

MINUTES  
TENNESSEE BOARD OF DENTISTRY  
ANESTHESIA TASKFORCE

Date: April 19, 2018

Location: Tennessee Department of Health  
665 Mainstream Drive  
Nashville, TN 37243

Members Present: Katherine N. Hall, DDS  
Nadim Jubran, DDS (phone)  
Randall Prince, DDS (phone)  
Donald D. Henson, DDS (phone)  
Stephen J. Maroda, Jr., DDS  
John R. Werther, DMD, MD  
George A. Adams, DDS

Staff Present: Jennifer Putnam, Assistant General Counsel  
Dea Smith, Board Director

Dr. Katherine Hall called the meeting to order at 2:40 pm. Dr. Prince, Dr. Henson, and Dr. Jubran were present by phone.

Dr. Hall made the motion to approve the minutes from the March 1, 2018 taskforce meeting. Second was given by Dr. Prince.

The taskforce approved the following language to be submitted to the board for consideration:

Rule 0460-02-.07(1)

- (g) Dental Facility - the office where a permit holder practices dentistry and provides anesthesia/sedation services.
- (h) Dental Facility Inspection - an on-site inspection to determine if a dental facility where a permit holder proposes to provide anesthesia/sedation is supplied, equipped, staffed and maintained in a condition to support the provision of anesthesia/sedation services under 0460-02-.07 (6) (b) and 0460-02-.07 (7) (b).
- (m) Mobile dental anesthesia provider. A licensed dentist with a conscious sedation or deep sedation/general anesthesia permit who provides office based anesthesia for dental offices.

Dr. Maroda made the motion, seconded by Dr. Werther, to accept (1)(g),(h) and (m) as amended. Dr. Maroda made the motion, seconded by Dr. Adams, to mobile dental provider to mobile dental anesthesia provider. Both motions carried.

Rule 0460-02-.07(12) Facility Inspections

- (a) Any facility applying for a conscious sedation permit or a deep sedation/general anesthesia permit must successfully complete an on-site inspection as a condition of obtaining a conscious sedation permit or deep sedation/general anesthesia permit.

Dr. Prince made the motion, seconded by Dr. Werther, to accept (a) as written. Motion carried.

- (b) Prior to the issuance of such permits, the Board shall require an on-site inspection of the dental facility, equipment and drugs to determine if the requirements of 0460-02-.07(6) (b) and 0460-02-.07 (7) (b) have been met. The cost of the on-site inspection will be the responsibility of the facility.

Dr. Prince made the motion, seconded by Dr. Maroda, to accept (b) as written. Motion carried.

- (c) All facilities wherein conscious sedation and/or deep sedation/general anesthesia may be administered shall be inspected once every five (5) years beginning from the date of the initial permit to ensure that the facility has remained in compliance of 0460-02-.07(6) (b) and 0460-02-.07 (7) (b). The permit will be renewed upon successful completion of the required inspection.

Dr. Maroda made the motion, seconded by Dr. Werther, to accept (c) as written. Motion carried.

- (d) The facility must be notified in writing by the Board within 120 days prior to the expiration date of when inspection is required. The notice will also include a Board inspection form to be completed by the individual; organization or agency conducting the inspection.

Dr. Maroda made the motion, seconded by Dr. Prince, to accept (d) as amended. Motion carried.

- (e) The inspection must be performed by an individual, organization or agency that has been approved by the Board. The facility must complete the inspection prior to the permit expiration date. Upon conclusion of the inspection, the facility must receive either a pass or fail recommendation.

Dr. Henson made the motion, seconded by Dr. Adams, to accept (e) as amended. Motion carried.

Due to an emergency, Dr. Hall had to leave the meeting. For the record, Ms. Putnam confirmed by roll call that all members had the materials in front of them and that they were present either in person or by phone. Ms. Putnam filed the Determination of Necessity for an electronic meeting on April 20th.

- (f) The result of the inspection must be submitted within 30 days after completing the inspection. Both the facility and the Board must receive the result of the inspection. The result of the inspection can be sent to the Board administrative office by regular or electronic mail. The Board is not bound by this recommendation.

Dr. Maroda made the motion, seconded by Dr. Adams, to accept (f) as amended. Motion carried.

- (g) The Board consultant will make the determination whether the facility has passed or failed the inspection. The Board will notify the facility in writing of its findings within 30 days after receiving the pass/fail recommendation.

Dr. Maroda made the motion, seconded by Dr. Adams, to accept (g) as amended. Motion carried. Dr. Jubran made the motion, seconded by Dr. Werther, to delete the word "final" from (g). The motion carried.

#### (13) Failure to comply with inspection

- (a) Any facility with missing or malfunctioning equipment or that is not in possession of the required drugs; shall cease administering anesthesia until any deficiencies have been remedied and the Board is in timely receipt of proof that the deficiencies have been rectified.

Dr. Maroda made the motion, seconded by Dr. Henson, to accept (a) as amended. Motion carried.

- (b) If a facility fails to meet the inspection requirements because of extenuating circumstances, it may submit a written request for an extension of time to complete the requirements. The written request must include a complete explanation of the circumstances and the facility's plan for completing the inspection requirement. If an extension is granted after review of the written request, the Board consultant shall establish the duration of the extension for the facility to meet the inspection requirements.

Dr. Jubran made the motion, seconded by Dr. Henson, to accept (b) as amended. Motion carried.

(14) Mobile dental anesthesia providers and portable facilities

Dr. Maroda made the motion, seconded by Dr. Adams to add the word "dental" to (14). Motion carried.

- (a) In the case of a dentist who practices from a mobile or portable facility, an on-site inspection shall be conducted in an office where the anesthesia will be administered. The mobile dental anesthesia provider must submit proof of the emergency equipment and drugs required by 0460-02-.07 (6) (b) and 0460-02-.07 (7) to the inspector.
- (b) The mobile dental anesthesia provider must attest that he or she has thoroughly inspected all facilities wherein anesthesia is to be provided and confirms that those facilities are in current compliance with 0460-02-.07 (6) (b) and 0460-02-.07 (7) (b).

After multiple changes, Dr. Maroda made the motion, seconded by Dr. Adams to accept (a) and (b) as amended. Motion carried.

(15) Exceptions to facility inspections

- (a) An on-site inspection is not required when anesthesia is administered in a CODA (Commission of Dental Accreditation) accredited educational institution, hospital setting or federal facility.

Dr. Jubran made the motion, seconded by Dr. Prince, to accept (a) as amended. Motion carried.

- (b) A dentist may submit proof of successful completion of the American Association of Oral and Maxillofacial Surgeons' Office Anesthesia Evaluation in lieu of the on-site inspection required by 0460-02-.07 (12) (b) and (c).

Dr. Maroda made the motion, seconded by Dr. Adams, to accept (b) as amended. Motion carried.

The meeting adjourned at 5:08.