Ohio State Dental Board
Board Meeting
February 8, 2017

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Ohio State Dental Board
Board Meeting
February 8, 2017

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 7, 2016. Board members present were:

Constance Clark, R.D.H., President
Ashok Das, D.D.S., Vice President
Patricia Guttman, D.D.S., Secretary
Kumar Subramanian, D.D.S., Vice Secretary
Ms. Ann Aquillo
Michael Ginder, D.D.S.
Jeanne Huber, R.D.H.
Burton Job, D.D.S.
Marybeth Shaffer, D.M.D.

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Ohio Attorney General’s Office; Nathan DeLong, Esq. and Henry Fields, D.D.S. of the Ohio Dental Association (ODA); Courtney Shaw and Kara Wells, dental hygiene practicum students from The Ohio State University Department of Dental Hygiene; Harry Kamdar, M.B.A., Executive Director, Lyndsay Nash, Esq., Deputy Director, Zachary Russell, Legislative and Communications Coordinator, Kathy Carson, Dental Board Enforcement Officer, and Malynda Franks, Administrative Professional, of the Ohio State Dental Board and other guests.

Call to Order
Constance Clark, R.D.H. introduced herself as the Board President and a dental hygienist from Dublin. After extending greetings to everyone, President Clark noted that there was a quorum present and called the meeting to order at approximately 1:33 p.m.

Board Business
Introduction of Board Members
President Clark then introduced the rest of the Board members. She introduced Dr. Ashok Das, the Board's Vice President and a general dentist from Mason, Dr. Patricia Guttman, the Board’s Secretary and a general dentist from Columbus, Dr. Kumar Subramanian, the Vice Secretary and an Endodontist from Upper Arlington, Ms. Ann Aquillo, the Board’s Public member from Powell, Dr. Michael Ginder, a general dentist from Athens, Dr. Burton Job, an Oral and Maxillofacial Surgeon from Akron, Dr. Marybeth Shaffer, a general dentist from Columbiana, and Ms. Jeanne Huber, a dental hygienist from Dayton.

Dr. Bill Anderson, a general dentist from Findlay and Ms. Susan Johnston, a dental hygienist from Columbus were not in attendance to the meeting.

President Clark took a moment to recognize and introduce two (2) dental hygiene practicum students from The Ohio State University (OSU), Courtney Shaw and Kara Wells. President Clark stated that they were completing
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their senior year in dental hygiene at OSU. They have had introductions and meetings with Director Kamdar, Ms. Nash and some of the Board office staff to gain some experience and knowledge into our daily operations and the functions and processes of our board in helping to protect the profession of dentistry. President Clark stated that the students have also had the opportunity to go out in the field with two (2) of the Board’s investigators, Eric Pleiman and Mike Flugge. The students will be coming into the Board office or will be out with investigators every Wednesday through April 19th and they will be providing a brief PowerPoint presentation to their classmates about the inner workings of the Dental Board at the end of their practicum. She then welcomed the students to the meeting.

Approval of Agenda
President Clark stated that she had previously approved the agenda for the day and asked if there was a motion to approve the agenda with the caveat to amend the agenda due to any extenuating circumstances.

Motion by Dr. Shaffer, second by Dr. Subramanian, to approve the February 8, 2017 Board meeting agenda as presented.

Motion carried unanimously.

Review of Board Meeting Minutes
December 7, 2016 Meeting
President Clark informed everyone that the draft Minutes from the December 7, 2016 meeting had been forwarded to the Board members for review prior to the meeting and asked if there was a motion in regard to the Minutes from the December meeting.

Motion by Dr. Subramanian, second by Ms. Aquillo to approve the December 7, 2016 Board meeting minutes as presented.

Motion carried unanimously.

Public Comment/Presentations/Correspondence
President Clark noted for the record that there were no public comments, presentations or correspondence to address at this time.

Action Items
Supervisory Investigative Panel Expense Report
President Clark asked if Dr. Guttman and Dr. Subramanian, as the Board’s Secretary and Vice Secretary, attested to having each spent at least twenty (20) hours per week attending to Board business. Both Secretaries affirmed they had spent the hours attending to Board business.

Motion by Dr. Shaffer, second by Dr. Das, to approve the Supervisory Investigative Panel Expense report.

Motion carried unanimously.

Enforcement
Proposed Consent Agreement(s)
The Board reviewed one (1) proposed Consent Agreement and one (1) proposed Monitoring Agreement. 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. Ms. Nash provided a brief summary of any charges and the proposed orders.

**John Y. Lu, D.D.S.**

*Motion by Dr. Subramanian, second by Dr. Ginder, to approve the proposed consent agreement for John Y. Lu, D.D.S., license number 30.020180, and case numbers 12-43-0172 and 14-43-0070.*

Motion carried with Dr. Das and Dr. Shaffer abstaining.

**Proposed Monitoring Agreement(s)**

**Natasha M. Diaz, Radiographer**

*Motion by Dr. Shaffer, second by Dr. Ginder, to approve the proposed monitoring agreement for Natasha M. Diaz, dental assistant radiographer, certificate number 51.014566, and case number 16-47-1018.*

Motion carried with Dr. Das and Dr. Guttman abstaining.

**Notice(s) of Opportunity for Hearing**

The Board reviewed one (1) proposed Notice of Opportunity for Hearing and one (1) proposed Notice to Deny Licensure with a Notice 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. Ms. Nash briefly summarized the documents before the Board members.

**Hayat Ali, D.D.S.**

*Motion by Dr. Subramanian, second by Dr. Shaffer, to approve the proposed notice of opportunity for hearing for Hayat Ali, D.D.S., license number 30.020566, case number 16-18-1053.*

Motion carried with Dr. Das and Dr. Guttman abstaining.

**Eberluis Stevao, D.D.S.**

*Motion by Dr. Shaffer, second by Dr. Ginder, to approve the proposed notice to deny licensure and notice of opportunity for hearing for Eberluis Stevao, D.D.S., case number APP-000064376.*

Discussion followed wherein Dr. Job inquired as to whether the applicant for licensure was aware of the international graduate requirements as stipulated in law in order to become licensed as a dentist in Ohio. Ms. Nash indicated that she had discussed the licensure requirements for graduates of unaccredited dental colleges located outside the United States with the applicant and that he understands them.

Motion carried with Dr. Guttman and Dr. Subramanian abstaining.

**Enforcement Update**

Ms. Nash began the report by informing the Board that there were nine (9) cases pending hearings of which one (1), Dr. John Y. Lu had just been resolved with the ratification of his consent agreement with the Board and three (3) others have been scheduled for March, April and May of this year. She stated that there were no pending Hearing Examiners Report and Recommendations. Ms. Nash said there were currently forty-eight (48) licensees and certificate holders under suspension, twenty-eight (28) licensees on probation, and that there were one hundred and twelve (112) active cases. Ms. Nash said that there were no licensees currently participating in QUIP and two (2) new licensees referred to QUIP. She informed the members that there were sixty-nine (69) cases which have been investigated and reviewed by the Board Secretaries and are recommended to be closed with eight (8) warning letters being issued.
Closed Cases

Due to the requirement in Chapter 4715.03(B) of the Ohio Revised Code, that "A concurrence of a majority of the members of the board shall be required to... …(6) Dismiss any complaint filed with the board.,” President Clark reviewed the cases to be closed with the Board.

The following cases are to be closed:

14-25-0182 16-25-1379 16-50-1416
15-18-0450 16-25-1384 16-52-1386
15-25-0374 16-25-1391 16-55-1420
15-87-0214 - WL 16-25-1405 16-57-1254
16-12-1357 16-25-1411 16-57-1305
16-18-1034 16-25-1425 16-57-1366
16-18-1289 - WL 16-25-1428 16-57-1385
16-18-1304 16-28-1113 16-71-1307
16-18-1377 16-29-1351 16-71-1397
16-18-1394 16-31-1176 - WL 16-76-1309 - WL
16-18-1396 16-31-1215 16-76-1310 - WL
16-18-1418 16-31-1306 16-76-1313
16-18-1426 16-31-1336 16-76-1393
16-23-1401 16-31-1365 16-77-1318
16-24-1398 16-31-1369 16-77-1329
16-25-1189 - WL 16-31-1404 16-77-1334
16-25-1277 16-31-1409 16-77-1406
16-25-1314 16-32-1294 16-79-1392
16-25-1321 16-43-1260 - WL 16-83-1069
16-25-1323 16-43-1412 16-83-1279
16-25-1326 16-48-1196 16-83-1372
16-25-1331 16-48-1205 16-83-1403
16-25-1373 16-48-1402 17-18-1003 - WL

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

Roll call: Ms. Aquillo – No
Ms. Clark – No
Dr. Das – No
Dr. Ginder – No
Dr. Guttman – No
Ms. Huber – No
Dr. Job – No
Dr. Subramanian – No
Dr. Shaffer – No

President Clark then called for a motion to close the cases.
Motion by Dr. Job, second by Ms. Aquillo, to close the above sixty-nine (69) cases.

Motion carried unanimously.

90-Day Report
Ms. Nash explained the report of cases aged past 90 days for the members. She stated that there were a total of fifty-two (52) cases over 90 days of which 33% were scheduled to be reviewed by the Board Secretaries at the next Supervisory Investigative Panel (SIP) review on February 23rd, 2017. She stated that of the balance of the cases; 27% were pending Notices of Opportunity for Hearing, Consent Agreements or QUIP, 13% had been issued subpoenas for records or subpoenas had been requested, 12% were awaiting reviews by experts and the remaining 15% were for the miscellaneous reasons as listed.

President Clark thanked Ms. Nash for the Enforcement Report and Update.

Licensure
Licensure/Certification/Registration Report (Issued by the Licensure Section)
Samantha Slater, Licensing Manager, had prepared a report of the licenses, certificates, and registrations issued since the previous Board meeting.

Dentist(s) – (19)

| 30.024945 | Clyde Edward Miller   | 30.024954 | Pari P Shah |
| 30.024948 | Yuanyuan Lu          | 30.024955 | Rachael Michelle Prokes |
| 30.024946 | Amy Elise Augustine  | 30.024956 | Corey D Hastings |
| 30.024949 | Ankit Patel          | 30.024960 | Sydney Cora Williams |
| 30.024944 | Nidhi Arora          | 30.024957 | Jinho Kim |
| 30.024947 | Sushma Doppalapudi   | 30.024959 | Rahen P Kakadia |
| 30.024950 | Sean R Verma         | 30.024958 | Kevan O'Neill |
| 30.024951 | Karen Patricia Cooper| 30.024961 | Michael Lee Lochtefeld |
| 30.024952 | Omar Figueroa-Valle  | 30.024962 | Caitlin Lochtefeld |
| 30.024953 | Dexter Witherington Valle | | |

Dental Hygienist(s) – (15)

| 31.015314 | Tensele Danielle Davis | 31.015322 | Crissa Marie Rodriguez |
| 31.015315 | Angela Danae Buss     | 31.015323 | Carlie Joan Hanson |
| 31.015316 | Amy Farmer            | 31.015324 | Alicia Nicole Mcmonigle |
| 31.015318 | Michelle Lynn Wallace | 31.015325 | Jessica Schleinkofer |
| 31.015317 | Emilee Jean Brussee   | 31.015326 | Josipa Sota |
| 31.015319 | Shannon Tackett       | 31.015327 | Natalie Okawachi |
| 31.015320 | Ayrika Michelle Turner| 31.015328 | Kristy Lee Cancel |
| 31.015321 | Christine Bumbales    | | |
Dental Assistant Radiographer(s) – (360)

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51.030872 Andrea Nicole Britton  51.030921 Allie Coury
51.030873 Mahissa K Lustig  51.030970 Daria Dillard
51.030966 Ricketta S Holmes  51.030952 Nayeli Jacqueline Lopez
51.030885 Chazlyn Nichole Estheimer  51.030837 Danielle Joan Wachalec
51.030893 Ashley Mcneal  51.030923 Sydney Alexis Marie Coogan
51.030933 Ashley Dawn Shirley  51.030878 Fahmi Nazir
51.030898 Joshua Samuel Vest  51.030864 Jocelynn Miranda Hicks
51.030913 Ava Noelle Radel  51.030973 Ashley Dawn Blackburn
51.030902 Cory S. Gavin  51.030851 Sommar Sword
51.030908 Haley Jean Boone  51.030854 Madison Ann Lawson
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Limited Resident’s – (1)

RES.003790 Waleed Ghazai Almutairi

Coronal Polishing – (19)

CP.001703 Kaitlyn Elizabeth Devlin CP.001712 Akeila Anntane Littlejohn
CP.001702 Isabela Maria Rivera CP.001713 Tonya Lynn Harvey
CP.001704 Kristin Nicole Mitchell CP.001714 Carly Ann Emberger
CP.001705 Patti Kim Sharp CP.001715 Kaylyn Nicole Beiling
CP.001706 Kendra Renee Strodes CP.001716 Brittany Morgan Boyles
CP.001707 Lauren Ashley Cole CP.001717 Sierra Paige Sauer
CP.001708 Amber Marie Romani CP.001720 Kelly Alyssa Deyell
CP.001709 Kendra Marie Kundert CP.001719 Zoe Renee Gallagher
CP.001711 Kelsey Virginia Barnett CP.001718 Jessica M Michel
CP.001710 Chelsea Lynn Leech

Expanded Function Dental Auxiliary – (10)

EFDA.002569 Amanda R Duncan EFDA.002574 Sonequea Nicole Parks
EFDA.002568 Amy L Conover EFDA.002575 Delani Frances Guadarrama-Millimen
EFDA.002570 Tiffany Nicole Beckman EFDA.002576 Kelly F Beerman
EFDA.002571 Rhonda L Bowlin EFDA.002577 Becky Sowers
EFDA.002572 Teresa L Campbell EFDA.002578
EFDA.002573 Emily Erin Hertzfeld

Motion by Dr. Subramanian, second by Dr. Shaffer, to approve all licenses, certifications, and registrations as listed that have been issued since the December Board meeting.

Motion carried unanimously.

Graduates of Unaccredited Dental Colleges Located Outside the United States
The Board’s Licensing Division has reviewed a dental license application from Dr. Elisabeth Banasik, a graduate of Phillipps University in Marburg, Germany. Dr. Banasik has completed a two-year AEGD Fellowship in Dentistry from Case Western Reserve University College of Dental Medicine and meets all other requirements as listed in Ohio Administrative Code Section 4715-18-01 for licensure.
Motion by Dr. Shaffer, second by Dr. Ginder, to grant a license to practice dentistry in the state of Ohio for Dr. Elisabeth Banasik.

Motion carried unanimously.

General Anesthesia/Conscious Sedation Permit(s)
President Clark stated that the Board’s Anesthesia Consultant had vetted the following individuals who have applied for Conscious Sedation permits, evaluations have been conducted, and the applicants are recommended to receive Permits for the specified modality.

Conscious Sedation

Natalie Datien, D.D.S., Wooster, Ohio – Oral for children 12 years or younger
Caroline Hong, D.D.S., Wooster – Oral for children 12 years or younger
John D. Smith, D.D.S., Canton, Ohio – Intravenous
Bryan Tervo, D.D.S., Columbus, Ohio – Intravenous

Motion by Ms. Huber, second by Dr. Shaffer, to grant permits to Dr. Datien, Dr. Hong, Dr. Smith, and Dr. Tervo for Conscious Sedation Permits in the appropriate modality as listed.

Motion carried unanimously.

Oral Health Access Supervision Permit(s)
President Clark stated that the Board’s Licensing Manager had reviewed the applications and recommended that the following individuals receive Oral Health Access Supervision Permits:

Dentists
Dr. Kimberly Kron, Massillon, Ohio
Dr. Lauren Goldman, Cincinnatti, Ohio

Dental Hygienists
Cheri Casey, R.D.H.; and
Pamela Williams, R.D.H.

Motion by Ms. Huber, second by Ms. Aquillo, to grant Oral Health Access Supervision Permits to the applicants as listed.

Motion carried unanimously.

Reinstatement Application(s)
Dentist(s)
Paul Filipkowski, D.D.S.
Craig Friesinger, D.D.S.
Maryna Goery, D.D.S.
Dental Hygienist(s)
Lisa Bruffey, R.D.H.
Laura Kinnett, R.D.H.

Motion by Dr. Subramanian, second by Dr. Shaffer, to reinstate the dental and dental hygiene licensees as listed to practice in the state of Ohio.

Motion carried unanimously.

General Anesthesia/Conscious Sedation Permit(s) – Revisited
Motion by Dr. Job, second by Dr. Shaffer, to reconsider the motion regarding approval of Conscious Sedation Permits.

Motion carried unanimously.

Motion by Dr. Shaffer, second by Dr. Das, to grant permits to Dr. Datien, Dr. Hong, Dr. Smith, and Dr. Tervo for Conscious Sedation Permits in the appropriate modality as listed.

Motion carried with Dr. Guttman and Dr. Subramanian abstaining.

Committee Reports
Ad Hoc
Dr. Das stated that the Ad Hoc Committee met earlier that morning at 10:55 am with all members present. They began the meeting with a review of the revisions to the Disciplinary Guidelines for: “Category 1: Improper Prescribing, Dispensing, or Administering of Drugs” wherein members discussed minimum suspensions and whether they were too stringent in light of the fact that suspensions of 90-180 days could potentially close down the practice of a solo practitioner. He explained that the committee had concerns about how suspension time would affect the office staff and the patients. The committee decided that each of the minimum suspension periods should be lowered to 30 days. Dr. Das indicated that Dr. Shaffer then led the discussions on “Category 6: Impairment of Ability to Practice” and she had placed information into the Disciplinary Guidelines on the “first bite rule” that the State Medical Board of Ohio (Medical Board) has in their law as a matter of discussion. However, Dr. Shaffer had mentioned that the Medical Board has found this to be problematic and, therefore, it was the consensus of the committee to not include a “first bite rule” in the guidelines. After further discussion on matters of relapse, the committee decided that a minimum suspension of 30-60 days would be warranted on the first relapse and additional terms would be imposed with guidance from the Treatment facility; a second relapse would require a minimum of 60 days of suspension; and a third relapse would require a 180-day suspension. It was the decision of the Committee to not entertain consent agreement provisions for a fourth relapse.

He stated that they continued their discussions of “Category 3: Fraud, Misrepresentation, or Deception” and decided that the minimum suspensions should be reduced from 60 to 30 days in sections (B) and (F).

Continuing, Dr. Das said that Dr. Job had provided a comprehensive report from the Licensure Portability Working Group who had researched alternative methods of licensure, specifically Interstate Compacts and Portfolio Review and covered with the members the inherent problems of both of those avenues to licensure.
He stated that Dr. Job had also provided the committee with information on Restricted Specialty Licensure at Ms. Nash’s request. The Committee briefly discussed this issue and it was determined that the matter would be forwarded to the Law and Rules Review Committee for further consideration.

One final matter of discussion was a draft response to the American Association of Orthodontists regarding the business model of a particular company, specifically in regards to fee-splitting, acceptable terms of obtaining informed consent, and whether their business model meets the acceptable minimum standard of care. Dr. Das informed the members that the draft response was reviewed, revised and approved for response and that Ms. Nash will forward it to the American Association of Orthodontists.

Dr. Job mentioned that there was one additional matter that the Licensure Portability Working Group had suggested that the Board executive office should have the authority to activate the license of a dentist or dental hygienist seeking reinstatement of the license to practice upon submission of a completed application. He stated that currently these applicants must wait unnecessarily for a Board meeting in order for their applications to be considered which can range from a few weeks to two (2) months.

*Motion by Dr. Job, second by Dr. Ginder, the Board consider making the process for licensure reinstatement identical to the process for initial licensure issuance.*

Discussion followed wherein Ms. Nash clarified that the applicant for reinstatement would still have to meet the criteria in statute for reinstatement, but what we are doing is that the Board office can issue a license prior to a Board meeting with the Board ratifying the issued licenses officially at the next meeting of the Board. Currently, for reinstatements we require the applicant to wait for the next Board meeting and after the Board meeting they are reinstated. The committee’s prerogative was that those applications be treated the same if the application was complete and there were no issues that would preclude them from being licensed that we could do them in the central office and then the Board would ratify them subsequently.

Ms. Huber requested that the report Dr. Job provided from the Licensure Portability Working Group be included in the minutes (Appendix A).

*Motion carried unanimously.*

Director Kamdar questioned whether the Board members should consider entertaining a separate motion regarding the Disciplinary Guidelines.

Ms. Nash stated that all the Board members needed to understand that they have been building revisions into the Disciplinary Guidelines which the Board would now begin to implement. She wanted the members to understand what is in the report and concurred with Director Kamdar on a stand-alone vote approving the Disciplinary Guidelines. Dr. Shaffer noted that not all of the Board members had been provided a copy of the amended Disciplinary Guidelines to date and Ms. Nash agreed that a vote at this time would be problematic. Dr. Shaffer stated that the amended Disciplinary Guidelines should be distributed to all members of the Board prior to consideration of approval.

The discussion concluded with Director Kamdar indicating that the Board would approve the Ad Hoc Committee report as presented and copies of the amended Disciplinary Guidelines would be distributed to all the Board members for review and consideration of approval at the next Board meeting in March.
Motion by Dr. Shaffer, second by Ms. Huber, to approve the Ad Hoc Committee report as presented.

Motion carried unanimously.

Education

Review of Application(s)

President Clark stated that the Committee had not met that day but that Dr. Subramanian had reviewed two (2) sponsor applications on behalf of the Education Committee which had been submitted since the previous meeting for consideration of approval. In addition, she stated that Doug Wallace, D.D.S., the Board Anesthesia Consultant, had reviewed one (1) Anesthesia Permit Renewal course for approval. She stated that the applications and the course were in compliance with the requirements set forth in the Dental Practice Act and Board guidelines and that, as the chair of the Committee, she was recommending approval of the following:

2016-2017 Biennial Sponsor Application(s)
Dental Education Adventures
Felix A. Gen, D.D.S., M.S.

Anesthesia Permit Renewal Course(s)
Sunbury Seminars, Inc. – “Current Concepts in Office Anesthesia 2017”

Motion by Dr. Subramanian, second by Ms. Aquillo, to approve the Biennial Sponsor applications for 2016-2017 and the Anesthesia Permit Renewal Course as listed.

Motion carried unanimously.

Law and Rules Review

Dr. Shaffer informed the members that the Law and Rules Review Committee had met earlier that day with Ms. Huber representing in place of Ms. Johnston. The discussions for the day focused on the statutory revisions to bring the statute up to date for the proposed omnibus bill. She stated that the Committee had reviewed Ohio Revised Code sections 4715.01 to 4715.99 however, they did not finalize edits to Ohio Revised Code sections 4715.30 and 4715.18 which will be discussed again at the March meeting. Upon completion of the discussions on those two (2) statutes, the Committee will continue on to their review of rules for this year. She concluded by informing the members that if the Committee is able to resolve the two (2) statutory issues in Ohio Revised Code 4715.30 and 4715.18, then the Board may be ready to file the omnibus bill.

Motion by Dr. Guttman, second by Ms. Aquillo, to approve the Law and Rule Review Committee report as presented.

Discussion followed wherein it was confirmed that all the Board members would receive a clean copy of all the statutory changes prior to any consideration for voting on them at a later date.

President Clark thanked Dr. Shaffer for the amount of work and effort she has put in on the amendments to the statutes, as well as the Disciplinary Guideline revisions.

Motion carried unanimously.
Operations
Ms. Aquillo stated that the Operations Committee had not met that day and that there was nothing to report to the Board at this time.

Dr. Shaffer pointed out that some of the members had been in conference with each other regarding establishing goals for the Executive Director for the upcoming year. Ms. Aquillo added that Board leadership would be meeting with the Fiscal Officer in March prior to final goal setting and review. She stated that they would be providing the final information to the Board members for possible approval at the March meeting.

Policy/Scope of Practice
Dr. Ginder indicated that the Policy/Scope of Practice Committee had not met that day and that there was nothing to report to the Board at this time.

Executive Updates
President’s Update
Commission on Dental Competency Assessments (CDCA) Meeting Report
President Clark informed the members that she had forwarded a reflection of the Presidents’ and vice presidents’ meeting that was held at the Commission on Dental Competency Assessments (CDCA) annual meeting in Florida on January 14, 2017 (Appendix B). She indicated that the information had been reviewed by Dr. Das and Director Kamdar who were both in attendance to the meeting. President Clark expressed that both Dr. Das and Director Kamdar did a wonderful job and thanked them for attending the meeting. The meeting provided an overview of issues by various dental boards throughout the United States.

Strategic Planning Retreat
President Clark wanted to remind the members of the upcoming Strategic Planning Retreat which is scheduled for June 22, 2017. The members will try and identify ten (10) priorities much like they did last year during the first Strategic Planning Retreat. She said that at that time the Board started getting some real organization to the entire Board and its processes and really wanted to thank Director Kamdar for all of his organization in this regard.

President Clark explained that it was at the last retreat wherein the members developed our Vision, our Mission Statement, developed our core values and the ten (10) different priorities that the members and committees focus on. She stated that because we have these priorities, the Board has been able to track their progress, see they are getting work done from a year ago, moving things forward and trying to make sure that they manage the office well. She stated that she hoped they would keep all the progress they have made to date in mind as they prepare for their next Strategic Planning Retreat, that they mark their calendars to start thinking about issues/matters that they might want to see as a priority for the next ensuing year.

Director Kamdar commented that the goal of the Board would be to have a 2 year rolling plan at all times for their strategic plan. The current plan was for calendar 2016-17 and when they meet in June the members ought to have developed a plan for the remainder of 2017 and 2018. He stated that once they meet again in 2018, they will prepare a plan for 2018-2019 and that they will stay on a calendar year basis until they have somewhat assimilated with the State’s biennium budget process. The thought being that once the members come up with
a strategic plan then they will want to plan their resources, that being the budget, around that plan. He stated that they will take another year in order to assimilate that.

Secondly, he said that he realized that half of the Board members are new and will not be as familiar with the processes that were used last year, however, they would be doing something similar to last time. They did a lot of homework ahead of time in the way of SWOT analysis which was an analysis of the Strengths, Weaknesses, Opportunities, and Threats of the Boards three (3) service lines: Enforcement, Licensure, and Education. The members will do something similar as he has discussion with President Clark and the Chair of the Operations Committee, Ms. Aquillo, on the strategies we want to use for the retreat. Director Kamdar stated that they want to make this a process that involves a lot of critical thinking on the part of the Board members so that when they meet on the day of the retreat, their time is used wisely in putting together similar ideas to eventually come up with approximately ten (10) priorities for the following two (2) years. He said that some of those priorities might be the same ones currently. Considering the work on some of the priorities from the previous year is not finished and may not be finished for a while and others where the work is finished will just be taken off the table.

eLicense Process
President Clark thanked Director Kamdar for his comments and explanations and then stated that the only other thing she wanted to mention before turning the meeting over to Dr. Subramanian was that the Board Officers and office staff have been working diligently on the eLicensure process. She mentioned that soon the senior dental and dental hygiene students will be graduating and navigating their way through the eLicense program in order to file for their license to practice. So she has been working with Director Kamdar and Ms. Nash on updating our jurisprudence exam and development of a job list or guide so that new applicants can easily understand how to actually file their eLicense application.

Opioid Prescribing Training
Dr. Subramanian stated that he first wanted to acknowledge staff member, Zach Russell, who had done an immense amount of work on this project, put in a lot of hours, and come up with some wonderful pie charts. Zach has provided him with the breakdown, and they have reached almost 1500 responses, (almost 25-30% of licensed dentists), to date, which is significant considering that the response rate on surveys is normally around 5-6%. He attributed the survey’s success to Mr. Russell and thanked him for his diligence.

Dr. Subramanian provided a copy of the current breakdown/status that Mr. Russell had provided for the survey questions. He stated that one of the main things that the Executive Director had discussed with him was that he did not want to see a single dentist on the OARRS report, those reports the Board office receives from the Ohio Board of Pharmacy once a month. Dr. Subramanian indicated that they are working on it and thinks the Board is very close to accomplishing it. Taking a look at the numbers, the numbers for the Dental Board are almost insignificant except for about three (3) out of the 20-30 prescribers listed on the report, which have some kind of issue. He stated that based on the information provided in the reports he would say that they are going in the right direction and will continue to do so in the long-term especially if the Board continues to work diligently with both the Ohio Dental Association (ODA) and the Columbus Dental Society.

Dr. Subramanian reported that the ODA has included a presentation by Attorney General Mike DeWine in their Leadership Conference in March. Attorney General DeWine is going to talk on opioid addiction and what the
State of Ohio is going to do as their next possible steps in the fight against opioid addiction. As one of the keynote speakers at that Leadership Conference, Attorney General DeWine will enlighten us a little bit more on what the State is doing and where we go from here.

Dr. Subramanian stated that he worked with the ODA, and at their next ODA conference there will be a continuing education program offered on opioid addiction prescription practices and management of pain at no cost to the attendees. This is something that the ODA is currently working on to be included in the conference this year.

One final note, Dr. Subramanian indicated that they had worked on some of the questions on the jurisprudence exam to reflect the current OARRS rules applicable to dentists.

Director Kamdar thanked Dr. Subramanian for all his research and work on the survey and added that he appreciated the partnership with the ODA. He then said it should be known that dentistry is not sitting on the sidelines when it comes to the opioid addiction problem and the epidemic that is facing this State. Dentistry has taken a very aggressive stance and both the Board and the ODA have shown considerable amount of involvement and progress on this issue, and even the local dental societies have done a tremendous job. He said that regarding opioids, we were recently recognized during a statewide meeting of healthcare cluster of boards for having awarded CE for the GCOAT video training. The Dental Board was the only board that offered that, we were recognized, and it was noted that we had the highest participation. Director Kamdar noted that they also liked our website which had tons of information on opioids and the GCOAT guidelines.

Director Kamdar stated that what we are hoping to do with Dr. Subramanians help, ODA’s help, and others around the table, is to now develop the next line of courses. Lastly, he stated that regarding the OARRS report, he wanted to thank Ms. Nash, Mr. Russell, Dr. Guttman, and others who have been working with Dr. Subramanian, on the OARRS monthly monitoring process. The list has truly started shrinking and we have our list down to around 200 prescribers with the majority of those so minor that they almost wouldn’t need to be there. He is happy to report that most of the dentists that we are dealing with on that list are being cooperative in turning it around. He stated that he just wanted to say “Thank you” to all the Board members for their attention to this opioid problem that the State is facing and helping the administration to keep it going in the right direction.

Executive Director’s Update

CE Vendor Request for Proposal Process

Director Kamdar stated that he believed everyone was aware that the Education Committee did a nice job of reviewing presentations from three (3) vendors for continuing education monitoring and tracking purposes and that now we have to take it up to the next level. He said that we want to make sure that we are following the States procurement guidelines and therefore, we will be following the Request For Proposal (RFP) cycle. We will entertain requests from all three (3) vendors that submitted interest and, although it is at no cost to the State, we want to make sure that when we do make a selection that it is done according to the criteria set forth ahead of time in the RFP.
FY 18/19 Budget Submission
Director Kamdar explained that we have submitted our budget request for Fiscal Years 2018-2019 to the Office of Budget & Management and Governor’s Office which has now released the State’s budget for consideration. It will travel through the State Legislature over the next several months and we will be meeting with various members of the Legislature over the next few weeks and months to clarify our budget request. He stated that this also ties in with the fee increase language that we have submitted for our Board which the members are all aware of already.

Combined Charitable Campaign
Director Kamdar was pleased to report that the Board has exceeded its Combined Charitable Campaign of $1,400 for calendar year 2016. He stated that Board contributions came in at twice that ($2,900) and shows that Board members and staff are certainly opening their wallets and giving toward a good cause. In terms of what that means for the Board is that the Board gets a gold bar with two (2) stars on it which is the highest award one can receive. He wanted to thank those members for their contribution as it makes a difference for the Board, as well as to those who are in need of our help.

Financial Disclosure Statements and Ethics Training
Director Kamdar reminded the members that their Financial Disclosure Statements are due on May 15, 2017 and that he previously sent a memo to everybody in December. Also, he wanted to remind the members about their annual Ethics Training which they need to complete within the next few months. He stated that the Ohio Ethics Commission has plenty of opportunities for the members to complete the training either through a webinar or in-person training, and informed them that if they needed any assistance to contact him or Ms. Nash and they would guide them in the right direction. Ms. Nash offered to check the website and send an email to the members with details on their options.

American Association of Dental Boards Finance Committee
One final note, Director Kamdar informed the members that he had just received notification earlier that day that he had been selected to be on the American Association of Dental Boards (AADB) Finance Committee and he will be taking all the Board’s good work forward nationally to help out where we can.

President Clark congratulated Director Kamdar on his appointment.

Executive Session
Motion by Ms. Aquillo, second by Dr. Subramanian, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(3) to confer with Board counsel regarding a pending or imminent court action.

Roll call vote:
- Ms. Aquillo – Yes
- Ms. Clark – Yes
- Dr. Das – Yes
- Dr. Ginder – Yes
- Dr. Guttman – Yes
- Ms. Huber – Yes
- Dr. Job – Yes
Dr. Subramanian – Yes
Dr. Shaffer – Yes

Motion carried unanimously.

President Clark stated that the Board would now go into Executive Session and requested Ms. Bockbrader, Director Kamdar and Ms. Nash to attend. She requested all other guests and staff to leave the meeting and to take all personal items, including briefcases, purses, cell phones, tablets, etc. with them when exiting the room. She stated that they would be invited back in upon conclusion of the Executive Session.

Open Session
At 3:25 p.m. the Board resumed open session.

Anything for the Good of the Board

AADA/AADB Mid-Year Meeting

President Clark mentioned that the next American Association of Dental Boards (AADB) meeting will be held on April 23-24, 2017, at the American Dental Association (ADA) headquarters in Chicago, Illinois and that she would be attending along with Director Kamdar and Dr. Guttman may be attending. She stated that the Board also got an announcement that there was going to be a National Dental Examiners Advisory Forum sponsored by the ADA Joint Commission on Dental Examinations (Joint Commission) held on Monday, April 24, 2017 from 11:30 a.m. to 12:00 noon at the ADA headquarters immediately following the AADB Mid-year meeting. Funding is provided by the Joint Commission for one cardholding member from each state board to attend the advisory forum. She stated that Dr Shaffer has volunteered to be our representative and as she currently serves on the ADA Council on Dental Education and Licensure (CDEL) Committee she could be a representative to the advisory forum. However, she was opening this matter up to the Board.

Dr. Shaffer informed the members that she would be attending the meetings in Chicago as a member of the CDEL Committee and could represent the Board in this capacity as well.

Director Kamdar stated that the American Association of Dental Administrators (AADA) meeting as well on that Sunday morning and as he has never been to that meeting specifically for executive directors of state boards across the nation, he would like to attend the meetings. He suggested that he could fly to Chicago on Saturday evening, attend the AADA meeting in the morning, the AADB in the afternoon and Monday morning before returning on Monday afternoon.

Also, Director Kamdar commented that during the last AADB/AADA meetings the Board did not have any attorney representation at the Attorney Roundtable meeting. He stated that it would be beneficial to consider sending Ms. Nash to be involved and network with those resources across the country, especially in this age of litigation. As the meeting is being held nearby in Chicago, the cost should be minimal compared to future meetings held elsewhere. He was suggesting the Board consider approving Ms. Nash to attend the meeting in Chicago and if not, then they should consider having her attend the October meeting in Atlanta, Georgia.
Motion by Dr. Shaffer, second by Dr. Ginder, to send Director Kamdar and Ms. Nash to the Chicago AADB meeting and the Attorney Roundtable meeting and Director Kamdar to the AADA and entire AADB meeting in light of his appointment to the AADB Finance Committee.

Motion carried unanimously.

American Board of Dental Examiners Meeting
Dr. Das inquired as to the dates of the upcoming American Board of Dental Examiners, Inc. (ADEX) meeting and whether the Board was considering inviting former Board member Mary Ellen Wynn, D.D.S., the Board Representative to ADEX, to a future meeting to provide her ADEX report.

A brief discussion followed wherein it was determined that an invitation would be forwarded to Dr. Wynn to attend the September Board meeting to provide her report on the ADEX activities.

President Clark took a moment to thank all her fellow Board members and the Board staff for all the work they have done since the December meeting.

Adjourn
Motion by Dr. Subramanian, second by Dr. Das, to adjourn the meeting.

Motion carried unanimously.

President Clark adjourned the meeting at 3:31 p.m.

CONSTANCE CLARK, R.D.H.
President

ASHOK DAS, D.D.S.
Vice President
Appendix A

Licensure Portability Working Group Report

The Licensure Portability Working Group met via conference call on Tuesday January 14, 2017. Present on the call were Dr. Michael Ginder, Dr. Patricia Guttman, Ms. Lyndsay Nash and chairman Dr. Burton Job. Mr. Dave Owsiany, Executive Director of the ODA, was not able to join the call. The items discussed were:

I. Ohio’s requirements for obtaining a dental license and how Ohio’s requirements compare with other states across the nation. Currently, an applicant can obtain an Ohio Dental license by four methods.
   1. Pass one of five regional boards.
   2. Pass a test administered by the Ohio State Dental Board.
   3. Complete one year in an approved Dental Residency Program. (PGY1).
   4. Reciprocity (Having practiced in another state for 5 years without issues.)

II. Alternative Methods of Licensure
   1. Interstate Compacts
   2. Portfolio Review

III. Restricted Specialty Licenses

Our investigations revealed that Ohio is one of the most liberal states in the nation in providing applicants with multiple avenues for obtaining a dental or dental hygiene license. The only item we felt should be addressed is how Ohio reinstates previously retired dental and dental hygiene licenses. Currently new applicants for a dental or dental hygiene license in Ohio have their applications vetted by staff and if found to be in order, a license is issued which is later approved by the full Board at their next scheduled meeting. Applicants for reinstatement of a previously retired license must have their applications approved by the full Board prior to having their license reissued. We felt this delay in reissuing a license was unnecessary and should be addresses by the Ad Hoc committee. If they concur, this issue should be referred to the full Board for their deliberation and action.

The concept of Interstate Compacts is not new to Ohio. Interstate Compacts were previously evaluated by other Ohio licensing bodies including the Ohio State Medical and Nursing Boards. Both organizations were concerned about potential loss of state control over both the cost and issuance of licenses. They also found that policies adopted by multi-state compacts were often in violation of Ohio state laws. Therefore, they felt the concept of Interstate Compacts was too risky and cumbersome to be utilized in Ohio. Our working group agreed with their findings and we currently feel that the Ohio State Dental Board should not endorse the use of Interstate Compacts.

A presentation on the use of Portfolio Review as an alternative pathway for dental licensure was presented at the January CDCA meeting by representatives from California. It appeared that the portfolio review was essentially a compellation of the procedures performed by the students during their
dental school education. This portfolio was then reviewed by instructors from the student’s own dental school who determined if they had demonstrated sufficient competency to be issued a California dental license. It was our opinion that the concept of licensure by Portfolio Review was too cumbersome and self-serving to be utilized in Ohio.

Finally, Ms. Lyndsay Nash asked us to evaluate Ohio’s Statute pertaining to the issuance of “Restricted Specialty Licenses” to foreign trained dentists who wish to practice only their specialty in the state of Ohio. Ms. Nash has recommended that the requirements for these Restricted (or limited) Specialty Licenses, which are currently based on policy, should be written into the Ohio State Statutes and thus provided us with a draft of her proposed changes. We agree with Ms. Nash’s concerns and feel her draft should be referred to the Laws and Rules Committee for deliberation and appropriate action. (I have attached a copy of her proposed changes to this report.)

I would like to thank the members of the Licensure Portability Working Group for their tireless service and outstanding efforts in helping to develop this report. Particular appreciation goes out to our legal counsel Ms. Lyndsay Nash for her guidance and help in drafting the proposed changes to the Ohio Statutes.

Respectfully Submitted,

Burton W. Job DDS, MS
Chariman
Appendix B

CDCA Presidents/Vice Presidents’ Meeting

The Presidents/Vice Presidents’ meeting was held on Thursday, January 14, 2017 at the Annual CDCA meeting. In attendance from Ohio were Vice President Dr. Ashok Das, Director Harry Kamdar and President Constance Clark.

The meeting opened with an update on the ADA and Patient Based licensure examination. There are now 7 schools using the Patient Based Model (previously known as the Buffalo model). There are differences amongst the exams as WREB does not require the prosthetics exam yet the ADEX exam you must pass the prosthetics exam.

The 6 states that do not accept ADEX are Georgia, Oklahoma, Alaska, Delaware, Arkansas, Iowa.

Issues of concerns from various states included the following:

- Whether a DA can take a final impression or digital image for an appliance.

  We expressed our opinion that DA under Dentist supervision is allowed to take the digital scans which becomes a final impression as soon as the Dentist approves it.

- In Florida, an International licensed dentist may sit for the Dental Hygiene Licensing exam to become an RDH. Florida also mandates defibrillators in dental offices.

- New Hampshire is considering licensing dental practices

Brief discussion on Tele dentistry

Connie briefed the whole table regarding Specialty licensing changes in Ohio

Executive Director gave a brief overview of how the Ohio State Dental Board is combating the opioid overdose epidemic through monthly monitoring using the state’s Rx reporting system known as OARRS. There seem to be a decline in the number of potential violations by prescribers with the implementation of the monitoring system.

Indiana also reported that they are developing some rules for Dentists with prescriptive authority to dispense, or write a prescription for Opioids and Opioid overdose procedures.

Some ideas were exchanged regarding Remediation of disciplined providers

Dr. Das inquired how many states are assessing monetary fines on minor infractions that fall between suspension and only CE. Many states have authority to fine; many others do not. Indiana is allowed to fine as much as $10,000 some states do assess a $1000 fine plus CE on dentists that fall behind on CE on renewal.

Hawaii requires 6 CEU for renewal on ethics. CPR is limited to providers of AHA and ARC. It also must be an 8 hour hands on course. Hawaii is also looking to use the dental hygiene program sites for the dental exam as the military base is no longer an option.
Indiana reported 22% of licensees not in compliance with CE. Indiana is also increasing licensing fees. Indiana is working on rules for the RDH’s use of lasers. Indiana raised the CEU for dental hygienist from 14 to 19 and ½ of the CEU must be in face to face format.

Vermont Board of Dental Examiners is looking at CODA approved schools for the dental practitioner as none exists as yet.

Mississippi reported practitioners must register with the Pharmacy agency as well as dental board.

Illinois has 2-year program requirement for Foreign Trained dentist. Illinois dentists are allowed to administer flu shots.

Pennsylvania reported public health dental hygiene increased scoped of practice to include hospice, private homes, and hospitals. Also has required CE for human trafficking and opioid distribution.

Texas reported registered dental assistants in past. Now looking to discontinuing it.

District of Columbia is now accepting PGY-1

Connecticut voted against a non-patient exam. Working on infection control guidelines

New Hampshire does not regulate materials or instruments for dental procedures as long as they fall under the scope of dental practice.

Maryland adopted CDC guidelines. Questions were raised if that included just the guidelines or also the suggestions and recommendations.

This concludes my report.

Respectfully submitted,

Connie Clark