



**MARYLAND**  
**Department of Health**  
State Board of Dental Examiners  
*E-NEWSLETTER*

**Maryland State Board of Dental Examiners**

**Fall Newsletter – 2021**

**Editors: Drs. Louis DePaola and Robert Windsor**

**President’s Message: Dr. Arpana Verma**

It is a pleasure to write my first President's message. The Maryland State Board of Dental Examiners (the “Board”) is tasked with the responsibility to protect all Maryland citizens by ensuring Dental Health Care Providers (“DHCPs”) maintain safe and effective dental care environments, ensure quality of dental care by all licensed providers as well as to license and discipline those licensees appropriately. It is a duty taken most seriously by all our Board members and has become even more pronounced in the context of our current situation. Needless to say, none of us has experienced anything like our current circumstances in our lifetimes.

At the beginning of the pandemic, information was scarce. Fear, uncertainty and misinformation surrounded everything. During the progression from shutdown to return to work, the Board worked hard to advise the Governor’s office of the need for dentistry to be included with frontline healthcare providers both in providing direct patient care and in allowing dental offices to remain open as critical infrastructure. As the shutdown reached its end, and the possibility of returning to work in dental practices became a reality, we worked hard to calm fears and ensure accurate information was reaching licensees on the latest guidelines for safe practice.

The shutdown halted every system at the Board. Like all State agencies, we were faced with the challenge of how to work from home on systems that struggled to handle so many users working remotely at once. In-person functioning became a rarity as State agencies closed offices and instituted safety protocols that severely limited in-person access. Lack of access to materials limited and delayed many processes at the Board.

The Board had to pivot from our normal workflow to a challenging hybrid work process. The pandemic has forced a large step forward in online collaboration for many tasks. However, there are still tasks that the Board could not complete by digital workflow. I commend our diligent, hardworking staff in administration, licensing, compliance and investigations divisions who have navigated a myriad number of issues while working hard to keep up with the functioning of the Board. Working to find solutions for issues like anesthesia permitting, filing of complaints, investigations during a shutdown, and office inspections during a personal protective equipment shortage have been a large obstacle. The help of our Board members who have put in countless

hours during this time has been invaluable. With everyone's help we were able to convert many of our systems to a modified version that allowed us to begin the road to a return to normal functioning.

The last eighteen months of living with COVID-19 have been a large adjustment for everyone. What started as a seemingly short term issue has turned into daily life with no end currently in sight. COVID-19 has brought new emphasis on standards of care and infection control protocols. Ensuring those standards for ongoing safety means ensuring our DHCPs are well versed in safety processes. This is a paramount purpose for the Board. We have proposed an increase in infection control and biosafety training requirements for licensees. Once approved and implemented, the Board will assist in creating standards for this that are easy to understand and follow.

The availability of vaccinations was a great step forward and we are excited about dentists joining other healthcare providers on the vaccination front lines. The familiarity of DHCPs with injection practices translated very well to contributing to the vaccine rollout effort. The Board feels that should continue with DHCPs having the ability to provide vaccinations to patients in practice settings. It is a natural extension of dentistry as an arm of medicine.

With no current end in sight to this pandemic, we turn our attention now to continuing to address innovative ways to bridge remote and in person work processes for our Board members and staff. I am committed to realigning processes to take advantage of electronic and online workflows to help us ensure all aspects of the Board's work gets streamlined and improves the experience for everyone. Our first step was reimagining the website and continuing to work towards a fully paperless licensing and renewal process. We encourage our licensees to join us for our open session on the first Wednesday of each month and participate with their suggestions.

### **Chief Dental Officer Report: Dr. Sharon Welsh**

Greetings to my colleagues. I feel your pain. I really do. Having owned my own practice, I think I can relate to many of the struggles you are facing. Insurance interference, staff shortages, PPE shortages, overhead concerns, and NOW-A Pandemic!! (And is it me or are people becoming more demanding than ever? The world can be a very scary place right now).

Our profession is very rewarding, but also a very tough profession. My goal is to keep you as far away from the Board as possible. To that end, here are just a few suggestions based on what Board members have been noticing and a few suggestions.

**PLEASE** follow the **CDC GUIDELINES**. We have noticed an increase in complaints regarding potential CDC violations. The CDC checklist is listed on the Board's website and is the template that our inspectors follow. By statute, we are required to follow the CDC guidelines. And, although the guidelines have always contained respiratory precautions, never has it been more imperative to do so than now. This is a highly contagious respiratory virus. Now that the virus has a number of variants, you must protect yourself, your team, and your patients as well as your loved ones. Speaking for myself, I am on the **CDC.gov** website frequently and advise you to use it as a resource.

**PLEASE** treat your patients as you would expect to be treated. I remember the Pride Institute drilling into my head, "patients don't care how much you know until they know how much you

care.” The Board is receiving a number of complaints regarding what some people would call “decorum.” Patients are noticing everything. It might be a good thing to visit the ADA website ([ada.org](http://ada.org)) and recall the **ADA PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT**, which the Board has adopted by regulation. The 5 principles that serve as a “code” for our profession are listed there.

I am proud of my colleagues. Please feel free to contact me if I can be of assistance. Board complaints can happen, but I want to assist you in preventing them. I am at your service. Please feel free to contact me if I can be of assistance. ([sharon.welsh@maryland.gov](mailto:sharon.welsh@maryland.gov))

### **Legislative Update: Dr. Ed Morris**

Keeping in mind that the Mission of the State Board of Dental Examiners is first and foremost to protect the citizens of Maryland and promote quality dental care, the role of the Legislative Committee is to set and maintain standards of the practice of dentistry.

As the saying goes, “Nothing is permanent except change”. Scientific advancements, medical breakthroughs, new knowledge and technologies are constantly changing the landscape of dental health care delivery. Some changes may prove to be beneficial to the public while others may not. It is necessary for the Board to carefully evaluate changes and, if appropriate, to modify existing laws and regulations to reflect these new standards of care. This is one of the roles of the Legislative Committee.

Monitoring legislative activity is another important role of the Committee. Individuals and entities may persuade legislators to introduce legislation that may have an effect on the delivery of dental care. Again, the Legislative Committee evaluates all legislative proposals that have a potential impact on dental care to ensure that their affect on the public is a positive one.

The work of the Legislative Committee is constant and ongoing with the overriding goal of protecting the public and advancing quality dental care for the citizens of Maryland.

### **Booster Shots for COVID-19 Vaccine**

On September 8, 2021, the Maryland Department of Health (MDH) issued an order making all Marylanders aged 65 and older living in congregate care settings immediately eligible for COVID-19 booster shots. This applies to all nursing homes, assisted living facilities, residential drug treatment centers, and developmentally disabled group homes.

In addition, the MDH issued guidance instructing all pharmacies and providers across the state, including dentists, to administer boosters without a prescription or doctor’s order to anyone who considers themselves to be immunocompromised.

For each COVID-19 vaccination administered in Maryland, the provider shall give notice of such vaccination to the Maryland Department of Health via ImmuNet within 24 hours after administration, in the same manner that the first and second doses were reported.

September 8, 2021 Order: MDH NO. 2021-09-08-01

## Licensing Update: Ms. Deborah Welch

On March 5, 2020, Governor Hogan declared a State of Emergency and Catastrophic Health Emergency in the state of Maryland that lasted until May 20, 2021. During this time, deadlines for certain licenses, permits and certificates including Dentists, Dental Hygienists and Dental Radiation Technologists, were extended through August 16, 2021. Two years-worth of renewals came due all at once and the Board would like to thank all licensees and certificate holders for their patience and understanding during this unique and hectic time. Here are the numbers as of the end of August 30, 2021:

<b>2020 Renewals</b>	<b>Up for Renewal</b>	<b>Have Renewed</b>	<b>Outstanding %</b>
Hygienists	2,050	2,007	43 98%
Dentists	2,891	2,850	41 99%
<b>2021 Renewals</b>	<b>Up for Renewal</b>	<b>Have Renewed</b>	<b>Outstanding %</b>
Hygienists	1,970	1,851	119 94%
Dentists	2,691	2,554	140 95%
Rad. Techs	3,870	3,244	636 84%

With new Dentists, Dental Hygienists and Dental Radiation Technologists coming onboard there were also a number of oral health professionals retiring or not renewing their licenses. Here are the totals at this time.

- Active Licensed Dentists 5,273
- Active Licensed Dental Hygienists 3,827
- Certified Dental Radiation Technologists 7,522

The Maryland State Board of Dental Examiners 2020 renewal cycle for both Dentists and Dental Hygienists began on June 1, 2020. At the present time 2,850 Dentists have renewed their 2020 licenses and 2,007 Dental Hygienists have renewed their licenses. In addition, due to the State of Emergency, Licensees did have an additional 30 days to renew their licenses after the State of Emergency had been lifted.

The Maryland State Board of Dental Examiners 2021 renewal cycle for both Dentists and Dental Hygienists began on May 1, 2021. At the present time 2,554 Dentists have renewed their 2021 licenses and 1,851 Dental Hygienists have renewed their licenses. In addition, due to the State of Emergency, Licensees did have an additional 30 days to renew their licenses after the State of Emergency had been lifted.

Licensees must notify the Board of their change of address within 60 days. Also, please ensure the Board has your current e-mail address on record.

### **Applications Committee: Dr. Barry Cohan**

The applications committee is responsible for reviewing all applications submitted to the Maryland State Board of Dental Examiners. The committee consists of six board members that includes a chairman of that committee. Dental applications, dental hygiene applications, dental assistant applications, and radiation technology applications are reviewed on a regular basis. There are many different applications within those four categories including but not limited to initial applications, renewal applications, specialty licensed applications, recertification applications, transferring from another state applications, limited license applications, teaching applications, certified dental assistant applications, orthodontic dental assistant complications, hygiene nitrous oxide applications, hygiene local anesthetic applications, and corporate name applications. The application committee is also responsible for performing continuing education audits. Approximately 5% of dental and dental hygiene applications are reviewed to confirm compliance with the continuing education requirements set forth by the Maryland State Board of Dental Examiners. The applications committee is responsible to modify the applications available for applicants as necessary. We are currently modifying many of the application forms to reflect more efficient information gathering and to make the application process easier for everyone.

### **Continuing Education Committee: Dr. Barry Cohan**

The Continuing Education (CE) Committee is responsible for reviewing all continuing education applications submitted to the Maryland State Board of Dental Examiners. This Committee consists of five Board members, including the chair, and we meet on the first and third Wednesdays of each month. The CE Committee is charged with reviewing continuing education applications to ensure that the underlying courses are clinically relevant and in compliance with the Board's continuing education regulations. To ensure timely review by the Committee, CE course approval applications must be submitted in advance of the course offerings.

As a result of the current pandemic and the requirements for physical distancing, the Maryland State Board of Dental Examiners will continue to accept on-line CE credits to satisfy all continuing education requirements. This includes but is not limited to: Cardiopulmonary Resuscitation (CPR) courses. An online CPR course must be either (1) the American Heart Association's Basic Life Support for Healthcare Providers; (2) The American Red Cross's Cardiopulmonary Resuscitation for Professional Rescuers; or (3) An equivalent program approved by the Board. In addition, the Board recently approved a proposal to make several permanent changes to the CE regulations, including allowing licensees to earn CE credits through live webinars. The Board will continue to review its CE requirements and will advise licensees of any changes.

The Board is proposing several changes to its existing continuing education regulations. As a result of the COVID-19 pandemic and the ensuing enhanced infection control measures, the Board is proposing a modest increase of 1 hour in the required infection control course beginning with the 2023 renewal cycle. Those seeking to renew their license in 2022 will be required to complete the existing 2-hour course while those seeking renewal in 2023 and thereafter must

complete the 3-hour course. Other amendments include requiring all dental hygienists to complete a 2-hour Board-approved course on prescribing and administering medications every other renewal cycle as a condition of license renewal, (no increase in the existing 30 hours of continuing education), allowing dentists and dental hygienists to receive in-person continuing education credit for attendance at in-person webinars, allowing up to 2 continuing education credits per renewal cycle for attendance at open session Board meetings, and allowing dentists and dental hygienists to receive continuing education credit for completing a certain course on implicit bias training.

Note that completion of the 2-hour Board-approved course on prescribing and administering medications required every other renewal cycle as a condition of license renewal for dental hygienists will not qualify a dental hygienist to seek recognition to prescribe and administer medication. Completion of the proposed 4-hour course is required for such recognition).

Again, the proposed amendments are subject to change, and will take effect after approval by the Department of Health and final promulgation.

### **Dental Hygiene Committee Report: Ms. Jane Phillips**

#### Dental Hygienists Prescribing and Administering Certain Medications

As a result of House Bill 749, (chapter 311, 2020) the Maryland General Assembly authorized dental hygienists to prescribe and administer certain enumerated medications after meeting Board regulations for education and training. As the regulations are proposed, a dental hygienist will need to complete a 4-hour Board approved course and apply for and receive Board recognition before he or she may prescribe or administer. Regulations have been drafted by the Board and submitted to the State Department of Health but are pending approval. Once that is complete, the Board will notify licensees.

When the regulations become effective dental hygienists who meet Board requirements will be permitted to prescribe topical and systemic types of prescription or over-the-counter fluoride preparations, topical antimicrobial rinses, and ibuprofen not exceeding 600 mg every 6 hours for up to 3 days after nonsurgical periodontal therapy. Dental hygienists will be able to administer medications that they may prescribe, and in addition, premedication antibiotics, subgingival antibiotics and antimicrobials, and nonopioid pain medication. Medications that a dental hygienist may not prescribe or administer are delineated in the law.

Please be aware that the promulgation of these regulations has been delayed due to the continuing COVID-19 pandemic and the reassignment of resources. Again, dental hygienists may not prescribe or administer until the regulations are finalized and all of the requirements are met. As holds true with all proposed regulations, the requirements are subject to change during the promulgation process. The Board will keep its licensees apprised once the regulations become effective. Thank you for your patience and understanding.

## **Infection Control and Biosafety: Dr. Leslie Grant**

The Infection Control and Biosafety Committee is an integral aspect of the Board's obligation to ensure quality dental care for the citizens of Maryland. The six members of our committee review infection control related case investigation findings and make disposition recommendations to the Board. We also recognize the role of effective dissemination of critical information and updates in maintaining compliance in dental settings. Our Committee makes certain that pertinent regulatory changes, guidance and resources related to disease transmission and safety are communicated to our licensees in a timely fashion. We encourage our licensees to visit the Maryland State Board of Dental Examiners' website:

<https://health.maryland.gov/dental/Pages/home.aspx>

## **Prevention of COVID-19 Transmission in the Dental Office: Dr. Louis DePaola**

On August 16, 2021, Governor Hogan lifted the State of Emergency in Maryland. Although there has been a relaxation of many COVID-19 restrictions; there has been no changes in healthcare settings inclusive of dentistry. CDC Guidelines regarding managing COVID-19 in the dental office remain in effect inclusive of enhanced respiratory protection, screening of patients & staff, use of facemasks for everyone in the facility and social distancing. It is the dentist's responsibility to comply with the CDC Guidelines.\*

- \* Centers for Disease Control and Prevention (CDC). Guidance for Dental Settings Interim Infection Prevention and Control Guidance for Dental Settings during the Coronavirus Disease 2019 (COVID-19) Pandemic, Updated Dec. 4, 2020.

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/dental-settings.html>

## **Treating the Unvaccinated**

The Board has received several inquiries regarding the ethics surrounding dismissing a patient who has not been vaccinated against COVID-19. By Board regulation, dentists are required to comply with the ADA's "Principles of Ethics and Code of Professional Conduct." See COMAR 10.44.23.03.D.(1). Thus, it may be instructive to review the ethical guidance issued by the ADA regarding this particular topic.

[https://www.ada.org/~media/ADA/About%20the%20ADA/Files/The\\_Ethics\\_of\\_Vaccination.pdf](https://www.ada.org/~media/ADA/About%20the%20ADA/Files/The_Ethics_of_Vaccination.pdf)

The Board evaluates each case before it on its own merits and based on its own unique facts and circumstances. As such, the linked guidance is strictly intended to be informational and should not be construed to be a rule, regulation, or official policy of the Board. Should you have any further questions on ethical considerations, the Board recommends that you contact an attorney of your choice who can advise you on health law issues.

### **COVID-19 Testing: Dr. Louis DePaola**

On August 6, 2020, the Secretary of Health, finding it necessary for the prevention and control of SARS-CoV-2 and for the protection of the health and safety of patients, staff, and other individuals in Maryland, authorized that any individual licensed, registered, or certified by MDH or a Maryland health occupations board who has appropriate training and supervision may collect COVID-19 test specimens. While dental providers may collect test specimens, the COVID-19 test analysis must be performed at a site licensed by federal and state authorities as a Clinical Laboratory Improvement Amendments of 1988 (CLIA)-certified laboratory.

### **Anesthesia Committee Report: Dr. Robert Windsor**

The Maryland State Board of Dental Examiners is working hard to become current with Anesthesia / Sedation permits. COVID-19 Pandemic conditions and staff shortages continue to challenge the board.

Dr. Arthur Jee summarized the categories of permits in the Fall 2020 to Spring 2021 newsletter. The following listing details the numbers of active permits in each Class.

- Class I – 219
- Class II – 70
- Class III - 484

The anesthesia permits are classified according to the level and mode of delivery: Class I Oral Moderate Sedation; Class II Parental Moderate Sedation; Class III Deep Sedation/General Anesthesia. The permits are valid for five years from the date of authorization. For each renewal cycle, an application and CE requirements must be completed. An onsite evaluation of the office facility where anesthesia is being provided is required for all initial applications and renewals of Class III anesthesia permits.

There are prerequisite educational requirements, and an examination is required to apply for differing levels of permits. It is important that all dentists be familiar with the Board's anesthesia regulations which are contained in the Code of Maryland Regulations, (COMAR) 10.44.12, a copy of which can be found on the Dental Board's website.

If you have any questions or are interested in obtaining an anesthesia permit, please contact Ms. Bonita McFadden at 410-402-8503.

### **New Board Counsel: Mr. Tony DeFranco**

Hi there! My name is Tony DeFranco and I serve as the new counsel to the Board, replacing Grant Gerber. By way of background, I am a life-long first-generation Baltimorean (my family emigrated here from Naples and Palermo, Italy). I left briefly to do my undergraduate studies at Boston College but returned home to receive my law degree from the University of Baltimore. I have been practicing law since 2008 and am no stranger to the legal issues involved with health occupations boards. In 2009, I was hired by the Office of the Attorney General to serve as one of the Board of Nursing's three board counsel. In 2014, I was asked to represent several smaller

boards, such as the Board of Morticians, the Board of Podiatry, the Board of Occupational Therapy, the Board of Audiology, Speech-Language Pathologists, and Hearing-Aid Dispensers. In 2017, I left the OAG to seek new challenges, but I have since returned and I am greatly looking forward to working with this Board! When I'm not lawyering, you can probably find me out running, cycling, or watching my Orioles and Ravens.

### **New Members of the Board**

On June 1, 2021, the Maryland State Board of Dental Examiners said goodbye to Dr. Arthur Jee, Ms. Margaret Kern and Ms. Roslyn Chester after their service of (two) four- year terms. We also welcomed three new members to the Board and they are:

**Chiyo Gomez Alie, D.D.S.**, was born and raised in Los Angeles, California; she obtained her undergraduate degree in Psychology at Case Western Reserve University in Cleveland, Ohio. As an undergrad, she founded the Case Pre-Dental Society, a forum for discussion, support, and camaraderie for undergraduates with an interest in Dentistry. She went on to receive her Doctor of Dental Surgery degree from Howard University College of Dentistry in Washington, D.C. Dr. Alie speaks English, Spanish, Japanese, & some Russian and enjoys connecting with a wide range of individuals from many different cultures. She and her husband own a practice in Frederick County, MD where they treat a wide variety of patients from children to the elderly. When she is not treating patients or volunteering at one of many organizations she is involved with, she enjoy spending time with her husband, daughter and son.

**Joy Void-Holmes, RDH, BSDH, DHs, AADH**, is a native Washingtonian who has been in the Dental Profession for more than twenty years. Dr. Void-Holmes, or Dr. Joy as she is known, graduated from Howard University as President of her class. She immediately went on to receive her Bachelor of Science in dental hygiene from the University of Maryland, Dental School, a Masters of Health Science from Nova Southeastern University with a concentration in Forensic Investigative Science, and a Doctor of Health Science from Nova Southeastern University with a focus in education in health care. She is currently a part-time faculty member at Fortis College in Landover, MD, where she teaches preclinical instrumentation, nutrition, and biochemistry, community health, and process of care. In her spare time, Joy enjoys spending time with her family and supporting her four children in their various extracurricular activities.

**Cynthia Zeder, RDH** is originally from North Carolina and received her Associate of Applied Science Degree in Dental Hygiene from Allegany College of Maryland in Cumberland where she graduated Cum Laude. At school, Mrs. Zeder was a member of the Dean's and Honors List and served as the Vice President of the Student American Dental Hygienists' Association, Allegany College Chapter. She has over twenty years of experience as a Dental Hygienist and currently practices in Bowie, MD. In her spare time, she enjoys sewing and attending her son's baseball games. Mrs. Zeder lives in Elkridge, MD with her husband, 2 sons, and her dog Rosie.