

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF DENTISTRY**

TIME: 11:02 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

November 17, 2023



State Board of Dentistry  
November 17, 2023

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

ALSO PRESENT: (cont.)

- Peter Callahan, Esquire, Burns White, Attorneys at Law
- Rebecca Small, RDH, EFDA, BS, Program Director, Expanded Functions Dental Assisting Harrisburg Area Community College
- Teri Bass, Diversion Investigator, Drug Enforcement Administration
- Wesley J. Rish, Esquire, Rish Law Office, LLC
- Elizabeth John
- Jeffrey Bates, Esquire, Marshall Dennehey
- Michael Kaner, DMD
- Joan Burke, CDA, EFDA, President-elect, Pennsylvania Dental Assistants Association
- Steve Neidlinger, CAE, Executive Director, Pennsylvania Academy of General Dentistry
- Caleb Sisak, Government Relations Specialist, Bravo Group
- Darlene Oleski, DMD, The Wright Center for Graduate Medical Education
- James Doherty Jr., Esquire, Scanlon, Howley & Doherty, P.C.
- Rachel Wilbur

1 State Board of Dentistry

2 November 17, 2023

3 \*\*\*

4 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
5 at 9:00 a.m. the Board entered into Executive Session  
6 with Ronald K. Rouse, Esquire, Board Counsel, to have  
7 attorney-client consultations and for the purpose of  
8 conducting quasi-judicial deliberations. The Board  
9 returned to open session at 11:00 a.m.]

10 \*\*\*

11 [Ronald K. Rouse, Esquire, Board Counsel, informed  
12 everyone that the meeting of the State Board of  
13 Dentistry was being held in a hybrid format of both  
14 in-person and livestream teleconference pursuant to  
15 Act 100 of 2021, which requires boards to use a  
16 virtual platform to conduct business when a public  
17 meeting is held.

18 Mr. Rouse also noted the Board entered into  
19 Executive Session with Board Counsel to have  
20 attorney-client consultations and for the purpose of  
21 conducting quasi-judicial deliberations.]

22 \*\*\*

23 The regularly scheduled meeting of the State  
24 Board of Dentistry was held on Friday, November 17,  
25 2023. Shawn M. Casey, D.M.D., Chairman, called the

1 meeting to order at 11:02 a.m.

2 Chairman Casey reminded everyone that the meeting  
3 was being recorded, and voluntary participation  
4 constituted consent to be recorded.]

5 \*\*\*

6 Roll Call of Board Members

7 [Chairman Casey requested a roll call of Board  
8 members. There was a quorum.]

9 \*\*\*

10 Introduction of Attendees

11 [Chairman Casey requested an introduction of  
12 attendees.]

13 \*\*\*

14 Approval of minutes of the September 8, 2023 meeting

15 CHAIRMAN CASEY:

16 Has everyone had a chance and  
17 opportunity to review the minutes of  
18 the last meeting? Any corrections or  
19 any concerns or issues?

20 Motion to approve the minutes of  
21 the last meeting?

22 DR. FUNARI:

23 I'll make that motion.

24 DR. SULLIVAN:

25 Second.

1 CHAIRMAN CASEY:

2 Roll call, Christina.

3

4 Claggett, aye; Casey, aye; Sullivan,  
5 aye; Arndt, aye; Fowler, abstain;  
6 Funari, aye; Jaspan, aye; Lugo, aye;  
7 Matta, abstain; Mountain, aye; Murray,  
8 aye; Pohlhaus, abstain.

9 [The motion carried. Barbara Fowler, Andrew Matta,  
10 and Molly Pohlhaus abstained from voting on the  
11 motion.]

12

\*\*\*

13 [R. Ivan Lugo, D.M.D., M.B.A., experienced technical  
14 difficulty and abstained from voting on all motions.]

15

\*\*\*

16 Report of Prosecutorial Division

17 [Timothy J. Henderson, Esquire, Board Prosecution  
18 Liaison, presented the Consent Agreements for Case  
19 No. 20-46-001111 and Case No. 20-46-001114.]

20 MR. ROUSE:

21 Regarding the Consent Agreement at item  
22 2, Case No. 20-46-001111, after  
23 discussion in Executive Session, I  
24 believe the Chair would entertain a  
25 motion to adopt the Consent Agreement.

1 CHAIRMAN CASEY:

2 Yes, we would.

3 DR. FUNARI:

4 I'll make that motion.

5 CHAIRMAN CASEY:

6 Second?

7 DR. SULLIVAN:

8 Second.

9 CHAIRMAN CASEY:

10 Christina, roll call, please.

11

12 Claggett, aye; Casey, aye; Sullivan,  
13 aye; Arndt, aye; Fowler, aye; Funari,  
14 aye; Jaspan, aye; Lugo, abstain; Matta,  
15 aye; Mountain, aye; Murray, aye;  
16 Pohlhaus, aye.

17 [The motion carried. R. Ivan Lugo abstained from  
18 voting on the motion. That is the Matter of BPOA v.  
19 Everest Lam, D.M.D., Case No. 20-46-001111.]

20

\*\*\*

21 MR. ROUSE:

22 Item 3 on the agenda. Regarding the  
23 Consent Agreement at Case No. 20-46-  
24 001114, I believe the Chair would  
25 entertain a motion to adopt the Consent

1 Agreement.

2 CHAIRMAN CASEY:

3 Yes, I would.

4 DR. FUNARI:

5 I'll make a motion.

6 CHAIRMAN CASEY:

7 Second?

8 DR. SULLIVAN:

9 Second.

10 CHAIRMAN CASEY:

11 Roll call, Christina.

12

13 Claggett, aye; Casey, aye; Sullivan,  
14 aye; Arndt, aye; Fowler, aye; Funari,  
15 aye; Jaspán, aye; Lugo, abstain; Matta,  
16 aye; Mountain, aye; Murray, aye;  
17 Pohlhaus, aye.

18 [The motion carried. R. Ivan Lugo abstained from  
19 voting on the motion. That is the Matter of BPOA v.  
20 Amen Dhyllon, D.D.S., Case No. 20-46-001114.]

21

\*\*\*

22 [Timothy J. Henderson, Esquire, Board Prosecution  
23 Liaison, presented the Consent Agreement for Case No.  
24 20-46-012438.]

25 MR. ROUSE:



1                   Regarding the Consent Agreement at item  
2                   4 on the agenda at Case No. 20-46-  
3                   0012438, I believe the Chair would  
4                   entertain a motion to adopt the Consent  
5                   Agreement.

6 CHAIRMAN CASEY:

7                   Yes.

8 DR. FUNARI:

9                   So moved.

10 CHAIRMAN CASEY:

11                   Second?

12 DR. SULLIVAN:

13                   Second.

14 CHAIRMAN CASEY:

15                   Christina, roll call, please.

16

17                   Claggett, aye; Casey, aye; Sullivan,  
18                   aye; Arndt, aye; Fowler, aye; Funari,  
19                   aye; Jaspan, aye; Lugo, abstain; Matta,  
20                   aye; Mountain, aye; Murray, aye;  
21                   Pohlhaus, aye.

22 [The motion carried. R. Ivan Lugo abstained from  
23 voting on the motion. That is the Matter of BPOA v.  
24 Carlos Mirabal, D.M.D., Case No. 20-46-012438.]

25

\*\*\*

1 [Andrew S. Matta, D.M.D., and LaJuan M. Mountain,  
2 D.M.D., exited the meeting at 11:20 a.m. for recusal  
3 purposes.]

4

\*\*\*

5 [Timothy J. Henderson, Esquire, Board Prosecution  
6 Liaison, presented the Consent Agreement for Case No.  
7 22-46-001508.]

8 MR. ROUSE:

9

Regarding the Consent Agreement at item  
10 5 on the agenda at Case No. 22-46-  
11 001508, I believe the Chair would  
12 entertain a motion to adopt the Consent  
13 Agreement.

14 CHAIRMAN CASEY:

15 Yes. Do I have a motion, please?

16 DR. FUNARI:

17 So moved.

18 CHAIRMAN CASEY:

19 Second?

20 DR. SULLIVAN:

21 Second.

22 CHAIRMAN CASEY:

23 Roll call, Christina, please.

24

25 Claggett, aye; Casey, aye; Sullivan,



1 direct Board Counsel to prepare the  
2 Adjudication and Order in accordance  
3 with discussion in Executive Session.

4 CHAIRMAN CASEY:

5 Yes. Do I have a motion, please?

6 DR. FUNARI:

7 So moved.

8 CHAIRMAN CASEY:

9 Second?

10 DR. SULLIVAN:

11 Second.

12 CHAIRMAN CASEY:

13 Roll call, Christina, please.

14

15 Claggett, aye; Casey, aye; Sullivan,  
16 aye; Arndt, aye; Fowler, aye; Funari,  
17 aye; Jaspán, aye; Lugo, abstain; Matta,  
18 aye; Mountain, aye; Murray, aye;  
19 Pohlhaus, aye.

20 [The motion carried. R. Ivan Lugo abstained from  
21 voting on the motion.]

22

\*\*\*

23 [LaJuan M. Mountain, D.M.D., exited the meeting at  
24 11:26 a.m. for recusal purposes.]

25

\*\*\*

1 Report of Board Counsel - Proposed Adjudications and  
2 Orders

3 MR. ROUSE:

4 Item 10, in the Matter of the  
5 Application for Reactivation of the  
6 License to Practice Dentistry of Daniel  
7 W. Fink, D.D.S., Case No. 23-46-001279,  
8 I believe we have one recusal, and that  
9 is Dr. Mountain in this matter.

10 Regarding the Proposed Adjudication  
11 and Order in the Matter of the  
12 Application for Reactivation of the  
13 License to Practice Dentistry of Daniel  
14 W. Fink, D.D.S., at item 10 on the  
15 agenda, Case No. 23-46-001279, I  
16 believe the Chair would entertain a  
17 motion to adopt the hearing examiner's  
18 Adjudication and direct Board Counsel  
19 to prepare the Board's Final Order.

20 CHAIRMAN CASEY:

21 Yes. Do I have a motion, please?

22 DR. FUNARI:

23 So moved.

24 CHAIRMAN CASEY:

25 Second?

1 DR. SULLIVAN:

2 Second.

3 CHAIRMAN CASEY:

4 Roll call, Christina, please.

5

6 Claggett, aye; Casey, aye; Sullivan,  
7 aye; Arndt, aye; Fowler, aye; Funari,  
8 aye; Jaspan, aye; Lugo, abstain; Matta,  
9 aye; Murray, aye; Pohlhaus, aye.

10 [The motion carried. R. Ivan Lugo abstained from  
11 voting on the motion. LaJuan Mountain recused  
12 herself from deliberations and voting on the motion.]

13 \*\*\*

14 [LaJuan M. Mountain, D.M.D., reentered the meeting at  
15 11:27 a.m.]

16 \*\*\*

17 [Shawn M. Casey, D.M.D., Chairman, and Jennifer Unis  
18 Sullivan, D.M.D., J.D., Vice Chairperson, exited the  
19 meeting at 11:27 a.m. for recusal purposes.]

20 \*\*\*

21 DR. ARNDT ASSUMED THE CHAIR

22 \*\*\*

23 MR. ROUSE:

24 Item 11 on the agenda. Regarding the  
25 Proposed Adjudication and Order in the

1 Matter of the Application for  
2 Reactivation of the License to Practice  
3 Dentistry of Albert A. Hazzouri Jr.,  
4 D.D.S., Case No. 23-46-010080, at item  
5 11 on the agenda.

6 I believe the Chair would entertain  
7 a motion to adopt the hearing  
8 examiner's Adjudication and to direct  
9 Board Counsel to prepare the Board's  
10 Final Order.

11 DR. ARNDT:

12 That is correct. Could I have a  
13 motion, please?

14 DR. FUNARI:

15 So moved.

16 MS. MURRAY:

17 Second.

18 MS. TOWNLEY:

19 Claggett, aye; Arndt, aye; Fowler, aye;  
20 Funari, aye; Jaspan, aye; Lugo,  
21 abstain; Matta, aye; Mountain, aye;  
22 Murray, aye; Pohlhaus, aye.

23 [The motion carried. R. Ivan Lugo abstained from  
24 voting on the motion. Shawn Casey and Jennifer  
25 Sullivan recused themselves from deliberations and

1 voting on the motion.]

2 \*\*\*

3 [Shawn M. Casey, D.M.D., Chairman, and Jennifer Unis  
4 Sullivan, D.M.D., J.D., Vice Chairperson, reentered  
5 the meeting at 11:29 a.m.]

6 \*\*\*

7 CHAIRMAN CASEY RESUMED THE CHAIR

8 \*\*\*

9 Report of Board Counsel - Proposed Memorandum and  
10 Order

11 MR. ROUSE:

12 Item 12 on the agenda is a Proposed  
13 Memorandum and Order in the Matter of  
14 the Petition for Reinstatement of the  
15 Expanded Function Dental Assistant  
16 Certificate of Kaitlin A. Conahan, Case  
17 No. 22-46-014454.

18 Regarding item 12 on the agenda, I  
19 believe the Chair would entertain a  
20 motion to adopt the hearing examiner's  
21 Memorandum and to direct Board Counsel  
22 to prepare the Board's Final Order.

23 CHAIRMAN CASEY:

24 Yes. Do I have a motion, please?

25 DR. FUNARI:



1 So moved.

2 CHAIRMAN CASEY:

3 Second?

4 DR. SULLIVAN:

5 Second.

6 CHAIRMAN CASEY:

7 Christina, roll call.

8

9 Claggett, aye; Casey, aye; Sullivan,  
10 aye; Arndt, aye; Fowler, aye; Funari,  
11 aye; Jaspan, aye; Lugo, abstain; Matta,  
12 aye; Mountain, aye; Murray, aye;  
13 Pohlhaus, aye.

14 [The motion carried. R. Ivan Lugo abstained from  
15 voting on the motion.]

16 \*\*\*

17 Review of Applications

18 MR. ROUSE:

19 Item 15 on the agenda, Kushaldeep Fnu.  
20 This was an Application for a  
21 Restricted Faculty License at item 15  
22 on the agenda.

23 Regarding that Application, I  
24 believe the Chair would entertain a  
25 motion to grant the Application for a

1                   Restricted Faculty License.

2 CHAIRMAN CASEY:

3                   Yes. Do I have a motion, please?

4 DR. FUNARI:

5                   So moved.

6 CHAIRMAN CASEY:

7                   Second?

8 DR. SULLIVAN:

9                   Second.

10 CHAIRMAN CASEY:

11                   Christina, roll call.

12

13                   Claggett, aye; Casey, aye; Sullivan,  
14                   aye; Arndt, aye; Fowler, aye; Funari,  
15                   aye; Jaspan, aye; Lugo, abstain; Matta,  
16                   aye; Mountain, aye; Murray, aye;  
17                   Pohlhaus, aye.

18 [The motion carried. R. Ivan Lugo abstained from  
19 voting on the motion.]

20

\*\*\*

21 MR. ROUSE:

22                   Item 16 on the agenda, Miguel Guerrero.  
23                   This is an Application to practice  
24                   Dentistry reviewed under Act 41  
25                   Licensure by Endorsement.

1                   Regarding the Application of Miguel  
2                   Guerrero, item 16 on the agenda, I  
3                   believe the Chair would entertain a  
4                   motion to provisionally deny the  
5                   Application for Licensure by  
6                   Endorsement as a Dentist.

7 CHAIRMAN CASEY:

8                   Yes. Do I have a motion, please?

9 DR. FUNARI:

10                   So moved.

11 CHAIRMAN CASEY:

12                   Second?

13 DR. SULLIVAN:

14                   Second.

15 CHAIRMAN CASEY:

16                   Christina, roll call.

17

18                   Claggett, aye; Casey, aye; Sullivan,  
19                   aye; Arndt, aye; Fowler, aye; Funari,  
20                   aye; Jaspán, aye; Lugo, abstain; Matta,  
21                   aye; Mountain, aye; Murray, aye;  
22                   Pohlhaus, aye.

23 [The motion carried. R. Ivan Lugo abstained from  
24 voting on the motion.]

25

\*\*\*

1 MR. ROUSE:

2 Item 17 on the agenda, Mahta  
3 Hosseinkhani Hazaveh.

4 Regarding the Application at item  
5 17 on the agenda, I believe the Chair  
6 would entertain a motion to grant the  
7 Application for Licensure by  
8 Endorsement as a Dentist.

9 CHAIRMAN CASEY:

10 Yes. Do I have a motion, please?

11 DR. FUNARI:

12 So moved.

13 CHAIRMAN CASEY:

14 Second?

15 DR. SULLIVAN:

16 Second.

17 CHAIRMAN CASEY:

18 Roll call, Christina.

19

20 Claggett, aye; Casey, aye; Sullivan,  
21 aye; Arndt, aye; Fowler, aye; Funari,  
22 aye; Jaspan, aye; Lugo, abstain; Matta,  
23 aye; Mountain, aye; Murray, aye;  
24 Pohlhaus, aye.

25 [The motion carried. R. Ivan Lugo abstained from

1 voting on the motion.]

2

\*\*\*

3 MR. ROUSE:

4

Item 18 on the agenda, Rania Younis,

5

Application reviewed under Act 41

6

Licensure by Endorsement as a Dentist.

7

Regarding the Application of Rania

8

Younis, I believe the Chair would

9

entertain a motion to provisionally

10

deny the Application for Licensure by

11

Endorsement as a Dentist.

12 CHAIRMAN CASEY:

13

Yes. Do I have a motion, please?

14 DR. FUNARI:

15

So moved.

16 CHAIRMAN CASEY:

17

Second?

18 DR. SULLIVAN:

19

Second.

20 CHAIRMAN CASEY:

21

Christina, roll call.

22

23

Claggett, aye; Casey, aye; Sullivan,

24

aye; Arndt, aye; Fowler, aye; Funari,

25

aye; Jaspan, aye; Lugo, abstain; Matta,

1                   aye; Mountain, aye; Murray, aye;  
2                   Pohlhaus, aye.

3 [The motion carried. R. Ivan Lugo abstained from  
4 voting on the motion.]

5                                           \*\*\*

6 MR. ROUSE:

7                   Item 19 on the agenda, Maranda  
8                   Lehtinen, Application for Dental  
9                   Hygienist review under Act 41 Licensure  
10                  by Endorsement.

11                  Regarding the Application at item  
12                  19 on the agenda, I believe the Chair  
13                  would entertain a motion to  
14                  provisionally deny the Application for  
15                  Licensure by Endorsement as a Dental  
16                  Hygienist.

17 CHAIRMAN CASEY:

18                  Yes. Do I have a motion, please?

19 DR. FUNARI:

20                  So moved.

21 CHAIRMAN CASEY:

22                  Second?

23 DR. SULLIVAN:

24                  Second.

25 CHAIRMAN CASEY:



1 DR. SULLIVAN:

2 Second.

3 CHAIRMAN CASEY:

4 Christina, roll call.

5

6 Claggett, aye; Casey, aye; Sullivan,  
7 aye; Arndt, aye; Fowler, aye; Funari,  
8 aye; Jaspan, aye; Lugo, abstain; Matta,  
9 aye; Mountain, aye; Murray, aye;  
10 Pohlhaus, aye.

11 [The motion carried. R. Ivan Lugo abstained from  
12 voting on the motion.]

13

\*\*\*

14 Report of Board Counsel - Regulations - Regulatory  
15 Report

16 [Ronald K. Rouse, Esquire, Board Counsel, provided a  
17 Regulatory Report for the Board's review. He  
18 informed Board members that the preamble had to also  
19 be changed due to additions to the annex for  
20 Regulation 16A-4621 regarding anesthesia.

21 Dr. Jaspan referred to page 26 and asked whether  
22 patient transport equipment should be detailed or  
23 whether it is a generic term that works for all  
24 offices.

25 Mr. Rouse referred to § 33.340(a), duties of



1 dentists who are unrestricted permit holders.

2 Dr. Funari explained that it refers to a  
3 wheelchair when a patient is transferred from the  
4 operating theatre to the recovery area and to their  
5 car. He noted the section was part of the old  
6 instruction and was not modified.

7 Mr. Rouse informed Board members that general  
8 revisions under 16A-4628 was referred back to the  
9 regulatory committee for review. He noted the  
10 regulatory committee had a public meeting in October,  
11 and addressed, as part of the regulation, concern of  
12 a pathway for people who have specialties that are  
13 not acknowledged as one of the 12 specialties by the  
14 American Dental Association (ADA) to also advertise  
15 specialties.

16 Mr. Rouse noted language was added to general  
17 revisions that was reviewed at that committee meeting  
18 and brought back before the Board. He asked whether  
19 the Board wished to adopt the general revisions and  
20 move forward with drafting a preamble.

21 Dr. Jaspan commented that consideration could be  
22 given to the provider where the provider could  
23 provide X or Y services but should not be able to  
24 advertise as a "specialist" or "practice limited to"  
25 without having a specialty approved by the ADA. He

1 mentioned there were many specialties that do not  
2 have education requirements and Board requirements.  
3 He believed the public should be informed that a  
4 person who advertises as a specialist truly has had  
5 extra training and passed exams.

6 Dr. Funari stated that the United States  
7 Government has weighed in on this and filed lawsuits  
8 in several states with the contention that an  
9 individual may say they are a specialist in a non-ADA  
10 specialty if they meet certain requirements. He  
11 noted, at the committee level, requirements are put  
12 together to satisfy an overarching mandate from the  
13 federal government.

14 Dr. Funari suggested asking the American Academy  
15 of Implant Dentistry (AAID) why the process was never  
16 undertaken with the ADA to be identified as a dental  
17 specialty if this was so important that they are  
18 going state by state involving the legal process.

19 Dr. Lugo noted the importance during the  
20 discussion to be clear whether it is the ADA or  
21 Commission on Dental Accreditation.

22 Mr. Rouse stated there are 12 specialties  
23 recognized by the ADA. He explained that the Board  
24 would still have that in the regulations, but there  
25 would also be a pathway for those who are not in

1 specialties that are recognized by the ADA to be able  
2 to advertise their specialties.

3 Mr. Rouse referred to additional language on  
4 pages 39 through 40 of the annex, where a dentist who  
5 does not meet the conditions of subparagraphs (i) and  
6 (ii) may advertise as a specialist if they have  
7 completed a postdoctoral advanced doctoral education  
8 program accredited by an agency recognized by the  
9 U.S. Department of Education. The dentist shall  
10 maintain documentation of completion of the  
11 postdoctoral education program, along with other  
12 requirements as well.

13 \*\*\*

14 [The Board experienced technical difficulties at  
15 11:48 a.m.]

16 \*\*\*

17 Ms. Murray thanked them for making the correction  
18 on the healthcare provider for cardiopulmonary  
19 resuscitation (CPR). She asked whether there was a  
20 response to the Pennsylvania Coalition for Oral  
21 Health's (PCOH) recommendation about the automated  
22 external defibrillator (AED) for public health dental  
23 hygiene practitioners (PHDHPs) working out in the  
24 community. She noted there was a mention of AEDs  
25 being required in offices but asked whether that

1 should also be included or clarified for PHDHPs  
2 working out in the community?

3 Mr. Rouse referred to page 40 under § 33.216(a),  
4 and inquired whether it was the intention of the  
5 Board to only require the AED in offices and whether  
6 there could be clarification of locations here.

7 Mr. Rouse referred to § 33.216(a), where it says,  
8 as of the effective date of the rulemaking acceptance  
9 provided in subsection (d), all dental offices shall  
10 be required to have a minimum of one properly  
11 functioning automated external defibrillator in the  
12 dental office available for use in an emergency. He  
13 offered to add the phrase "in the dental office or  
14 wherever dental services are being provided for use  
15 in an emergency."

16 Board members discussed the deletion of crown and  
17 bridge provisional fabrication for expanded function  
18 dental assistants (EFDAs).

19 Ms. Townley read a section of the minutes from  
20 May, where Mr. Rouse addressed a question on page 27  
21 and 29 asking why the removal of (j) to prevent EFDAs  
22 from fabricating temporary crowns and bridges. Dr.  
23 Groody explained at the May 2023 meeting that it is  
24 not in the scope of practice as a duty of EFDAs and  
25 it did seem relevant to test it. Ms. Townley read

1 further, where Dr. Arndt asked why it was not in the  
2 scope of practice because it is a primary function of  
3 a dental assistant and an EFDA should be able to  
4 perform that function. Dr. Groody explained at the  
5 May meeting that Pennsylvania does not have a scope  
6 of practice for dental assistants, and it was not as  
7 restoratively permanent when the definition of EFDAs  
8 were formed for Pennsylvania.

9 Chairman Casey noted the Board was in agreement  
10 with Dr. Groody's recommendation.]

11 MR. ROUSE:

12 Would the Chair entertain a motion to  
13 adopt the amended Regulation 16A-4628  
14 annex and direct Board Counsel to draft  
15 a preamble?

16 CHAIRMAN CASEY:

17 Yes. Do I have a motion, please?

18 DR. FUNARI:

19 So moved.

20 CHAIRMAN CASEY:

21 Second?

22 DR. SULLIVAN:

23 Second.

24 CHAIRMAN CASEY:

25 Christina, roll call.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Claggett, aye; Casey, aye; Sullivan,  
aye; Arndt, aye; Fowler, aye; Funari,  
aye; Jaspan, aye; Lugo, abstain; Matta,  
aye; Mountain, aye; Murray, aye;  
Pohlhaus, aye.

[The motion carried. R. Ivan Lugo abstained from  
voting on the motion.]

\*\*\*

Report of Board Counsel - Miscellaneous - Dental and  
Dental Hygienist Compact Discussion - HB 1586 of 2023  
and SB 895 of 2023

[Ronald K. Rouse, Esquire, Board Counsel, noted prior  
Board discussion regarding the Dentist and Dental  
Hygienist Compact. He mentioned receiving additional  
correspondence afterwards and provided a copy to the  
Board.

Dr. Jaspan commented that The Council of State  
Governments (CSG) has to go to the legislature and  
requested clarification as to whether the American  
Association of Dental Boards (AADB) does not have to  
go to the legislature.

Dr. Funari explained that AADB is not changing  
the licensing regulation but is acting as a  
clearinghouse for each state to provide the

1 information and expedite the licensing process, where  
2 they are not changing the dental regulation like CSG  
3 wants to do.

4 Dr. Jaspan asked whether it would be appropriate  
5 for the Board to make a recommendation for one or the  
6 other or none.

7 Mr. Rouse stated the Board reviewed the  
8 information and made statements at the last Board  
9 meeting. He believed the Board should just leave it  
10 there because anything that happens would be a  
11 legislative matter, noting the Board's function is  
12 adjudicatory.]

13

\*\*\*

14 Report of Board Chair

15 [Shawn M. Casey, D.M.D., Chairman, thanked everyone  
16 for attending the State Board of Dentistry Meeting.  
17 He also thanked the committee members this year and  
18 the cochairs for their participation and effort,  
19 noting he is looking forward to 2024.

20 Chair Casey stated the Mission of Mercy, a  
21 program of A Call to Care, had their event October  
22 28-29 and saw over 1,500 patients in Pittsburgh. He  
23 commented that dental students, community members,  
24 along with the dental community did a phenomenal job.

25 Chair Casey noted there are concerns with CSG

1 Compact and reminded everyone that it is a  
2 legislative issue and not a Board issue at this time.  
3 He encouraged anyone with concerns to contact their  
4 lawmaker in their personal capacity.

5 Chair Casey reported that Pennsylvania has Act 41  
6 in place and is working well. He mentioned that both  
7 a hands-on clinical exam and written exam should be  
8 taken. He explained that The Dental Licensure  
9 Objective Structured Clinical Examination (DLOSCE) is  
10 a requirement under the compact but is a written  
11 exam, noting the Dental Act in Pennsylvania requires  
12 a hands-on exam.

13 Chair Casey expressed concern with the current  
14 Commission on Dental Accreditation (CODA)-approved  
15 standard leaving leeway for literature and law to be  
16 opened or having the opportunity for new and other  
17 organizations to enter into this. He stated the  
18 approval by the "commission" leaves a variable of  
19 unknown and uncertainty.

20 Chair Casey commented that there is a difference  
21 between the word privilege versus license. He  
22 believed a Pennsylvania license works fine but could  
23 use improvement with expediting licenses to get the  
24 workforce moving.

25 Chair Casey wished everyone a happy holiday



1 season.]

2

\*\*\*

3 Report of Acting Commissioner

4 [Arion R. Claggett, Acting Commissioner, Bureau of  
5 Professional and Occupational Affairs, informed Board  
6 members that the request for proposal (RFP) for the  
7 Pennsylvania Licensing System (PALS) replacement was  
8 issued on September 28, 2023. He noted the  
9 department is currently accepting bids till November  
10 27, 2023, and he would provide an additional update  
11 at the next meeting.

12 Acting Commissioner Claggett also informed Board  
13 members that the next Board meeting would be held at  
14 2525 North 7th Street. He stated the agenda and  
15 Board website would be updated with the new  
16 location.]

17

\*\*\*

18 Report of Board Administrator - No Report

19

\*\*\*

20 Report of Committees - Legislative and Regulatory  
21 Committee

22 [Brice D. Arndt, D.D.S., Co-Chair, informed Board  
23 members that the Legislative and Regulatory Committee  
24 met in October and addressed implant specialization  
25 and advertising. He noted other points of interest

1 were tabled at that meeting and would be addressed at  
2 future meetings. He mentioned that many of those  
3 points were previously discussed within the meeting.]

4 \*\*\*

5 Report of Committees - Accreditation and Licensing  
6 Committee - No Report

7 \*\*\*

8 Report of Committees - Probable Cause Screening  
9 Committee - No Report

10 \*\*\*

11 Report of Committees - Scope of Traditional and  
12 Emerging Practice Committee - No Report

13 \*\*\*

14 For the Board's Information - Election of Officers

15 CHAIRMAN CASEY:

16 I would like to nominate Jennifer Unis  
17 Sullivan as the next Chairperson of the  
18 Pennsylvania State Board of Dentistry  
19 for 2024.

20 MR. ROUSE:

21 Are there any other nominations for  
22 Chair of the State Board of Dentistry?  
23 Hearing none.

24 Is there a motion to elect Dr.  
25 Sullivan as Chair of the State Board of

1 Dentistry?

2 DR. FUNARI:

3 So moved. I very proudly make that  
4 motion.

5 MR. ROUSE:

6 Is there a second?

7 MS. MURRAY:

8 I will second that.

9 MR. ROUSE:

10 Any discussion? Roll call.

11

12 Claggett, aye; Casey, aye; Arndt, aye;

13 Fowler, aye; Funari, aye; Jaspan, aye;

14 Lugo, abstain; Matta, aye; Mountain,

15 aye; Murray, aye; Pohlhaus, aye.

16 [The motion carried. R. Ivan Lugo abstained from  
17 voting on the motion.]

18

\*\*\*

19 MR. ROUSE:

20 Are there any nominations for Vice  
21 Chair of the State Board of Dentistry?

22 DR. SULLIVAN:

23 I nominate Dr. Casey.

24 MR. ROUSE:

25 Is there a second?

1 MS. MURRAY:

2 Second.

3 MR. ROUSE:

4 Are there any other nominations for  
5 Vice Chair of the State Board of  
6 Dentistry? Hearing none.

7 Is there a motion to elect Dr. Casey as  
8 Vice Chair of the State Board of  
9 Dentistry?

10 DR. SULLIVAN:

11 I make that motion.

12 MR. ROUSE:

13 Is there a second?

14 DR. FUNARI:

15 Second.

16 MR. ROUSE:

17 Any discussion? Roll call.

18

19 Claggett, aye; Sullivan, aye; Arndt,  
20 aye; Fowler, aye; Funari, aye; Jaspán,  
21 aye; Lugo, abstain; Matta, aye;  
22 Mountain, aye; Murray, aye; Pohlhaus,  
23 aye.

24 [The motion carried. R. Ivan Lugo abstained from  
25 voting on the motion.]

1 \*\*\*

2 MR. ROUSE:

3 Is there a nomination for Secretary of  
4 the State Board of Dentistry?

5 CHAIRMAN CASEY:

6 At this time, I would like to nominate  
7 Theresa Groody. Unfortunately, she is  
8 not here today, so I will accept the  
9 nomination for Theresa to be Secretary  
10 for the Dental Board for 2024.

11 MR. ROUSE:

12 Is there a second?

13 DR. MATTA:

14 Second.

15 MR. ROUSE:

16 Are there any other nominations for  
17 Secretary of the State Board of  
18 Dentistry? Hearing none.

19 Is there a motion to elect Theresa  
20 Groody as Secretary of the State Board  
21 of Dentistry?

22 DR. CASEY:

23 Yes.

24 MR. ROUSE:

25 Is there a second?

1 MS. MURRAY:

2 Second.

3 MR. ROUSE:

4 Any discussion? Roll call.

5

6 Claggett, aye; Casey, aye; Sullivan,  
7 aye; Arndt, aye; Fowler, aye; Funari,  
8 aye; Jaspan, aye; Lugo, abstain; Matta,  
9 aye; Mountain, aye; Murray, aye;  
10 Pohlhaus, aye.

11 [The motion carried. R. Ivan Lugo abstained from  
12 voting on the motion.]

13

\*\*\*

14 [Molly Pohlhaus, Deputy Attorney General, Office of  
15 Attorney General, introduced herself as an attorney  
16 and representative for the Health Care Section of the  
17 Office of Attorney General.]

18

\*\*\*

19 Adjournment

20 DR. FUNARI:

21 I'll make a motion to adjourn this  
22 meeting.

23 DR. SULLIVAN:

24 Second.

25 CHAIRMAN CASEY:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Thank you very much.

\*\*\*

[There being no further business, the State Board of  
Dentistry Meeting adjourned at 12:17 p.m.]

\*\*\*

CERTIFICATE

I hereby certify that the foregoing summary  
minutes of the State Board of Dentistry meeting, was  
reduced to writing by me or under my supervision, and  
that the minutes accurately summarize the substance  
of the State Board of Dentistry meeting.

Rachel Wilbur-Adams,  
Minute Clerk  
Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF DENTISTRY  
REFERENCE INDEX

November 17, 2023

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	9:00	Executive Session
9	11:00	Return to Open Session
10		
11	11:02	Official Call to Order
12		
13	11:02	Roll Call
14		
15	11:03	Introduction of Attendees
16		
17	11:04	Approval of Minutes
18		
19	11:05	Report of Prosecutorial Division
20		
21	11:24	Report of Board Counsel
22		
23	11:31	Review of Applications
24		
25	11:38	Report of Board Counsel (cont.)
26		
27	12:02	Report of Board Chair
28		
29	12:06	Report of Acting Commissioner
30		
31	12:07	Report of Committees
32		
33	12:08	For the Board's Information
34		
35	12:17	Adjournment
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		