

April 20, 2016

To: Sunset Advisory Commission – Texas State Board of Dental Examiners

To whom it may concern:

Thank you for your presentation of the Sunset Staff Evaluation dated April 6, 2016. Please see my comments below as they pertain to the Report's five main issues and their key recommendations.

Issue 1 – The unusually large dental board inappropriately focuses on issues unrelated to its public safety mission.

Key recommendations:

- 1) Reduce the size of the Board from 15 to 9 members and adjust its composition to consist of 4 dentists, 2 hygienists and 3 public members.
- 2) Allow the Dental Hygiene Advisory Committee and the Dental Laboratory Certification Council to expire.

Response: **The mission of the Board is to protect the public. Nobody knows dentistry better than dentists. Dentists have more training and education regarding dentistry than any other member of the dental team. Therefore, I strongly recommend in item #1 above, the number of dentists be increased to six, so that dentists continue to constitute the majority of the members of the TSBDE.**

Issue 2 – State regulation of dental assistants is unnecessary to ensure public protection and is an inefficient use of resources.

Key recommendation:

- 1) Discontinue the Board's dental assistant certificate programs.

Response: **These certification programs have resulted in a higher level of skill and better delivery of care by dental assistants. For the safety of the public, I recommend continuation of the dental assistant certificate programs.**

Issue 3 – The Board lacks key enforcement tools to ensure dentists are prepared to respond to increasing anesthesia concerns.

Key recommendations:

- 1) Authorize the Board to conduct inspections for dentists administering parenteral anesthesia in office settings.

- 2) Direct the Board to revise rules to ensure dentists with one or more anesthesia permit and maintain related written emergency management plans.

Response: [No comment](#)

Issue 4 – Key elements of the Board’s licensing and regulatory functions do not conform to common licensing standards.

Key recommendations:

- 1) Require the Board to monitor licensees for adverse licensure actions in other states.
- 2) Authorize the Board to deny applications to renew a license if an applicant is non-compliant with a Board order.
- 3) Authorize the Board to require evaluation of licensees suspected of being impaired and require confidentiality for information relating to the evaluation and participation in treatment programs.
- 4) Direct the Board to make data on the Board’s enforcement activity information publicly available on its website.

Response: [I agree with these recommendations.](#)

Issue 5 – A continuing need exists for the Texas State Board of Dental Examiners.

Key recommendation:

- 1) Continue the State Board of Dental Examiners for 12 years.

Response: [I agree with this recommendation](#)

Sincerely,

Marshal D. Goldberg, DDS, MS