

MINUTES
TENNESSEE BOARD OF DENTISTRY
ANESTHESIA COMMITTEE MEETING

Date: June 28, 2021

Location: Iris Room
665 Mainstream Drive
Nashville, TN 37243

Members Present: John Werther, D.M.D
Brian D. West, D.M.D (electronically)
George A. Adams, D.D.S
Stephen Maroda, D.D.S (electronically)
Richard Gaw, D.D.S

Staff Present: Ailene Macias, Director
Paetria Morgan, Senior Associate General Counsel

The meeting was called to order at 4:05 p.m. with Dr. Werther, Dr. Adams, and Dr. Gaw being present in the board room. Dr. West and Dr. Maroda joined the meeting via conference call. Ms. Morgan began the meeting with a roll call to verify that all members of the committee were present. A roll call vote then taken to verify that all members present at the meeting physically or electronically, could hear each other. Ms. Morgan took a roll call to verify that both Dr. West and Dr. Maroda were alone at the location from which they were attending the meeting from. A motion was made by Dr. Adams to continue with the meeting. Dr. Maroda seconded the motion, and the motion carried following a roll call vote. A motion was made by Dr. Werther that the meeting was necessary to be held with electronic participation by some members to protect the health, welfare and safety of the citizens of Tennessee. Dr. Adams seconded the motion, and the motion carried following a roll call vote. All committee members verified that they had received all necessary materials before the meeting took place.

The primary reason for the meeting was to review the ADMA Oral Sedation Course submitted for the committee to determine whether the course should be recommended for approval to the board. Dr. Maroda stated the ADMA was already approved for their IV Sedation course by the board but stated the oral sedation course did not appear to have the number of continuing education hours listed that the course would provide. Dr. Werther stated he had several concerns about missing information for the course:

1. Is Dr. Pickens still board certified in Anesthesiology?
2. Who teaches which portions of the course?
3. What is the status of current and previous state licensure of the faculty? Why is Dr. Pickens not listed?

4. A complete list of malpractice history is needed. The committee would like to see the NPDB report for the malpractice status for each instructor listed. Dr. Pickens was not listed on the malpractice history- the committee would need more information regarding his status.

The application appeared to be incomplete, so the committee was not able to make the decision to approve or deny the course based off what was submitted. Dr. Adams made a motion to defer the decision until more information was submitted. Both Dr. Gaw and Dr. West seconded the motion, and the motion carried following a roll call vote.

The meeting was then opened up to public comments and questions. Dr. Mark Holifield wished to address the committee concerning the use of CRNAs by deep sedation/general anesthesia permit holders. Dr. Holifield is a dentist from west Tennessee with 3 practices. A deep sedation permit holder works in one of the practices, while the practice sometimes uses a CRNA to also provide anesthesia services to patients while the permit holder is working in the office. Dr. Holifield wanted clarification about the word “utilize” in the rule for who the board recognizes to be the practitioner utilizing the CRNA for procedures- whether it was the oral surgeon/permit holder or the general dentist who is working on a patient. He stated DentaQuest was requesting information regarding who in their practice was utilizing the CRNA in the office, to which Dr. Holifield confirmed was the dentist in the office who holds a deep sedation/general anesthesia permit. Dr. Holifield stated the concern from DentaQuest about the interpretation of the rule for using a CRNA being used in the office, resulted in all 3 of their practices being dropped from their contracts with DentaQuest. He is concerned this will be causing an access to care issue for children in West Tennessee who are in need of their office’s services. Dr. Holifield wanted clarification from the committee about the interpretation of the word “utilize” in the rule regarding the use of CRNAs.

Dr. Werther stated a dentist with a deep sedation permit holder can utilize a CRNA to administer that level of sedation or lower, under their permit. Dr. Werther asked whether the deep sedation permit holder was in the building but was occupied by other tasks or procedures while the CRNA was administering sedation to a patient. He stated that if the deep sedation permit holder was otherwise occupied by other tasks, they would not be present and directly supervising the CRNA during the sedation process. The deep sedation permit holder must supervise the deep sedation being administered to a patient by the CRNA. Dr. Werther stated the dentist who is supervising the CRNA must have a deep sedation/general anesthesia permit, according to the rules.

Ms. Morgan stated for the record, the rule in question was 0460-02-07(a)(3). She reminded the committee and public attendees the board is the only one who can interpret the rules, and the committee can only make recommendations to the board regarding the rules if they choose to do so. Dr. Adams stated DentaQuest is its own separate entity and the board does not have authority over them or how they interpret the rules. Ms. Morgan clarified the word “utilize” in the rule in fact was where the issue was stemming from, regarding who in a dental practice was utilizing the CRNA. Dr. Holifield confirmed this was correct. Dr. Matt Yezerski addressed the committee asking as well for clarification with the use of CRNAs by dentists about what type of supervision is needed for the CRNA to administer anesthesia to patients.

Dr. Werther said he was not prepared to give an opinion or options to the board without further discussions about the topic. Dr. Adams recommended Dr. Holifield try to go back to DentaQuest with other options to negotiate with them, then get back to the committee on what their response was for reference. Dr. McKenzie, a dentist who works in the same office as Dr. Holifield, addressed the committee stating safety is the number one goal for their patients, and the use of CRNAs by any other health professional in the state doesn't require direct supervision. He did not believe a CRNA should be required to have direct supervision by a dentist at all times. Dr. Adams asked how many sedation cases Dr. McKenzie would be comfortable with having at any one time with the use of a CRNA. Dr. McKenzie said his comfort level for sedation services would be to have one patient with the CRNA and one patient under his care at the same time, for safety reasons. He also asked for an opinion from the board concerning who is utilizing the CRNA within the office, and the supervision requirements for CRNAs being used in the dental office setting. Dr. Adams stated the laws regarding sedation were carefully written with a lot of thought, with safety in mind, and in a way to not create an access to care issue.

Both Dr. Maroda and Dr. West agreed the issue needs to be thought over carefully and discussed additionally before a few options may be given to the board members as suggestions for solutions for the issue. Dr. Werther stated he was not prepared to offer an opinion to the board quite yet without further discussions on the subject. All committee members agreed they wished to continue the discussion at another time before forming an opinion to be reviewed by board members.

A motion was made by Dr. Gaw to adjourn the meeting, and a second was made by Dr. Adams. The motion carried following a roll call vote, and the meeting was adjourned at 5:18 p.m..