries, intra/extra oral examinations, extractions, etc. are not tested.)
- ✓ The Report on the 2012 February/March examinations was reviewed with the steering committee and educator audience.
- ✓ The Electronic Scoring Platform Committee reported that their goals are utilization of technology to improve the flow, decrease grading time = increase testing time (e.g. 90 minutes to 2 hours), increase accuracy, and to ensure equity and anonymity.

They are looking into a “Kindle” sized tablet which enables “Q-tip” scrolling to address infection control issues.

Currently, having IT personnel at each dental hygiene (“DH”) exam is cost-prohibitive, but that is the goal. NERB has asked ADEX to review SRTA’s automated platform for the DH testing.

- ✓ The Alpine Testing presentation included discussion on psychometric considerations on test construction. The test of minimal competency must be valid, reliable and fair, as well as cost-effective. It has nothing to do with what task may be valuable (i.e. intra/extra oral examinations, extractions, temporary construction, periodontal procedures, etc.)

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

**Presentation on AADB Assessment Services Program**

Dr. Shampaine gave a comprehensive presentation on the AADB Assessment Services Program which includes the Dentist-Professional Review and Evaluation Program (“D-PREP”).

The intent of D-PREP is to detect, evaluate and suggest possible remediation of deficiencies in practitioners referred to the program by their boards. This program is not designed for the impaired practitioner. Currently, there are assessment centers at the University of Maryland, Marquette University and Louisiana State University.

There was a question on how a practitioner’s actions would be brought to the Board’s attention.

Dr. Shampaine said primarily through patient complaints.

One of the members noted that in Hawaii, investigation into complaints is done through RICO and questioned how the practitioners would be referred to the program.

Dr. Shampaine noted that nationally, there are three types of dental boards. There are boards that are completely independent (fully funded with their own staff including investigators), boards such as Hawaii that uses an outside investigative agency, and boards which are a hybrid of the two.

There was an inquiry on the cost and who paid for the program.

Dr. Shampaine stated that the cost of the program is determined by each assessment center and noted that practitioners are responsible for the cost of the program.

The Board thanked Dr. Shampaine for his presentation.

e. Matters Relating to the American Board of Dental Examiners (“ADEX”)

Ms. Nanette Kosydar Dreves conducted her presentation on the ADEX Dental Hygiene Examination reviewing the updates to the dental hygiene examination and information on the ADEX governing structure.

ADEX does not administer any examinations. They are a test development organization that develops dental and dental hygiene exams which are administered by NERB. ADEX currently has 29 member states. 43 states recognize ADEX and accept their exam results.

Recess: At 10:43 a.m., Chair Baird called for a recess.

Reconvene: At 10:55 a.m., the Board returned to its regular order of business.

b. Discussion on Continuing Education

Mr. Hassler gave a brief overview of RICO and stated that when the Board refers continuing education ("CE") complaints to RICO, they conduct an investigation. After speaking to his staff, generally, the practitioner is sent a letter asking for an explanation for not submitting the requested documentation to the Board as a "last chance" before a case is initiated. He noted that each investigation is done on a case-by-case basis and every situation is different.

It was questioned why RICO felt the need to ask for an explanation when the Board has already deemed the practitioner deficient. Oftentimes, the Board has already sent correspondence and given additional time to comply. By the time the complaint is referred to RICO, the Board expects RICO to take action and not duplicate the Board's previous efforts.

Mr. Hassler stated that the letters are sent as part of RICO's normal procedures.

The Board inquired what would make it easier for RICO to conduct their investigation and ultimately, discipline these practitioners.

Mr. Hassler said if that is what the Board is interested in, he would have to find out what RICO can do.

The Board expressed frustration because they are limited in what they can do and they want to express their concern over the handling of practitioners' non-compliance with the CE requirement.



It was stated that the Board granting extensions to comply with the CE requirements does not negate the fact that the practitioners are in violation as they did not comply with the law in a timely manner. As the enforcement arm of the Board, when all efforts have been exhausted by the Board and its officers, the Board must delegate to RICO to investigate and prosecute. On a case-by-case matter, RICO should consider appropriate fines and/or forfeiture of license as per language found in §436B, 447 and 448, Hawaii Revised Statutes.

Mr. Hassler said he would talk to the investigators and inform them of the Board's wishes.

One of the members expressed concern that the process of submitting CE documentation is antiquated and suggested that the State consider investing in modernizing their system.

j. Election of Officers

The floor was opened for nominations for Vice Chair.

It was moved by Dr. Wada, seconded by Ms. Grey, and unanimously carried to nominate and elect Ms. Nakagawa as Vice Chair of the Board for the upcoming year.

The floor was opened for nominations for Chair.

It was moved by Dr. Vallejos, seconded by Ms. Nakagawa, and unanimously carried to nominate and elect Dr. Baird as Chair of the Board for the upcoming year.

Executive Session:

At 11:00 a.m., it was moved by Ms. Nakagawa, seconded by Dr. Wada, and unanimously carried to enter into executive session pursuant to HRS §§ 92-4 and 92-5(a)(1) and (4), to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section HRS §26-9 or both, and 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.

EXECUTIVE SESSION

- 4. Applications, b. Application for Dental Hygiene License – Lana Monestier
- 4. Applications, c. Application for Community Service License – Dentist – Michael Olmstead
- 6. New Business, a. Discussion on Fees
- 7. Correspondence, d. E-mail from Eric Muraoka

At 12:05 p.m., it was moved by Ms. Nonaka, seconded by Ms. Nakagawa, and unanimously carried to move out of executive session.

4. Applications:      b.      Application for Dental Hygiene License – Lana Monestier

After discussion, it was moved by Ms. Nakagawa, seconded by Dr. Wada, and unanimously carried to deny Ms. Monestier's dental hygiene application as she does not meet the examination requirement pursuant to section 447-1, HRS.

- c.      Application for Community Service License – Dentist – Michael Olmstead

After discussion, it was moved by Dr. Wada, seconded by Ms. Nakagawa, and unanimously carried to direct Mr. Kobashigawa to determine if the supervised dental assistants will be working on live patients. If so, the Board believes that would constitute the practice of dentistry which would require a license. Since Dr. Olmstead stated the supervised dental assistants would be working on live patients and he does not meet the requirements of passing the National Board Dental Examination Part II within the last five years or being in active practice of clinical dentistry of not less than one thousand hours per year for the three years immediately prior to the date of request, Dr. Olmstead's application for a community service license would be denied.

7. Correspondence: a. E-mail from Eric Muraoka

Dr. Muraoka inquired whether he could use the clinical portions of his passed Western Regional Dental Exam (“WREB”) and qualify it as a completed requirement toward the ADEX examination requirement.

It was moved by Dr. Sherman, seconded by Dr. Chun, and unanimously carried to deny Dr. Muraoka’s request as he will need to comply with the current requirement, which is to pass the ADEX dental licensure exam, pursuant to section 448-9.4, HRS.

The Board returned to its regular order of business.

5. Old Business a. Report of Investigative Committee on Use of BOTOX and Dermal Fillers/Correspondence from Dr. Craig Fujioka

By consensus of the Board, this matter will be deferred.

b. American Association of Dental Boards Survey on Allowable Procedures

By consensus of the Board, this matter will be deferred.

c. Discussion on Amending Board’s Application Forms

By consensus of the Board, this matter will be deferred.

d. Discussion on 2012 Legislation

**Act 247 (H.B. 2257, H.D.1, S.D.1 – Relating to Professional and Vocational Licensing)**

This Act permits licensure by endorsement or licensure by reciprocity in certain situations for a nonresident military spouse. It establishes procedures for a nonresident military spouse to receive a license by endorsement or license by reciprocity and permits issuance of a temporary license if certain requirements are met. This bill also requires the licensing authority to expedite consideration of the application and issuance of a license by endorsement, license by reciprocity, or temporary license to a qualified nonresident military spouse.

**Act 248 (H.B. 2258, H.D.2, S.D.1 – Relating to Professional and Vocational Licensing)**

This act requires professional and vocational licensing boards to consider relevant military education, training, and service as part of the evaluation process toward the qualification of a license.

There was discussion on how to best implement the Act.

By consensus, the Board approved the creation of an applications committee to determine the best way to handle implementation of Act 247 and Act 248. The committee will be composed of Dr. Chun, Dr. Guevara, Ms. Nakagawa, Dr. Ota and Dr. Sherman.

Dr. Vallejos was excused from the meeting at 12:33 p.m.

e. Discussion on Board's Administrative Rules

The Board will proceed with provisions previously proposed for amendments.

6. New Business: c. Matters Related to the American Association of Dental Boards ("AADB")

• AADB Annual Meeting

AADB's 129<sup>th</sup> Annual Meeting is scheduled for October 17-18, 2012 in San Francisco, CA. Ms. Matsushima, Dr. Baird and Dr. Sherman will be attending this meeting.

• AADA Meeting

AADA's 28<sup>th</sup> Annual Conference is scheduled for October 15-16, 2012 in San Francisco, CA. Mr. Kobashigawa and Ms. Matsushima will be attending this conference.

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

• CRDTS Annual Meeting

CRDTS Annual Meeting is scheduled for August 23-25, 2012 in Kansas City, MO.

Ms. Matsushima, Dr. Baird, Dr. Ota and Dr. Wada will be attending this meeting.

- 2012 Year-To-Date Master Grade Sheet as of June 2012

This was circulated to the members for their information.

- CRDTS Examiners

It was moved by Ms. Nonaka, seconded by Ms. Nakagawa, and unanimously carried to recommend Marianne Timmerman, RDH and Rosemary Vierra, RDH, as CRDTS examiners.

Dr. Wada was excused from the meeting at 12:50 p.m.

- e. Matters Relating to the American Board of Dental Examiners ("ADEX")

\*See presentation by Ms. Dreves.

Ms. Nonaka indicated her interest in serving as an examiner for the ADEX dental hygiene examination. She will inquire with the ADEX staff on procedures to apply.

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

- Continuing Education Course at the ADA Annual Session

CE courses will be given at the ADA Annual Session

- Letters from New Mexico Board of Dental Health Care and Board of Dental Examiners of Alabama to ADA

The New Mexico and Alabama Dental Boards wrote in opposition to ADA's proposal to develop a portfolio-style examination for dental licensure.

The Board will be sending a similar letter to ADA.

- h. Dental Hygiene Examination Report

It was reported that three candidates failed the recent exam. All of them have made arrangements to re-take the exam on

the mainland.

i. Dental Examination Report

It was reported that there were eight candidates at the recent exam

k. Request for approval of CE Course – American Trauma Event Management

It was moved by Dr. Guevara, seconded by Dr. Chun, and unanimously carried to approve American Trauma Event Management's CE course.

l. Request for Modification of CE Requirement – Cindy (Kam) Inayoshi

Ms. Inayoshi requested a modification of the CE requirement. Due to an ailment, she is not able to perform CPR and would like the Board to permanently waive the CPR requirement.

After discussion, upon a motion by Dr. Guevara, seconded by Dr. Ota, it was voted on to approve Ms. Inayoshi's request with Dr. Guevara, Dr. Ota, Dr. Baird, Dr. Chun, Ms. Grey, Dr. Sherman, and Ms. Nakagawa voting "Yes", and Ms. Nonaka voting "No". The motion passed.

7. Correspondence: a. E-mail from Nic van der Lee Relating to Dental Assistants Performing Intra-oral Scanning on Patients for Crown, Inlay, and Only Design as Part of CAD/CAM

Mr. van der Lee inquired whether dental assistants can legally perform intra-oral scanning on patients for crown inlay, and only design as part of CAD/CAM, for example the CEREC and E4D systems.

By consensus of the Board, this matter will be deferred.

Dr. Sherman was excused from the meeting at 1:06 p.m.

b. E-mail from California Center for Advanced Dental Studies Relating to Requirements for Licensure of Instructors and Lecturers

The California Center for Advanced Dental Studies

("CCADS") inquired as to what type of license would be required for out-of-state or out-of-country dentists, hygienists and assistants if they are teaching for their program and involved with hands-on clinic work with live patients? CCADS is a post-graduate dental education program for dentists and their team members. Each program is 4 days in length (2 lecture days and 2 clinical days).

By consensus of the Board, this matter will be deferred and directed Mr. Kobashigawa to inform CCADS of the statutes 448-1(3) and if they do not meet this exemption, this program will need board approval.

c. E-mail from Research Corporation of the University of Hawaii ("RCUH") Relating to Temporary or Community Service License

The RCUH inquired whether a dentist with a community service license or a dentist with a temporary license could be hired for their University of Hawaii Oral Health Project. The dentist would conduct basic dental exams (no x-rays) and preventive care (fluoride varnish and sealant for all and temporary fillings only for those who need urgent care) to 3<sup>rd</sup> graders in after-school programs who have received signed parental consent. The dentist would continue their current employment while spending their afternoons for 1 to 2 weeks for this project.

By consensus of the Board, the RCUH will be notified that they can hire a dentist with a temporary license to do this work at the schools, or contract with a qualifying community service agency with a licensed community service dentist to perform the work for them.

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

a. Lawsuit Against Ohio State Dental Board

The Ohio State Dental Board was recently sued by a dentist who is licensed as a specialist. The dentist would like to also practice general dentistry, however, Ohio's laws do not allow this practice.

b. May 2012 Academy of General Dentistry ("AGD") Transcript

By consensus of the Board, this matter will be deferred.

c. Letter from Medwork

Medwork provided information on their dental peer review service. (For information only).

d. Article on Dental Board of California Relating to Use of BOTOX and similar drugs

The Dental Board of California has a specialized permit process to allow qualified dentists to perform BOTOX and other cosmetic surgery.

e. Memorandum from Ethics Commission

Board members were reminded that they are required to file a gift disclosure statement with the Hawaii State Ethics Commission if they have received gifts that fall under the guidelines on their website.

f. ABC News Story on Oral Sedation Deaths

ABC News recently reported that children have been dying due to oral sedatives administered by dentists. The story attributed the deaths to dentists who have been ill-equipped to handle emergencies with children.

g. Article on Colorado Oral Surgeon Re-Using Needles on Patients

The Colorado Department of Public Health and Environment recently found that a Denver oral surgeon has been reusing syringes and needles during oral and facial surgery procedures, and for intravenous (IV) medications, including for sedation.

Ms. Grey was excused from the meeting at 1:22 p.m.

9. Public  
Comment  
On Matters  
Related  
To the Board  
Of Dental  
Examiners:

None.



10. Announcements: a. Letters of Resignation

Both Dr. Fujii and Mr. Condry have submitted a letter of resignation from the Board.

b. Board Roster

An updated board roster was distributed to the members.

11. Next Meeting: Monday, September 17, 2012  
9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

12. Adjournment: It was moved by Dr. Baird, seconded by Ms. Nakagawa, and unanimously carried to adjourn the meeting at 1:26 p.m.

Taken and recorded by:

/s/ Jennifer Fong

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Jennifer Fong  
Secretary

Reviewed and approved by:

/s/ James Kobashigawa

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James Kobashigawa  
Executive Officer

JK:jaf

8/20/12

[ ] Minutes approved as is.

[X] Minutes approved with changes; see minutes of 9/17/12.