



TEXAS STATE BOARD OF DENTAL EXAMINERS

William P. Hobby Jr. Building
333 Guadalupe Street, Tower 3, Suite 800
Austin, Texas 78701

**EMERGENCY BOARD MEETING MINUTES
APRIL 29, 2020**

1. CALL TO ORDER.

Dr. Tillman called the meeting of the Texas State Board of Dental Examiners (TSBDE) to order at 9:33 a.m. Dr. Tillman read the mission statement of the Texas State Board of Dental Examiners.

2. ROLL CALL.

Dr. Quirch called the roll. It was noted, for the record, that a quorum was present.

a. Members Present:

Dr. David Tillman	Presiding Officer
Dr. Jorge Quirch	Secretary
Dr. Bryan N. Henderson	Member
Dr. David H. Yu	Member
Dr. Robert G. McNeill	Member
Ms. Lorie Jones, RDH	Member
Dr. Margo Melchor	Member
Ms. Lois Palermo, RDH	Member
Dr. Linda T. Burke	Member
Ms. Kathryn Sisk	Member
Mr. Rodney Bustamante	Member

3. DISCUSSION AND POSSIBLE ACTION TO WITHDRAW EMERGENCY RULE RELATED TO EXECUTIVE ORDER GA-15.

Ms. Nichols discussed the April 21, 2020 emergency rule to amend 22 Tex. Admin. Code § 108.9. Executive Order GA-15 will end on April 30, 2020 at 11:59 p.m. and this emergency rule should be withdrawn when Executive Order GA-15 expires.

A motion was made by Dr. Quirch and seconded by Dr. McNeill to withdraw the emergency rule related to Executive Order GA-15.

(FOR – 11/OPPOSED – 0/ABSTAIN – 0) MOTION CARRIES

4. DISCUSSION AND POSSIBLE ACTION TO AMEND 22 TEX. ADMIN. CODE § 108.7 – MINIMUM STANDARD OF CARE, GENERAL.

Ms. Nichols discussed implementing an emergency rule for Executive Order GA-19 which begins on May 1, 2020 at 12:01 a.m., which allows licensed health care professionals to return to practice but they shall be limited in their practice by, and must comply with, any emergency rules promulgated by their respective licensing agencies dictating minimum standards for safe practice during the COVID- 19 disaster. The Dental Practice Committee met and drafted a proposed emergency rule. The proposed rule references a TSBDE guidance drafted by Dr. Bell.

A motion was made by Dr. McNeill and seconded by Dr. Quirch to accept the Committee's recommendation, which includes the input from TDA, without the incorporation of the TSBDE guidance.

Board members discussed the rule.

Dr. McNeill withdrew his motion.

Dr. Yu discussed the committee recommendation. A motion was made and did not require a second because the recommendation was made from the committee to adopt the rule as proposed.

A motion was made by Ms. Jones and seconded by Dr. Henderson to amend the rule to incorporate the editorial changes made by legal counsel.

(FOR – 10/OPPOSED – 0/ABSTAIN – 0) MOTION CARRIES
[Mr. Bustamante was absent for the vote.]

Ms. Jones made a motion to include an amendment to item #3 of the Standard and Transmission Based Precautions and Personal Protective Equipment, to include Level 3 surgical masks, regarding the TSBDE guidance.

(FOR – 3/OPPOSED – 8/ABSTAIN – 0) MOTION FAILS

Dr. McNeill called the question and seconded by Dr. Quirch to adopt the TSBDE guidance.

(FOR – 10/OPPOSED – 0/ABSTAIN – 0) MOTION CARRIES
[Mr. Bustamante was absent for the vote.]

Motion made by Dr. McNeill to approve the amendment to 22 Tex. Admin. Code § 108.7.

(FOR – 10/OPPOSED – 0/ABSTAIN – 0) MOTION CARRIES
[Mr. Bustamante was absent for the vote.]

A motion was made by Dr. Quirch and seconded by Dr. McNeill to authorize the Executive Committee to consider modifications as circumstances change.

(FOR – 1/OPPOSED – 9/ABSTAIN – 0) MOTION CARRIES
[Mr. Bustamante was absent for the vote.]

A motion was made by Dr. Melchor and seconded by Dr. Henderson to authorize the full board to consider modifications as circumstances change. Dr. Melchor amended her motion to authorize the Dental Practice Committee, as a representative of the full Board, for modifications as circumstances change.

(FOR – 9/OPPOSED – 0/ABSTAIN – 0) MOTION CARRIES
[Mr. Bustamante and Dr. McNeill were absent for the vote.]

5. PUBLIC COMMENTS.

Ms. Jones wanted to know if they are required to continue practicing without proper PPE. Ms. Nichols advised that the Board will not mandate people working if it is not safe. The Board will not give guidance on re-using PPE.

6. ANNOUNCEMENTS.

Ms. Nichols restated that this rule goes into effect May 1, 2020, but will be vetted by the Governor's office first.

7. ADJOURN.

Dr. Henderson made a motion and Ms. Palermo seconded to adjourn the meeting at 11:45 a.m.

(FOR – 11/OPPOSED – 0/ABSTAIN – 0) MOTION CARRIES.



David Tillman, DDS
Presiding Officer
June 5, 2020



Jorge Quirch, DDS
Board Secretary
June 5, 2020