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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: 11:21 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

August 2, 2024

(Rescheduled from July 19, 2024)

State Board of Dentistry  
August 2, 2024

BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of  
Professional and Occupational Affairs  
Jennifer Unis Sullivan, D.M.D., J.D., Chairperson  
Shawn M. Casey, D.M.D., Vice Chairperson  
Theresa A. Groody, DHSc, EFDA, CDA, Secretary  
Brice D. Arndt, D.D.S.  
Barbara (Bonnie) L. Fowler, Public Member  
Godfrey Joel Funari, M.S., D.M.D. - Absent  
Joel S. Jaspán, D.D.S.  
Andrew S. Matta, D.M.D.  
LaJuan M. Mountain, D.M.D.  
Donna L. Murray, RDH, PHDHP, MSDH  
Joyce Warwick, D.M.D. - Absent  
Brian Wyant, Public Health Program Director,  
Department of Health designee  
Molly Pohlhaus, Deputy Attorney General, Office of  
Attorney General

BUREAU PERSONNEL:

Ronald K. Rouse, Esquire, Board Counsel  
Paul J. Jarabeck, Esquire, Senior Board Prosecutor  
and Board Prosecution Liaison  
Denice Szekely, Esquire, Board Prosecutor  
Gregory Liero, Esquire, Board Prosecution  
Sarah Buhite, Esquire, Board Prosecutor  
James Abels, Board Administrator  
Andrew LaFratte, MPA, Deputy Policy Director,  
Department of State  
Carlton Smith, Deputy Chief Counsel, Prosecution  
Division

ALSO PRESENT:

Steve Neidlinger, CAE, Executive Director,  
Pennsylvania Academy of General Dentistry  
Nicole Payonk, Policy & Advocacy Coordinator,  
Pennsylvania Coalition for Oral Health  
Kathleen Bumpers, Government Relations Manager,  
Pennsylvania Dental Association

State Board of Dentistry  
August 2, 2024

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ALSO PRESENT: (cont.)

- David Palmer, B.S., D.M.D., F.A.C.P., Diplomate,  
American Board of Prosthodontics
- Barbara Reiprich, RDH, PHDHP, Pennsylvania Dental  
Hygienists' Association
- Kimberly Bury, PHDHP, Sadler Health Center
- Heather
- Dan
- Rachel Wilbur-Adams, Sargent's Court Reporting  
Service, Inc.

1 State Board of Dentistry

2 August 2, 2024

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 11:20 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 noted the meeting was being recorded  
19 and voluntary participation constituted consent to be  
20 recorded.

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

25 \*\*\*

1 The rescheduled meeting from July 19, 2024, of  
2 the State Board of Dentistry was held on Friday,  
3 August 2, 2024. Jennifer Unis Sullivan, D.M.D.,  
4 J.D., Chairperson, called the meeting to order at  
5 11:21 a.m.

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7 Roll Call of Board Members/Introduction of Attendees  
8 [Chair Sullivan requested a roll call of Board  
9 members and introduction of attendees. A quorum of  
10 Board members was present.

11 Bonnie Fowler experienced technical  
12 difficulties.]

13

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14 Approval of minutes of the May 10, 2024 meeting  
15 CHAIR SULLIVAN:

16 Let's move to the approval of the  
17 minutes. Do we have any corrections to  
18 the minutes? Hearing none.

19 Do I have a motion to approve the  
20 minutes from the May meeting?

21 DR. ARNDT:

22 So moved.

23 MS. MURRAY:

24 Second.

25 CHAIR SULLIVAN:

1 Roll call vote, please.

2

3 Claggett, abstain; Groody, aye; Arndt,  
4 aye; Fowler; Jaspan, aye; Matta, aye;  
5 Mountain, aye; Murray, aye; Wyant, aye;  
6 Pohlhaus, aye; Casey, aye; Sullivan,  
7 aye.

8 [The motion carried. Arion Claggett abstained from  
9 voting on the motion. Bonnie Fowler did not vote on  
10 the motion.]

11

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12 Report of Prosecutorial Division

13 [Paul J. Jarabeck, Esquire, Senior Board Prosecutor  
14 and Prosecution Liaison, on behalf of Amber Lee  
15 Czerniakowski, Esquire, presented the Consent  
16 Agreement for Case No. 22-46-013643.]

17 MR. ROUSE:

18 Regarding the Consent Agreement at item  
19 2 on the agenda, Case No. 22-46-013643,  
20 after discussion in Executive Session,  
21 I believe the Chair would entertain a  
22 motion to adopt the Consent Agreement.

23 DR. ARNDT:

24 So moved.

25 ACTING COMMISSIONER CLAGGETT:

1 Second.

2 CHAIR SULLIVAN:

3 Roll call vote, please.

4

5 Claggett, aye; Groody, aye; Arndt, aye;

6 Fowler, aye; Jaspan, aye; Matta, aye;

7 Mountain, aye; Murray, aye; Wyant, aye;

8 Pohlhaus, aye; Casey, aye; Sullivan,

9 aye.

10 [The motion carried unanimously. That is the Matter

11 of BPOA v. Franklin Rossi Chueiri, D.D.S., Case No.

12 22-46-013643.]

13

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14 [Gregory S. Liero, Esquire, Board Prosecutor,

15 presented the Consent Agreement for Case No. 23-46-

16 000630.]

17 MR. ROUSE:

18 Regarding the Consent Agreement at item

19 3 on the agenda, Case No. 23-46-000630,

20 I believe the Chair would entertain a

21 motion to adopt the Consent Agreement.

22 CHAIR SULLIVAN:

23 Do I have that motion?

24 DR. ARNDT:

25 So moved.

1 CHAIR SULLIVAN:

2 Do I have a second?

3 ACTING COMMISSIONER CLAGGETT:

4 Second.

5 CHAIR SULLIVAN:

6 May I have a roll call vote, please?

7

8 Claggett, aye; Groody, aye; Arndt, aye;

9 Fowler; Jaspan, aye; Matta, aye;

10 Mountain, aye; Murray, aye; Wyant, aye;

11 Pohlhaus, aye; Casey, aye; Sullivan,

12 aye.

13 [The motion carried unanimously. Bonnie Fowler did  
14 not vote on the motion. That is the Matter of BPOA  
15 v. Cindy A. Yi, Case No. 23-46-000630.]

16 \*\*\*

17 Report of Board Counsel - Motion to Deem Facts

18 Admitted and Enter Default

19 MR. ROUSE:

20 Item 6 on the agenda is the Motion to

21 Deem Facts Admitted and Enter Default

22 in the Matter of BPOA v. Robert

23 Kreashko, D.M.D., Case No. 21-46-

24 004116.

25 Regarding that matter at item 6 on



1 the agenda, I believe the Chair would  
2 entertain a motion to deny the Motion  
3 to Deem Facts Admitted and direct Board  
4 Counsel to draft an Order in accordance  
5 with the discussion in Executive  
6 Session.

7 CHAIR SULLIVAN:

8 Do I have a motion?

9 DR. ARNDT:

10 So moved.

11 MS. MURRAY:

12 Second.

13 CHAIR SULLIVAN:

14 Could we have a roll call vote, please?

15

16 Claggett, aye; Groody, aye; Arndt, aye;

17 Fowler; Jaspan, aye; Matta, aye;

18 Mountain, aye; Murray, aye; Wyant, aye;

19 Pohlhaus, aye; Casey, aye; Sullivan,

20 aye.

21 [The motion carried unanimously. Bonnie Fowler did  
22 not vote on the motion.]

23

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24 Report of Board Counsel - Proposed Adjudications and  
25 Orders

1 MR. ROUSE:

2 Item 7 on the agenda is a Proposed  
3 Adjudication and Order in the Matter of  
4 BPOA v. Linda L. Shen, D.D.S., Case  
5 Nos. 18-46-005156 & 19-46-013712.

6 Regarding the Proposed  
7 Adjudication, I believe the Chair would  
8 entertain a motion to direct Board  
9 Counsel to prepare a Final Adjudication  
10 and Order consistent with the  
11 discussions in Executive Session.

12 CHAIR SULLIVAN:

13 Do I have a motion?

14 DR. ARNDT:

15 So moved.

16 CHAIR SULLIVAN:

17 Do I have a second?

18 MS. MURRAY:

19 Second.

20 CHAIR SULLIVAN:

21 Please take a roll call vote.

22

23 Claggett, aye; Groody, aye; Arndt, aye;  
24 Fowler; Jaspan, aye; Matta, aye;  
25 Mountain, aye; Murray, aye; Wyant, aye;

1 Pohlhaus, aye; Casey, aye; Sullivan,  
2 aye.

3 [The motion carried unanimously. Bonnie Fowler did  
4 not vote on the motion.]

5 \*\*\*

6 [Andrew S. Matta, D.M.D., exited the meeting at  
7 11:39 a.m. for recusal purposes.]

8 \*\*\*

9 MR. ROUSE:

10 Item 8 on the agenda is the Matter of  
11 the Petition for Reinstatement of the  
12 License to Practice Dentistry of Daniel  
13 S. Garner, D.M.D., Case No. 23-46-  
14 012282.

15 Regarding that matter, I believe  
16 the Chair would entertain a motion to  
17 adopt the hearing examiner's  
18 Adjudication and to direct Board  
19 Counsel to prepare the Board's Final  
20 Order.

21 CHAIR SULLIVAN:

22 Do I have a motion?

23 DR. ARNDT:

24 So moved.

25 CHAIR SULLIVAN:

1 Do I have a second?

2 MS. MURRAY:

3 Second.

4 CHAIR SULLIVAN:

5 Please take a roll call vote.

6

7 Claggett, aye; Groody, aye; Arndt, aye;

8 Jaspan, aye; Mountain, aye; Murray,

9 aye; Wyant, aye; Pohlhaus, aye; Casey,

10 aye; Sullivan, aye.

11 [The motion carried. Andrew Matta recused himself  
12 from deliberations and voting on the motion. Bonnie  
13 Fowler's name was not called during the roll call  
14 vote.]

15 \*\*\*

16 [Andrew S. Matta, D.M.D., reentered the meeting at  
17 11:41 a.m.]

18 \*\*\*

19 MR. ROUSE:

20 Item 9 on the agenda is the Matter of  
21 the Petition for Reinstatement of the  
22 License to Practice Dentistry of  
23 Jonathan William Theis, D.M.D., Case  
24 No. 23-46-017294.

25 I believe the Chair would entertain

1 a motion to direct Board Counsel to  
2 prepare a Final Adjudication and Order  
3 consistent with the discussion in  
4 Executive Session.

5 CHAIR SULLIVAN:

6 Do I have a motion?

7 DR. ARNDT:

8 So moved.

9 CHAIR SULLIVAN:

10 Do I have a second?

11 MS. MURRAY:

12 Second.

13 CHAIR SULLIVAN:

14 Please take a roll call vote.

15

16 Claggett, aye; Groody, aye; Arndt, aye;

17 Fowler; Jaspan, aye; Matta, aye;

18 Mountain, aye; Murray, aye; Wyant, aye;

19 Pohlhaus, aye; Casey, aye; Sullivan,

20 aye.

21 [The motion carried unanimously. Bonnie Fowler did  
22 not vote on the motion.]

23 \*\*\*

24 Review of Applications

25 MR. ROUSE:

1 Item 12 on the agenda is the  
2 Application of Mais Al Dahan for a  
3 Dentist by Endorsement Application.

4 Regarding the Application of Mais  
5 Al Dahan at item 12 on the agenda, I  
6 believe the Chair would entertain a  
7 motion to grant the Application for a  
8 Provisional License by Endorsement as a  
9 Dentist.

10 CHAIR SULLIVAN:

11 Do I have a motion?

12 DR. ARNDT:

13 So moved.

14 CHAIR SULLIVAN:

15 Do I have a second?

16 MS. MURRAY:

17 Second.

18 CHAIR SULLIVAN:

19 Please take a roll call vote.

20

21 Claggett, aye; Groody, aye; Arndt, aye;  
22 Jaspan, aye; Matta, aye; Mountain, aye;  
23 Murray, aye; Wyant, aye; Pohlhaus, aye;  
24 Casey, aye; Sullivan, aye.

25 [The motion carried unanimously. Bonnie Fowler's

1 name was not called during the roll call vote.]

2 \*\*\*

3 MR. ROUSE:

4 Item 13 on the agenda is the Dentist  
5 Application by Endorsement for Marshall  
6 Binns.

7 Regarding the Application of  
8 Marshall Binns, I believe the Chair  
9 would entertain a motion to grant the  
10 Application for a License by  
11 Endorsement as a Dentist.

12 CHAIR SULLIVAN:

13 Do I have a motion?

14 DR. ARNDT:

15 So moved.

16 CHAIR SULLIVAN:

17 Do I have a second?

18 MS. MURRAY:

19 Second.

20 CHAIR SULLIVAN:

21 Please take a roll call vote.

22

23 Claggett, aye; Groody, aye; Arndt, aye;

24 Matta, aye; Mountain, aye; Murray, aye;

25 Wyant, aye; Pohlhaus, aye; Casey, aye;

1 Sullivan, aye.

2 [The motion carried unanimously. Bonnie Fowler and  
3 Joel Jaspan's names were not called during the roll  
4 call vote.]

5 \*\*\*

6 MR. ROUSE:

7 Item 14 on the agenda is also an  
8 Application for a License by  
9 Endorsement as a Dentist for Jiffry  
10 Kolonda.

11 At item 14, I believe the Chair  
12 would entertain a motion to grant the  
13 Application for a License by  
14 Endorsement as a Dentist.

15 CHAIR SULLIVAN:

16 Do I have a motion?

17 DR. ARNDT:

18 So moved.

19 CHAIR SULLIVAN:

20 Do I have a second?

21 MS. MURRAY:

22 Second.

23 CHAIR SULLIVAN:

24 Roll call vote, please.

25



1 Claggett, aye; Groody, aye; Arndt, aye;  
2 Jaspan, aye; Mountain, aye; Murray,  
3 aye; Wyant, aye; Pohlhaus, aye; Casey,  
4 aye; Sullivan, aye; Matta, aye.

5 [The motion carried unanimously. Bonnie Fowler's  
6 name was not called during the roll call vote.]

7 \*\*\*

8 MR. ROUSE:

9 Item 15 on the agenda is the  
10 Application of Jamie Lapierre for a  
11 License to Practice Dentistry.

12 I believe the Chair would entertain  
13 a motion to provisionally deny the  
14 Application for a License to Practice  
15 Dentistry.

16 CHAIR SULLIVAN:

17 Do I have a motion?

18 DR. ARNDT:

19 So moved.

20 CHAIR SULLIVAN:

21 Do I have a second?

22 MS. MURRAY:

23 Second.

24 CHAIR SULLIVAN:

25 Please take a roll call vote.

1

2

Claggett, aye; Groody, aye; Arndt, aye;

3

Jaspan, aye; Matta, aye; Mountain, aye;

4

Murray, aye; Wyant, aye; Pohlhaus, aye;

5

Casey, aye; Sullivan, aye.

6

[The motion carried unanimously. Bonnie Fowler's

7

name was not called during the roll call vote.]

8

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9

MR. ROUSE:

10

Item 16 on the agenda is the

11

Application for a License to Practice

12

Dentistry of Daniel Wen.

13

I believe the Board needs

14

additional information for this

15

Application and will be tabling this

16

matter.

17

Is that correct?

18

CHAIR SULLIVAN:

19

Yes, Attorney Rouse.

20

\*\*\*

21

MR. ROUSE:

22

Item 17 on the agenda is Cristina Kinn,

23

the Application for a Dental Hygienist

24

Licensure by Endorsement.

25

I believe the Chair would entertain

1 a motion to grant the Application for  
2 Licensure by Endorsement as a Dental  
3 Hygienist for Cristina Kinn.

4 CHAIR SULLIVAN:

5 Do I have a motion?

6 DR. ARNDT:

7 So moved.

8 CHAIR SULLIVAN:

9 Do I have a second?

10 MS. MURRAY:

11 Second.

12 CHAIR SULLIVAN:

13 Please take a roll call vote.

14

15 Claggett, aye; Groody, aye; Arndt, aye;

16 Jaspan, aye; Matta, aye; Mountain, aye;

17 Murray, aye; Wyant, aye; Pohlhaus, aye;

18 Casey, aye; Sullivan, aye.

19 [The motion carried unanimously. Bonnie Fowler's

20 name was not called during the roll call vote.]

21

\*\*\*

22 MR. ROUSE:

23 Item 18 on the agenda is Heather Fritz,  
24 which is an Application for an Expanded  
25 Function Dental Assistant by

1 Endorsement.

2 I believe the Chair would entertain  
3 a motion to provisionally deny the  
4 Application for Licensure by  
5 Endorsement as an Expanded Function  
6 Dental Assistant for Heather Fritz.

7 CHAIR SULLIVAN:

8 Do I have a motion?

9 DR. ARNDT:

10 So moved.

11 CHAIR SULLIVAN:

12 Do I have a second?

13 MS. MURRAY:

14 Second.

15 CHAIR SULLIVAN:

16 Please take a roll call vote.

17

18 Claggett, aye; Groody, aye; Arndt, aye;  
19 Jaspan, aye; Matta, aye; Mountain, aye;  
20 Murray, aye; Wyant, aye; Pohlhaus, aye;  
21 Casey, aye; Sullivan, aye.

22 [The motion carried unanimously. Bonnie Fowler's  
23 name was not called during the roll call vote.]

24

\*\*\*

25 MR. ROUSE:

1 Item 19 on the agenda is Khina  
2 Khatiwada, which is an Application for  
3 an Application for Licensure by  
4 Endorsement as an Expanded Function  
5 Dental Assistant.

6 With this matter, the Board needs  
7 additional information with this  
8 Application, and I believe the Board is  
9 tabling this.

10 Is that correct?

11 CHAIR SULLIVAN:

12 That's correct, Attorney Rouse. Thank  
13 you.

14 \*\*\*

15 Report of Board Counsel - Regulations  
16 [Ronald K. Rouse, Esquire, Board Counsel, provided a  
17 Regulatory Report for the Board's review.

18 Mr. Rouse referred to 16A-4635 regarding  
19 licensure by endorsement and informed Board members  
20 that the proposed regulatory package was delivered to  
21 the Senate Consumer Protection and Professional  
22 Licensure Committee, House Professional Licensure  
23 Committee, and the Independent Regulatory Review  
24 Commission on July 10, 2024. He noted it was  
25 published in the *Pennsylvania Bulletin* on July 20,

1 2024, for a 30-day comment period, which closes  
2 August 19, 2024, and can be found at  
3 [pacodeandbulletin.gov](http://pacodeandbulletin.gov). He also noted the website for  
4 the Independent Regulatory Review Commission (IRRC)  
5 at [irrc.state.pa.us](http://irrc.state.pa.us), and their comments needed to be  
6 submitted by September 18, 2024.

7 Dr. Groody requested information concerning the  
8 next step of the general revisions and the Regulatory  
9 Analysis Form (RAF).

10 Mr. Rouse explained that the Regulatory Analysis  
11 Form has over 20 questions concerning the Board's  
12 authority for drafting the regulation; why the  
13 regulation is in the public interest; and the  
14 financial impact on the Board, regulated community,  
15 and the state. He explained that it also asks  
16 specific questions about the sections of the  
17 regulations being amended and why, along with what  
18 stakeholders have to say, and any exhibits or samples  
19 of applications being amended.

20 Mr. Rouse stated there is a lot of information  
21 that goes into the RAF for the anesthesia update and  
22 general revisions. He also noted the Regulatory  
23 Analysis Form requests a review of the 12 surrounding  
24 states and what is done on each particular issue  
25 being amended.

1 Mr. Rouse addressed Regulation 16A-4629 regarding  
2 mobile vans and asked Board members whether it wanted  
3 to continue the discussion or discuss it at the  
4 September 2024 meeting.

5 Dr. Jaspan noted the importance of emphasizing  
6 mobile vans go to some nursing homes to help people  
7 who cannot get out for dental care. He also  
8 mentioned prior discussion about Pennsylvania having  
9 a number of rural underserved areas and inner-city  
10 areas that may not be able to receive dental care.

11 Dr. Jaspan also believed it is their duty to get  
12 quality dentistry to as many people as possible, and  
13 those issues should be addressed when discussing  
14 whether states should fund mobile vans.

15 Mr. Rouse noted prior Board discussion of whether  
16 to license a mobile van or register a fictitious name  
17 of a mobile van; who may provide services on a mobile  
18 van; what services may be provided on a mobile van;  
19 and what the requirements are for the creation,  
20 maintenance, and storage of dental records generated  
21 on a mobile van, along with the requirements for  
22 transferring records and/or ensuring follow-up care.

23 Mr. Rouse also noted prior discussion concerning  
24 who may receive services through mobile dentistry and  
25 making sure that the dentally insecure were provided

1 services, what signed authorizations must be obtained  
2 for services, medical and dental insurance  
3 implications, and whether or not there needs to be an  
4 association with a brick-and-mortar dental office.

5 Dr. Jaspan asked whether there was a timeline of  
6 where this is going and when some of the ideas could  
7 be finalized.

8 Mr. Rouse explained that discussions were stopped  
9 to concentrate on the anesthesia update and general  
10 revisions but wanted to bring the mobile van issue  
11 back for discussion since those regulations are in  
12 the regulatory analysis phase.

13 Ms. Murray commented that the Board should move  
14 forward with this because many people in the  
15 community would benefit from mobile van services.  
16 She suggested having a committee meeting and getting  
17 stakeholders involved, noting that infection control  
18 should also be addressed.

19 Ms. Fowler agreed with Ms. Murray and mentioned  
20 that there was an enormous amount of work devoted to  
21 mobile vans in 2011 with a whole separate committee  
22 chaired by Dr. DeFinnis. She noted provisions were  
23 drafted in 2014 in the annex to the general  
24 provisions at that time called mobile dentistry. She  
25 mentioned having a folder of information, including



1 comments from the Pennsylvania Dental Association  
2 (PDA) and St. Joseph's.

3 Ms. Fowler stated the committee could take a look  
4 at the information and bring segments before the  
5 Board to consider. She mentioned that one of the  
6 questions came up as whether there should be a  
7 distinction between what is called mobile dentistry  
8 vans and portable dentistry, which was equipment  
9 being taken into schools and head start programs.

10 Ms. Fowler believed the committee could compile  
11 everything in a well-organized manner for the Board  
12 to look at and decide. She noted there was a great  
13 concern on both directions about whether or not they  
14 could be owned by individuals, such as public health  
15 dental hygienists or whether it should be licensed  
16 only by institutions.

17 Dr. Casey mentioned that he spent time with Dr.  
18 DeFinnis in the past as an outside member and as part  
19 of the committee and agreed that there should be some  
20 type of regulation and guidelines to follow.

21 Dr. Arndt will provide the date of the committee  
22 meeting to Mr. Abels and requested all of the  
23 information presented soon, including Ms. Murray's  
24 and Ms. Fowler's information, to be put in electronic  
25 form for everyone to review prior to the meeting.

1 Ms. Fowler commented that the 192-page document  
2 provided for the meeting regarding mobile dentistry  
3 has all of the states and a summary of their laws and  
4 regulations at the time of publication but may have  
5 to be updated. She noted the information listed  
6 Pennsylvania as not having legislation or regulation  
7 specific to mobile dental vans but did have  
8 information on public health dental hygienists.

9 Dr. Casey also suggested inviting individuals who  
10 currently own them to get their opinion on how they  
11 are doing and what is understood as a problem.

12 Mr. Rouse noted that the Board should get the  
13 information from the 12 surrounding states on mobile  
14 vans, because it will be a requirement from IRRC when  
15 the Board drafts the regulations. He mentioned that  
16 mobile vans are not specifically addressed in their  
17 statute and regulations, but public health dental  
18 hygiene practitioners may be using something like  
19 that in schools.

20 Mr. Rouse referred to prior discussion concerning  
21 registering a fictitious name, where the Board would  
22 at least know who has a mobile van.

23 Acting Commissioner Claggett expressed concern  
24 with having someone speak before the Board discussing  
25 something that is not defined in their law. He

1 mentioned that the State Board of Barber Examiners  
2 also had the same question about mobile barbering and  
3 believed it is not allowed because there is no  
4 reference to it in their law to do mobile barbering.  
5 He mentioned that it is the same thing here, where  
6 people would potentially come before the Board who  
7 maybe should not be doing dentistry in a mobile van.

8 Ms. Fowler stated it is a scope of practice issue  
9 too for expanded function dental assistants (EFDAs),  
10 public health dental hygienists, and others within  
11 that category. She noted that there should be some  
12 organizing to identify important areas to address  
13 before inviting people from that practice.

14 Mr. Jarabeck stated mobile vans exist, and the  
15 Board has reviewed cases through the lens of whether  
16 they meet the minimal accepted standard of care and  
17 are utilizing that across the same board as in a  
18 brick-and-mortar practice. He explained that, if  
19 they do, there is no other regulation put forth that  
20 has them, as a backdrop, review the case against.

21 Mr. Jarabeck noted going back to what care is  
22 provided, what does the facility look like, is  
23 sterilization taking place, and are records available  
24 to be provided to somebody if there is a change of  
25 course in terms of treatment.

1 Mr. Jarabeck stated it is seen in individual-  
2 owned practices, corporate, and nonprofit. He noted  
3 looking at it in the same capacity as the rest of the  
4 cases, because there is nothing specific toward it.

5 Chair Sullivan asked whether it means that it is  
6 not legal to have mobile vans because the law is  
7 silent on this.

8 Mr. Jarabeck stated he is not permitted to give a  
9 legal opinion. He explained that prosecution reviews  
10 matters through the lens of what exists under the law  
11 and the regulations, and one of the places that the  
12 staff would review cases is whether it meets the  
13 minimal accepted standard in the profession. He  
14 noted it is done through expert review, unless there  
15 is no reason to engage an expert because the case is  
16 so clear on its face.

17 Acting Commissioner referred to Ms. Fowler's  
18 statement of establishing a starting point and not  
19 having people come before the Board at this point.  
20 He believed it to be the best path forward, and Mr.  
21 Abels could provide a list of potential dates for the  
22 regulatory session.

23 Ms. Fowler and Dr. Arndt will speak with Mr.  
24 Abels about selecting a date for a committee meeting  
25 and then provide the materials to be disseminated.

1           Mr. Rouse offered to look for a clean copy of the  
2 documents and noted that the date of the meeting will  
3 be available to everyone after it has been  
4 sunshined.]

5

\*\*\*

6 Report of Board Counsel - Miscellaneous - Update on  
7 U.S. Department of Education - New Eligibility  
8 Rules for Title IV and HEA Funds

9 [Ronald K. Rouse, Esquire, Board Counsel, referred to  
10 the new United States Department of Education rules  
11 related to eligibility to receive Title IV and Higher  
12 Education Act (HEA) funds. He explained that the  
13 only thing that this may have affected would have  
14 been schools that provide EFDA programs. He stated a  
15 federal court in Texas granted a preliminary  
16 injunction enjoining the implementation of the new  
17 Bare Minimum Rule for education programs to qualify  
18 for federal student aid pending the outcome of the  
19 litigation on June 21, 2024.

20           Mr. Rouse noted the Bare Minimum Rule would mean  
21 that program students were only eligible for federal  
22 student aid if the program met the minimum education  
23 requirements for licensure in the state in which the  
24 program operates.

25           Mr. Rouse referred to the 200-hour EFDA program,

1 noting it might affect that program, where a school  
2 requires 250 hours and the student can only get  
3 funding up to 200, which is stated in the regulation.  
4 He noted there is a preliminary injunction regarding  
5 the Bare Minimum Rule and everything has stopped.

6 Mr. Rouse explained that the preliminary  
7 injunction preserves the status quo until the outcome  
8 of the federal litigation of 360 Degree Education,  
9 LLC v. U.S. Department of Education, Case No. 4:24-  
10 cv-00508-P.]

11 \*\*\*

12 Report of Board Counsel - Miscellaneous - FYI- Act 42  
13 of 2024 Telemedicine  
14 [Ronald K. Rouse, Esquire, Board Counsel, informed  
15 Board members that Act 42 of 2024 Telemedicine  
16 was signed into law on July 3, 2024, and sets the  
17 standards for coverage and reimbursement of  
18 telemedicine. He further explained that it has to do  
19 with insurance reimbursement and making sure the  
20 scope of practice for telemedicine is the same as if  
21 someone was in person. He did not recognize anything  
22 that required any regulation.

23 Mr. Rouse mentioned that the teledentistry bill  
24 would have required regulatory changes if it had been  
25 enacted.]

1 \*\*\*  
2 Report of Board Chairperson - No Report  
3 \*\*\*  
4 Report of Acting Commissioner  
5 [Arion R. Claggett, Acting Commissioner, Bureau of  
6 Professional and Occupational Affairs, announced that  
7 all of the board websites have been updated and  
8 encouraged everyone to check out the new Board  
9 website.]  
10 \*\*\*  
11 Report of Board Administrator - No Report  
12 \*\*\*  
13 Report of Committees - Legislative and Regulatory  
14 Committee - No Report  
15 \*\*\*  
16 Report of Committees - Scope of Traditional and  
17 Emerging Practice Committee - No Report  
18 \*\*\*  
19 Report of Committees - Probable Cause Screening  
20 Committee - No Report  
21 \*\*\*  
22 Report of Committees - Accreditation and Licensing  
23 Committee - No Report  
24 \*\*\*  
25 For the Board's Information - JCNDE Annual State

1 Dental Board Forum - August 19, 2024  
2 [Jennifer Unis Sullivan, D.M.D., J.D., Chairperson,  
3 referred to the Joint Commission on National Dental  
4 Examinations' (JCNDE) Annual State Dental Board Forum  
5 on August 19, 2024, for the Board's review.]

6 \*\*\*  
7 [Jennifer Unis Sullivan, D.M.D., J.D., Chairperson,  
8 announced this was Dr. Groody's last Board meeting as  
9 their EFDA and dental assisting representative. She  
10 thanked her for her service and the impact she had on  
11 the Pennsylvania State Board of Dentistry.

12 Dr. Groody thanked the Board for their patience,  
13 Board administrators for their knowledge, and Mr.  
14 Rouse and Acting Commissioner Claggett.

15 Board members also thanked Dr. Groody for her  
16 service and wished her well.

17 Chair Sullivan informed everyone that the Board  
18 will be welcoming their new Board member, Dr. Joyce  
19 Warwick, at the next meeting.]

20 \*\*\*

21 Adjournment

22 CHAIR SULLIVAN:

23 May I have a motion to adjourn the  
24 meeting?

25 DR. ARNDT:



1 So moved.

2 CHAIR SULLIVAN:

3 Could I have a second?

4 MS. MURRAY:

5 Second.

6 \*\*\*

7 [There being no further business, the State Board of  
8 Dentistry Meeting adjourned at 12:31 p.m.]

9 \*\*\*

10

11

CERTIFICATE

12

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

18

19

20



21

Rachel Wilbur-Adams,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

25

26

STATE BOARD OF DENTISTRY  
REFERENCE INDEX

August 2, 2024

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	9:00	Executive Session
9	11:20	Return to Open Session
10		
11	11:21	Official Call to Order
12		
13	11:22	Roll Call
14		
15	11:22	Introduction of Attendees
16		
17	11:23	Approval of Minutes
18		
19	11:24	Report of Prosecutorial Division
20		
21	11:37	Report of Board Counsel
22		
23	11:41	Review of Applications
24		
25	11:42	Report of Board Counsel (cont.)
26		
27	12:25	Report of Acting Commissioner
28		
29	12:26	For the Board's Information
30		
31	12:31	Adjournment
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