

NEW YORK STATE BOARD FOR DENTISTRY

Friday, September 9th, at 9:00 a.m.
Columbia University College of Dental Medicine
Roy and Diana Vagelos Education Center
104 Haven Avenue
Room 404/405
New York, NY 10032

ATTENDANCE: Bruce Seidberg, Acting Chairperson; Ernest Robertson, Acting Vice-Chairperson, Lorraine Carhart, Suzanne Cassata, Paul Chu, Gabriele Hamm, Kerry McEntee, Karen Palleschi, Salim Rayman, Richard Reisman, Stanley Smith, Payam Goudarzi, James Coney

SED STAFF: Dolores Cottrell, Michael Puspurs

ABSENT: Patricia Haberman, Ronald Kosinski, Wayne Kye, Evelyn Salgado, Tera Jenkins

GUESTS: Robin Grasso, RDH; (NYDHA), Matthew Smalls (Miranda Group), Betsy Bray, RDH (NYSDA)

WELCOME & INTRODUCTIONS:

Dean Christian Stohler welcomed the Board and introduced the Columbia University School of Dental Medicine faculty that were present. Dr. Erde, Mr. Pusey, and Dr. Perelman gave presentations about the dental programs and the new artificial intelligence technologies that are being utilized for students.

A discussion took place following the presentations.

Welcome and introductions were made via roll call. Dr. Cottrell started by welcoming all to the meeting at 10:06 a.m. Dr. Grannum introduced himself to the Board Members, as this was his first Board meeting.

Dr. Cottrell informed the Board that both Dr's Haberman and Kosinski had conflicts and could not attend the meeting. Dr. Cottrell stated that Dr. Seidberg and Dr. Robertson will serve as Acting Chair and Vice-Chair for this meeting.

CHAIRPERSON'S REPORT

Dr. Seidberg began by requesting a motion to move agenda items (Cassata/Rayman).

Dr. Seidberg began by welcoming everyone to the meeting. Dr. Seidberg stated he was honored to be asked to serve as Acting Chair and he has served on the Board for ten years with pride and commitment. Dr. Seidberg reminded the Board that as a board member you make a commitment to attend all the board meetings, respond to CODA site visits quickly, participate with OPD hearings or disciplinary cases and to serve on the Board committees.

VICE CHAIRPERSON'S REPORT

Dr. Robertson stated he has no report to give.

EXECUTIVE SECRETARY'S REPORT

Dr. Cottrell began her report by requesting committee reports be submitted the Monday before the meeting. Dr. Cottrell informed members that she has submitted Eleanor Coney's name for our next public member and anticipates she will be approved at the October Regents meeting.

Dr. Cottrell stated that she had a meeting with Greg Hill, the new Executive Director of NYSDA, Michael Hermann and Jenna Bell. Dr. Cottrell stated that they discussed removing the clinical specialty for residency programs and scope of practice of dentistry. She said Mr. Hill said he would try to make it to our next Board Meeting.

Dr. Cottrell informed members that the CRNA practice alert is in review with Legal and she will send it to the Board once it comes back from Legal. Dr. Cottrell stated that Ms. Carhart will be speaking at the NYS Dental Hygiene Annual Conference on November 4th.

Dr. Cottrell ended her report acknowledging Dr. Seidberg and Mr. Coney's 10 years of exemplary service on the State Board for Dentistry. Dr. Cottrell presented them certificates of achievement and plaques for their service.

APPROVAL OF MINUTES FROM January 12, 2022

A motion was made for approval of the June 10, 2022 draft board meeting minutes as amended (Carhart/Coney). Minutes approved unanimously.

COMMITTEE REPORTS:

Webpage: Dr. Kye, Chair; is not present to give a report. Dr. Cottrell stated that we are using SharePoint and it is a lot more user friendly.

Legislative: Mr. Rayman, Chair; stated that there are no changes from the last report in June because the Legislature hasn't been in session.

Scope of Practice – Ms. Carhart, Chair; stated that Dr. Cottrell, NYSDA, and DOH have been having discussions regarding the scope of practice for Dentistry.

Corporate Practice - Dr. Robertson, Chair; stated that he has no report to give.

Anesthesia – Dr. Kosinski is not present to give a report. Dr. Cottrell stated that the Block Anesthesia Bill for Dental Hygiene is still with the NYS Assembly. The bill to allow hygienists with certification to administer local infiltration anesthesia for dental patients will be on the consent agenda for permanent adoption at October's Regent's meeting.

Practical Review of Dental Regulations – Dr. Cassata, Chair; stated that she was approached by Dr. Pompei to see if NYS would recognize orthodontic assistant as a licensed profession. The Board discussed the fact that OP does not license by specialties for any profession. The Board

discussed the fact that the number of dental assistants has remained fairly stagnant between 1400 and 1600 over the last five years.

Licensure – Dr. Seidberg, Chair; stated that they should keep PGY-1 as a pathway to licensure, but there should also be an alternative pathway for licensure to facilitate portability of dentists coming in or going out of state.

Dental Assistant Laws, Rules & Regulations Committee – Ms. Hamm, Chair; stated that she does not have a report to give. Dr. Cottrell had sent out the question “Can dental assistants administer fluoride varnish?” This question was based on an “Oral Health Scope of Practice for Dental Providers” draft slide from the National Maternal and Child Oral Health Resource Center. The Board had a lengthy discussion on this. The Board determined that a dental assistant cannot administer fluoride varnish because the dental assisting statute 6608 states “*Nothing herein authorizes a registered dental assistant to perform any of the services or functions defined as part of the practice of dental hygiene in accordance with the provisions of subdivision one of section sixty-six hundred six of this article, except those functions authorized pursuant to this section.*”

The dental assisting Regulation 61.13(b) (13) states “*applying topical anticariogenic agents to the teeth*” However, the dental hygiene Regulation 61.9(b)(6) states “*performing topical anticariogenic agent applications, including but not limited to topical fluoride applications, and performing topical anesthetic applications.*”

If “*including but not limited to topical fluoride applications*” were not expressly written in the hygiene section, then dental assistants could apply topical fluoride.

Tele-Dentistry – Dr. Seidberg and Dr. Salgado, Chairs; Dr. Cottrell stated she has Legal’s corrections and will send the guidelines to the Board and requests that comments be sent back by November 1st.

Special Needs –Dr. Chu, Chair; stated that there is a survey from the CDCA that disclosed the number one issue is finding providers and financial support for patients with special needs. Dr. Chu stated that on September 14th there is a zoom discussion on Autism at Touro at 7:00 pm.

CDCA – Mr. Rayman, Chair; stated that now CDCA, WREB and CITA have now joined together. Mr. Rayman stated that the manikin exams had similar pass and fail rates to the in-person exams, and this is a strong justification for keeping the manikin exam. Dr. Cottrell informed members that she is trying to get the manikin exam extended for another year. Mr. Rayman informed the Board that the dates for the January CDCA meeting is January 5th- 6th in Texas.

ADEX – Dr. Seidberg, Chair; stated this was already discussed with the CDCA report.

Wellness – Dr. Cassata, Chair informed Board Members of the fund balance and informed members on expenditures.

Old Business:

Bleaching/ Teeth Whitening– Dr. Cottrell stated this is posted on the OP website under Practice Guidelines.

NEW BUSINESS:

Dentistry Labs- Dr. Cottrell stated that several dental labs across the country are choosing not to keep CODA accreditation. The number has decreased from 15 to 9. There is a group that wants to regulate the dental labs in NYS. The Board had a discussion about registering labs in NYS and if they should have to complete CE.

Sleep Apnea Practice Guideline- Dr. Cottrell asked the Scope of Practice committee to present language for a practice alert and vote on it at the next meeting

Election of Chair and Vice-Chair- Dr. Kosinski was elected as Chair and Dr. Cassata was elected as Vice-Chair.

FUTURE MEETING DATE:

Friday, January 20th, 2023 in New York City.

ADJOURN: Motion for adjournment 1: 05 p.m. (Coney/Chu)

Motion to go into Executive Session 1: 06 p.m. Motion was unanimous.

Discipline Cases were discussed.

Motion to move out of Executive Session at 1:24 p. m. (Carhart/Coney)