

OHIO STATE DENTAL BOARD  
BOARD MEETING

March 6, 2019

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# OHIO STATE DENTAL BOARD

## BOARD MEETING

March 6, 2019

### Attendance

The Ohio State Dental Board (Board) met in Room 1948, of The Vern Riffe Center for Government and the Arts, 77 South High Street, 19th Floor, Columbus, Ohio on March 6, 2019 beginning at 1:30 p.m. Board members present were:

Kumar Subramanian, D.D.S., President  
Patricia Guttman, D.D.S., Vice President  
Ashok Das, D.D.S., Secretary  
Bill Anderson, D.D.S. Vice Secretary  
Theodore Bauer, D.D.S.  
Canise Bean, D.M.D.  
Tracy Intihar, Public member

Susan Johnston, R.D.H.,  
Jamillee Krob, R.D.H.  
Timothy Kyger, D.D.S.  
Mary Kay Scaramucci, R.D.H.  
Andrew Zucker, D.D.S.

Faisal Quereshy, D.D.S. was not in attendance to the meeting.

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Ohio Attorney General's Office; David Owsiany, J.D., Executive Director of the Ohio Dental Association (ODA); Michele Carr, R.D.H. representing the Ohio Dental Hygienists' Association; Thomas Perrino, Esq. of Frank R. Recker & Associates; Victoria House and Emily Hansen, The Ohio State University Dental Hygiene Students. Staff consisted of Harry Kamdar, M.B.A., Executive Director, Steve Kochheiser, Esq., Deputy Director, Zachary Russell, Chief of Operations and Legislative Affairs, Barb Yehnert, Dental Board Enforcement Officer, and Malynda Franks, Administrative Professional, of the Ohio State Dental Board and other guests.

### Call to Order

Kumar Subramanian, D.D.S. introduced himself as the Board President and an endodontist from Upper Arlington and noting that there was a quorum present, he called the meeting to order at approximately 1:30 p.m.

### Board Business

#### Introductions

#### Board Members

President Subramanian thanked everyone for attending the Board meeting and then introduced the rest of the Board members consisting of Patricia Guttman, D.D.S., Vice President, Ashok Das, D.D.S., Secretary, Bill Anderson, D.D.S., Vice Secretary, Theodore Bauer, D.D.S., Canise Bean, D.M.D., Tracy Intihar, the Board's Public Member, Susan Johnston, R.D.H., Jamillee Krob, D.H.Ed., R.D.H., Timothy Kyger, D.D.S., Mary Kay Scaramucci, R.D.H., and Andrew Zucker, D.D.S. Faisal Quereshy, M.D., D.D.S., was not in attendance.

## Approval of Agenda

President Subramanian asked if there was a motion to approve the agenda with the caveat to amend the agenda due to any extenuating circumstances.

*Motion by Dr. Krob, second by Dr. Bean, to approve the March 6, 2019 Board meeting agenda as presented.*

Motion carried unanimously.

## Review of Board Meeting Minutes

### February 6, 2019 Meeting

President Subramanian informed the Board that the draft Minutes from the February 6, 2019 meeting had been forwarded to the members for review prior to the meeting and indicated that the final version was in the Board Notebook for approval. He then asked if there was a motion regarding the Minutes.

*Motion by Dr. Zucker, second by Ms. Intihar, to approve the Board meeting minutes as presented.*

Motion carried unanimously.

## Public Comment/Presentations/Correspondence

President Subramanian indicated that there were no public comments, presentations, or correspondence for the Board at this time.

## Action Items

### Supervisory Investigative Panel Expense Report

President Subramanian asked if, Dr. Das as Secretary and Dr. Anderson as Vice Secretary, attested to having spent at least twenty (20) hours per week attending to Board business. Dr. Das and Dr. Anderson affirmed that they had spent twenty (20) hours attending to Board business.

*Motion by DR. Bean, second by Dr. Zucker, to approve the Supervisory Investigative Panel Expense report.*

Motion carried unanimously.

## Enforcement

### Personal Appearances

#### Rudyard C. Whipps, D.D.S.

Ms. Yehnert summarized Dr. Rudyard Whipps history with the Board. She stated that Dr. Whipps entered his third Consent Agreement with the Board on June 16, 2017. On September 12, 2018, the Board voted to increase his work hours to 40 hours per week and not to exceed 10 hours per day. In addition, she stated that the Board had asked Dr. Whipps to meet with the SIP panel in July 2018, which he did, and make a personal appearance at the March 2019 meeting to provide an update on how he is getting along. Ms. Yehnert concluded by stating that Dr. Whipps is currently compliant with the terms of his consent agreement.

Upon questioning by the Board, Dr. Whipps thanked the Board members for taking time to meet with him again and explained that everything is going well with work and his recovery. Ms. Johnston asked Dr. Whipps what he was seeking from the Board at this time and Dr. Whipps replied that he would like to request the Board to lift the current daily hours/week practice limitation that has been placed on his license. He explained that while he has no intention of changing his working schedule of up to 40 hours per week and no more than 10 hours per day, he

is having difficulties with insurance companies who view the limitations as a “restriction” of his license to practice. Dr. Whipps further explained that he has control over his scheduling and has no intention of changing his current working schedule.

#### Executive Session

*Motion by Dr. Guttman, second by Dr. Zucker, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(1) to consider the investigation of charges or complaints against a licensee.*

Roll call vote: Dr. Anderson – Yes  
Dr. Bauer – Yes  
Dr. Bean – Yes  
Dr. Das – Yes  
Dr. Guttman – Yes  
Ms. Intihar – Yes  
Ms. Johnston – Yes  
Dr. Krob – Yes  
Dr. Kyger - Yes  
Ms. Scaramucci – Yes  
Dr. Subramanian – Yes  
Dr. Zucker – Yes

Motion carried unanimously.

Director Kamdar stated that he, along with Mr. Kochheiser and Ms. Bockbrader would remain in the room during the Executive Session. He requested all other guests and staff to leave and take their personal belongings with them as they left the room. He explained that they would be invited to return to the meeting at the conclusion of the Executive Session.

#### Open Session

The Board resumed open session at 3:23 p.m.

#### Decision in the Matter of Rudyard C. Whipps, D.D.S.

*Motion by Dr. Zucker, second by Dr. Anderson, to remove the daily time restrictions that have been placed on the practice of Dr. Whipps.*

Motion carried unanimously,

#### Proposed Consent Agreement(s)

The Board reviewed seven (7) proposed Consent Agreements. The names of the individuals/licensees were not included in the documents reviewed by the Board. The names of the individuals/licensees have been added to the minutes for public notice purposes. Deputy Director Kochheiser provided a summary of the proposed consent agreements.

#### Disciplinary

##### *Sabrina E. Mickel, D.D.S.*

*Motion by Dr. Krob, second by Dr. Bauer, to approve the proposed consent agreement for Sabrina E. Mickel, D.D.S., license number 30.019421, and case number 17-18-1397.*

Motion carried with Dr. Subramanian, Dr. Guttman, and Dr. Das abstaining.

*Brittany L. Beavers, R.D.H.*

*Motion by Ms. Johnston, second by Dr. Kyger, to approve the proposed consent agreement for Brittany L. Beavers, R.D.H., license number 31.013475, and case number 15-25-1434.*

Ms. Scaramucci asked the reasoning behind the 30-day suspension for Ms. Beavers for practicing for a year without renewing her license when in the past the Board has approved consent agreements with less suspension time for expanded function dental auxiliary (E.F.D.A.) who have been practicing and never registered since 2006. Mr. Kochheiser explained that this was a difference between licensure as a dental hygienist and a registration as an E.F.D.A.

Motion carried with Ms. Scaramucci opposed. Dr. Das and Dr. Anderson abstained.

*Diane J. Mack, E.F.D.A., Radiographer.*

*Motion by Ms. Johnston, second by Dr. Zucker, to approve the proposed consent agreement for Diane J. Mack, E.F.D.A., dental assistant radiographer, registration number EFDA.004639, certificate number 51.004639, and case number 18-13-1373.*

Motion carried with Ms. Scaramucci opposed. Dr. Das, Dr. Anderson, and Dr. Guttman abstained.

*Jordan R. Neubert, Radiographer*

*Motion by Ms. Johnston, second by Dr. Krob, to approve the proposed consent agreement for Jordan R. Neubert, dental assistant radiographer, certificate number 51.021896, case number 18-28-1455.*

Motion carried with Dr. Das and Dr. Anderson abstaining.

*Victor L. McKoy, D.D.S.*

*Motion by Dr. Kyger, second by Dr. Zucker, to approve the proposed consent agreement for Victor L. McKoy, D.D.S., license number 30.018049, case numbers 15-25-0227, 16-25-1211, and 17-25-1211.*

Motion carried with Dr. Das, Dr. Anderson, Dr. Subramanian and Dr. Guttman abstaining.

Non-Disciplinary

*Vrisiis Kofina, D.D.S.*

*Motion by Ms. Johnston, second by Ms. Scaramucci, to approve the proposed consent agreement for Vrisiis Kofina, D.D.S., license number 30.025665 limiting her practice to periodontics.*

Motion carried with Dr. Das and Dr. Anderson abstaining.

*Sofia Xofylli, D.D.S.*

*Motion by Ms. Intihar, second by Dr. Bean, to approve the proposed consent agreement for Sofia Xofylli, D.D.S., license number 30.025664 limiting her practice to orthodontics.*

Motion carried with Dr. Das and Dr. Anderson abstaining.

### Proposed Notice(s) of Opportunity for Hearing

The Board reviewed one (1) proposed Notice of Opportunity for Hearing. The name of the individual/licensee was not included in the documents reviewed by the Board. The name of the individual/licensee has been added to the minutes for public notice purposes. Deputy Director Kochheiser provided a summary of the proposed Notice of Opportunity for Hearing.

Sabrina M. Angus, E.F.D.A., Radiographer

*Motion by Ms. Johnston, second by Dr. Krob, to approve the proposed consent agreement for Sabrina M. Angus, E.F.D.A., dental assistant radiographer, registration number EFDA.001629, certificate number 51.009623, and case number 19-40-1014.*

Motion carried with Dr. Das and Dr. Anderson abstaining.

### Request for Review of Disciplinary Action

Boem J. Lee, D.D.S.

Deputy Director Kochheiser stated that Boem Lee, D.D.S. had filed a request to remove disciplinary records from the Board's website. He stated that the Supervisory Investigative Panel (SIP) has reviewed Dr. Lee's request and is recommending the Board approve the request. He reminded the Board that these records would remain a public record.

*Motion by Ms. Johnston, second by Dr. Bauer, to approve Dr. Lee's request to remove his disciplinary records from the Board website.*

Motion carried unanimously.

Jeanette A. Baltodano-Werle, R.D.H.

Deputy Director Kochheiser stated that Jeanette Baltodano-Werle, R.D.H. had filed a request to remove disciplinary records from the Board's website. He stated that SIP has reviewed Ms. Baltodano-Werle's request and is recommending the Board approve the request.

*Motion by Ms. Johnston, second by Dr. Bauer, to approve Ms. Baltodano-Werle's request to remove her disciplinary records from the Board website.*

Motion carried unanimously.

### Enforcement Update

Deputy Director Kochheiser began the Enforcement Update by informing the Board that there was only one (1) case listed as pending hearing but that Igor Skalsky, D.D.S. had recently requested a hearing so a hearing date will be scheduled soon. He said there are two (2) cases pending a Hearing Examiner's Report and Recommendation and the Board members should be receiving these in the next few months. He stated that sixteen (16) licensees and certificate holders were under current suspension, thirty-two (32) licensees and certificate holders had older suspensions, and the Board currently had one-hundred and forty-one (141) active cases. Deputy Director Kochheiser said that there was one (1) referral to QUIP and no licensees actively participating in QUIP. He informed the members that there were twenty-three (23) cases which have been investigated and reviewed by the Board Secretaries and are recommended to be closed with three (3) warning letters issued. Deputy Director Kochheiser noted that there are thirty-five (35) licensees currently on probation. He indicated that there are sixty-one (61) cases that have been open for longer than 90 days as noted in the charts in the Board Notebook.

Due to the requirement in Chapter 4715.03(B) of the Ohio Revised Code that, "A concurrence of a majority of the members of the board shall be required to... (6) Dismiss any complaint filed with the board[,]" Deputy Director Kochheiser provided a list of the cases to be closed with the Board.

The following cases are to be closed:

17-57-1067

18-00-1446 - WL

18-09-1395

18-18-1422 - WL	18-47-1375	18-83-1445 - WL
18-18-1439	18-48-1372	19-18-1001
18-23-1327	18-52-1415	19-55-1007
18-23-1377	18-57-1336	19-57-1015
18-25-1433	18-57-1462	19-57-1029
18-41-1407	18-67-1191	19-77-1021
18-45-1361	18-77-1450	

Prior to the vote to close the above listed cases, Deputy Director Kochheiser inquired as to whether any of the Board members had any personal knowledge that the cases that were being voted on today involved either themselves or a personal friend.

Roll call:

- Dr. Anderson – No
- Dr. Bauer – No
- Dr. Bean – No
- Dr. Das – No
- Dr. Guttman – No
- Ms. Intihar – No
- Ms. Johnston – No
- Dr. Krob – No
- Dr. Kyger – No
- Ms. Scaramucci – No
- Dr. Subramanian - No
- Dr. Zucker – No

Deputy Director Kochheiser then called for a motion to close the cases.

*Motion by Dr. Subramanian, second by Dr. Das, to close the above twenty-three (23) cases.*

Motion carried unanimously.

Deputy Director Kochheiser then turned the meeting back over to President Subramanian.

## Executive Session

*Motion by Dr. Guttman, second by Dr. Zucker, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(3) to confer with Board counsel regarding a pending or imminent court action.*

Roll call vote:

- Dr. Anderson – Yes
- Dr. Bauer – Yes
- Dr. Bean – Yes
- Dr. Das – Yes
- Dr. Guttman – Yes
- Ms. Intihar – Yes
- Ms. Johnston – Yes
- Dr. Krob – Yes
- Dr. Kyger - Yes
- Ms. Scaramucci – Yes
- Dr. Subramanian – Yes

Dr. Zucker – Yes

Motion carried unanimously.

President Subramanian indicated that Director. Kamdar would attend the executive session along with Deputy Director Kochheiser and Ms. Bockbrader. He then requested all other guests and staff to leave the meeting and to take all personal items, including briefcases, purses, cell phones, tablets, etc. with them when exiting the room. He stated that they would be invited back in upon conclusion of the Executive Session.

### Open Session

At 2:28 p.m. the Board resumed open session. President Subramanian stated that the Board would now continue with the rest of the agenda.

### Licensure

President Subramanian stated that the Board's Licensing Coordinator Samantha Slater had prepared a report of the licenses, certifications, and registrations that have been issued by the Board Executive Office since reported at the last meeting in December. He explained that before them was the listing of license, registration, and certification numbers of issuance by the Board executive office for ratification by the Board.

#### Dentist(s) – (19)

30.025642	Michael Wilson	30.025652	Sahil Manhas
30.025643	Bindu Kansagra	30.025654	Sindhura Gundarpi Thippareddy
30.025644	Dennis Brumbaugh	30.025651	Sarah Shoukr
30.025645	Anmol Brar	30.025655	Neerav Jayaswal
30.025647	Ashokbabu Raamyra	30.025656	Ivory Ward
30.025646	Noha Orabi	30.025657	Bilal Ahmed
30.025650	Nadia Mirza	30.025660	John Powe
30.025648	Daniel Rader	30.025658	Jonathan Shadburne
30.025649	Dhwani Shah	30.025659	Spencer Wade
30.025653	Nathan Janowicz		

#### Dental Hygienist(s) – (4)

31.015930	Alyssa Garansi	31.015932	Briana Moneymaker
31.015931	Yuki Peterson	31.015933	Alyssa Messamore

#### Dental Assistant Radiographer(s) – (128)

51.034384	Jillian Lavey	51.034397	Mone't Scott
51.034385	Amber Mack	51.034395	Jennifer Kelley
51.034381	Tommie Crumedy	51.034394	Patricia Laux
51.034382	Lasandra Doyle	51.034399	Jessica Pozniak
51.034383	Laura Labra Hernandez	51.034398	Kalissa Quinton
51.034389	Bridgett Heilman	51.034404	Malary Laycock
51.034390	Erica Norris	51.034405	Victoria Whitson
51.034386	Rileigh Dean	51.034445	Brooklyn Towing
51.034387	Janaja Leonard	51.034406	Dakota Thompson
51.034388	Sophie Hailey	51.034447	Amber Fullam
51.034393	Mckenna Mendoza	51.034426	Aryannah Mcamis
51.034392	Devin Biser	51.034416	Morghan Clinton
51.034391	Cassie Rodriguez	51.034425	Alexis Mitakides
51.034396	Goldie Ritchie	51.034417	Janelle Ziegler

51.034415	Brittany Benek	51.034457	Ruquayyah Barksdale
51.034401	Katie Lynn Tedesco	51.034459	Karli McMahan
51.034407	Kelly Kearns	51.034471	Samantha Winbush
51.034400	Marisa Wilson	51.034467	Julia Madal
51.034423	Lyubov Punko	51.034460	Amber Lange
51.034402	Justina King	51.034458	Dayana Cruz Mondragon
51.034418	Riley Gump	51.034470	Monica Wonderly
51.034419	Kimberly Titus	51.034463	Alvira Pashkovskaya
51.034414	Natalie Skirtich	51.034465	Kristen Morisky
51.034412	Emily Ratchford	51.034464	Sarah Almassri
51.034420	Abigail Mosley	51.034461	Jasmyn Colston
51.034408	Katie Beitzel	51.034462	Justine Vargo
51.034421	Pamela Basiletti	51.034469	Jordan Gilpin
51.034410	Trisha Kohl	51.034466	Sydney Kaszubowski
51.034409	Courtney Golec	51.034468	Qiana Hope
51.034422	Emily Caldwell	51.034472	Keyonte Evans
51.034411	Skylar Archie	51.034476	Elise Balcer
51.034413	Lyndsey Titus	51.034474	Ashlee Poe
51.034403	Jessica Kiefer	51.034473	Shani Rucker
51.034424	Misty Russell	51.034475	Lamarla Lewis
51.034427	Steven Al-Aish	51.034484	Robin Oxendine
51.034429	Jonathan Vazquez	51.034477	Alexis Miller
51.034428	Brayam Cruz-Bernardo	51.034478	Richard Zerecheck
51.034430	Kara Hubel	51.034479	Kalie Tobin
51.034444	Mohamad Zaied	51.034483	Huma Karaduman
51.034434	Aliza Patterson	51.034480	Joanna Soehner
51.034433	Madison Bussey	51.034481	Malayna Kelley
51.034431	Camryn Chambers	51.034482	Hanna Brown
51.034435	Taylor Dilley	51.034486	Tashaunda Young
51.034432	Riehee Hartfield	51.034485	Samantha Gray
51.034439	Hayley Shahan	51.034487	Sara Malott
51.034438	Jamiee Tedder	51.034488	Sandra Smith
51.034441	Anastasia Rivera	51.034493	Sarah Turner
51.034446	Mary Bowen	51.034492	Brandy Berry-Worthey
51.034436	Marcos Barete	51.034489	Sierra Alexoff
51.034437	Karen Powers	51.034490	Hannah Roberts
51.034440	Alexa Salas	51.034491	Kaitlyn Wetshtein
51.034443	Janet Escobar- Santiago	51.034494	Alexza Merret
51.034442	Ahmad Zaied	51.034497	Haley Thiel
51.034449	Ashia Smith	51.034495	Lois Waldron
51.034448	Nadzeya Sitnikava	51.034496	Paisley Cunningham
51.034452	Anastasia Feldman	51.034498	Brittani Stephen
51.034453	Savanna Day	51.034501	Samantha Gooch
51.034450	Makayla Rinehart	51.034499	Amal Losta
51.034451	Jessica Hicks	51.034500	Justin Hibbard
51.034454	Brittney Brittingham	51.034502	Skylar Burmeister
51.034455	Kamira Green	51.034508	Eric Hartkopf
51.034456	Lititia Whitfield	51.034503	Katelyn Keith

51.034507	Jodi Mckenzie	51.034506	Jordan Wolfe
51.034504	Rachel Grasso	51.034505	Kathryn Komara

#### Limited Continuing Education – (8)

LCE.000375	Nicholas Matthews	LCE.000379	Connie Feng
LCE.000374	Kenneth Ross	LCE.000378	Jessica Lawson
LCE.000376	Joshua Binder	LCE.000380	Henry Chung
LCE.000377	William Neal	LCE.000381	Amy Walker

#### Limited Resident's – (2)

RES.004047	Jaspreet Kaur	RES.004048	Patrick Smith
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#### Expanded Function Dental Auxiliary – (3)

EFDA.002967	Cynthia J Tanner	EFDA.002968	Alisha Jury
EFDA.002966	Sara Porter		

#### Coronal Polishing – (14)

CP.002058	Melissa Morales	CP.002061	Kelsey Taylor
CP.002056	Chasity Ellerhorst	CP.002065	Michaela Bursley
CP.002057	Rachel Leatherberry	CP.002064	Laura Fleming
CP.002059	Tracy Cothorn	CP.002066	Jessica Posadny
CP.002060	Cassandra Williams	CP.002067	Lisa Childress
CP.002062	Kathleen Stafford	CP.002069	Ashley Lingo
CP.002063	Kacie Havens	CP.002068	Kathryn Moore

*Motion by Dr. Bauer, second by Dr. Zucker, to approve all licenses, registrations, and certifications as listed that have been issued since the February Board meeting.*

Motion carried unanimously.

#### General Anesthesia/Conscious Sedation Permit(s)

President Subramanian stated that the Board's Anesthesia Consultant, Gregory Ness, D.D.S., had vetted the following individual who has applied for a General Anesthesia Permit. An evaluation has been conducted and the applicant has been recommended to receive a General Anesthesia Permit.

##### General Anesthesia

Dr. Michael Shapiro, Westlake, Ohio

##### Conscious Sedation

Dr. Benjamin Jump, Newark, Ohio - Intravenous

Dr. Jordan Mayberry, Marengo, Ohio – Intravenous

*Motion by Dr. Queresby, second by Dr. Krob, to grant permits to the licensees for General Anesthesia and Conscious Sedation in the appropriate modality as listed.*

Motion carried unanimously.

*Motion by Dr. Zucker, second by Dr. Bauer, to approve the general anesthesia permit application for Dr. Michael Shapiro.*

Motion carried unanimously.

### Reinstatement Application(s)

President Subramanian stated that the Board's Licensing Manager had reviewed and approved one (1) dental reinstatement application and recommended that the Board ratify the reinstatement application.

#### Dentist(s)

Darrin Wiederhold, D.D.S.

#### Dental Hygienist(s)

President Subramanian stated that the Board's Licensing Manager had reviewed and approved two (2) dental hygiene reinstatement applications and recommended that the Board ratify the following reinstatement applications.

#### Dental Hygienist(s)

Laura Kinnett, R.D.H.

Nancy Schmidt, R.D.H.

*Motion by Dr. Zucker, second by Dr. Krob, to reinstate the licenses of Darrin Wiederhold, D.D.S., Laura Kinnett, R.D.H., and Nancy Schmidt, R.D.H. to practice in the state of Ohio.*

Motion carried unanimously.

## Committee Reports

### Education

Dr. Krob stated that before she begins her report, she wished to thank the Chair and members of the Policy Committee for inviting the Education Committee to take part in their meeting as they reviewed policy pertaining to licensee education. She then stated that the Education Committee meeting was called to order at 10:33 a.m. this morning in room 1924 of the Vern Riffe Center. She said that in addition to herself, Committee members Dr. Ashok Das and Dr. Andrew Zucker were present along with staff members, Mr. Russell and Ms. Franks. Dr. Krob noted that the Ohio State University (OSU) dental hygiene students, Victoria (Tori) House and Emily Hansen were in attendance, along other Board members and guests.

### Minutes

Dr. Krob informed the members that the February 6, 2019 Committee Minutes were reviewed and accepted without modification via consensus of the committee members.

### Review of Biennial Sponsor Application(s)

Dr. Krob then indicated that the Committee members has been asked to review two (2) initial applications for biennial sponsorship. The committee recommended to approve both sponsor applications: Healthcare Compliance Solutions, L.L.C. and Dr. Stephen Wendt.

### Review of Course(s)

#### *Anesthesia/Conscious Sedation Permit Renewal*

Dr. Krob said that the Committee members also reviewed the Anesthesia Permit Renewal course submitted by the Ohio Society of Oral and Maxillofacial Surgeons 2019 Annual Meeting. The application was reviewed and approved by the Dental Board's Anesthesia Consultant, Dr. Gregory Ness. The Committee recommended approval of the application.

### Continuing Education Revision Workgroup

Dr. Krob stated that a progress report from the Continuing Education Revision Workgroup was presented to the Committee members along with the final draft of the revisions for the Ohio Administrative Code (OAC) section 4715-8 on continuing education. Discussions centered on the addition of mandatory opioid CE requirements and inclusion of the "Volunteer service as a clinician," within the categories of acceptable continuing education credits as well as the elimination of the approval process for biennial sponsors. Dr. Krob explained that the rules were then reorganized to be more concise and have a logical flow. It is the recommendation of the Education Committee and Continuing Education Revision Workgroup members to forward the complete revised Ohio Administrative Code Section 4715-8 on continuing education to the Law and Rules Review Committee and recommend that it be accepted in its entirety.

Dr. Krob thanked the Committee members for their contributions and excellent comments/feedback on the proposed revisions. She commented that the revisions were quite an undertaking.

*Motion by Ms. Johnston, second by Dr. Zucker, to approve the Education Committee report and the recommendation for approval of the Biennial Sponsor applications and Anesthesia Permit Renewal Course.*

Motion carried unanimously.

### Law and Rules Review

President Subramanian stated that the Law & Rules Review Committee met that morning in Room 1948 in the Verne Riffe Center at 11:32 a.m. The meeting was attended by all members of the committee; Dr. Bean, Dr. Guttman, Ms. Scaramucci, Ms. Intihar, Mr. Dave Owsiany from the Ohio Dental Association (ODA), sitting in for Mr. Eric Richmond, & Matt Whitehead from the Ohio Dental Hygienists' Association (ODHA). Board staff in attendance were Executive Director Kamdar, Deputy Director Kochheiser, Mr. Russell, and Ms. Franks.

### Minutes

President Subramanian informed the members that the Committee had reviewed and unanimously approved the minutes from the February 2019 meeting as presented.

### Anesthesia and Sedation Working Group

President Subramanian said the Anesthesia and Sedation Working Group were continuing their work on the draft rules which are still being scripted and would be ready for discussion at the May meeting.

### Section 4715-8 Continuing Education

President Subramanian indicated that the Education Committee had completed their review of the four (4) rules for continuing education (CE) in OAC section 4715-8 earlier in the day and submitted the document to the Law and Rules Review Committee for consideration. He stated that this was in addition to the rules that were already slated for the Five-Year Review (FYR) discussion for rule review. He said there was discussion on the categories of acceptable CE courses for the renewal of licenses. Included in the draft was a mandatory 2-hour CE on Opioid-related education, which was enthusiastically accepted by all members of the Committee as well as the representatives of the ODA & ODHA. He indicated that the language now included a built-in sunset clause for 2024.

President Subramanian said the Committee began discussions on the changes submitted by the Education Committee regarding Sponsorship credentials for CE education along with a deliberation on the criteria for acceptable accreditation or vetting of CE courses. He indicated that a few questions were raised about how the smaller study clubs and local dental societies would be able to achieve American Dental Association CERP or

Academy of General Dentistry PACE accreditation. The question was raised as to whether this would have an impact on the accessibility of CE for licensees in less accessible areas of the state. He stated that this was an area that required further discussion; therefore, the two rules regarding CE sponsorship (OAC 4715-8-02 and 4715-8-03) was slated for review at the next meeting.

#### Five-Year Review Rules for Filing

President Subramanian informed the Board members that at the conclusion of the Committee meeting it was decided that the following rules were approved for presentation to the full Board for a vote to initial file:

4715-5-05	Use of general anesthesia and deep sedation.
4715-5-07	Use of conscious sedation.
4715-8-01	Continuing education requirements.
4715-8-04	Continuing education requirements or renewal or reinstatement.
4715-12-02	Application for certificate; requirements; exceptions.
4715-12-03	Certificate renewal.
4715-12-04	Accreditation of education programs; application; fee; suspensions; revocation.
4715-12-05	Continuing education requirements.
4715-20-02	Sterilization and disinfection.

Ms. Johnston questioned Deputy Director Kochheiser on the rule filing process and whether the Board would be required to resubmit the two (2) continuing education rules again with all four (4) continuing education rules in OAC Section 8 as a whole package. Deputy Director Kochheiser explained that initial filing the rules would allow for public input/comments at different points during the process; once it has been posted for public comment for the Common Sense Initiative Office, the Board's Public Rules Hearing, and once again the public has the opportunity to comment during the Joint Committee on Agency Rule Review Hearing. He clarified that each of these public forums provides the Board the opportunity to adjust the amended rules as they go through the process. Ms. Johnston explained that the Education Committee has recognized that the rule on continuing education needed to be revised and updated and just wanted to ensure that the revisions are accepted by the end of this biennium.

*Motion by Ms. Johnston, second by Dr. Zucker, to approve the Law and Rules Review Committee report as presented and to approve the rules as listed for initial filing.*

Motion carried unanimously.

#### Policy

Dr. Guttman informed the Board members that the Policy Committee met that morning in the Vern Riffe Building in Room 1914. The meeting was called to order at promptly 9:30 a.m. with all the members in attendance; Dr. Guttman, Dr. Anderson, Dr. Kyger, Ms. Johnson and Ms. Scaramucci. She stated that staff member in attendance were Mr. Russel and Ms. Franks and guests included Dr. Krob and our two (2) OSU Practicum students, Emily House and Victoria Hansen.

#### Minutes

Dr. Guttman stated that the February 6, 2019 minutes were provided prior to the meeting and Ms. Johnson recommended that the minutes be approved as written and the Committee agreed.

### Policy Review

Dr. Guttman said that the Committee had reviewed ten (10) policies and were recommending that they all be rescinded for the reasons indicated:

1. Policy on Therapeutic Prescribing (December 2014) - Current law and rule make the policy unnecessary.
2. Policy Regarding the Use of Sargenti Paste and Other Paraformaldehyde-containing Endodontic Filling Materials and Sealers (December 2002) - The American Association of Endodontists and the American Dental Association both have their own policies regarding this type of product.
3. Policy Regarding Caries Detection Devices (April 2002) - Current law and rule make the policy unnecessary.
4. Policy Regarding Bleaching Services Offered in Mall Kiosks and Salons by Non-licensed Dental Personnel (February 2008) – Recommend rescinding due to Federal Trade Commission rulings and potential conflicts with laws and rules.
5. Policy Regarding the Use of Photo Copies of Certificates of Licensure/Registration Issued by the Ohio State Dental Board (February 1999) – Obsolete policy since Board stakeholders can now check and print these documents on-line.
6. Non-clinical Dental Related Continuing Education (June 2011) - Current law and rule make the policy unnecessary.
7. Policy Defining the Educational Curriculum for 2-Hour Ethics Remediation Education – This policy is more of an internal guideline and courses are reviewed and approved as needed by the SIP.
8. Policy for Acceptable Application Procedures and Continuing Education Guidelines for Sponsors of Continuing Education. Recommended to rescind – Policy is an internal procedure which is being addressed currently in Law and Rules Committee with new rules being drafted.
9. Policy Regarding Participants of Continuing Education Programs That Utilize Live Patients Recommended to rescind. – Policy is redundant and any clinical contact with patients is covered in law and rules.
10. Policy regarding Continuing Education for Retired and /or Out-of-State Licensees. – All licensed dentists and dental hygienists are required to provide proof of continuing education via eLicense to renew regardless of location.

### Topics for next Meeting

Dr. Guttman stated that the Committee would be discussing the draft of a Policy for policies; regarding the addition of structure and how to formulate policies, as well as differentiate topics that rise to the level of a policy versus what might be a position statement.

*Motion by Dr. Anderson, second by Dr. Kyger, to approve the Policy Committee report as presented and rescind the policies as noted.*

Motion carried unanimously.

### Scope of Practice Committee

Dr. Bauer informed the members that the Scope of Practice Committee met earlier that morning at 9:35 a.m. in room 1924 of the Vern Riffe Center .

### Minutes

Dr. Bauer stated that the minutes from the previous meeting in February were approved without comment or changes.

### Sleep-related Breathing Disorders Position Statement

Dr. Bauer indicated that the final draft of the Sleep-related Breathing Disorders Position Statement was approved by the Committee and will be presented for full approval before the Board at the May 2019 meeting.

### Discussion Topics

#### *Vaccinations in the Dental Office*

Dr. Bauer explained that the Committee discussed several items; the first was the possibility of administration of vaccinations in the dental office. The HPV vaccination has specific implications to dental public health and the Committee discussed the exploration of the Board of Pharmacy model regarding off-site education to see if there are suitable parallels that could be utilized in dentistry.

#### *Position Statement on In-office Phlebotomy*

Dr. Bauer said the second topic was a continuation of earlier discussion regarding a potential position statement with respect to in-office phlebotomy. It was concluded that no such statement was indicated at this time.

#### *Scope of Practice in Dentistry*

Dr. Bauer brought up the topic of a definition of the Scope of Practice in Dentistry with the Committee and it was decided that existing definitions remain adequate.

#### *Board Certification in Addiction*

Dr. Bauer stated that the last discussion of the Committee regarded Board Certification in Addiction Medicine. Dentists are currently not permitted to pursue this educational pathway, only medical doctors. The Committee discussed the possibility of opening this education pathway to dentists and its potential positive impact to public health.

### Discussion Topics for Next Meeting

Dr. Bauer indicated that the Committee would continue their discussions on vaccinations in the dental office and Board Certification in Addiction during their next meeting in May.

*Motion by Dr. Das, second by Dr. Krob, to approve the Scope of Practice Committee report as presented.*

Ms. Intihar asked Dr. Bauer to recap the conversation about HPV vaccination recommendations and whether or not the Committee was interested in moving forward with a formal recommendation. Dr. Bauer explained that the Committee determined this would be useful in protection of the public and could easily be handled by dental professionals. The Committee discussed the ways for additional training to be acquired by dentists. Presently, pharmacists in the state of Ohio are permitted to administer vaccinations in pharmacies with a limited amount of external education. The next step would be to explore what is involved in the Pharmacy model and perhaps what it would take to get the necessary legislative language to enable such a model to be utilized in the dental field.

Ms. Intihar inquired as to whether the conversations of the Committee were regarding the HPV vaccine specifically. Dr. Bauer indicated that the HPV vaccine discussions were the most relevant with oral cancer ramifications specifically caused by HPV infections that could be preventable with the vaccine. The Committee discussed that the dentist is usually the provider who has the most impact, specifically in adolescents and young adults. He stated that there was agreement among the Committee members that dentists would be well positioned to advocate for administration of the vaccine as treatment.

Ms. Intihar stated that, as the public member of the Board, she would encourage the Board members to think about some alternatives as well. She stated that parents would be interested to have a recommendation from

their dentist about HPV vaccinations for their children. However, having a conversation about the dentist administering a vaccination may not seem to be within the scope of practice of dentistry to some parents. She stated that she would want to hear from her dentist that the HPV vaccine has a “value-added” benefit in considering the risks and impact of HPV for your oral health. Ms. Intihar stated that while dentists are capable of administering vaccinations, this is a global health matter.

Dr. Subramanian explained that dentistry is beginning to address this topic as more oral cancers are becoming prevalent and this is an area where dentists can become proactive. Dentists can act as an additional responsible practitioner especially regarding patients in access to care shortage settings. He pointed out that pharmacists, as well as nurse practitioners are permitted to administer the HPV vaccine.

Dr. Bauer directed the members to the articles reviewed by the Committee from the Centers for Disease Control and the position statement from the American Dental Association specific to their discussions.

Ms. Intihar asked if other states were allowing dentists to administer HPV vaccinations and said that the Board is embarking on a broader conversation about whether dentists should be administering vaccines, which should be thoughtfully debated.

Motion carried unanimously.

## Executive Updates

### President’s Update

#### Governors Executive Order 2019-01D

President Subramanian stated that during the previous meeting in February he had provided an update on the opioid epidemic and Governor DeWine’s Executive Order 2019-01D regarding the RecoveryOhio Initiative. He stated that the Board should be the first to move forward with innovative ideas to tackle this initiative. To that end, he was glad that the Board has successfully moved forward today with the mandatory CE requirements on opioid education for all licensed dentists in Ohio. The Board will use this as a stepping stone to launch into the next phase of how to handle some of the problems prevalent with the opioid epidemic. President Subramanian encouraged all the Board members to reach out to their component Dental Societies along with other agencies, to persuade them to offer more education on opioid-related issues.

#### Pediatric Healthcare

President Subramanian informed the Board members that during a discussion with Director Kamdar earlier, he explained that as dentists they play a very important role in what is one of the most critical gateways in pediatric healthcare. He quoted, “The oral cavity is the gateway to your body and health.” The Board has the task of protecting the public and abides by the Hippocratic Oath of “First, do no harm”. As such, the Board should be at the leading edge of pediatric oral healthcare.

#### Teledentistry Bill

President Subramanian stated that the recent passage of the Teledentistry Bill increases the access to care. The goal for Board staff for the next Board meeting is to come up with new rules for the Teledentistry Bill so that significant improvement in access to care can be achieved. This Bill actually increases scope of practice to include the application of SDF and emergency treatment by dental auxiliary under the guidance of a licensed dentist from a remote location.

especially as it relates to children's' initiatives and the role that the Board can play with oral healthcare for adolescents.

Budget Testimony

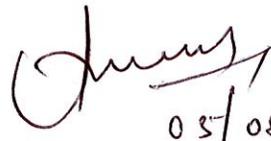
Director Kamdar stated that staff has been preparing for the Board's budget testimony before the House of Representatives which will be occurring soon, followed by testimony to the Senate. He said that there is nothing particularly remarkable about the Board's budget this time around unlike last time.

Anything for the Good of the Board

President Subramanian inquired as to whether any of the Board members had any items to address under "Anything for the Good of the Board." He noted that there were no items to address.

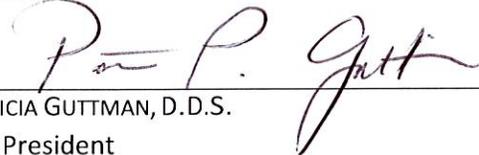
Adjourn

President Subramanian adjourned the meeting at 3:08 p.m.

  
03/08/19

\_\_\_\_\_  
KUMAR SUBRAMANIAN, D.D.S.

President

  
5/8/19

\_\_\_\_\_  
PATRICIA GUTTMAN, D.D.S.

Vice President

## Appendix A

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**Ohio Administrative Code**  
**2019 Rules to Initial File**  
**No Change Rules**

4715-5-05 Use of general anesthesia and deep sedation.

- 1 (A) No dentist shall administer general anesthesia or deep sedation in the state of Ohio unless such  
2 dentist possesses a permit of authorization issued by the Ohio state dental board or has made  
3 application for such permit and, based on a credentials review, is notified that a formal evaluation as  
4 outlined in paragraph (C) of this rule is pending. The dentist holding such permit shall be subject to  
5 review and such permit must be renewed biennially.
- 6 (B) In order to receive such permit, the dentist must apply on a prescribed application form to the Ohio  
7 state dental board, submit the application fee, and produce evidence showing that he or she:  
8 (1) Has completed an approved, accredited post-doctoral training program which affords  
9 appropriate training necessary to administer deep sedation and general anesthesia; and/or  
10 (2) Has completed an approved Accreditation council for graduate medical education (ACGME)  
11 accredited post-doctoral training program in anesthesiology which affords appropriate training  
12 necessary to administer deep sedation and general anesthesia: and/or  
13 (3) Has completed a minimum of two year advanced clinical training in anesthesiology from an  
14 American dental association commission on dental accreditation accredited institution that  
15 meets the objectives set forth in the "Guidelines for Teaching Pain Control and Sedation to  
16 Dentists and Dental Students" as adopted by the October 2007 American dental association  
17 house of delegates; and  
18 (4) Has a properly equipped facility(s), whether fixed, mobile, or portable, for the administration of  
19 general anesthesia or deep sedation in which the permit holder agrees to have available and  
20 utilize adequate monitoring, personnel, emergency equipment and drugs as recommended in  
21 the "Guidelines for the Use of Sedation and General Anesthesia by Dentists" as adopted by the  
22 October 2007 American dental association house of delegates and/or the American association  
23 of oral and maxillofacial surgeon's "Office Anesthesia Evaluation Manual", 8th edition; and  
24 (5) At the time of application maintains successful completion of an advanced cardiac life support  
25 course, or its age appropriate equivalent; and  
26 (6) Maintains a permanent address within the state of Ohio in which he or she conducts business  
27 pursuant to his or her Ohio dental license.
- 28 (C) Prior to the issuance of such permit, the Ohio state dental board shall require an on-site evaluation  
29 of the facility(s), equipment, personnel, anesthetic techniques, and related document(s) to  
30 determine if the aforementioned requirements have been met. This evaluation shall be conducted  
31 by a qualified consultant appointed by the Ohio state dental board and will follow the "Guidelines  
32 for the Use of Sedation and General Anesthesia by Dentists" as adopted by the October 2007  
33 American dental association house of delegates and/or the American association of oral and  
34 maxillofacial surgeon's "Office Anesthesia Evaluation Manual", 8th edition. In the case of a mobile or  
35 portable facility, one inspection of that facility shall be conducted in the office of an Ohio licensed  
36 dentist where deep sedation or general anesthesia is administered. A written list of all monitors,  
37 emergency equipment, and other materials which the mobile anesthesia provider agrees to have  
38 available at all times while administering conscious sedation, deep sedation, and general anesthesia

- 39 in multiple locations shall be provided to the Ohio state dental board. The applicant shall be  
40 responsible for the cost of this evaluation not to exceed four hundred dollars.
- 41 (D) In the event the Ohio state dental board deems the application or evaluation unsatisfactory, a  
42 written explanation documenting deficiencies and suggested remedies shall be forwarded to the  
43 applicant within fourteen days. The board may issue a permit based on documentation that  
44 deficiencies have been corrected; or the board may require a formal re-evaluation; or the applicant  
45 may request an appearance before the board to address the documented deficiencies.
- 46 (E) The board shall without charge renew the general anesthesia permit biennially at the time of dental  
47 licensure renewal, provided the permit holder attests to the Ohio state dental board that he or she  
48 has maintained successful completion of a basic life support course, and maintains successful  
49 completion of a course in advanced cardiac life support or its age appropriate equivalent, or a  
50 minimum of six hours of board approved continuing education devoted specifically to the  
51 management and/or prevention of emergencies associated with general anesthesia/deep sedation.  
52 The board shall renew the permit unless the permit holder is informed in writing that a reevaluation,  
53 as described in paragraph (C) of this rule, of his or her facility(s) and/or methods, is to be required.  
54 In determining whether such reevaluation is necessary, the board shall consider such factors as it  
55 deems pertinent including, but not limited to, patient complaints, reports of adverse occurrences,  
56 and random quality assurance audits. Such quality assurance audit(s), may include, but are not  
57 limited to, a review of documentation of pre-anesthetic evaluation(s), anesthetic and recovery  
58 records, and documentation of appropriateness for discharge. The permit holder shall be  
59 responsible for any costs incurred in a formal reevaluation, not to exceed four hundred dollars.
- 60 (F) A dentist holding a general anesthesia permit may supervise a certified registered nurse anesthetist  
61 for any anesthetic procedure for which the dentist is qualified.
- 62 (G) All permit holders shall provide written notification within ten days to the Ohio state dental board if  
63 anesthesia services are provided at any new facility(s) other than those already listed with the Ohio  
64 state dental board.
- 65 (H) No dentist, without personally obtaining a general anesthesia permit, may employ or work in  
66 conjunction with a general anesthesia/deep sedation provider in an out-patient dental facility unless  
67 that anesthesia provider is a dentist holding a valid general anesthesia permit under rule 4715-5-05  
68 of the Administrative Code or an Ohio licensed physician who has successfully completed graduate  
69 medical education, as defined in section 4731.091 of the Revised Code, in the field of  
70 anesthesiology, provided that such physician maintains successful completion of advanced cardiac  
71 life support whenever general anesthesia or deep sedation is provided in a dental facility. The  
72 general anesthesia/deep sedation provider, whether a dentist or physician, must remain on the  
73 premises of the dental facility until any patient given a general anesthetic or deep sedation regains  
74 consciousness and has adequately recovered. The operating dentist shall provide advanced written  
75 notice to the Ohio state dental board that general anesthesia/deep sedation services are provided  
76 at his or her facility by a physician anesthesiologist. Failure to comply with paragraph (H) of this rule  
77 when the general anesthesia/deep sedation provider is a physician may result in disciplinary action  
78 against the operating dentist.
- 79 (I) Reference materials for paragraphs (B)(3), (B)(4), and (C) of this rule may be found at the following  
80 addresses:
- 81 (1) American dental association: 211 E. Chicago Avenue, Chicago, Illinois, 60611-2678; telephone -  
82 312-440-2500; facsimile - 312-440-2800; internet website address -www.ada.org.
- 83 (2) American association of oral and maxillofacial surgeons: 9700 West Bryn Mawr Avenue,  
84 Rosemont, Illinois, 60018-5701; telephone - 847-678-6200 or 800-822-6637; facsimile - 847-678-  
85 6286; internet website address - www.aaoms.org.

Effective: 05/05/2014

R.C. 119.032 review dates: 02/14/2014 and 04/01/2019

Promulgated Under: 119.03

Statutory Authority: 4715.03

Rule Amplifies: 4715.13

Prior Effective Dates: 8-1-74, 10-1-88, 3-3-95, 4-27-98, 5-15-03, 4-7-05, 4-2-10

## 4715-5-07 Use of conscious sedation.

- 1 (A) With the exception of nitrous oxide/oxygen inhalation conscious sedation for patients of any age  
2 and/or oral conscious sedation or anxiolysis of patients age thirteen or older, no dentist shall  
3 administer conscious sedation in the state of Ohio, in accordance with the definition of "conscious  
4 sedation," as defined in rule 4715-3-01 of the Administrative Code, unless such dentist possesses a  
5 permit of authorization or has made application for such permit and, based on a credentials review,  
6 is notified that a formal evaluation as outlined in paragraph (C) of this rule is pending. The dentist  
7 holding such permit shall be subject to review and such permit must be renewed biennially.
- 8 (B) In order to receive such permit, the dentist must apply on a prescribed application to the Ohio state  
9 dental board, submit the fee as established by division (E) of section 4715.13 of the Revised Code,  
10 and produce evidence showing that he or she:
- 11 (1) Has satisfactorily completed comprehensive pre-doctoral or continuing education conscious  
12 sedation training in an accredited educational institution or program, which included a  
13 minimum of sixty hours of didactic instruction and twenty cases of clinical experience  
14 commensurate with each intended route(s) of administration, whether;
- 15 (a) Oral for children twelve years or younger; or  
16 (b) Non-intravenous parenteral; or  
17 (c) Intravenous.
- 18 Training in intravenous conscious sedation qualifies the permit holder to administer any route of  
19 conscious sedation. Didactic and clinical training shall conform to the principles in the "Guidelines for  
20 Teaching Pain Control and Sedation to Dentists and Dental Students" as adopted by the October 2007  
21 American dental association house of delegates, with clinical experience commensurate with the  
22 intended route of administration; or
- 23 (2) Has satisfactorily completed an accredited post-doctoral training program which included  
24 conscious sedation training equivalent to paragraph (B)(1) of this rule; or
- 25 (3) Has satisfactorily completed the qualifications governing the use of general anesthesia in rule  
26 4715-5-05 of the Administrative Code; and
- 27 (4) Has a properly equipped facility(s), whether fixed, mobile, or portable, in which the permit  
28 holder agrees to have available and utilize adequate monitoring, personnel, emergency  
29 equipment and drugs as recommended in the "Guidelines for the Use of Sedation and General  
30 Anesthesia by Dentists" as adopted by the October 2007 American dental association house of  
31 delegates; and
- 32 (5) At the time of application maintains successful completion of an advanced cardiac life support  
33 course, or its age appropriate equivalent; and
- 34 (6) Maintains a permanent address within the state of Ohio where he or she conducts business  
35 pursuant to his or her Ohio state dental license.
- 36 (C) Prior to the issuance of such permit, the Ohio state dental board shall require an on-site evaluation  
37 of the facility(s), equipment, personnel, conscious sedation techniques and related document(s) to  
38 determine if the aforementioned requirements have been met. This evaluation shall be conducted  
39 by a qualified consultant appointed by the Ohio state dental board, and will follow the "Guidelines

- 40 for the Use of Sedation and General Anesthesia by Dentists" as adopted by the October 2007  
41 American dental association house of delegates. In the case of a mobile or portable facility, one  
42 inspection of that facility shall be conducted in the office of an Ohio licensed dentist where  
43 conscious sedation is administered. A written list of all monitors, emergency equipment and other  
44 materials which the mobile conscious sedation provider agrees to have available at all times while  
45 administering conscious sedation in multiple locations shall be provided to the Ohio state dental  
46 board. The applicant shall be responsible for the cost of this evaluation, which will be an amount not  
47 to exceed two hundred dollars.
- 48 (D) In the event the Ohio state dental board deems the application or evaluation unsatisfactory, a  
49 written explanation documenting deficiencies and suggested remedies shall be forwarded to the  
50 applicant within fourteen days. The board may issue a permit based on documentation that  
51 deficiencies have been corrected; or the board may require a formal re-evaluation; or the applicant  
52 may request an appearance before the board to address the documented deficiencies.
- 53 (E) The board shall without charge renew the conscious sedation permit biennially at the time of dental  
54 licensure renewal, provided the permit holder attests to the Ohio state dental board that he or she  
55 has maintained successful completion of a basic life support course, and maintains successful  
56 completion of a course in advanced cardiac life support or its age appropriate equivalent, or a  
57 minimum of six hours of board approved continuing education devoted specifically to the  
58 management and/or prevention of emergencies which may result from the use of conscious  
59 sedation. The board shall renew the permit unless the conscious sedation permit holder is informed  
60 in writing that a reevaluation as outlined in paragraph (C) of this rule, of his or her facility(s) and/or  
61 methods, is to be required. In determining whether such reevaluation is necessary, the board shall  
62 consider such factors as it deems pertinent including, but not limited to, patient complaints, reports  
63 of adverse occurrences, and random quality assurance audits. Such quality assurance audit(s), may  
64 include, but are not limited to, a review of documentation of pre-sedation evaluations, sedation and  
65 recovery records, and documentation of appropriateness for discharge. The permit holder shall be  
66 responsible for any costs incurred in a formal reevaluation, not to exceed two hundred dollars.
- 67 (F) The Ohio state dental board may grant a permit authorizing the administration of conscious  
68 sedation to those Ohio licensed dentists who do not meet the qualifications outlined in paragraphs  
69 (B)(1) and (B)(2) of this rule, but who have provided conscious sedation in a safe, competent, ethical  
70 and effective manner, and who have moved to Ohio within the six months preceding his or her  
71 application, provided such dentist meets the requirements of paragraphs (B)(4), (B)(5) and (B)(6) of  
72 this rule.
- 73 (G) A dentist holding a general anesthesia permit under rule 4715-5-05 of the Administrative Code may  
74 administer conscious sedation without a conscious sedation permit.
- 75 (H) No dentist shall administer or employ any agent(s) which has a narrow margin for maintaining  
76 consciousness including, but not limited to, ultra-short acting barbiturates, propofol, parenteral  
77 ketamine, and similarly acting drugs, or quantity of agent(s), or technique(s), or any combination  
78 thereof that would likely render a patient deeply sedated, generally anesthetized or otherwise not  
79 meeting the conditions of the definition of conscious sedation as stated in paragraph (B)(5) of rule  
80 4715-3-01 of the Administrative Code, unless he or she holds a valid general anesthesia permit  
81 issued by the Ohio state dental board.
- 82 (I) A dentist holding a valid conscious sedation permit may supervise a certified registered nurse  
83 anesthetist only for conscious sedation procedures for which the dentist is qualified.
- 84 (J) All conscious sedation permit holders shall provide written notification within ten days to the Ohio  
85 state dental board if conscious sedation services are to be provided at any new facility(s) other than  
86 those already listed with the Ohio state dental board.

- 87 (K) No dentist, without personally obtaining a conscious sedation permit, may employ or work in  
 88 conjunction with a conscious sedation provider in an out-patient dental facility unless that conscious  
 89 sedation provider is a dentist holding a valid general anesthesia or conscious sedation permit under  
 90 rule(s) 4715-5-05 and/or 4715-5-07 of the Administrative Code or an Ohio licensed physician, who  
 91 has successfully completed graduate medical education, as defined in section 4731.091 of the  
 92 Revised Code, in the field of anesthesiology, provided that such physician maintains successful  
 93 completion of a course in advanced cardiac life support whenever conscious sedation is provided in  
 94 a dental facility. The conscious sedation provider, whether a dentist or physician, must remain on  
 95 the premises of the dental facility until any patient given conscious sedation has adequately  
 96 recovered. The operating dentist shall provide advanced written notification to the Ohio state  
 97 dental board that conscious sedation services are provided at his or her facility by a physician  
 98 anesthesiologist. Failure to comply with paragraph (K) of this rule when the conscious sedation  
 99 provider is a physician may result in disciplinary action against the operating dentist.
- 100 (L) Reference materials for paragraphs (B)(1)(c), (B)(4), and (C) of this rule may be found at the  
 101 following address:  
 102 American dental association: 211 E. Chicago Avenue, Chicago, Illinois, 60611-2678; telephone - 312-  
 103 440-2500; facsimile - 312-440-2800; internet website address - www.ada.org.

*Effective: 05/05/2014*

*R.C. 119.032 review dates: 02/14/2014 and 04/01/2019*

*Promulgated Under: 119.03*

*Statutory Authority: 4715.03*

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*Prior Effective Dates: 10-1-88, 6-8-98, 5-15-03, 4-2-10*

## 4715-20-02 Sterilization and disinfection.

- 1 (A) Heat sterilization:
- 2 (1) Sterilization must be accomplished by an FDA-approved device or method, for example,  
 3 autoclave, dry heat, or unsaturated chemical vapor.
- 4 (2) All high speed and surgical handpieces, low speed contra angles, prophy angles, and nose cones  
 5 must be thoroughly cleaned prior to being subjected to heat sterilization between patients.  
 6 Sterilization must be accomplished by an FDA-approved device or method.
- 7 (3) All instruments and all items that are able to withstand repeated exposure to heat must be  
 8 thoroughly cleaned prior to being subjected to heat sterilization between patients. The following  
 9 instruments and items (but not limited to) must be heat sterilized between patients:
- 10 (a) All hand and orthodontic instruments;
- 11 (b) All burs and bur changers, including contaminated laboratory burs and diamond abrasives;
- 12 (c) All endodontic instruments;
- 13 (d) Air-water syringe tips;
- 14 (e) High-volume evacuator tips;
- 15 (f) Surgical instruments;
- 16 (g) Ultrasonic periodontal scalers and tips; and
- 17 (h) Electro-surgery tips;
- 18 (i) Metal impression trays; and
- 19 (j) Intra-oral radiographic equipment that can withstand heat sterilization.

- 20 (4) All heat sterilizing devices must be tested for proper function on a weekly basis by means of a  
21 biological monitoring system that indicates microorganism kill. The biological monitoring system  
22 used must include a control to verify proper microbial incubation. In the event of a positive  
23 biological spore test, the dentist must take immediate remedial action to ensure that heat  
24 sterilization is being accomplished.
- 25 (5) Biological monitoring documentation:
- 26 (a) In-office testing documentation - Documentation must be maintained in the form of a log  
27 reflecting dates, person(s) conducting the testing, and the results of the test capsule and  
28 control capsule.
- 29 (b) Independent testing documentation - Reports from the independent testing entity shall be  
30 used.
- 31 (c) Documentation of testing and repairs shall be maintained for a period of at least two years,  
32 and shall be maintained in the dental facility and be made immediately available upon request  
33 by an authorized agent of the state dental board.
- 34 (B) Chemical sterilization:  
35 Instruments and items that cannot withstand heat sterilization must be subjected to a chemical  
36 sterilization process between patients, which is defined as use of a sterilant cleared by the FDA in a  
37 510(k) in accordance with the manufacturer's instructions.
- 38 (C) Surface disinfection:
- 39 (1) Environmental surfaces that are contaminated by blood or saliva must be properly cleaned prior  
40 to disinfection. Disinfection must be accomplished with an appropriate disinfectant that is  
41 registered with the environmental protection agency and used in accordance with the  
42 manufacturer's instructions. The disinfection process must be followed between each patient.
- 43 (2) Impervious backed paper, aluminum foil or plastic wrap must be used to cover surfaces or items  
44 that may be contaminated by blood or saliva and that are difficult or impossible to disinfect. The  
45 cover must be removed, discarded and then replaced between patients.
- 46 (D) Single use items:  
47 All single use or disposable items, labeled as such, used in patient treatment, or have come in contact  
48 with blood or saliva, must be discarded and not reused. Single use items include but are not limited  
49 to:
- 50 (1) Disposable needles and syringes;  
51 (2) Local anesthetic carpules;  
52 (3) Saliva ejectors, high volume evacuator tips, and air water syringe tips;  
53 (4) Prophylaxis angles, cups, and brushes;  
54 (5) Polishing discs, cups, points;  
55 (6) Fluoride trays; and  
56 (7) Disposable impression trays.
- 57 (E) Dental laboratory items:  
58 All items that have been placed in the mouth, or are otherwise contaminated with blood or saliva,  
59 must be thoroughly rinsed, placed in, and transported to the dental laboratory in an appropriate case  
60 containment device that is properly sealed and labeled.

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## Ohio Administrative Code 2019 Rules to Initial File Amended Rules

### 4715-8-01 Continuing education requirements.

1 ~~Acceptable continuing education for all Ohio licensees is defined as educational and scientific courses~~  
2 ~~given by board-approved sponsors consisting of activities designed to review existing concepts and~~  
3 ~~techniques, to convey information beyond the basic dental education and to update knowledge on~~  
4 ~~advances in scientific, non-clinical and clinical practice related subject matter, including ethics, regulatory~~  
5 ~~compliance, risk management, nutrition, and evidence-based dentistry wherein the objective is to~~  
6 ~~improve the knowledge, skills and ability of the individual to provide the highest quality of service to the~~  
7 ~~public and the profession.~~

8 ~~Categories of credit – To fulfill the minimum requirements set forth in sections 4715.141 and 4715.25 of~~  
9 ~~the Revised Code, the licensee is free to select areas of study within the stated categories, not to exceed~~  
10 ~~the maximum number of hours in each category.~~

11 (A) Except as provided in paragraph (B)(3) of this rule, acceptable continuing education for all Ohio  
12 licensees is defined as educational and scientific courses given by board-approved or board accepted  
13 sponsors. Continuing education experiences to fulfill renewal requirements for board licensure,  
14 registration and/or certification may be obtained in the following formats, including but not limited  
15 to:

16 (1) "Directly interactive presentation format" means a presentation format in which each participant  
17 is able to provide direct feedback and have interaction with the instructor through a question and  
18 answer format in real time.

19 (2) "Supervised self-instruction" means the coursework is provided in a self-instruction format which  
20 must include a testing mechanism supplied by a board-approved sponsor. The licensee must  
21 complete a test with a passing score of not less than seventy-five percent and demonstrate a level  
22 of comprehension before credit is awarded. Tests must be graded by the sponsor and results  
23 returned to the licensee. Supervised self-instruction includes, but is not limited to:

24 (a) Graded audio/video courses.

25 (b) Graded correspondence courses.

26 (c) Graded internet, online, or webinar computer courses.

27 (B) Categories of credit – With the exception of the requirement in paragraph (B)(2) of this rule, to fulfill  
28 the minimum requirements set forth in sections 4715.141 and 4715.25 of the Revised Code, the  
29 licensee must select areas of study within the stated categories. Licensees shall not receive credit for  
30 hours that exceed the maximum number set forth in the following categories:

31 (1) Dental education and scientific courses - Activities designed to review existing concepts and  
32 techniques, to convey information beyond the basic dental education and to update knowledge  
33 on advances in scientific, non-clinical and clinical practice related subject matter, including ethics,  
34 regulatory compliance, risk management, nutrition, and evidence-based dentistry wherein the

35 [objective is to improve the knowledge, skills and ability of the individual to provide the highest](#)  
36 [quality of service to the public and the profession. No maximum number of hours exist for this](#)  
37 [category.](#)

38 [\(2\) Mandatory opioid prescribing education – Continuing education experiences pertaining to the](#)  
39 [prescribing of opioids for acute, subacute and chronic pain. The licensee must obtain a minimum](#)  
40 [of two hours of continuing education in this category. No maximum number of hours exist for](#)  
41 [this category.](#)

42 [\(a\) Course content may include, but is not limited to the following:](#)

43 [\(i\) The prescribing guidelines set forth in board rules 4715-6-02 and 4715-6-03.](#)

44 [\(ii\) Patient history and clinical assessments.](#)

45 [\(iii\) "Consideration of treatment options to include:](#)

46 [\(a\) Non-pharmacologic therapy;](#)

47 [\(b\) Non-opioid pharmacologic therapy; and/or](#)

48 [\(c\) Opioid therapy.](#)

49 [\(iv\) Treatment goals.](#)

50 [\(v\) Risks and benefits of opioid therapy.](#)

51 [\(vi\) Pain management.](#)

52 [\(vii\) Addiction treatment.](#)

53 [\(viii\) Prescribing methodology.](#)

54 [\(ix\) Medication-assisted treatment for addiction.](#)

55 [\(b\) Sunset clause – The requirement that a licensee obtain a minimum of two hours of opioid](#)  
56 [prescribing education shall cease to exist for the biennium beginning January 1, 2024.](#)

57 [\(3\) "Non-clinical dental practice related continuing education" ~~means continuing~~ - Continuing](#)  
58 [education experiences which may include, but is not limited to, those courses which aid in the](#)  
59 [management of a dental practice or clinic, including those courses pertaining to the management](#)  
60 [of third party payer issues, dental billing practices, patient and provider appeals of payment](#)  
61 [disputes and patient management of billing matters; courses to improve recall and scheduling](#)  
62 [systems, production flow, communication systems and data management; courses in](#)  
63 [organization and management of the dental practice including office computerization and design,](#)  
64 [ergonomics, and the improvement of practice administration and office operations; courses in](#)  
65 [leadership development and team development; and, courses in human resource management](#)  
66 [and employee benefits. The licensee may obtain aA maximum of six hours of continuing education](#)  
67 [hours may be obtained](#) in this category.

68 [\(4\) "Papers, publications and scientific presentations" ~~means scientific~~ - Scientific](#)  
69 [papers authored by the licensee and published in a scientific professional journal, and/or the original presentation](#)  
70 [of papers, essays, scientific exhibits or formal lectures to recognized groups of fellow](#)  
71 [professionals. The licensee may obtain aA maximum of four hours of continuing education](#)  
72 [hours may be obtained](#) in this category.

73 [\(5\) "Teaching and research appointments" ~~means documented~~ - Documented](#)  
74 [teaching or research activities at an accredited institution, at least one-half day per week per academic year, and](#)  
75 [holding at least a part-time faculty or research appointment as evidenced by a signed, dated letter](#)  
76 [of appointment from the chair or director of the accredited institution. The licensee may obtain](#)  
77 [aA maximum of four hours of continuing education hours may be obtained](#) in this category.

- 78 (6) "Volunteer service as a clinician" ~~means continuing education credit may be awarded at a ratio of~~  
 79 ~~one continuing education credit for each four hours of volunteer clinical services provided~~  
 80 ~~through an approved program. An approved program is one sponsored by a permanent sponsor~~  
 81 ~~as defined in paragraph (A) of rule 4715-8-02 of the Administrative Code, that allows licensees to~~  
 82 ~~provide - Documented~~ substantial pro bono dental and dental hygiene services to indigent and  
 83 underserved populations, or to persons who reside in areas of critical need in the state of Ohio.  
 84 No remuneration shall be made to the licensee or the program sponsor for services provided  
 85 under this section. ~~The licensee may obtain up to one-third of their continuing education~~  
 86 ~~requirement A maximum of four continuing education hours may be obtained~~ in this category.  
 87 (7) "Table clinics" ~~means the original - Original~~ presentation of or documented viewing of a table  
 88 clinic at a professional meeting. ~~The licensee may obtain a~~ maximum of two ~~hours of~~ continuing  
 89 education ~~hours may be obtained~~ in this category.

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Prior Effective Dates: 5-11-89, 4-5-01, 5-5-08.

#### 4715-12-02 Application for certificate; requirements; exceptions.

- 1 (A) Each person who desires to perform the duties of a dental ~~assistant radiographer~~ x-ray machine  
 2 operator shall file with the secretary of the state dental board a written application for a dental  
 3 ~~assistant radiographer's~~ x-ray machine operator certificate. Each applicant for a dental ~~assistant~~  
 4 ~~radiographer's~~ x-ray machine operator certificate shall pay an application fee of ~~twenty five~~ thirty-  
 5 two dollars. Each applicant shall furnish satisfactory proof of the following on a form prescribed and  
 6 provided by the state dental board:  
 7 (1) Except as provided in paragraph (B) of this rule, he or she has completed a board-approved  
 8 dental radiography training program presented by either of the following:  
 9 (a) An accredited educational institution or program; or  
 10 (b) A permanent sponsor of continuing education as listed in paragraphs (A)(1) to (A)(9) of rule  
 11 4715-8-02 of the Administrative Code.  
 12 (B) A dental ~~assistant radiographer~~ x-ray machine operator shall be exempt from the initial training  
 13 requirements provided in paragraph (A) of this rule if either of the following apply:  
 14 (1) ~~He holds~~ They hold a current certification as ~~a dental~~ an assistant which included required  
 15 examination in radiography as a component from the "Dental Assisting National Board" or the  
 16 "Ohio Commission on Dental Assistant Certification"; or  
 17 (2) ~~He holds~~ They hold a current license, certificate, or other credential issued by another state that  
 18 the board determines uses standards for dental assistant radiographers that are at least equal to  
 19 those established by state dental board rules.

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Rule Amplifies: 4715.53

Prior Effective Dates: 3-3-95, 4-4-02, 11-1-04, 10-9-06

## 4715-12-03 Certificate renewal.

- 1 (A) Each person who is certified as a dental ~~assistant radiographer~~ x-ray machine operator shall on or  
2 before the first day of January of each odd-numbered year, register with the state dental board. The  
3 registration shall be made on a form prescribed by the board, and shall include the certificate  
4 holder's name, address, certificate number, proof of having completed at least two hours of  
5 continuing education in radiation technology from a board-approved biennial or permanent sponsor  
6 during the two-year period immediately preceding renewal, and such other reasonable information  
7 as the board may consider necessary, and shall include payment of a biennial registration fee of  
8 ~~twenty-five~~ thirty-two dollars. This certificate shall be in effect for the two-year period beginning on  
9 the first day of January of the odd-numbered year, and ending on the last day of December of the  
10 following even-numbered year, and shall automatically expire if not renewed.
- 11 (B) Any dental ~~assistant radiographer~~ x-ray machine operator whose certificate has expired under this  
12 section must immediately cease taking x-rays until said certificate has been renewed.

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*Rule Amplifies: 4715.53 , 4715.57*

*Prior Effective Dates: 3-3-95, 4-4-02, 10-9-06*

4715-12-04 Accreditation of education programs; application; fee;  
suspension; revocation.

- 1 (A) Any permanent sponsor wishing to offer dental ~~x-ray machine operator~~ assistant radiographer's  
2 training must offer a curriculum of at least seven hours to include the following subjects:  
3 (1) Radiation physics;  
4 (2) Radiation biology;  
5 (3) Radiation health, safety and protection;  
6 (4) X-ray films and radiographic film quality;  
7 (5) Radiographic techniques, processing and storage.  
8 This curriculum may be presented as a correspondence course.
- 9 (B) Clinical experience making a variety of radiographs and radiographic surveys must be part of the  
10 course curriculum. The clinical experience must be completed within sixty days after completion of  
11 the seven subjects of the curriculum.  
12 The clinical experience may be performed in the dental office in which the dental assistant is  
13 employed or is serving an externship. The employing/supervising dentist must certify to the sponsor  
14 of the dental ~~x-ray machine operator~~ assistant radiography training program that the clinical  
15 experience was completed.
- 16 (C) Permanent sponsors wishing to obtain accreditation of radiologic education programs must apply on  
17 a form prescribed and provided by the state dental board, and must submit a fee of sixty-seven dollars  
18 and fifty cents.
- 19 (D) All programs submitted will be reviewed by the board. The accreditation or approval shall be valid  
20 until surrendered by the program, or suspended or revoked by the board. A program's accreditation  
21 or approval may be suspended or revoked if the program does not comply with applicable  
22 requirements of the Revised Code or state dental board rules.

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## 4715-12-05 Continuing education requirements.

- 1 (A) Every person certified to practice as a dental ~~x-ray machine operator assistant radiographer~~ and  
2 required to register with the state dental board shall provide proof to the board at the time of applying  
3 for a renewal of registration that in the preceding two years the registrant has completed a minimum  
4 of two hours of continuing education in dental radiation technology. Certification shall be made upon  
5 the application for registration prescribed by the board pursuant to section 4715.53 of the Revised  
6 Code.
- 7 (B) Continuing education programs may be developed and offered to dental ~~x-ray machine operators~~  
8 ~~assistant radiographers~~ by any of the following agencies or organizations:  
9 (1) National, state, district, or local dental associations affiliated with the American dental association  
10 or National dental association;  
11 (2) National, state, district, or local dental hygienists' associations affiliated with the American dental  
12 hygienists' association;  
13 (3) National, state, district, or local dental assistants' associations affiliated with the American dental  
14 assistants association;  
15 (4) Accredited dental colleges or schools;  
16 (5) Accredited dental hygiene colleges or schools;  
17 (6) Other organizations, schools, paraprofessional programs, or agencies approved by the state  
18 dental board.
- 19 (C) Continuing radiation technology programs include, but are not limited to, programs that address any  
20 of the following:  
21 (1) Radiation physics;  
22 (2) Radiation biology;  
23 (3) Radiation health, safety and protection;  
24 (4) X-ray films and radiographic film quality;  
25 (5) Radiographic techniques, processing and storage.
- 26 (D) A dental ~~x-ray machine operator assistant radiographer~~ shall retain in his or her records for a period  
27 of at least four years such receipts, vouchers, or certificates as may be necessary to document  
28 completion of continuing education programs. With cause, the board may request such  
29 documentation from dental ~~x-ray machine operators assistant radiographers~~, and the board may  
30 request such documentation from dental ~~x-ray machine operators assistant radiographers~~ at random  
31 without cause.
- 32 (E) The board may excuse dental ~~x-ray machine operators assistant radiographers~~, as a group or as  
33 individuals, from all or any part of the requirements of this rule because of an unusual circumstance,  
34 emergency, or special hardship.
- 35 (F) Failure to comply with the requirements of this rule constitutes a failure to renew registration  
36 pursuant to section 4715.53 of the Revised Code.

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