



# Arizona State Board of Dental Examiners

“Caring for the Public’s Dental  
Health and Professional Standards”

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## OPEN SESSION MINUTES

**March 28, 2023**


### **Anesthesia and Sedation Committee Meeting**

On the aforementioned date, members of the Arizona State Board of Dental Examiners’ (“Board”) Anesthesia and Sedation Committee (“Committee”) held a virtual/telephonic meeting. The Committee did not meet in executive session.

#### **COMMITTEE MEMBERS**

Anthony Herro, DDS	Chairperson and Board Member
Lisa B. Bienstock, DMD	Board Member
Edward H. Christensen, DDS	Board Member
Matthew D. Arnall, DDS	Public Committee Member
Ali Baghai, CRNA	Committee Member
Randall J. Blazic, DDS	Public Committee Member
Jason W. Brady, DMD	Public Committee Member
Jeffrey N. Brownstein, DDS	Public Committee Member
Jonathan Jerman, MD	Public Committee Member
Randall Lout, DDS	Public Committee Member
Heath Snell, DDS	Public Committee Member

**X** Absent

 Joined the meeting as denoted in the body of the minutes

#### **STAFF AND ASSISTANT ATTORNEY(S) GENERAL PRESENT**

Roberto Pulver, Esq.	Assistant Attorney General
Sherrie Biggs	Assistant Deputy Director
Sussie Adams	Program Projects Specialist
Jessica Thomas	Rules Administrator
Yazmin Bustamante	Executive Assistant

#### **GUESTS PARTICIPATING AND/OR PRESENT**

Anthony Caputo	Guest
LifeGuard Anesthesia	Guest

#### **I. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 2:00 p.m. by Dr. Herro. Roll call of the committee members was taken and a quorum was established.

## II. REVIEW, DISCUSSION AND POSSIBLE ACTION ON COMMITTEE MEETING MINUTES

A. Discussion and approval of the Open Session Minutes from the January 24, 2023 committee meeting.

**Motion:** Dr. Herro moved to approve the minutes from the January 24, 2023 committee meeting.

**Second:** Dr. Lout

**Vote:** 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

## IV. ADVERSE OCCURRENCE POLICY AND PROCEDURE

The Committee reviewed the Adverse Occurrence (AO) policy and procedure and recommended that the Board consider having board staff report the involvement of individuals licensed by another agency to the appropriate board, expanding the definition of what constitutes an adverse occurrence, reducing the reporting time frame required in Arizona Administrative Code (A.A.C.) R4-11-1305 and having the Anesthesia and Sedation Committee review adverse occurrences.

**Motion:** Dr. Blazic moved to accept the AO policy and procedure as is and recommended that the Board adopt the policy and take into consideration the Committee's suggestions.

**Second:** Dr. Herro

**Vote:** 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

## III. NOTICE OF PROPOSED RULEMAKING ("NPR")

The Committee began the review of A.A.C. R4-11-1304 Permit to Work with Non-Dentist Anesthesia Provider. Dr. Brady provided an overview of recommended changes which included a provision for the Dental Board to stop any individual they see unfit to provide anesthesia and sedation services in the dental office. The Committee simplified the language in R4-11-1304 for consistency and discussed the requirements for a 1304 Permit holder to maintain a staff of supervised personnel as specified in R4-11-1301. The Committee proceeded to discuss adding language to allow a dentist to obtain a temporary section 1304 Permit and allow them to utilize a Non-dental Anesthesia Provider. During discussion, the Committee evaluated whether there is a need for a temporary permit and took into consideration the average length of time it takes for the Dental Board to issue a Section 1304 Permit. The Committee also considered having a form for the dentist to attest that the Non-Dentist Anesthesia Provider's license is in good standing. After further discussion, the Committee concluded it would be beneficial for the Board's rule writer to collaborate with a committee member before the next meeting.

**Motion:** Dr. Blazic moved to direct Dr. Brady and the Board's rule writer to collaborate in revising the language for a Section 1304 Permit for the Committee to review at the next meeting.

**Second:** Dr. Arnall

**Vote:** 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

The Committee proceeded to amend Subsection G for the permit holder to ensure that the Non-dentist Anesthesia Provider continuously supervises the patient and does not commence with subsequent procedures until the patient is in monitored recovery or meets the guidelines for discharge. The Committee proceeded to review A.A.C. R4-11-1305 and considered reducing the required reporting time frame of an adverse occurrence to the Dental Board. In addition, the Committee considered drafting language to help clarify what constitutes a reportable adverse occurrence. Specifically if a death of the patient receiving dental services occurs in a dental office or dental clinic during the administration of or recovery from dental services or from anesthesia or sedation. The Committee also considered adding language to require the dentist involved to submit a complete report of an adverse occurrence to the Non-dentist Anesthesia Provider's governing board if the death or incident occurred during the administration of or recovery from anesthesia or sedation provided by a Non-dentist Anesthesia Provider. However, after discussion, the Committee concurred to further evaluate the topic and continue the review of A.A.C. R4-11-1305 at the next meeting.

**V. SENATE BILL 1602 – DENTAL ANESTHESIA; REQUIREMENTS**

The Committee reviewed draft language related to SB1602.

**VI. STUDY/REVIEW OF ADVERSE OCCURRENCE REPORTS**

There was no discussion.

**VII. SUMMARY OF CURRENT EVENTS**

None were discussed.

**VIII. DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS**

None were discussed.

**IX. NEXT COMMITTEE MEETING DATE(S)**

A. April 21, 2023 (*virtual*)

**X. ADJOURNMENT**

Dr. Herro adjourned the meeting at 5:08 p.m.