



**TEXAS STATE BOARD OF DENTAL EXAMINERS**  
**BOARD MEETING**  
William P. Hobby, Jr. Building  
333 Guadalupe Street, Tower 3, Room 100  
Austin, Texas 78701

**BOARD MEETING MINUTES**  
December 10, 2021

**1. Call to Order.**

Dr. Yu called the meeting of the Texas State Board of Dental Examiners (TSBDE) to at 8:34am. Ms. Nichols announced that the Teledentistry rule will not be discussed at this meeting. Public comments are welcome with a due date of December 13, 2021.

Ms. Pride read the mission of the Texas State Board of Dental Examiners.

**2. Roll Call of Board Members.**

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

**a. Members Present:**

|                        |                   |
|------------------------|-------------------|
| Dr. David Yu           | Presiding Officer |
| Dr. Bryan N. Henderson | Member            |
| Dr. Yvonne Maldonado   | Member            |
| Ms. Lorie Jones        | Member            |
| Ms. Lois M. Palermo    | Member            |
| Dr. Linda T. Burke     | Member            |
| Ms. Kathryn Sisk       | Member            |
| Ms. Marquita Pride     | Member            |
| Dr. Robert G. McNeill  | Member            |
| Dr. Jorge Quirch       | Secretary         |

**b. Members Absent - Excused:**

|                   |        |
|-------------------|--------|
| Dr. Margo Melchor | Member |
|-------------------|--------|

**3. Discussion and Approval of Minutes from Previous Board Meetings.**

a. Minutes for September 10, 2021 Board Meeting.

A motion was made by Dr. Henderson and seconded by Dr. Quirch to approve the minutes.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

**4. Discussion and Possible Action on Proposed Case Resolutions.**

a. Agreed Settlement Orders.

Ms. Studdard introduced the Agreed Settlement Orders and staff asks that the board approve them as presented. A motion to approve was made by Dr. McNeill and seconded by Dr. Burke.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

b. Remedial Plans.

Ms. Studdard introduced the Remedial Plans and staff asks that the board approve them as presented. A motion to approve was made by Dr. Quirch and seconded by Ms. Palermo.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

c. Agreed Administrative Penalties.

Ms. Studdard introduced the Agreed Administrative Penalties and staff asks that the board approve them as presented. A motion to approve was made by Dr. McNeill and seconded by Dr. Quirch.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

d. Consent Orders.

None.

e. Pre-ISC Recommendations of Dismissal.

Ms. Studdard introduced the Pre-ISC Recommendations of Dismissal and staff asks that the board approve them as presented. A motion to approve was made by Dr. Burke and seconded by Dr Henderson.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

f. Post-ISC Recommendations of Dismissal.

Ms. Studdard introduced the Post-ISC Recommendations of Dismissal and staff asks that the board approve them after removing Case 2021-00629 Post- ISC Volume 1. A new complaint on this respondent was received and staff would like Case 2021-00629 be referred back to legal for further review.

A motion to approve all cases excluding Case 2021-00629 was made by Dr. Burke and seconded by Dr. McNeill.

(FOR - 10/OPPOSED- o/ABSTAIN-o) MOTION CARRIES

**TIMECODE: 33:27**

g. Modification Orders.

None.

h. Discussion of Specific Orders.

None.

**5. Discussion and Possible Action on Cases Heard Before the State Office of Administrative Hearings (SOAH).**

- a. Docket No. 504-21-1871, Rebecca Bravo, RDA, Dental Assistant Registration No. 71064. Consideration of Order No. 5 Order of Default Dismissal, Recommendations and Board Action.

Staff attorney Cary Bruner presented the case. Respondent did not appear. Staff recommends the board adopt the order as presented and revoke the registration.

A motion was made by Dr. Henderson and seconded by Dr. Quirch to adopt the order as presented and revoke Ms. Bravo's Registration.

(FOR - 10/OPPOSED- o/ABSTAIN-o) MOTION CARRIES

- b. Docket No. 504-21-2902, Josefina Saucedo, RDA, Dental Assistant Registration No. 39813. Consideration of Order No. 2 Order of Default Dismissal, Recommendations and Board Action.

Staff attorney Cary Bruner presented the case. Respondent did not appear. Staff recommends the board adopt the order as presented and revoke the registration of RDA No. 30813.

A motion was made by Dr. Quirch and seconded by Dr. Burke to adopt the order as presented and revoke Ms. Saucedo's Registration.

(FOR - 10/OPPOSED- o/ABSTAIN-o) MOTION CARRIES

**6. Presiding Officer Report. TIMECODE: 40:43**

Dr. Yu presented his report. Dr. Yu met with each agency director and became more familiar with the procedures of each department. Ms. Palermo reported that there may be a position for a hygienist on the ADEX board. Ms. Nichols reported that Ms. Lois Palermo will be assigned the three-year position. A conference call with the ADEX board was attended by Dr. McNeill and Dr. Yu on upcoming changes at ADEX. Dr. Henderson and Dr. Melchor are on the steering committee and discussion of CITA joining WREB /CDCA and it will be voted on at the meeting in January. Dr. Maldonado attended the October CITA meeting and reported the merger and only three members from each state are allowed on the board and must be

examiners. The CRDTS meeting was in October and they discussed bylaws and moving forward with the charter and meeting again in January.

SRTA was renamed into a new acronym reports Dr. Yu. Creating new teeth that are more lifelike and be as close to human like as possible. Grading is computerized and is objective. Partnered with Prometheus and it's is a robotic system with virtual reality. Boards do not accept it now but could remediate those with licenses. It offers lower overhead for schools and standardization provided in stand alone locations.

Dr. Burke, Dr. McNeill, Dr. Yu and Ms. Casey Nichols attended the AADA meeting. Dr. McNeill reported they had dialogue on CDCA/WREB and when to integrate CITA into the process. Moving away from live patients, happy with the reliability with simulated exams and dental compacts were discussed.

Ms. Nichols reported the medical board will join the compact and if a practitioner is licensed in 40 states then they must do all the requirements for each state and pay all the related fees.

There is a computer-based exam, four states accept it for initial licensure, instead of clinical exam, was commented on by Ms. Palermo and Dr. McNeill. Ms. Palermo advised that Minnesota allows Dental Assistants to administer anesthesia.

**TIMECODE: 1:21:33** Dr. Black from the El Paso Dental School updated the board on the status of the new school, 40 new students in their first year. 956 applications for the year were received. 14 male 26 females attended the first year. There are 23 faculty members. The students started seeing in person patients in November 2021.

**7. Professional Recovery Network Report (PRN). TIMECODE: 1:03:31**

Will Turney gave the PRN report. Dr. McNeill asked if sex addiction was a diagnosis that PRN treats. Mr. Turney suggested that it is likely a diagnosis that is included in their services but sex addiction treatment has not been a provided service yet. Dr. Yu asked about follow up and determining how the data is collected for recidivism.

**8. Discussion and Possible Action on Licensing Committee Report and Recommendations.**

- a. Committee recommendation and possible action on dental and hygiene applicants attesting, they will not provide patient care prior to obtaining a license.

Verbiage was added to attestation for hygienist and dentists. No vote is necessary.

- b. Committee recommendation and possible action on request for exception to Board rules:

- i. 2022-Q2-DDS1

Ms. Mendez reviewed the case. The committee voted to grant the exception to board rule. Dr. Esquivel was a few months late and practices in Louisiana.

A motion was made by Dr. Burke and no second was needed as it came from committee to approve exception to the rule.

(FOR - 10/OPPOSED- o/ABSTAIN-o) MOTION CARRIES

ii. 2022-Q2-DDS2

Ms. Mendez reviewed the case. Dr. Hawkins asked for exception to board rule. Dr. Hawkins passed on 4<sup>th</sup> attempt on the Endodontic test. Remediation of 80 hours must be CODA approved prior to taking the exam the 4<sup>th</sup> time.

A motion was made by Dr. Burke and no second was needed as it came from committee to deny the exception to the rule.

(FOR - 10/OPPOSED- o/ABSTAIN-o) MOTION CARRIES

iii. 2022-Q2-DDS3 **TIME CODE: 1:39:30**

Ms. Mendez reviewed the case. Board staff approved the application in error and a complaint was presented. Her ADA approved specialty of two years of training was not completed. Dr. Sathish-Kumar, foreign trained, did not go to a CODA related school, did only one year of a CODA school so the committee denied exception to board rule. Dr. Kumar and attorney Mr. Smith attended via Zoom.

A motion was made by Dr. Quirch and no second was needed as it came from committee to deny the exception to the rule.

(FOR - 10/OPPOSED- o/ABSTAIN-o) MOTION CARRIES

c. Committee recommendation and possible action on request for approval of remediation:

i. 2022-Q2-DDS4

Ms. Mendez reviewed the case. The applicant, Dr. Sunny Larwood, failed exam three times and instructed to take a 4<sup>th</sup> time and passed a portion. Denied request and then approved the 80 hour remediation to retake the full exam.

A motion was made by Dr. Quirch and no second was needed as it came from committee to deny the initial request but approve the 80 hours of remediation.

(FOR - 10/OPPOSED- o/ABSTAIN-o) MOTION CARRIES

ii. 2022-Q2-DDS5

Ms. Mendez reviewed the case. Candidate failed three times and asked to attend NYU 80 hour remediation and it was approved by committee.

A motion was made by Dr. Quirch and no second was needed as it came from committee to accept the request for remediation.

(FOR - 10/OPPOSED- o/ABSTAIN-o) MOTION CARRIES

- d. Committee recommendation and possible action on currently proposed rule from September 10, 2021 Board Meeting: 22 Tex. Admin. Code § 101.14 – Exemption from Licensure for Certain Military Spouses (Dental Licensure), published in the October 15, 2021 issue of the Texas Register.

Ms. Studdard reviewed the rule up for adoption. The committee unanimously approved.

A motion was made by Dr. Burke and no second was needed as it came from committee to adopt the rule.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

- e. Committee recommendation and possible action on currently proposed rule from September 10, 2021 Board Meeting: 22 Tex. Admin. Code § 103.10 – Exemption from Licensure for Certain Military Spouses (Dental Hygiene Licensure), published in the October 15, 2021 issue of the Texas Register.

Ms. Studdard reviewed the rule for adoption.

A motion was made by Ms. Pride and no second needed as it came from committee to adopt the rule.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

**9. Discussion and Possible Action on Dental Practice Committee Report and Recommendations.**

- a. Committee recommendation and possible action on currently proposed rule from September 10, 2021 Board Meeting: 22 Tex. Admin. Code §108.74 – Call Coverage Agreements, published in the October 15, 2021 issue of the Texas Register.

Dr. Burke thanked her committee members. Ms. Kamp reviewed the proposed rule and unanimous approval to adopt. There were no comments.

A motion was made by Dr. Burke and no second was needed as it came from committee to adopt the rule.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

**10. Discussion and Possible Action on Disciplinary Review Committee Report and Recommendations.**

Dr. McNeill thanked his committee members.

- a. Committee recommendation and possible action on House Bill 1540, relating to certain criminal offenses.

Dr. McNeill reviewed the change of solicitation of prostitution as a felony and automatic revocation of a dental practitioner license or registration. This does not change our rule or require us to alter our processes. It will be covered in our next TSBDE newsletter.

- b. Committee recommendation and possible action on 22 Tex. Admin. Code § 107.204, Remedial Plans. **TIMECODE: 1:53:45**

Dr. McNeill reviewed the remedial plans proposal by committee.

Ms. Kamp reviewed the proposed rule that allows the board to remove the remedial plans after 5 years and completed. The details are that it prevents the removal if healthcare or if the respondent had prior similar violations. If an additional remedial plan is proposed it must be after five years. Applies to September 1 of this year. The board members can issue a remedial plan for the same or similar conduct if after five years. The intent of legislature was to remove minor violations—record keeping, administrative issues etc. The definition of “health care” has not been provided.

A motion was made by Dr. McNeill and no second needed to approve the proposed rule.

(FOR - 9/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

\*Dr. Quirch out of room for vote.

- c. Committee recommendation and possible action on Promethean Dental Systems providing courses to licensees with disciplinary actions imposed by TSBDE.

Dr. McNeill reviewed the presentation that Promethean provided to the committee and anticipates their live presentation in the future.

Dr. McNeill reviewed the shorter ISC schedule and acknowledges the teamwork necessary to make that advancement.

11. **Public Comments.**

Dr. Vogel addressed the board and spoke on the topic of Botox. **TIMECODE: 2:00:08**

Time for break: 10:24 am

Returned at 10:40 am

12. **Agency Activity Reports.**

- a. Executive Division Report.

Ms. Nichols gave her report and discussed the Holiday Wishes gift giving project and thanked staff. TSBDE is relocating to the George Bush Building in 2022 and logistics are being discussed. Thanks to Dan Matthews for his SORM Continuity of Operations Plan. Conference of general counsels and board members will be attended by Ms. Nichols, Ms. Studdard and Ms. Kamp next week. Ms. Studdard and Ms. Nichols will attend FARB in January. Electronic Prescribing Waivers project has been completed with the website public profile detailing the expiration date. No reminders to renew will be sent out. We process the waiver request in two to three days. Waivers are active for one year and can be renewed thirty days prior to renewal deadline.

- b. Finance and Administration Division Report.

Ms. Kappel gave her report and uploaded documents for the Annual Fiscal Report for 2021 and it is on the TSBDE website. Ms. Kappel addressed the questions posed about the reports.

c. Licensing Division Report

Ms. Mendez gave her anesthesia report regarding inspections. 19 inspections are due. Mr. Cruz is a new anesthesia inspector. Renewal certificates must be printed off the website now. Change of address can be done online now as well. A new team member hired in licensing to answer emails and phone calls. Mr. Jered Ness is with the agency but is being promoted in licensing starting January 3<sup>rd</sup>. Initial dental applications are on a December 3 processing date, assistants are on a November 18<sup>th</sup> processing date. All other reports have been uploaded to the board site.

d. Dental Division Report.

- i. Discussion and possible action on Dental Review Panel Applications.  
A motion was made by Dr. Quirch and seconded by Dr. McNeill to approve the DRP application.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES

Dr. Bell gave her report. There is a vacant Investigations administrative position and interviews will occur shortly. Oral Maxillofacial DRP members are needed.

e. Investigations Division Report.

Ms. Hieber gave her division report. She thanked her team for their hard work. Kimberley Lenderman moved from Anesthesia to Investigations. Ms. Nichols commented on Ms. Hieber's excellent leadership.

f. Legal Division Report.

Ms. Studdard gave her report. Volunteers for mediation will be forthcoming. SOAH numbers have increased steadily and Ms. Kamp has had a hand in this great work.

**13. Announcements.**

Dr. Quirch thanked the board and staff.

**14. Adjourn.**

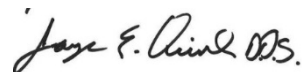
A motion was made by Dr. Quirch and seconded by Dr. McNeill to adjourn the meeting at 11:23 a.m.

(FOR - 10/OPPOSED- 0/ABSTAIN-0) MOTION CARRIES



---

Dr. David Yu  
Presiding Officer



---

Dr. Jorge Quirch  
Board Secretary