

OHIO STATE DENTAL BOARD

BOARD MEETING

DECEMBER 4, 2013

Contents

Attendance..... 1

Call to Order 1

New Board Members 1

Introduction of Board Members 2

Review of Minutes 2

 September 2013..... 2

Personal Appearance(s) 2

 Michael Cobb, D.D.S..... 2

Enforcement Report..... 3

 Rodney R. Parsell, D.D.S. 3

 Paul LaFayette, Esq..... 3

 Katherine Bockbrader, Esq..... 5

Executive Session 6

 Open Session..... 6

 Decision in the Matter of Michael Cobb, D.D.S. 6

 Decision in the Matter of Rodney R. Parsell, D.D.S..... 7

Enforcement Report (Continued)..... 7

 Review of Motion(s)..... 7

 Review of Proposed Voluntary Surrender of Registration(s)..... 7

 Review of Proposed Consent Agreement(s) 7

 Disciplinary..... 8

 Decision in the Matter of Rodney R. Parsell, D.D.S. – Revisited 8

 Notice(s) of Opportunity for Hearing..... 8

 Corey J. Schmidt, D.D.S. 8

 James D. White, D.D.S. 9

Enforcement Update..... 9

Licensure Report.....	10
License/Certification/Registration Report (Approved by the Executive Office).....	10
Dentist(s).....	10
Dental Hygienist(s).....	11
Dental Assistant Radiographer(s)	11
Limited Continuing Education	13
Limited Teaching.....	13
Coronal Polishing	13
Expanded Function Dental Auxiliary.....	13
Oral Health Access Supervision Permit(s).....	14
Dental Hygienist(s).....	14
Anesthesia Committee Report	14
Provisional Conscious Sedation Privilege(s)	14
Anesthesia Permit(s).....	14
Conscious Sedation Permit(s)	14
Education Committee Report	15
2012-2013 Biennial Sponsor Application(s).....	16
2012-2013 Biennial Continuing Education Sponsor Renewal Application(s)	16
2014-2015 Biennial Continuing Education Sponsor Renewal Application(s)	16
Anesthesia/Conscious Sedation Permit Renewal Course(s).....	16
Ethics Remediation Course(s).....	16
Continuing Education Extension Request(s).....	16
Conscious Sedation Permit Renewal Course – Special Consideration	17
Law and Rules Review Committee Report.....	17
Treatment Center Approval.....	18
Decision in the Matter of Rodney R. Parsell, D.D.S. – Revisited.....	18
Supervisory Investigative Panel Report.....	18
Office Expense Report	19
Executive Director’s Report	19
American Association of Dental Administrators (AADA)/American Association of Dental Boards (AADB) Meetings	19
Staff Update.....	19

Anything for the Good of the Board 19
 American Association of Dental Examiners 19
 Election of Officers..... 20
Adjourn..... 21
Appendix A 22
Appendix B 23
Appendix C 25

OHIO STATE DENTAL BOARD

BOARD MEETING

DECEMBER 4, 2013

Attendance

The Ohio State Dental Board (Board) met in Room 1960, of The Vern Riffe Center for Government and the Arts, 77 South High Street, 19th Floor, Columbus, Ohio on December 4, 2013, beginning at 1:00 p.m. Board members present were:

Lawrence Kaye, D.D.S., President

Gregory A. McDonald, D.D.S., Vice President

Marybeth Shaffer, D.D.S., Vice Secretary

Ashok Das, D.D.S., Alternate Secretary

Ann Aquillo

Constance F. Clark, R.D.H.

W. Chris Hanners, D.D.S.

Susan Johnston, R.D.H.

William G. Leffler, D.D.S.

Anne Missig, R.D.H.

Charles Smith, D.D.S.

Douglas W. Wallace, D.D.S.

Jacinto W. Beard, D.D.S. was not in attendance to the meeting.

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Ohio Attorney General's Office; Mark S. Wenzel, D.D.S. of the ODA Dentists Concerned for Dentists; Michele Carr, R.D.H., M.A. of the Ohio State University College of Dentistry, Division of Dental Hygiene; Chadleo Webb, R.D.H., Liaison of the Ohio Dental Hygienists' Association; David D. Goldberg, D.O. and Kelley M. Long, M.B.A. of the Ohio Physicians Health Program; Lili C. Reitz, Esq., Executive Director, Kathy Carson, Barb Yehnert, and Jeremy Kimble, Dental Board Enforcement Officers, Jayne Smith, Licensing Coordinator, and Malynda Franks of the Ohio State Dental Board; and other guests.

Call to Order

Dr. Kaye extended greetings to everyone and noting that there was a quorum present called the meeting to order at approximately 2:06 p.m.

New Board Members

Dr. Kaye introduced himself as the Board President, a periodontist from Akron. He took a moment to introduce the newest members of the Board. He welcomed Charles Smith, D.D.S. a general dentist from Tipp City and Susan Johnston, R.D.H. a dental hygienist from Columbus. He stated that they were happy to have them aboard and that he looked forward to working with them. He then stated that with these two (2) appointments the Board was now complete.

Introduction of Board Members

Dr. Kaye then introduced the rest of the Board members. Dr. Kaye introduced Dr. Gregory McDonald, the Board's Vice President, a general dentist from Springboro, Dr. Marybeth Shaffer, the Board's Vice Secretary, a general dentist from Leetonia, Dr. Ashok Das, the Board's Alternate Secretary, a general dentist from Mason, Dr. Chris Hanners, a general dentist from Chillicothe, Dr. William Leffler, a general dentist from Massillon, Dr. Douglas Wallace, an oral and maxillofacial surgeon from West Chester, and Ms. Constance Clark, a dental hygienist from Dublin, and Ms. Ann Aquillo, the Board's Public member from Marysville, and Ms. Anne Missig, R.D.H, a dental hygienist from Morrow. He stated that Dr. Jacinto Beard, a general dentist from Gahanna was not in attendance to the meeting.

Review of Minutes

September 2013

Motion by Ms. Missig, second by Dr. Leffler, to approve the October 23, 2013 Board meeting minutes as presented.

Motion carried unanimously.

Personal Appearance(s)

Michael Cobb, D.D.S.

Ms. Yehnert briefed the Board members on Dr. Cobb's progress. She stated that this was Dr. Cobb's third appearance before them and that he was requesting permission for additional practice hours. She stated that at the previous meeting the Board had granted a reinstatement of his license to practice for up to twenty (20) hours per week. Ms. Yehnert stated that she has spoken with Dr. Cobb's associate, Dr. Lynch, and Dr. Cobb's staff who have informed her that Dr. Cobb appears to be doing well and everything seems to be running along very smoothly. Ms. Yehnert stated that Dr. Cobb was in compliance with all other terms of his consent agreement with the Board.

Upon questioning by the Board, Dr. Cobb informed the members that he feels he is doing very well. He stated that he is working Fridays and Saturdays and coming in certain days during the week to see patients that have requested him specifically. Dr. Cobb informed the Board that he has hired a second dental assistant in order that he can work alongside Dr Lynch. He said that he has been attending his Alcoholics Anonymous (AA) program, working on his steps and that he has a great sponsor. Dr. Cobb commented that he still continues to volunteer and has also started volunteering at the "no kill" shelter right next to his office by walking the dogs there in the mornings.

Continuing on, Dr. Cobb stated that his patients actually enjoy Dr. Lynch. He commented that he was requesting the ability to practice up to 40 hours/week as he intends to do that at least one week out of the month. He stated that this would still allow him to attend his meetings as scheduled.

Dr. Kaye requested that Dr. Cobb remain at the meeting as they would be discussing this matter during executive session.

Enforcement Report

Rodney R. Parsell, D.D.S.

Ms. Reitz stated that Ms. Bockbrader informed them at the last board meeting that in the matter of Rodney R. Parsell, D.D.S., Dr. Parsell had appealed the Board's decision and the court had remanded the case back to the Board for reconsideration of the order based on the findings made. She stated that this matter was before them today but prior to their consideration, she had extended the opportunity to the attorneys in this matter to provide a few comments.

Paul LaFayette, Esq.

Paul LaFayette, Esq., explained that he was appearing before them on behalf of Dr. Parsell. He stated that Dr. Parsell was unable to come today as his wife is a pastor and their congregation, which plans a trip to Israel every year, has already left for Israel. He then stated that he wished to share a few comments.

Mr. LaFayette stated that this hearing took place some time ago and that there were seven (7) counts against Dr. Parsell. He said that of those counts, the hearing examiner found that six (6) of them were supported by reliable, probative evidence. Mr. LaFayette stated that the Board instituted a 14-day suspension on Dr. Parsell, as well as continuing education requirements. He stated that they appealed that decision to the court of appeals and the court of appeals stayed the suspension period but did not stay the continuing education requirement. Mr. LaFayette informed the members that Dr. Parsell has since completed the continuing education requirements in accordance with the Board's Adjudication Order.

However, Mr. LaFayette said that on appeal the Common Pleas Court of Henry County reversed the Board's Adjudication Order on two (2) counts; counts 2 and 4. He said that those counts do not stand from a legal standpoint from the court of appeals decision and therefore, that leaves counts 1,3,5,6 of the original order standing. Mr. LaFayette noted that on count 3 of the original Adjudication Order there was one portion which was conceded; a failure to diagnose some decay on the distal aspect of tooth #29. He said that Dr. Parsell acknowledged this when he looked at subsequent radiographs. However, Mr. LaFayette said that the failure to diagnose decay on tooth # 8 and tooth #9 were not supported at the hearing level but rather only by the hearing examiner of the Board. Therefore, he said that there was only one portion of count #3 that survived.

Continuing on, Mr. LaFayette said that their position is that with the remand and reversal on two (2) of the counts; the 2 counts being failure to take bitewing radiographs, and failure to remove decay prior to placing restorations, those two (2) counts were reversed. He stated that in accordance with that, it would make sense and it is logical that there should be a similar reduction in sanction that has been imposed by the Board against Dr. Parsell and therefore, based on this they would respectfully request reduction of the 14-days suspension.

Mr. LaFayette commented that this was a case that had troubled him in that many of the cases that come before the Board have issues wherein it is essentially one (1) expert offering an opinion that there is a deviation of the standard of care and another expert saying that it was not, and there is a debate among the experts and even the colleagues as to whether the standard of care had been met. He stated that this case is unique in that the determination that was made was a factual one. Mr. LaFayette stated that there were photographs of amalgam that was not properly polished, were not seated well, was rough, and there were margins. He said that this was all documentation photographs taken by a subsequent treating dentist approximately two (2) weeks after Dr. Parsells had treated the patient.

Continuing on, Mr. LaFayette stated that Dr. Parsells agreed in his hearing that those fillings did not meet the standard of care, that the amalgam that was placed did not meet the standard of care. However, he said that Dr. Parsells also stated that it was not that way when the patient left his office. Mr. LaFayette said that the concern was that there was an intervening dentist, Dr. Pelok, who saw this patient for an emergency exam. He stated that Dr. Pelok readily acknowledged when he saw the photographs, that if he had seen the amalgam as depicted by Dr. Cochran, the subsequent treating dentist, he would have noted it and put it in his patient chart. Mr. LaFayette said that all the experts acknowledged that some of the amalgam and the way it was placed was not good and that it was something that Dr. Pelok would have noted in his chart. Nevertheless, Mr. LaFayette stated that Dr. Pelok stated that on that day, those issues were not there.

Mr. LaFayette stated that the Hearing Examiner specifically noted in his Findings of Fact that Dr. Pelok did not observe any visible swelling in the patients face, did not observe anything unusual with the restorations placed three (3) days earlier by Dr. Parsell, and he did not report any of that or any problems regarding the restorations. He told the Board that what they have is an intervening dentist's documentation that these issues did not exist and that this is disturbing in that the burden of proof is on the Board to establish. He reiterated that Dr. Parsell saw that patient on day one (1), on day four (4) the patient sees Dr. Pelok who does not report seeing anything that is problematic, and on day 12 or 13 the patient sees Dr. Cochran, these photographs appear without explanation as to what occurred in between. Mr. LaFayette stated that from a legal standpoint and following a trail of the evidence, he does not understand how one can say that these photographs are reliable and probative of what Dr. Parsell did on day one (1) if you have no proof of what happened in between when there is somebody in the intervening saying that there was not a problem.

Mr. LaFayette stated that strictly from a burden of proof standpoint, if you are taking away a license to practice, sanctioning that license and impacting a licensee's ability to earn a living by treating their patients, there are certain burdens of proof which must be met; reliable, probative, substantial evidence. He stated that it remains their position to this day that the photographs were not reliable, probative, or substantial evidence of Dr. Parsells treatment of this patient because the intervening appointment and examination by Dr. Pelok establishes this was not the condition of her mouth and the amalgams did not look bad when he saw the patient.

Concluding, Mr. LaFayette stated that with these considerations in mind and in light of the courts remand of the two (2) charges reversing the Boards decision on those two (2) particular counts, they were respectfully requesting that the Board reconsider the sanction that has been imposed and that this Board reduce or

entirely eliminate the sanction, other than the continuing education that has already been served. Mr. LaFayette then thanked the Board for their time.

Katherine Bockbrader, Esq.

Assistant Attorney General Katherine Bockbrader introduced herself to the newest member of the Board. She then stated that the factual findings that Dr. Parsell's attorney, Mr. LaFayette was talking about; reliable, probative, substantial evidence was not the issue before them today. She indicated that issue has already been determined. She explained that the hearing examiner found that Dr. Parsell's claim that someone else had doctored the photographs or had done something to the fillings before the photographs were taken were not credible. Ms. Bockbrader stated that the Board approved all the Findings of Fact and Conclusions of Law of the hearing examiner. She stated that to believe Dr. Parsell's claim, one would have to believe that a dentist had a patient come in with perfectly good fillings and they either removed them and replaced them with a bunch of bad fillings or that they somehow damaged all the good fillings by making them bad, which is highly unlikely from a logical standpoint.

However, Ms. Bockbrader reiterated that was not the issue before them today as that issue has already been determined, and the hearing examiner found that it was not credible. She stated that the Board approved that determination, then it went on appeal to the court, and the court approved/agreed with the Board on the Findings of Fact in this matter. She said that the court found that there was reliable, probative, substantial evidence of the charges except for two (2) things.

Ms. Bockbrader clarified that what was before the members is that the court reversed in one (1) count which was failure to take bitewing radiographs and a portion of the second count, Count 4, was not reversed in total. She reminded the members that Count 4 was a failure to remove decay from three (3) teeth which is a violation of the standard of care. She stated that the court reversed the decision on two (2) of those teeth leaving one left that was still in violation of the standard.

Ms. Bockbrader stated that the Board basically ordered a 14-day suspension and continuing education based on all of the charges. She said that one count and a portion of another have been reversed. Therefore, Ms. Bockbrader stated that what is left of the counts in question are:

- a failure to record oral conditions;
- a failure to diagnose decay on one tooth;
- a failure to remove decay on a tooth;
- the placement of irregular, grainy and rough amalgams on 8 teeth; and
- the placing of fillings with open margins on one tooth.

Ms. Bockbrader indicated that there are still significant violations of the standard of care within the remainder of the charges. She stated that what has been reversed does not appear to be of significant difference in what was approved by the Board and what was reversed by the court.

Concluding, Ms. Bockbrader said that a 14-day suspension is not horribly stringent in light of the violations that remained. She indicated that it is for the Board members to decide if they want to change their

previous sanction based on the reversal. She said it is not before them today to determine whether the photographs are correct or not.

Executive Session

Motion by Dr. Wallace, second by Dr. McDonald, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22(G)(3) to confer with counsel on matters that are the subject of pending or imminent court action and pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the matters involving Dr. Rodney R. Parsell and Dr. Michael Cobb.

Roll call vote: Ms. Aquillo – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Hanners – Yes
Ms. Johnston – Yes
Dr. Kaye – Yes
Dr. Leffler – Yes
Dr. McDonald - Yes
Ms. Missig – Yes
Dr. Shaffer – Yes
Dr. Smith – Yes
Dr. Wallace – Yes

Motion carried unanimously.

Dr. Kaye requested Ms. Reitz and Ms. Bockbrader to attend the Executive Session. Ms. Bockbrader stated for the record that she and Ms. Reitz would not be in attendance for the consideration of the matters of Drs. Parsell and Cobb. She stated that they would attend the executive session for the matters that are the subject of pending or imminent court action

Open Session

The Board resumed open session at approximately 2:23 p.m.

Decision in the Matter of Michael Cobb, D.D.S.

Motion by Dr. McDonald, second by Dr. Hanners to reinstate the license of Dr. Michael Cobb D.D.S. to practice dentistry up to thirty-two (32) hours per week with the stipulation that Dr. Cobb return for a subsequent appearance at the February 2014 Board meeting and pursuant to the terms of his consent agreement.

Motion carried unanimously.

Dr. Kaye advised Dr. Cobb that if he continues progressing in his recovery he may petition the Board for additional hours at the February meeting.

Decision in the Matter of Rodney R. Parsell, D.D.S.

Motion by Ms. Aquillo, second by Dr. Leffler, to uphold the original adjudication order in the matter of Rodney R. Parsell, D.D.S.

Dr. Shaffer stated the record should reflect that she was not in attendance for the executive session and the discussions regarding Dr. Parsell and that she would be abstaining from the final vote in this matter.

Roll call vote: Ms. Aquillo – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Hanners – No
Ms. Johnston – Yes
Dr. Kaye – Yes
Dr. Leffler – Yes
Dr. McDonald - Yes
Ms. Missig – Yes
Dr. Shaffer – Abstain
Dr. Smith – Yes
Dr. Wallace – Yes

Motion carried.

Dr. Kaye advised Dr. Cobb that if he continues progressing in his recovery he may petition the Board for additional hours at the February meeting.

Enforcement Report (Continued)**Review of Motion(s)**

Motion by Ms. Missig, second by Ms. Johnston, to rescind the notice of opportunity for hearing in the matter of James White, D.D.S. for failure to cooperate in a Board investigation.

Motion carried with Drs. Shaffer and Das abstaining.

Review of Proposed Voluntary Surrender of Registration(s)

Motion by Dr. Wallace, second by Dr. McDonald to accept the voluntary surrender of expanded function dental auxiliary registration for Lark M. Anspach, registration number EFDA.01121, case number 08-09-0078.

Motion carried with Drs. Shaffer and Das abstaining.

Review of Proposed Consent Agreement(s)

The Board reviewed two (2) proposed consent agreements. The names of the individuals/licenses were not included in the documents reviewed by the Board. The names of the individuals/licenses have been added to the minutes for public notice purposes.

Disciplinary

Lark M. Anspach, Dental Assistant Radiographer

Motion by Ms. Aquillo, second by Dr. Hanners, to approve the proposed consent agreement for Lark M. Anspach, Dental Assistant Radiographer, certificate number 51-009048. case number 08-09-0078.

Motion carried unanimously.

Joseph S. Mazzotta, B.D.S.

Motion by Dr. McDonald, second by Dr. Hanners, to approve the proposed consent agreement for Joseph S. Mazzotta, D.D.S., license number 30-012272, case number 13-57-0112.

Motion carried unanimously.

Decision in the Matter of Rodney R. Parsell, D.D.S. – Revisited

Ms. Bockbrader explained that there was an issue with regards to the motion for Dr. Rodney Parsell. Mr. LaFayette pointed out that the motion was to uphold the original adjudication order but because there was a reversal from the court of appeals the motion should be in regards to the sanctions imposed.

Motion by Ms. Aquillo, second by Dr. McDonald, that the original motion be modified to uphold the original sanction of the adjudication order in the matter of Rodney R. Parsell, D.D.S. and strike the language to uphold the original adjudication order.

Roll call vote: Ms. Aquillo – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Hanners – No
Ms. Johnston – Yes
Dr. Kaye – Yes
Dr. Leffler – Yes
Dr. McDonald - Yes
Ms. Missig – Yes
Dr. Shaffer – Abstain
Dr. Smith – Yes
Dr. Wallace – Yes

Motion carried.

Notice(s) of Opportunity for Hearing

The Board reviewed two (2) proposed notices of opportunity for hearing. The names of the individuals/licensees were not included in the documents reviewed by the Board. The names of the individuals/licensees have been added to the minutes for public notice purposes.

Corey J. Schmidt, D.D.S.

Motion by Dr. Wallace, second by Dr. McDonald, to approve the proposed notice of opportunity for hearing and forward it to Corey J. Schmidt, D.D.S., license number 30-020755, case number 12-18-0243.

Motion carried unanimously.

James D. White, D.D.S.

Motion by Ms. Missig, second by Ms. Aquillo, to approve the proposed order of summary suspension and notice of opportunity for hearing and forward it to James D. White, D.D.S., license number 30-016999, case number 13-31-0169.

Motion carried with Drs. Shaffer and Das abstaining.

Enforcement Update

Dental Board Enforcement Officer, Kathy Carson began her report by informing the Board that there were four (4) cases pending hearings, all of which have been assigned. She stated that the Board had just voted to approve a consent agreement in the matter of Lark Anspach thereby resolving the matter of the hearing officer's report and recommendation. She indicated that there were currently forty-four (44) licensees under suspension and informed the Board members that there were three hundred and thirty-seven (337) active cases. Ms. Carson said that there were five (5) licensees currently considering QUIP, and six (6) licensees actively participating in QUIP. Ms. Carson completed her report by informing the members that there were thirty-five (35) cases which have been investigated and reviewed by the Board Secretaries and are recommended to be closed with seven (7) warning letters issued.

Due to the requirement in Chapter 4715.03(D) of the Ohio Revised Code, that "The board shall not dismiss any complaint or terminate any investigation except by a majority vote of its members,..." Ms. Carson reviewed the cases to be closed with the Board.

The following cases are to be closed:

13-43-0358	13-42-0262
13-25-0266	13-74-0311
13-12-0075	12-60-0205
12-48-0325	13-18-0337
13-77-0303	13-18-0308
13-50-0264-Warning	13-52-0307
13-50-0265-Warning	13-18-0228-Warning
13-77-0128	13-76-0214
13-57-0310	12-50-0352-Warning
13-18-0109-Warning	13-28-0363
13-25-0186	13-50-0339
13-47-0193	13-18-0287
13-25-0271-Warning	13-50-0305
13-18-0352	13-09-0306
13-78-0309	13-77-0171
13-76-0257	13-18-0353
13-25-0235	13-18-0344
13-18-0367-Warning	

Prior to the vote to close the above listed cases, Dr. Kaye inquired as to whether any of the Board members had any personal knowledge that the cases that were being voted on today involve either themselves or a personal friend.

Roll call:

- Ms. Aquillo - No
- Ms. Clark – No
- Dr. Das – No
- Dr. Hanners – No
- Ms. Johnston - No
- Dr. Kaye – No
- Dr. Leffler - No
- Dr. McDonald – No
- Ms. Missig – Absent
- Dr. Shaffer – No
- Dr. Smith – No
- Dr. Wallace – No

Dr. Kaye then called for a motion to close the cases.

Motion by Dr. McDonald, second by Ms. Clark, to close the above thirty-five (35) cases.

Roll call vote:

- Ms. Aquillo – Yes
- Ms. Clark – Yes
- Dr. Das – Yes
- Dr. Hanners – Yes
- Ms. Johnston – Yes
- Dr. Kaye – Yes
- Dr. Leffler – Yes
- Dr. McDonald - Yes
- Ms. Missig – Absent
- Dr. Shaffer – Yes
- Dr. Smith – Yes
- Dr. Wallace – Yes

Motion carried.

Licensure Report

License/Certification/Registration Report (Approved by the Executive Office)

Jayne Smith, Licensure Coordinator, had prepared a report of the licenses, certificates, and registrations issued since the previous Board meeting.

Dentist(s)

Motion by Dr. Wallace, second by Dr. McDonald, to approve the licensure report for the following dental licenses issued by a regional board examination:

Naim Y. Abdullah

Sonia J. Alex

Nikhil Anand
Mohamad Elazizi
Naila R. Farukhi

Mohamed Khaled
Meghan S. Oswald
Joy M. Richardson

Motion carried with Ms. Missig absent.

Dental Hygienist(s)

Motion by Dr. Wallace, second by Ms. Clark, to approve the licensure report for the following dental hygiene licenses issued by a regional board examination:

Heather L. Barrier
Erin T. Blackerby
Nicole L. Capo

Jennifer L. Cottis
Andrea N. Gladieux
Sara D. Swauger

Motion carried with Ms. Missig absent.

Dental Assistant Radiographer(s)

Motion by Ms. Clark, second by Ms. Johnston, to approve the licensure report for the following dental assistant radiographer certificates issued by: acceptable certification or licensure in another state, certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC), or successful completion of the Board-approved radiography course:

Brittnay Alexi
Sakina Aliyeva
Kayla Anguiano
Sydnee Armston
Alexis Baker
Satedra Beasley
Jessica Berry
Morgan Bertics
Holly Biro
Crystal Bombard
Lacey Borland
Jody Bowers
Maranda Bozeman-Peoples
Traibiyah Brown
Meranda Brundige
Heather Buckley
Lorena Bukovi
Melissa Burke
Tia Campbell
Autumn Catalogna
Shannon Chojnowski
Tiona Christian

Elizabeth Cicone
Melissa Cintron
Itika Cisco
Kristen Colvin
Katie Conkel
Tory Conley
Carla Constantini
Victoria Cook
Christina Cooper
Emily Creech
Lauren Cygan
Kristina Dages
Christina Daniel
Chella Davis
Hannah Davis
Christian Delong
Lakuita Dews
Cassandra Donnelly
Michelle Dunlap
Brandy Ellsworth
Angela Erwin
Breanna Filippi

Victoria Fomich	Angela McKnight
Nicole Fornshell	Chelsea Metzcar
Christina Fragiskatos	Morgan Miller
Brenda George	Amy Mitchell
Shondayna Goss	Gina Mitchell
Ruby Gray	Haley Moag
Kristal Hamblin	Rachel Mohn
Serena Hammock	Lorraine Mong
Laura Hamrick	Shanay Montgomery
Kimberly Hastings	Jaclyn Morris
Jennifer Herd	Margaret Murphy
Jennifer Hickman	Rebecca Neitzelt
Stephanie Hoffman	Kimberly Nicely
Lois Hollopeter	Samantha Nolen
Kassie Horlander	Brittany Osterberger
Rachel Hostetler	Lindsey Patterson
Asia Houston	Anmarie Pellerito
Paige Hudson	Katherine Perry
Latasha Jamieson	Ashley Phelps
Alice Jenkins	Alexis Price
Kristina Jones	Cassandra Ramey
Latricia Jones	Ashley Rice
Shyann Jones	Royelle Riddick
Karen Kaletta	Brittany Ritchie
Stephanie Kenney	Kayla Ross
Charity Ketler	Ashley Schroeder
Kristin Kitchen	Molly Sergeant
Lisa Klima	Krysta Simpson
Suzana Kosec	Lisa Singleton
Nicole Kovalik	Courtney Smith
Lauren Kyger	Tiffany Smith
Kristan Leadingham	Sarah Spikes
Anni Ledford	Stacy Suthers
Alexander Lee	Nicole Swancer
Brittany Liming	Jennifer Taylor
Melissa Loga	Jessica Thayer
Brittany Long	Brittany Thompson
Courtney Loos	Daylisha Thompson
Emily Lozada	Blair Tidwell
Taylor Maki	Linda Tomkies
Crystal Martin	Emily Tracy
Caitlin McGlone	Jennifer Uszak

Taylor Vanhoose
Lily Varga
Jennifer Watson
Kiara White
Keista Wickham
Nicole Widemann
Cierra Williams
Donisha Williams

Lauren Williams
Bre'anna Winters
Courtney Wireman
Heather Witt
Shannon Woosley
Malivan Xaiyakosy
Alex Zumberger

Motion carried with Ms. Missig absent.

Limited Continuing Education

Motion by Dr. Wallace, second by Ms. Aquillo, to approve the licensure report for the following limited continuing education license:

Jeffrey M Jones

Motion carried with Ms. Missig absent.

Limited Teaching

Motion by Dr. Wallace, second by Dr. McDonald, to approve the licensure report for the following limited teaching license:

Shilpa N. Shah

Motion carried with Ms. Missig absent.

Coronal Polishing

Motion by Ms. Missig, second by Ms. Clark, to approve the licensure report for the following coronal polishing certificates issued by: certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain certification:

Kelly A. McEwen

Brittany A. Wingler

Motion carried unanimously.

Expanded Function Dental Auxiliary

Motion by Dr. McDonald, second by Dr. Wallace, to approve the licensure report for the following expanded function dental auxiliary registration issued by: certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain registration:

Kimberly R Crane
Carol T Cupps
Caitlin C Deboard

Katherine L Dimarco
Shawn M Herdman
Christiane P Kirker

Sarah A McAvinn
Jennifer M McCan
Emily C McKinney
Kelly R Peterson
Samantha J Richards
Kelsey Rupert

Nicole Sakellariou
Pamela S Scarbrough
Julie Self
Marisa Sidwell
Ella M Turton

Motion carried unanimously.

Oral Health Access Supervision Permit(s)

Motion by Ms. Missig, second by Dr. McDonald, that the following applicants have met the requirements necessary to obtain permits to practice under the oral health access supervision program:

Dental Hygienist(s)

Anne E. Myatt – Parma
Mira Racic – Broadview Heights

Mary Beth Stedman - Columbus

Motion carried unanimously.

Anesthesia Committee Report

Provisional Conscious Sedation Privilege(s)

Dr. Wallace stated that the following individual has applied for a conscious sedation permits. He explained that the Anesthesia Committee has reviewed the application and the applicant is recommended to receive provisional conscious sedation privileges.

Dr. Jonathan W. Draney – Lancaster – *Non-intravenous parenteral*

Anesthesia Permit(s)

Dr. Wallace stated that the following individual has applied for an anesthesia permits. He explained that the Anesthesia Committee has reviewed the application, an evaluation has been conducted, and the applicant is recommended to receive anesthesia permits.

Dr. Andrew Bushey – Boardman
Dr. Justin Clemow – Lakewood
Dr. Christopher King – Toledo
Dr. Ahmad A. Millwala – Dayton

Conscious Sedation Permit(s)

Dr. Wallace stated that the following individuals have applied for conscious sedation permits. He explained that the Anesthesia Committee has reviewed the applications, evaluations have been conducted, and the applicants are recommended to receive conscious sedation permits.

Dr. Michael D. Carpenter – Napoleon - *Intravenous*

Dr. Timothy B. Followell – Columbus – *Oral for children 12 years or younger*

Dr. Elliot D. Haybarger – Boardman – *Intravenous*

Dr. Andre Paes Batista da Silva – Cleveland – *Intravenous*

Dr. Kyle T. Reynolds – Cincinnati - *Oral for children 12 years or younger*

Dr. Lisa Rudolph – Cincinnati - *Oral for children 12 years or younger*

Dr. Sophia G. Thankaraj – Dayton - *Intravenous*

Dr. Wallace made the motion from the Anesthesia Committee to accept the report and approve these applicants to receive permits and provisional privileges.

Motion carried unanimously.

Education Committee Report

Ms. Clark stated that the Education Committee met earlier today and revisited some earlier discussions from this past year. She stated that one of the discussions regarded the definitions of the different types of education; initial education, continuing education, and remediation education. She said that the Committee discussed these three (3) types of education previously but most recently determined that the Education Committee should pursue defining the types of education for inclusion in the Dental Practice Act. Once defined, she said that they talked about taking an active role in developing a larger provider base for remediation education.

In conjunction with this discussion, Ms. Clark stated that the Committee discussed the “Policy Defining the Education Curriculum for 2-hour Ethics Remediation Education” [Appendix A] which had been presented to the full Board at the meeting in June. She said the policy was tabled at that time to allow the Board members sufficient time to review and make any recommended changes. Ms. Clark informed the Board that while the Committee did not make any changes to the policy as it was previously submitted, the committee will be holding further discussions on ethics remediation and remediation education in general. She stated that they reviewed and discussed the policy and recommended its approval.

Continuing on, Ms. Clark informed the members that the other policy before them was the “Policy for Acceptable Application Procedures and Continuing Education Guidelines for Sponsors of Continuing Education” [Appendix B]. She stated that this policy was revised recently to eliminate the outdated language regarding unacceptable course content. Ms. Clark informed the Board that the Committee, with concurrence from the Policy Committee Chair, Dr. Shaffer, has decided to again revise the policy to include the information on the acceptance of six (6) hours of non-clinical dental related continuing education per biennium and they were now requesting Board approval of the revised policy.

Ms. Clark said that the Committee reviewed 25 sponsor and sponsor renewal applications for 2012-2013 and 2014-2015. She stated that they reviewed one (1) Conscious Sedation Permit Renewal course and one (1) Ethics Remediation course. She said that the Committee was recommending approval of all the sponsors and courses listed in the report as meeting all the requirements set forth in the Dental Practice Act.

2012-2013 Biennial Sponsor Application(s)

Conrad Health & Safety Programs (formerly OSHA Compliance Services)
Greater Cincinnati Implant Study Club (retroactive approval)

2012-2013 Biennial Continuing Education Sponsor Renewal Application(s)

Composite Study Club (retroactive approval)
Palermo-Edwards and Cacchillo, D.D.S., Inc. (retroactive approval)
Biennial Continuing Education Sponsor Application(s) for 2014-2015
Aranmolate, D.D.S., Safuratu Y.
Central Ohio Dental Forum, L.L.C. (formerly Central Ohio Study Club)
Jones, D.D.S., J.D., Kenneth D.

2014-2015 Biennial Continuing Education Sponsor Renewal Application(s)

Bonomo, D.M.D., Raymond A.
Composite Study Club
Dental Implant Knowledge Share Group
Dependable Dental Staffing
Elite Continuing Education
Gen, D.D.S., M.S., Felix A.
Greater Cincinnati Implant Study Club
Gregg Orthodontics
Hess, D.D.S., M.B.A., M.P.A., Roger A.
Krill, D.M.D., David B.
Minich, D.D.S., M.S.D., Craig – Minich Orthodontics
North Coast Dental Study Club
O.K.I. Study Club
Palermo-Edwards and Cacchillo, D.D.S., Inc.
Southwest Study Club
Steiner Rotenberg, L.L.C.
Woznicki, D.D.S., Gary
Wu, D.M.D., Everett

Anesthesia/Conscious Sedation Permit Renewal Course(s)

University of Kentucky ~ "Update in Enteral (Oral) & Parenteral (IV) Moderate Sedation in Dentistry"

Ethics Remediation Course(s)

The Ohio State University (OSU) –
"Ethics for the Dental Assistant Radiographer"

Continuing Education Extension Request(s)

Ms. Clark informed the Board that the Education Committee had reviewed a request for extension of the continuing education requirement based on unusual circumstance, emergency or special hardship and was

recommending the following individual to receive a waiver of the continuing education requirement for the 2012-2013 biennium:

Francine Lamparty, R.D.H.

Conscious Sedation Permit Renewal Course – Special Consideration

Based on Dr. Wallace's review and recommendation, Ms. Clark said that the Committee was seeking approval of the Medical Emergencies course submitted by Dr. Hady Saleh as acceptable coursework for the 6-hour Board-approved course for renewal of Dr. Saleh's Conscious Sedation Permit due to the fact that Dr. Saleh is currently out of the country and will not be returning any time soon.

Hady Saleh, D.M.D. – Medical Emergency Course accepted for Conscious Sedation Permit Renewal

Prior to approval of the Education Committee Report, Dr. Kaye requested that the applications, courses, and requests be approved first and that the amended policies be considered separately by the Board. Ms. Clark explained that the 2-hour ethics course from OSU up for consideration had been developed based on the curriculum guidelines set forth in the new policy and therefore, she respectfully requested that the Board consider approval of the policies prior to consideration of the applications, etc.

Motion by Dr. Leffler, second by Dr. Wallace to approve the "Policy Defining the Education Curriculum for 2-hour Ethics Remediation Education" and the amended "Policy for Acceptable Application Procedures and Continuing Education Guidelines for Sponsors of Continuing Education" as presented.

Motion carried unanimously.

Ms. Clark made the motion from the Education Committee to accept the report and approve the applications, courses, and special requests.

Motion carried unanimously.

Law and Rules Review Committee Report

Dr. Leffler stated that the Law and Rules Review Committee had not met this month. However, he stated that he had distributed copies and they had before them the rules that the committee had reviewed for 2013. He stated that of the ten (10) rules reviewed for this review year, the committee was recommending that six (6) rules; 4715-1-01, 4715-4-01, 4715-5-03, 4715-11-06, 4715-20-01, and 4715-21-01, remain unchanged and filed as "No Change" rules. He stated that the Committee was recommending "gender neutralization" amendments to 4715-5-01.1, 4715-9-03, and 4715-9-04.

Continuing on, Dr. Leffler informed the Board that the Committee was recommending a change to the Tag Line of the rule 4715-5-08 Denture identification, be revised to "Removable prosthesis identification" and to add the definition of "removable prosthesis" as a new paragraph (C). Dr. Leffler stated that he had also distributed copies of an e-mail correspondence from Keith Kerns of the Ohio Dental Association for their consideration.

Motion by Dr. Leffler, second by Dr. Wallace that the following rules be initial filed as "amended" and "no change" with the Joint Committee on Agency Rule Review (JCARR), the Legislative Service Commission (LSC) and the Secretary of State (SOS).

4715-1-01	Method of public notice.	(No Change)
4715-4-01	Criminal records check.	(No Change)
4715-5-01.1	Requirements for initial licensure for dentists.	(Amended)
4715-5-03	Examination for dentists.	(No Change)
4715-5-08	Denture identification.	(Amended)
4715-9-03	Requirements for licensure for dental hygienists.	(Amended)
4715-9-04	Dental hygiene teaching certificate.	(Amended)
4715-11-06	Non-delegable dental tasks and/or procedures.	(No Change)
4715-20-01	Patient and personnel protection.	(No Change)
4715-21-01	Requirements for approval of treatment providers and treatment centers.	(No Change)

Motion carried with Ms. Missig abstaining.

Treatment Center Approval

Ms. Reitz stated that the Board had received an application for a new Treatment Provider, Dublin Springs, located on the north side of Columbus. Ms. Reitz stated that they offer a 28-day inpatient treatment program, counseling and an all-encompassing recovery program.

Motion by Dr. Wallace, second by Dr. McDonald, to approve Dublin Springs as an approved Treatment Provider.

Motion carried unanimously.

Decision in the Matter of Rodney R. Parsell, D.D.S. – Revisited

Dr. Kaye recognized Mr. LaFayette to address the Board for further clarification. Mr. LaFayette stated that the Board Order stated that it was to become effective 30 days from the date of mailing. He requested the Board's consideration to revise the Order to have it effective immediately.

Motion by Dr. Wallace, second by Dr. Das, to revise the Order in the matter of Rodney R. Parsell, D.D.S. to become effective immediately.

Motion carried unanimously.

Supervisory Investigative Panel Report

Dr. Shaffer, as Vice Secretary, attested that she had spent in excess of ten (10) hours per week attending to Board business. Dr. Das, as the Board's Alternate Secretary, attested that he had spent in excess of ten (10) hours per week attending to Board business.

Motion by Dr. Hanners, second by Dr. McDonald, to approve the Supervisory Investigative Panel report.

Motion carried unanimously.

Office Expense Report

Motion by Dr. McDonald, second by Ms. Aquillo, to approve the expense report and approve payment of the September and October, 2013 Board bills.

Motion carried unanimously.

Executive Director's Report

American Association of Dental Administrators (AADA)/American Association of Dental Boards (AADB) Meetings

Ms. Reitz distributed a copy of her report from the American Association of Dental Administrators (AADA) and American Association of Dental Boards (AADB) meetings which she recently attended. [Appendix C]

Further, she noted for the record that the Board members had their biennial ethics training prior to the Board meeting.

Staff Update

Ms. Reitz informed the Board that the Board Receptionist, Heidi Ferguson, had resigned due to personal reasons. She stated that Ms. Ferguson's last day was November 25 but that she had spent the last two (2) weeks training our new temporary staff, Dianna Bowman. She indicated that she intends to keep Ms. Bowman for an extended period, and at least until the renewal period is over because we have a lot of things going on.

Ms. Reitz stated that she recently posted the open Investigator Assistant position and has received over 200 applications. She stated that she will soon begin reviewing all the applications to select candidates for interview. Ms. Reitz stated that once that is complete she hopes to be posting and interviewing for the deputy director position.

On a final note, Ms. Reitz informed the members that the office is happy to have Ms. Massaro back on a shortened 4-hour workday schedule. She stated that Ms. Massaro is hanging in there, however, there is the possibility that she will need another surgery for further repair on her injured leg.

Anything for the Good of the Board

American Association of Dental Examiners

Dr. Kaye stated that Dr. Beard, as the Board representative to the American Association of Dental Examiners (ADEX), had recently attending the ADEX meeting. He stated that Dr. Beard was not in attendance,

however, he had provided a report from the ADEX meeting for the members review. Dr. Kaye then distributed a copy of Dr. Beard's report.

Dr. Kaye stated that during a previous meeting, the Board had requested Ms. Reitz to research the possibility of joining the other dental testing agencies (WREB, CRDTS, SRTA). He stated that we now have an information from WREB to review and consider. Dr. Kaye stated that WREB does not administer the ADEX examination.

Discussion followed wherein it was brought to the attention of the members that while the Council of Interstate Testing Agencies, Inc. (CITA) administers the ADEX examination, the Dental Practice Act prohibits the Board from accepting the results due to the fact that the statute only allows the Board to accept results of examinations from the four (4) regional boards; NERB, WREB, CRDTS, and SRTA.

Election of Officers

Dr. Kaye then stated that the Board would now consider the election of officers. He stated that he had received an e-mail correspondence from Dr. Beard, who was out of the country, and that he had indicated that he wished to be considered for the Vice President or Vice Secretary positions. Dr. Kaye stated that it was Dr. Beard's wishes that he not be considered for Alternate Secretary or QUIP Coordinator.

Dr. Kaye then explained that they hold the election of officers in open session. He stated that he would not ask for nominations but rather ask of the Board members to state if they had an interest or intention for a particular office.

Dr. McDonald indicated that he would like to be considered for the office of President. There were no other members interested.

Dr. Kaye called for a vote to approve Dr. McDonald as President.

Motion carried unanimously.

Dr. Leffler indicated that he would like to be considered for the office of Vice President. There were no other members interested.

Dr. Kaye called for a vote to approve Dr. Leffler as Vice President.

Motion carried unanimously.

Dr. Shaffer indicated that she would like to be considered for the office of Secretary. There were no other members interested.

Dr. Kaye called for a vote to approve Dr. Shaffer as Secretary.

Motion carried unanimously.

Dr. Das indicated that he would like to be considered for the office of Vice Secretary. Ms. Clark nominated Dr. Beard for the position of Vice Secretary.

Dr. Kaye called for a vote to approve Dr. Das as Vice Secretary.

Motion carried unanimously.

Dr. Kaye called for a vote to approve Dr. Beard as Vice Secretary.

Motion failed.

Dr. Smith indicated that he would like to be considered for the position of QUIP Coordinator. There were no other members interested.

Dr. Kaye called for a vote to approve Dr. Smith as QUIP Coordinator.

Motion carried unanimously.

Discussion followed regarding the appointment of Alternate Secretary. Dr. Kaye pointed out that the Operations Manual guidelines indicated that in the instance of an absence for the position of Board Secretary or in the instance that the Board Secretary must recuse from an administrative matter, the Board President, upon Board authority, would elect an Alternate Secretary. He stated that this action requires a Board vote to give the Board President the authority to appoint the Alternate Secretary in these matters.

Motion by Dr. Wallace, second by Dr. Leffler, to authorize the Board President to appoint an Alternate Secretary.

Motion carried unanimously.

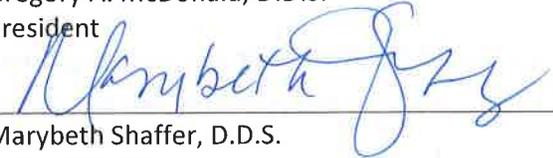
Dr. Kaye took a moment to thank the rest of the Board members for allowing him to serve as President these past few years.

Adjourn

Dr. Kaye adjourned the meeting at 3:20 p.m. He reminded the Board members that their next meeting would be February 5, 2014.



Gregory A. McDonald, D.D.S.
President



Marybeth Shaffer, D.D.S.
Vice Secretary

Appendix A

Policy Defining the Educational Curriculum For 2-Hour Ethics Remediation Education

Preamble: The purpose of this policy is to set forth the minimum educational curriculum for 2-hour ethics remediation education for licensee, registrant and/or certificate holders in the state of Ohio that fail to renew their license/registration/certificate and continue to practice his/her profession.

Any Board-approved or Board-accepted Continuing Education Sponsor may provide ethics remediation education in order to address the concerns of the Ohio State Dental Board and the resulting ethical dilemma caused when a licensee/registrant/certificate holder continues to practice their profession on an expired/lapsed license, registration and/or certificate.

Any ethics remediation course must be two hours in length, and shall include, but not be limited to:

1. Core Values and Ethical Principles
2. Autonomy
3. Confidentiality
4. Societal Trust
5. Nonmaleficence
6. Beneficence
7. Justice
8. Veracity
9. Fidelity
10. Ethical and Moral Decision Making
11. State Law
12. Registration
13. Legal aspects for the Dental Radiographer
14. Patient Protection

Board-approved or Board-accepted Continuing Education Sponsors must submit coursework indicating that the 2-hour curriculum requirements are met prior to being considered approved for the remediation education.

(December 4, 2013)

Appendix B

POLICY FOR ACCEPTABLE APPLICATION PROCEDURES AND CONTINUING EDUCATION GUIDELINES FOR SPONSORS OF CONTINUING EDUCATION

Preamble: The purpose of this policy is to clarify and define acceptable application procedures, topic, content and curriculum for continuing education courses provided by approved sponsors of the Ohio State Dental Board.

Each organization or entity which wishes to provide continuing education (CE) courses, acceptable for credit towards dental, dental hygiene, and dental assistant radiographer licensure renewal must follow the guidelines set forth in O.R.C. Sections 4715.141 and 4715.25 and O.A.C. Sections 4715-8-01 through 4715-8-04.

Each application must be submitted thirty (30) days prior to a regularly scheduled meeting of the Board and will be reviewed and considered for approval by the *Education Committee*. In order to be considered by the *Education Committee* each original application must be completed in its entirety to include all of the following:

Listing of proposed course/program offerings and course/program goals for the current biennium

- Three (3) of the Evaluation Form For Biennial Sponsor Continuing Education Courses;
- Any supplemental documentation; and
- The appropriate fee.

Any application which does not include **ALL** of the above in the format requested on the application will not be considered and returned via regular U.S. Mail to the applicant with a letter indicating the missing information.

Applications which provide the criteria listed above and are submitted thirty (30) days prior to a regularly scheduled Board meeting will be considered by the *Education Committee*. If the application is not submitted thirty (30) days prior, it will be processed at the **next** regularly scheduled meeting.

Course(s)/Program(s) offered to dental licensees should reflect appropriate didactic and clinical training for subject matter as defined by the American Dental Association's definition of dentistry, which states in pertinent part:

"Dentistry is defined as the evaluation, diagnosis, prevention and/or treatment (nonsurgical, surgical or related procedures) of diseases, disorders and/or conditions of the oral cavity, maxillofacial area and/or the adjacent and associated structures and their impact on the human body..."

Additionally, The Board has agreed to accept up to six (6) of these [40/24] continuing education hours per biennium to be in the area of non-clinical dental subject matter. For purposes of this policy, non-clinical dental continuing education may include, but is not limited to, those courses which aid in the management of a dental practice or clinic, including those courses pertaining to the management of third party payer issues, dental billing practices, patient and provider appeals of payment disputes and patient management of billing matters; courses to improve recall and scheduling systems, production flow, communication systems and data management; courses in organization and management of the dental practice including office computerization and design, ergonomics, and the improvement of practice administration and office operations; courses in leadership development and team development; and, courses in human resource management and employee benefits.

Courses being considered for approval as acceptable CE for dental and dental hygiene licensure renewal must contain at least fifty percent (50%) of the subject content listed in ORC Section 4715.141(A)(1) through (A)(7) as they relate to the practice of dentistry

Any courses provided prior to Board approval, although acceptable in content, will not be considered accepted for CE credit towards dental and dental hygiene licensure renewal.

(Rev. December 4, 2013; April 19, 2001; Original January 20, 2000)

Appendix C

MEMORANDUM

TO: BOARD MEMBERS

FROM: LILI C. REITZ, Esq.
Executive Director

RE: AADA/AADB Annual Meeting Report

DATE: November 26, 2013

I attended the American Association of Dental Administrators (AADA) and the American Association of Dental Boards (AADB) Annual meetings in New Orleans, Louisiana in October, 2013.

AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS

October 28-29, 2013

AADA invited former Kentucky Board Attorney Mark Brengelman, who now provides educational seminars in addition to his private law practice, to present and discuss with us various issues.

- Anesthesia/Sedation Monitoring and the Regulation of Facilities, how to do it.
 - This was an overview and discussion of rules and regs for permit holders and/or facilities.
- Evidence-Based Dentistry – A New Standard for Disciplinary Actions?
 - This session discussed the use of experts, the Board members as experts, incorporating dental education standards, etc. Cases were discussed.
- Undercover Investigations and the Use of Deception by Law Enforcement Attorneys
 - An overview of what strategies are acceptable, which are not.
- Parallel Investigations-How do Boards Investigate and Prosecute Legally with Ongoing Criminal Investigations and Prosecutions
 - Administrative actions vs. criminal actions, when to work together and when not, depending what is at stake.

Group Roundtable

Idaho

- Updating laws & rules

- Licensing permits, not facilities

Louisiana

- CE issues:
 - How to report
 - Form to be provided
 - o 1/2 alphabet
 - o Tons of paperwork
 - Anyone do it electronically?
 - Donna-Arkansas

Missouri

- Big rule changes
 - o Redid sedation rules
- New permit categories
 - o Pediatric sedation
 - o Dosage restrictions on internal sedation
 - o One year internships
- Permitting EFDAs now

Maryland

- Prescription drug issues
- Fighting with the Board of Pharmacy
 - o They have rules for dispensing
 - CE each year/inspections
 - o Dispensing permit was \$75—now \$1000
 - o Mandatory CE in prescribing issues
- Can't discipline for "standard of care;" only "incompetence"

DANB:

- Credential verification on website

Montana

- New legislation
- Now have to do impairment in-house
- Pending: only recognize ADA specialties or others as "recognized by the Board"
- Dental anesthesiology—Recker

Oregon

- Disciplinary Actions Published
- Different penalties and fines for infection control

Mississippi

- Website
 - o Licensure statistics by county (race/sex)
 - o Local anesthesia for hygienists

North Dakota

- Dual Degree; Dual License
 - o Big issue—what can he do under what license
 - o Botox okay

West Virginia

- New Practice Act **
- Sedation Permit—needs qualified monitor
 - o Higher degree
 - o 3 people in all—assistant, dentist & monitor
- Mobile/Portable Unit
- Comprehensive Drug Law—check monitoring program with Pharmacy Board

Minnesota

- Criminal Background checks for all boards now
 - Need to do them on all licensed people, too
 - o Hope to do something on-line
 - o Electronic fingerprinting
- Infection control inspections
- 28 Dental Therapists
 - o 3 are certified as Advanced Dental Therapists

Colorado

- Sunset Review
 - Separate Office comes in to evaluate program. Does report—they “passed”—so program will go on 9 more years. Make recommended changes to law so that happens when session starts
- Opiate issues

Ohio

- OARRS/Prescription Drug issue update
- Staff changes
- Advertising lawsuit general dentist v. specialist
- Sohi Update

District of Columbia

- New Director (is a vet)
- Legislation
 - o Different level of assistant licensure

North Carolina

- Can't refuse to issue for criminal action
- Appealing to US Supreme Court on FTC case....
 - Dentists are now arguing that the Board can't take license—anti-competition
- Lawsuit against corporate dental company
 - o DCP= Dental Care Partners

•ADEX Update

- Dentists-not to dental hygienists
- CITA soon to give ADEX for dentists
- SRTA-No ADEX for hygiene

•FTC, DCP, RRC

- Rules
 1. Essential/non-controversial—in
 2. Controversial—rule review—comments
 3. Eliminate—out

WREB

- Nevada joined
- Affiliate-West Virginia—will send me info

Arizona

- Auditor General Process
- Report against Medical Board—Director fired
 - o 192 page report
 - o Ombudsman—Beware Boards
- Arizona Ombudsman to get report

Virginia

- Losing AAG—Howard retiring
- Considering portfolio exam
 - o Schools want Board to consider portfolio
- Association asking to make advertising a priority

Tennessee

- Office moved
- She likes working in building where poor people receive services

Hawaii

- Rules are about to be signed by Governor
 - o Has been working on laws for over ten years—amendments

AADB

- Started strategic planning in January
 - o Have Three-Year Plan on website
- Looking for ways to advocate on behalf of states during legislative process
- Providing ethics guidelines for board members

BUSINESS MEETING

- o 04/06/2014 (Sunday morning and afternoon following the AADB meeting), mid-year meeting, Chicago, IL
- o 10/05-06/2014 (all day Sunday and ½ day Monday followed by our post-meeting outing), annual meeting, San Antonio, TX

The AADA elected its 2013-2014 officers. These officers are:

- o President: Mo Miskell, Colorado
- o President-Elect: Cindy Durley, DANB
- o Vice-President: Elaine Hugunin, Arizona
- o Secretary: Brian Barnett, Missouri
- o Treasurer: Diane Howell, Mississippi
- o Immediate Past-President/AADB Executive Council:
Rita Sommers, North Dakota

Considering a new AADA logo.

AADA website has been updated, including a new members section.

AADB Attorney Roundtable

October 30-31, 2013

Our agenda included sessions from the AADB General Session and our own discussions.

This included:

GENERAL SESSION:

Electronic Patient Records – Issues Facing Dental Boards

- Dr. Paul Kleinstub, Dental Director/Chief Investigator for the Oregon Board of Dentistry

Teledentistry – Licensure Issues Across Borders***

- Dr. Quinn Dufurrena, Executive Director, Colorado Dental Association

Roundtable Updates – All Attorneys

Wyoming - Angela

- Accredited training programs

Oklahoma – Susan

- Dental Ambulatory Surgery Center
- Gen dentists & specialists
- registering ALL dental assistants
- unlicensed practice

North Dakota - Brittany

- Needs help on corporate dentistry
- regulation –updating practice act

North Carolina - Bobby

- FTC decision upheld—writ being filed with US Supreme Court this week
- Jurisdiction issue

Oregon – Lori

- Spore testing records
- No one spore testing Big PR since Oklahoma

Alabama - Stan

- Mobile Dentistry
- Pediatric Dentistry—Sealants/fillings over cavities
- Skimming Medicaid—uses all benefits

Massachusetts

- New Attorney/Director Barb
- Going to license all dental assistants (1600)
- Many are practicing without a license
- Infection Control Inspections
- Investigators overstepping
- Dental School deans (3) want board to move to PGY1
- Harvard-Boston U-Tufts
- DentaQuest ortho utilization review

Vermont - Larry

- Telepractice, midlevel practitioners,
- Proper education/training for use of lasers
- Want inactive status
- utilization review, payment issues

Washington DC-Panravee

- All DC employees “essential” para and working
- 8 Iranian women running a practice—no dentist owner
- separate practice
- Don't know about ownership/revenue
- they own equipment
- School base sealants program-
- Questions about it

Probation/Conditional License Monitoring System

- Stephen J. Nemmers, Ph.D.
- Director of Monitoring Operations
- Affiliated Monitors, Inc.

Overview of products and services that can be provided.

Update/CDC Guidelines for Infection Control

- Susan Rogers, Esq., OK

GENERAL SESSION:

Attorney Update

Attorneys gave a presentation to general session regarding do's and don'ts in working with board attorneys.

FTC Update

- Craig Busey, JD, ADA Chief Legal Counsel

Roundtable

Planning Session for Spring 2014 Mid-Year Meeting

Chairs:

Angela Dougherty, Esq., WY
Lili C. Reitz, Esq., OH

Topics:

- PR Crisis Management (Susan)
- Parallel Proceedings (Angela and Lili)
- Case Updates
- Agenda for Annual Meeting

