



MARYLAND Department of Health

State Board of Dental Examiners

E-NEWSLETTER

Editors: Dr. Louis DePaola and Dr. Robert Windsor
Fall 2020 - Spring 2021

(Please note that due to COVID this Newsletter has been delayed.)

President's Message

I am privileged to be the current President of the Maryland State Board of Dental Examiners. Due to the challenges we are facing in the midst of the COVID 19 pandemic, I feel that it is important to highlight the positive measures that the Board has taken to serve both our primary mission, which is protecting the public, as well as communicating information to our licensees. They are the following:

- 1) Orders issued by the Governor or the Secretary of the Department of Health relating to the COVID 19 pandemic and its effect on the health professions, are posted promptly on the Board's website. A brief summary reflects the application of the particular Order to dentistry. Some of the issues addressed have been screening of staff and patients for COVID-19, workplace controls, adequate PPE supply, and COVID-19 specimen collection and testing,
- 2) The Board has also diligently posted updates on license renewal, continuing education requirements, and infection control, and how these are affected by COVID-19. We have also posted a notice affirming dentists as essential health care providers, thus making them eligible to acquire PPE from local health departments.
- 3) To address the many concerns that licensees have had regarding the resumption of elective and non-urgent dental procedures permitted by the May 6, 2020 Order of Health Secretary, Robert R. Neall. The Board conducted an unprecedented Webinar on May 13, 2020, attended by 1,540 participants. The purpose was not only to answer your questions and concerns regarding the Order, but also to clarify the Board's responsibilities and limitations in providing information to you.
- 4) Board staff has had to deal with a number of COVID-19 logistical issues. Initially, at the beginning of the pandemic, the Spring Grove campus, where the Board is located, was shut down for a period of time. Fortunately, Board offices gradually reopened with limited access to the building, and there was reduced staffing. With no decrease in work load and continuing staff shortages, I would like to personally thank our Executive Director, Frank McLaughlin, and the entire staff for their diligence in accomplishing important Board tasks. Although I ask that licensees keep this in mind when making inquiries to staff, do not hesitate to contact the Board if you do not receive appropriate and timely follow up.
- 5) Open and Administrative Board meetings, as well as all Committee meetings, have been held virtually since March, 2020. Even though this has been a challenge for both sitting and new Board members, the electronic glitches have been solved and the schedule has been maintained, as we are all attempting to conduct Board business as normally as reasonably possible.

In closing, I would like to emphasize that while the Board diligently works to adapt to the challenges of this pandemic, we also strive to improve to better serve the public and our licensees. We genuinely welcome your input and suggestions. Be well and stay safe.

Sincerely,

Dr. James P. Goldsmith

Chief Dental Officers Corner: Dr. Sharon A. Welsh

I would like to take this opportunity to introduce myself as your new Chief Dental Officer. I was born and raised in Harford County, Maryland. I have practiced Dentistry in Delaware since 1998, but I always maintained my Maryland licensure. (Maybe I just knew that somehow I would return!)

I am a graduate of the College of Notre Dame of Maryland, attended graduate school at Georgetown University and am a 1986 Graduate of the University of Maryland, School of Dentistry. It is great to return home (and watch my beloved Orioles and Ravens once again!),

It is my goal to assist my colleagues by acting as a resource. This will allow you to continue to practice at your best. And this ultimately achieves the Board's mission which is to protect the citizens of Maryland.

Legislative Update: Dr. Arpana Verma

Summary of 2020 Legislative Session

The Maryland General Assembly session ended at midnight on March 18, 2020 ahead of schedule due to Covid-19. The MSBDE has worked hard for the last nearly 10 years to support legislation that protects the public and ensure that good quality of care is provided by appropriately licensed dental professionals. The following is a brief summary of the most important bills that have a direct or indirect effect on the practice of dentistry. A copy of each bill can be found on the General Assembly's website.

1. SB 169/HB 947 Health Occupations — Violations of the Maryland Dentistry Act — Penalties and Cease and Desist Orders

PASSED

Increased penalty for practicing dentistry without a license from a misdemeanor to a felony. Increased penalty for violating the laws regarding dental laboratory work from a misdemeanor to a felony. Board may issue a "Cease and Desist" order for conduct that violates the laws regarding the licensing of dentists or that relates to dental laboratory work. Administrative fines increased for practicing dentistry without a license as well as well as violating the laws regarding dental laborat01Y work. Effective October 1, 2020.

2. SB 174/HB 939 State Board of Dental Examiners — Practice of Dentistry Revisions

PASSED

Dental ownership bill. Defines the "practice of dentistry" and limits ownership of a dental practice to licensed dentists. Provides exceptions for dental clinics, charitable organizations, nonprofits, and federally qualified health centers, or a federally qualified health center look-alike. Delineates those functions that may be performed by those not holding a dental license. Provides that any contractual provision that could be interpreted to limit a dentist, dental hygienist, dental assistant, or other person from testifying or providing information to the Board, the General Assembly, or a court, shall be null and void and unenforceable as contrary to the public policy of the State. Effective October 1, 2020*

3. SB 166 Drugs and Devices — Electronic Prescriptions — Controlled Dangerous Substances

PASSED

Requires that CDS prescriptions be electronic. Provides a number of exceptions. Effective January 1, 2022.

4. HB 749, Ch. 311 Health Occupations — Dental Hygienists — Authority to Prescribe and Administer Medication

PASSED

Under the general supervision of a dentist, and after successfully completing educational requirements of the Board, a dental hygienist may prescribe 1) topical and systemic types of prescription or over-the-counter fluoride preparations; 2) topical antimicrobial rinses; and 3) Ibuprofen not exceeding 600mg every 6 hours for up to 3 days after nonsurgical periodontal therapy. A dental hygienist may not prescribe a CDS or a prescription that requires an FDA registration.

Under the general supervision of a dentist, and after successfully completing educational requirements of the Board, a dental hygienist may administer medication, under a standing order, including the 3 medications listed above, and 1) premedication antibiotics by mouth as required for dental treatment, 2) sub-gingival antibiotics and antimicrobials; and 3) non opioid pain medication A dental hygienist may not administer a medication that is classified as a CDS, or which requires an FDA registration, or except for local anesthesia, administered in accordance with § 4-206.1 or 4-206.3 of the Health Occupations Article, medication that is administered by intramuscular, subcutaneous, intravenous, or intradermal injection, (Note that a dental hygienist may not prescribe and administer medication until the Board's regulations have been finalized and the dental hygienist has applied for and received recognition from the Board to prescribe and administer medication. The COVID-19 pandemic has caused a delay in the processing of regulations in the normal course, as some of those involved in the process have been reassigned to other tasks and have been hard at work saving the lives of our fellow Marylanders. We kindly ask for your patience).

5. HB 448 and SB 402 Health Care Practitioners - Telehealth and Shortage

PASSED — Emergency

Allows a health care practitioner who is licensed or certified under the health occupations article, to conduct an asynchronous or synchronous telehealth exchange of information between a patient and a healthcare practitioner. A health care provider may establish a practitioner-patient relationship through either a synchronous telehealth interaction, or an asynchronous telehealth interaction if certain preliminary conditions are met.

"Telehealth" means a mode of delivering health care services through the use of telecommunications technologies by a health care practitioner to a patient at a different physical location than the health care practitioner. It does not include the provision of health care services solely through audio-only calls, e-mails messages, or facsimile transmissions.

A health care practitioner shall perform a clinical evaluation that is appropriate for the patient and the condition with which the patient presents before providing treatment or issuing a prescription through telehealth. A health care practitioner may use a synchronous or asynchronous telehealth interaction to perform a clinical evaluation, certain conditions must be met before a health care practitioner may prescribe opiates.

A health occupations Board may adopt regulations to implement the bill. Effective April 3, 2020.

Summary of 2021 Legislative Session

The Maryland General Assembly ended on Monday, April 12, 2021, the following is a brief summary of the most important bills that passed and have a direct or indirect effect on the practice of dentistry. A detailed analysis of each bill can be found on the General Assembly's website.

- 1. SB 3 Preserve Telehealth Access Act of 2021, Chapter 71, and Chapter 70
Respectively Passed**

Comprehensive amendments to Telehealth and Medicaid services delivered by the Department of Health. Additionally, from July 1, through June 30, 2023 insurers are required to reimburse on the same basis and at the same rate as if the telehealth services were delivered in-person. Effective July 1, 2021.
- 2. SB 5 Public Health Implicit Bias Training and the Office of Minority Health and Health Disparities
Passed (Awaiting the Governor's Signature)**

Requiring that an applicant for an initial dental or dental hygiene license or a dental radiation technology certificate, and the renewal of the license or certificate, attest in the application that the applicant has completed an implicit bias training program approved by the cultural and linguistic health care professional competency program. The requirement only applies to an applicant's first license or certificate renewal after April 1, 2022. Effective October 1, 2021.
- 3. SB 100 Task Force 011 Oral Health in Maryland
Passed (Awaiting the Governor's Signature)**

Establishing a Task Force on Oral Health in Maryland; providing for the composition, chair, and staffing of the Task Force; requiring the Task Force to study and make recommendations regarding certain matters including the use of mid-level providers such as dental therapists; requiring the Task Force to submit interim and final reports to the Governor and certain committees of the General Assembly. A Dental Board member is a member of the Task Force. Effective July 1, 2021.
- 4. SB 262 Department of Information Technology — Study of a Common
Information Technology Platform for Health Occupations Boards
Passed (Awaiting the Governor's Signature)**

Requiring the Department of Information Technology to conduct a certain review of certain information technology platforms used by certain health occupations boards and make certain recommendations on the feasibility and cost of developing a certain common information technology platform; and requiring the Department to report certain findings and recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee on or before December 1, 2021. Effective July 1, 2021.
- 5. HB 183 Public Information Act — Revisions (Equitable Access to Records Act)
Passed (Awaiting the Governor's Signature)**

Extensive annual reporting by each custodian was stricken. The bill bolsters the authority of the State Public Information Act Compliance Board and the Public Information Act Ombudsman in resolving complaints. Effective October 1, 2021.

6. SB 565 Public Health Data — Race and Ethnicity Information

Passed (Awaiting the Governor's Signature)

Requiring each health occupations Board, including the Dental Board, to include on its application for licensure or certification, or renewal form, the option for the applicant to provide the applicant's race and ethnicity information. The health occupations Boards shall encourage the applicant to provide the applicant's race and ethnicity information. The information is reported to the Maryland Office of Minority Health and Health Disparities. Effective October 1, 2021.

7. SB 836 State Board of Dental Examiners — Disciplinary Process and Actions Report

Passed (Awaiting the Governor's Signature)

The bill requires the Board to report findings and recommendations to the Governor, and in accordance with § 2-1246 of the State Government Article, the General Assembly on matters regarding the disciplinary process by November 1, 2021. Effective June 1, 2021.

DENTISTS AND DENTAL HYGIENISTS - CONTINUING EDUCATION POLICY: Dr. Robert Windsor

As a result of the current pandemic and the requirement of physical distancing, the Maryland State Board of Dental Examiners will continue to accept on-line Continuing Education (C.E.) credits to satisfy all continuing education requirements. This includes but is not limited to: Cardiopulmonary Resuscitation, (CPR). An online CPR course must be either, 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. This policy is effective immediately.

- As a result, if you were scheduled to renew your dental or dental hygiene license on or before June 30, 2020 and have not yet done so, all CE requirements may be satisfied with the completion of Board-approved on-line courses,
- If you are scheduled to renew your dental or dental hygiene license 011 or before June 30, 2021 all CE requirements may be satisfied with the completion of Board-approved on-line courses. Please be mindful that the above CE policy will remain in effect until the state of emergency is lifted by the Governor. The MSBDE is in the process of reviewing the format for CE courses in 2021 and beyond and will advise licensees of any changes.

Resumption of Elective Dental Care in the State of Maryland: Dr. Louis DePaola

On May 6, 2020, Maryland Health Secretary Robert R. Neall issued an Amended Directive and Order allowing elective dental care to resume. We commend Governor Hogan on this action as access to dental care is a necessary component to overall good health for the citizens of Maryland.

- 1) Delineated in the order are the requirements that need to be met for elective reopening to proceed safely. These include: one certification of compliance with the Order, one copy to be posted in the dental office and one copy to be sent to the Secretary of the Department of Health to the Maryland Department of Health at secretary.health@maryland.gov. This certification form is posted on the MSBDEs website.

- 2) Immediate implementation of the U.S. Centers for Disease Control and Prevention's most recent Guidelines which were published on December 4, 2020 and can be viewed at <https://www.cdc.gov/coronavims/2019-ncov/hcp/dental-settings.html>.

Please use common sense and care in reopening your practice and be cognizant that CDC Guidelines change as more information on COVID-19 is learned. Oral health providers should make every effort to keep up to date with the latest recommendations.

The Board appreciates your continued understanding and cooperation through these difficult times.

Dental Assistants and Orthodontic Procedures: Dr. Edwin Morris

Questions have come before the Board regarding procedures permitted by dental assistants in the course of delivering orthodontic services with clear aligners. Specifically:

- Are dental assistants and dental assistants qualified in general duties permitted to place bonded orthodontic attachments?

The answer is the following:

- The code of Maryland regulations, (COMAR) permits the placement and removal of orthodontic attachments only by dental assistants qualified in orthodontics. It specifically prohibits such procedures by dental assistants (on-site training) or dental assistants qualified in general duties. To qualify to become a dental assistant qualified in orthodontics a candidate must:
 1. Successfully complete a Board-approved course of at least 35 hours related to Maryland orthodontic dental assisting; and
 2. Be certified by the Dental Assisting National Board in orthodontics or have been recognized by the Board of Dental Examiners, on or before June 19, 1974, as a dental assistant qualified in orthodontics.

COVID-19 Testing: Dr. Louis DePaola

On August 6, 2020, the Secretary of Health, finding it necessary for the prevention and control of SARSCoV-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 the Maryland Department of Health 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 Report: Dr. Arthur Jee

Dental Board ANESTHESIA COMMITTEE REPORT:

Dentists who provide anesthesia (other than local anesthesia or nitrous oxide or anxiolysis) are required to hold a State Board of Dental Examiners anesthesia permit. Anxiolysis is defined as a single dose of one drug, taken the evening before a procedure; and a single dose of one drug taken the morning of a procedure, or both. (The evening drug and morning drug may be the same drug, or a different drug — but no more than ONE drug! The use of more than one drug or more than one dose, at any one time, requires an anesthesia permit! It is strongly suggested 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. Anesthesia permits are classified according to level of anesthesia/and mode of delivery: Class I Oral Moderate Sedation; Class II Parental Moderate Sedation; Class III Deep Sedation/General Anesthesia.

In order to apply for the differing levels of permit classifications; prerequisite educational requirements and an examination are required. If you have any questions or are interested in obtaining an anesthesia permit, please contact Ms. Bonita McFadden at 410-402-8503.

The number of Board issued anesthesia permits in effect in 2020 is: Class I=225; Class II=68 and Class III=489.

Anesthesia permits have a term of 5 years from day 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.

The Board's Anesthesia Committee is attempting, on a limited basis, to process new and renewal anesthesia permits during these difficult times. Situational modifications have been instituted to help insure overall safety. Unfortunately, normal expected timelines for processing are not possible. Please contact Ms. McFadden if you have any questions.

Violation Report: Ms. Kenyona Jones/Mr. Grant Gerber

MARYLAND STATE BOARD OF DENTAL EXAMINERS
DISCIPLINARY ACTIONS TAKEN

JANUARY 1, 2020 to DECEMBER 31, 2020

LICENSEE NAME	LICENSE NO.	SUMMARY OF ACTION TAKEN
Aronda Jones, D.D.S.	15123	Effective 01/31/2020 - Summary Revocation Order, Unprofessional Conduct
Martel Cole Jr., D.R.T.	16237	Effective 06/15/2020 Voluntary Surrender of DRT Certificate. Practicing on an Expired Dental Radiation Technologist Certificate
Parth Shah, D.D.S.	15225	Effective 01/15/2020 - Reprimand; One (1) Year Probation. Recordkeeping; Unprofessional Conduct; Incompetence
Robert Burt, D.O.S.	3883	Effective 02/05/2020 - Revocation of Dental License. Unprofessional Conduct; Failure to Cooperate with a Board Investigation; Recordkeeping
Taunya Denkins, D.D.S.	13537	Effective 02/05/2020 Termination of Consent Order. Unprofessional Conduct; Incompetence; Recordkeeping
Manpreet Dhillon, D.D.S.	16264	Effective 02/05/2020 Termination of Consent Order.
Vikaskumar Patel, D.D.S.	15616	CDC Violations Effective 02/10/2020 — Termination of Consent Order CDC Violations
Neil Wood, D.D.S.	5244	Effective 02/07/2020 — Voluntary Permanent Surrender of Dental License. Incompetence; Unprofessional Conduct; Recordkeeping; Fraudulently or Deceptively Obtaining or Attempting to Obtain a License
Randall Kawamura, D.D.S.	6738	Effective 02/11/2020 — Termination of Consent Order. Unprofessional Conduct
Aronda Jones, D.D.S.	15123	Effective 02/19/2020 Voluntarily Surrender of Dental license. Unprofessional Conduct
Michael Stratford, DDS.	9084	Effective 04/15/2020 - Voluntarily Surrender of Dental License
Jay Hustead, D.M.D.	9624	Effective 05/21/2020 - Summarily Suspended. CDC Violations
Akash Agrawal, D.D.S.	15281	Effective 05/21/2020 - Summarily Suspended. CDC Violations
John Louis, D.M.D.	11448	Effective 05/21/2020 - Summarily Suspended, CDC Violations
Mallory Lankford Illian, R.D.H.	8035	Effective 05/21/2020 - Summarily Suspended. CDC Violations
Gregory Felthousen, D.D.S.		Effective 05/21/2020 - Summarily Suspended. CDC Violations
Joyce Thomas, O MI).	13289	Effective 05/29/2020 - Termination of Consent Order. COC Violations
Prita Ghoshl D.M.D.	13332	Effective 05/29/2020 - Termination of Consent Order. CDC Violations
Akash Agrawa , D.D.S.	15281	Effective 06/04/2020 Suspension Lifted, CDC Violations

Akash Agrawal, D.D.S.	15281	Effective 06/04/2020 - Reprimand; Two (2) Years' Probation; \$2,500 Fine; Quarterly Inspections.
Jay Husted, D.M.D.	9624	CDC Violations
Jay Husted, D.M.D.	9624	Effective - Suspension Lifted. CDC Violations Effective 06/04/2020 - Reprimand; Two (2) Years' Probation; \$2,500 Fine; Quarterly Inspections. CDC Violations
John Louis. D.M.D.	11448	Effective 06/04/2020 - Reprimand; Three (3) Years' Probation; \$5,000 Fine; Quarterly Inspections. CDC Violations
Mallory Lankford Illian, R.D.H.	8035	Effective 06/17/2020 - Reprimand; Fifteen (15) Days Suspension; Eighteen (18) Months' Probation; \$500 Fine; Quarterly Reports. CDC Violations
Darrell Clark. D.D.S.	8308	Effective 07/08/2020 - Suspension Terminated; Three (3) Years' Probation; \$5,000 Fine. Unprofessional Conduct
Ashaunte Trent, D.R.T.	12700	Effective 07/1/2020 - Revocation of ORT Certificate. Unauthorized Practice
Gregory Felthousen, D.D.S.	10511	Effective 08/05/2020 - Reprimand; Suspension Terminated. CDC Violations
Mohammad Tabatabaee, D.D.S.	13680	Effective 08/05/2020 - Termination of Consent Order, CDC Violations
Parth Shah, D.D.S.	15225	Effective 08/05/2020 - Termination of Order. Recordkeeping; Unprofessional Conduct; Incompetence
Bryan Gover, D.D.S.	11500	Effective 08/19/2020 - Termination of Consent Order. CDC Violations Effective
Harry Snyder, D.D.S.	10340	11/04/2020 – Termination of Consent Order, Recordkeeping Violations
Neena Joshi, D.D.S.	15785	Effective 11/04/2020 - Termination of Consent Order. CDC Violations
Amanda McPherson D.D.S.	14819	Effective 12/04/2020 12/04/2020 - Reprimand; Two (2) Years' \$2,500 Fine. CDC Violations
Stuart Graves, D.D.S.	14447	Effective 12/04/2020 - Reprimand; Two (2) Years' Probation; \$2,500 Fine. CDC Violations
Cheryl Terrell, D.D.S.	13546	Effective 12/16/2020 Termination of Consent Order, CDC Violations
Thomas stack, D.D.S.	14396	Effective 12/16/2020 - Termination of Consent Order. CDC Violations
TOTAL ACTIONS 36		