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Ohio State Dental Board
Board Meeting
February 7, 2018

Attendance
The Ohio State Dental Board (Board) met in Room 1948, of The Vern Riffe Center for Government and the Arts, 77 South High Street, 19th Floor, Columbus, Ohio on February 7, 2018. Board members present were:

- Ashok Das, D.D.S., President
- Patricia Guttman, D.D.S., Secretary
- Kumar Subramanian, D.D.S., Vice Secretary
- Bill Anderson, D.D.S.
- Theodore Bauer, D.D.S.
- Constance Clark, R.D.H.
- Michael Ginder, D.D.S.
- Burton Job, D.D.S.
- Jamillee Krob, R.D.H.
- Andrew Zucker, D.D.S.
- Susan Johnston, R.D.H.
- Ms. Ann Aquillo, the Board’s Public Member

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Ohio Attorney General’s Office; Nathan DeLong, Esq. of the Ohio Dental Association (ODA); Mark Wenzel, D.D.S. of the ODA Dentists Concerned for Dentists Program; Mark Armstrong, D.D.S. of the Commission on Dental Competency Assessments; Rowad Mahmoud, The Ohio State University Dental Hygiene Student; Harry Kamdar, M.B.A., Executive Director, Steve Kochheiser, Esq., Deputy Director, Zachary Russell, Legislative and Communications Coordinator, Barb Yehnert, and Kathy Carson, Dental Board Enforcement Officers, and Malynda Franks, Administrative Professional, of the Ohio State Dental Board and other guests.

Call to Order
Ashok Das, D.D.S., introduced himself as the Board President and a general dentist from Mason. After extending greetings to everyone, President Das noted that there was a quorum present and called the meeting to order at approximately 1:06 p.m. He then requested Executive Director Harry Kamdar to facilitate the meeting.

Board Business
Introductions
Board Members
Director Kamdar then introduced the rest of the Board members consisting of 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, Bill Anderson, D.D.S., a general dentist from Findlay, Theodore Bauer, D.D.S., a general dentist from Upper Arlington, Ms. Constance Clark, a dental hygienist from Dublin, Dr. Michael Ginder, a general dentist from Athens, Dr. Burton Job, an Oral and Maxillofacial Surgeon from Akron, Dr. Jamillee Krob, a dental hygienist from Canton, and Dr. Andrew Zucker, a general dentist from Sandusky.

Director Kamdar stated that the Vice President, Ms. Susan Johnston, a dental hygienist from Columbus, and Ms. Ann Aquillo, the Board’s Public member from Powell, were unable to attend the meeting due to a schedule conflict.
The Ohio State University Dental Hygiene Practicum Student
director Kamdar then took a moment to introduce Ms. Rowad Mahmoud, a Senior dental hygiene student at The Ohio State University who was attending the meeting as part of her Senior year eight week practicum project with the Board.

Approval of Agenda
Director Kamdar stated that President Das had previously reviewed 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. Subramanian, second by Dr. Anderson, to approve the December 6, 2017 Board meeting agenda as presented.

Motion carried with Dr. Job abstaining

Review of Board Meeting Minutes
December 6, 2017 Meeting
Director Kamdar informed everyone that the draft Minutes from the December 6, 2017 meeting had been forwarded to the Board members for review prior to the meeting and asked if there was a motion in regards to the Minutes.

Motion by Dr. Krob, second by Dr. Subramanian, to approve the December 6, 2017 Board meeting minutes as presented.

Motion carried with Dr. Job abstaining

Public Comment/Presentations/Correspondence
Correspondence – American Board of Dental Examiners, Inc.
Director Kamdar indicated that the Board had received correspondence from Patrick D. Bratz, ADEX Chief Operating Officer for the American Board of Dental Examiners, Inc. [Appendix A] regarding the ADEX House of Representative Member. He explained that the letter informed the Board that former Board member Dr. Mary Ellen Wynn had served as our appointed Member Representative in addition to serving as our Dental Examination Member. The letter was to inform the Board that Dr. Wynn’s term as the House of Representative Member expired last year but that she remains the Dental Examination member until the meeting in 2019. Mr. Kamdar stated that according to current ADEX bylaws, Member Representatives must be dentists and that, should the Board choose, Dr. Wynn could be appointed to serve another term as the Member Representative until 2020. He further explained that ADEX will fund attendance for only one person but the positions can be held concurrently by the same individual. Therefore, the Board has the option to make a motion to re-appoint Dr. Wynn as the Member Representative.

Motion by Dr. Anderson, second by Dr. Bauer, to re-appoint Dr. Mary Ellen Wynn as the current Member Representative to ADEX.

Discussion followed wherein it was asked if any other dentist had shown an interest in this appointment. Director Kamdar indicated that he had not received any inquiries from interested parties, but noted that in the future, ADEX has indicated that ideally their preference would be for a current Board member be appointed to these positions.

Roll call vote. Motion carried with Dr. Job abstaining
Correspondence – Joint Commission on National Dental Examinations
Director Kamdar informed the Board that we had received correspondence from Dr. Lisa Heinrich-Null the Chair of the Joint Commission on National Dental Examinations regarding the timeline implementation of the new Integrated National Board Dental Examination (Integrated Exam) and the phasing out of the old National Board Dental Examination (National Board Exam). He stated that the new program focused on clinical relevance that has been developed to replace the National Board Exams Parts I and II. Director Kamdar referenced the timelines explaining that the dental class of 2020 would be the first class affected by the transition with the National Boards Parts I and II being completely phased out by July 2022. He stated that the letter suggests that dental regulatory boards keep this in mind when considering modifications to current law, rules and policies.

Action Items
Supervisory Investigative Panel Expense Report
Director Kamdar asked if Dr. Guttman and Dr. Subramanian, 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 Ms. Clark, second by Dr. Krob, to approve the Supervisory Investigative Panel Expense report.
Motion carried with Dr. Guttman, Dr. Subramanian, and Dr. Job abstaining.

Enforcement
Personal Appearances
Ryan Slaten, D.D.S.
Ms. Yehnert stated that this was Dr. Slaten’s first appearance before them on his first consent agreement with the Board. She reviewed his history with the Board members including that Dr. Slaten voluntarily surrendered his DEA Permit on August 30, 2017 and that he subsequently completed residential treatment at The Ridge on November 13, 2017. She informed the Board that Dr. Marc Whitsett provided a return to work assessment stating that Dr. Slaten is safe to return to the practice of dentistry. Ms. Yehnert stated he remains in compliance with the terms of his Consent to date and that Dr. Slaten was before them to request reinstatement of his license with work privileges.

Upon questioning by the Board, Dr. Slaten stated that he is five (5) months sober and attends between six and ten (6-10) meetings per week. He commented that he has not been sober that length of time since becoming an adult. Dr. Slaten stated that it has taken a lot of discipline and leadership to get to this point and that he has needed this for a long time. He stated that he has never been spiritual or led a spiritual life but now he has found that part of himself. He stated that he has always wanted to be in control, and he is learning how to say “No” and how to prioritize his time since he went through a divorce and now wants to spend more family time with his 2-year old. Dr. Slaten said that he had never had much discipline in his life, taking on too much, overpromising and never delivering.

When asked what structures/support he has in place to help in his recovery, Dr. Slaten that he knows his sponsor personally. He explained that when his wife left him, he began drinking hard liquor first thing in the morning. He stated that at that point he called his uncle, who has been sober for 25 years, for help. Dr. Slaten stated that he has become reacquainted with himself and becoming more involved in his community again.
When asked by Director Kamdar what his specific request of the Board was that day, Dr. Slaten stated that he was before them today seeking reinstatement of his license to practice dentistry.

Director Kamdar stated that they appreciated Dr. Slaten’s sharing with the Board and then asked him to remain as they would be discussing his request during the Executive Session immediately following the next Personal Appearance interview.

Rudyard C. Whipps, D.D.S.

Ms. Yehnert stated that this was Dr. Whipps second appearance before them on his third consent agreement with the Board and then summarized his history with the Board adding that he recently voluntarily surrendered his DEA License. She stated Dr. Whipps continues to comply with the terms of his Consent Agreement and he was before them today to request reinstatement of his license with work privileges.

Upon questioning by the Board, Dr. Whipps thanked the Board members for allowing him to return to work as he has a new appreciation for dentistry. He stated that he has amazing support from his staff and patients and that since his reinstatement he has prioritized his recovery just as before; he attends caduceus meetings in Columbus where he is the chair this month and works with his sponsor. He explained that he has two (2) employers and has offers from both for increased practice hours as he has a good rapport with patients and staff.

When asked how many additional work hours he would like to be granted, Dr. Whipps stated that he would prefer a full reinstatement of his license but his priority is his recovery. He explained that when his recovery is not a priority then things change for him and so he will not be pushed into working more hours than he is comfortable with. He stated that life has been a struggle for him and that Alcoholics Anonymous (AA) is the only thing that has worked for him over the past 15 years.

When asked by Director Kamdar what his specific request was of the Board that day, Dr. Whipps stated that he was asking for full reinstatement but that he never plans to work more than 40 hours/week as he cannot balance that with his commitment to recovery.

Director Kamdar thanked Dr. Whipps’ sharing with the Board and then asked him to remain as they would be discussing his request during the Executive Session. She then concluded the Personal Appearances discussions.

Executive Session

Motion by Ms. Clark, second by Dr. Subramanian, to move the Board into executive session to consider the investigation of charges or complaints against licensees pursuant to Section 121.22(G)(1) of the Ohio Revised Code.

Roll call vote:

Dr. Anderson – Yes
Dr. Bauer – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Ginder – Yes
Dr. Guttman – Yes
Dr. Job – Yes
Dr. Krob – Yes
Dr. Subramanian – Yes
Dr. Zucker – Yes

Motion carried unanimously.
Director Kamdar stated that he, along with Mr. Kochheiser and Ms. Bockbrader would remain in the room during the Executive Session. He requested all other guests and staff to leave and take their personal belongings with them as they left the room. He explained that they would be invited to return to the meeting at the conclusion of the Executive Session.

Open Session
The Board resumed open session and Director Kamdar noted for the record that Dr. Guttman, Dr. Subramanian, Dr. Bauer, Dr. Job, and Dr. Zucker had not attended the executive session and, therefore, were not present during the deliberations in these matters.

Decision in the Matter of Ryan Slaten, D.D.S.
Director Kamdar informed Dr. Slaten that the Board would like to invite him to return for a personal appearance in March to reconsider his request for reinstatement.

Decision in the Matter of Rudyard C. Whipps, D.D.S.
Motion by Dr. Subramanian, second by Ms. Clark, to increase the number of practice hours for Dr. Rudyard Whipps an additional four (4) hours for a total of not more than twenty-four hours per week not to exceed eight (8) hours of active clinical practice per day and remain in full compliance with the terms of his consent agreement with the Board, and that Dr. Whipps must request and be granted a personal appearance before the Board in order to request additional practice hours.

Motion carried with Dr. Job abstaining.

Director Kamdar then turned the meeting over to Deputy Director Kochheiser to present the Enforcement matters before the Board.

Report and Recommendations
In the Matter of Eberluis Stevao, D.D.S.
Director Kamdar turned the meeting over to Deputy Director Kochheiser to conduct the Report and Recommendations. Mr. Kochheiser announced that the Board would now consider the Attorney Hearing Examiner’s Report and Recommendation in the matter of Eberluis Stevao, D.D.S. that was filed by Attorney Hearing Examiner Chester Lyman, Esq., on December 1, 2017.

Mr. Kochheiser asked for the record if each member of the Board had an opportunity to review the Report and Recommendation, transcript, exhibits, and objections in the matter of Eberluis Stevao, D.D.S. that were made available on the Board Member Portal?

Roll call: Dr. Anderson – Yes
Dr. Bauer – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Ginder – Yes
Dr. Krob – Yes
Dr. Zucker – Yes

Mr. Kochheiser informed the Board that Dr. Stevao had requested to present oral argument under Revised Code 4715.039 and then asked if Dr. Stevao were in attendance with his counsel. Mr. Eric Jones, J.D., attorney for Dr.
Stevao introduced himself to the Board members and indicated Dr. Stevao would first address the Board and then he would be providing a few additional comments.

Mr. Kochheiser stated that the Board’s minutes serve as the official record of the proceedings. Dr. Stevao and his attorney Eric Jones, J.D. had requested the opportunity to address the Board and therefore, Ms. Katherine Bockbrader, the Assistant Section Chief in this matter would be given the opportunity to respond. He informed the members that all parties should limit their comments to the Hearing Examiner’s Findings of Fact, Conclusions, and Proposed Order in this matter and that the Board should only consider the evidence presented during the administrative hearing in this matter and therefore, there would be no questions from Board members. He stated that the parties had agreed to a time limit of 10 minutes and each side may rebut until time expires.

Eberluis Stevao, D.D.S.

Dr. Stevao begged the members’ patience as English is not his native but rather his third language. He introduced himself to the Board as an oral and maxillofacial surgeon from Brazil holding both a Ph.D. and D.D.S. degrees. He explained that, as many of them are aware, they only issue green cards and VISA’s to exceptional candidates from foreign countries. He has written three (3) books and many chapters of others, 50+ research papers, and is now here without a license. His journey began as a little boy with a desire to work and live in the United States and he began the licensure process in Ohio in 2013. He informed the members that the Board rules and guidelines have not changed during this time, however, he had been led to believe he qualified for a license under the law and rules for foreign graduates. For two (2) years he traveled back and forth from Brazil, investing in his future, to comply with Ohio’s requirements. He fell in love with Ohio and his friend, Dr. Manraj Bath, found purchase in his dreams. He intended to work alongside Dr. Bath but without a license he has no future opportunity to realize his dreams. He stated that he was before them today to humbly ask them a license to practice dentistry in Ohio, to help him realize his dreams, that it is an honor to help people and to call Ohio his new home.

Eric Jones, J.D.

Mr. Jones introduced himself as Dr. Stevao’s attorney and expressed that Dr. Stevao was very passionate and committed to coming to Ohio to practice dentistry. He reiterated the information that had been provided to the Board that Dr. Stevao originally applied for a license in August 2013 and complied with every request that the Board made of him including passing National Boards Parts I and II and the CDCA regional board examination. He attested to Dr. Stevao’s skills by informing the members that Dr. Stevao has taught oral and maxillofacial surgery in ten (10) different countries. Mr. Jones said that Dr. Stevao was led to believe during every step of the licensure process that he had met the criteria to obtain licensure under the law in Ohio from his residency/fellowship completed at Baylor University to the ECE determination that the education received and documented in his transcripts was equivalent to that education which would have been received in a 4-year accredited dental program. In December 2016 Dr. Stevao had received correspondence from the Board executive office that the only remaining missing documentation for his application was an FBI background check. In a follow-up email to the Licensure Coordinator, Samantha Slater as to whether there was anything else required to complete his application he was informed his application was complete.

Mr. Jones told the Board that Dr. Stevao’s license application was subsequently denied in February 2017 based on the determination that the 2-year residency at Baylor University was actually a 2-year fellowship in oral and maxillofacial surgery in specialized areas and not a general practice residency which is required by Board rule. He stated that paragraph (A)(7) of that same rule states that the education received should be from an accredited institution that reasonably assures that the candidate for licensure has equivalent knowledge and skills as that which would have been obtained through an accredited program. It is the Board’s discretion that denial of the
competency of a dental school graduate to be based on that standard is arbitrary, restrains competition, and exposes the Board members to anti-trust violations.

Continuing, Mr. Jones stated that the Board’s reliance on the testimony of Dr. Kennedy’s limited review to assess the competency standard used to evaluate Dr. Stevao’s training was the Commission on Dental Accreditation standards for oral and maxillofacial surgery programs not an individuals’ qualifications. The Hearing Examiner found Dr. Kennedy’s reliance on CODA and subsequent interpretation to be misguided as Dr. Stevao is not a “program”. Ultimately, throughout this process Dr. Stevao had been led to believe that he had met the requirements for licensure in Ohio, even based on the Board’s internal checklist for the application he had met the requirements. The Board had four (4) years of opportunity to request more information.

Mr. Jones stated that there is no question that Dr. Stevao has the skills, that Dr. Kennedy acknowledged this work and his surgeries but that he is expected to have general competencies is subjective. He then asked that the Board grant a dental license to Dr. Stevao.

*Katherine Bockbrader, Esq.*

Ms. Bockbrader began by stating ultimately the question is whether Dr. Stevao’s 2-year fellowship reasonably assures a level of competence equivalent to a graduate of an accredited dental college. Dr. Kennedy testified that in review of the materials submitted, she disagreed with evidence in that it did not show completion of a program that reasonably assures a level of competency equal to graduates of accredited dental colleges. “Reasonably” does not need to be defined but the program must reasonably assure that he has met the level of competency required.

Ms. Bockbrader stated that Dr. Stevao criticized Dr. Kennedy’s opinion regarding equivalent training and questioned “what are the educational requirements’ and “what areas of competency have been met”. The fellowship did not address those areas of competency. The ECE report evaluates dental schools in foreign countries but the Board requires two years of training in general dentistry.

Concluding, Ms. Bockbrader stated that ultimately it is the decision of the Board as to whether they should grant Dr. Stevao a license to practice dentistry. If they feel that he is competent to practice than they should grant the license but if they feel that he is not competent than they should deny him the license to practice.

*Quasi-Judicial Deliberations*

*Motion by Ms. Clark, second by Dr. Anderson, to recess for the purpose of conducting quasi-judicial deliberations in the matter of Eberlius Stevao, D.D.S., pursuant to Ohio Revised Code 119. and to reconvene in open session following deliberations.*

Roll call vote:  
- Dr. Anderson – Yes  
- Dr. Bauer – Yes  
- Ms. Clark – Yes  
- Dr. Das – Yes  
- Dr. Ginder – Yes  
- Dr. Krob - Yes  
- Dr. Zucker – Yes  

Motion carried unanimously.

Mr. Kochheiser indicated that only Board members and Chief Legal Counsel would remain in the room for the deliberations. He stated that members of the public, SIP members who reviewed the investigation of this case,
Assistant Section Chief Ms. Bockbrader, and other staff must wait outside. He then requested all 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. He stated that they would be invited back in upon conclusion of the deliberations for announcement of a decision in this matter.

Open Session
The Board resumed the open session at approximately 3:00 p.m.

Mr. Kochheiser stated, “Let the record reflect that Dr. Guttman and Dr. Subramanian were the Secretaries in this matter and that they, along with Dr. Job, were not present nor did they participate in the deliberations in this matter. Therefore, they will abstain from final vote.”

Decision in the Matter of Eberluis Stevao, D.D.S.
Motion by Dr. Zucker, second by Dr. Anderson, that in the matter of Eberluis Stevao, D.D.S., the Board accept all of the Findings of Fact and Conclusions of Law and modify the Recommendation in the Hearing Examiner’s Report and Recommendation and that the Board grant Eberluis Stevao’s license with restriction of his practice to oral and maxillofacial surgery.

Dr. Zucker stated that the rationale for the modification is that the Board in its expertise finds that they are reasonably assured of his level of competency being equal to a graduate of an accredited dental college. This is based on his individual application and should not be interpreted as applying to other applications. This does not grant any anesthesia or sedation permit.

Motion carried. Ms. Clark and Dr. Das opposed and Dr. Subramanian, Dr. Guttman, and Dr. Job abstained.

In the Matter of Robert Rouzaud, D.D.S.
Mr. Kochheiser announced that the Board would now consider the Attorney Hearing Examiner’s Report and Recommendation in the matter of Robert Rouzaud, D.D.S. that was filed by Attorney Hearing Examiner Lawrence Pratt, Esq., on November 7, 2017.

Mr. Kochheiser asked for the record if each member of the Board had an opportunity to review the Report and Recommendation, transcript, exhibits, and any objections in the matter of Robert Rouzaud, D.D.S. that were made available on the Board Member Portal?

Roll call: Dr. Anderson – Yes
Dr. Bauer – Yes
Ms. Clark – Yes
Dr. Ginder – Yes
Dr. Guttman – Yes
Dr. Krob – Yes
Dr. Subramanian – Yes
Dr. Zucker – Yes

Mr. Kochheiser informed the Board that Dr. Rouzaud had not requested to present oral arguments pursuant to Revised Code 4715.039 and indicated that they would proceed with quasi-judicial deliberations.
Quasi-Judicial Deliberations

Motion by Dr. Krob, second by Dr. Subramanian, to recess for the purpose of conducting quasi-judicial deliberations in the matter of Robert Rouzaud, D.D.S., pursuant to Ohio Revised Code 119. and to reconvene in open session following deliberations.

Roll call vote: 
Dr. Anderson – Yes
Dr. Bauer – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Ginder – Yes
Dr. Guttman – Yes
Dr. Job – Yes
Dr. Krob - Yes
Dr. Subramanian – Yes
Dr. Zucker – Yes

Motion carried unanimously.

Mr. Kochheiser indicated that only Board members and Chief Legal Counsel would remain in the room for the deliberations. He stated that members of the public, SIP members who reviewed the investigation of this case, Assistant Section Chief Ms. Bockbrader, and other staff must wait outside. He then requested all 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. He stated that they would be invited back in upon conclusion of the deliberations for announcement of a decision in this matter.

Open Session

The Board resumed the open session at approximately 3:00 p.m.

Mr. Kochheiser stated, “Let the record reflect that Dr. Das and former Board member Dr. Martin Chambers were the Secretaries in this matter and that Dr. Das, along with Dr. Job, were not present nor did they participate in the deliberations in this matter. Therefore, they will abstain from final vote.”

Decision in the Matter of Robert Rouzaud, D.D.S.

Motion by Dr. Anderson, second by Dr. Bauer, that in the matter of Robert Rouzaud, D.D.S., the Board accept all of the Findings of Fact and Conclusions of Law and the Recommendation in the Hearing Examiner’s Report and Recommendation and that the Board permanently revoke Robert Rouzaud’s license to practice dentistry. 

Motion carried. Dr. Das and Dr. Job abstained.

Proposed Voluntary Permanent Retirement(s)

The Board reviewed two (2) proposed voluntary permanent retirements. 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. Mr. Kochheiser provided brief summaries in the matters before the Board.

Steven D. Baxter, D.D.S.

Motion by Dr. Bauer, second by Dr. Krob, to approve the proposed voluntary permanent retirement for Steven D. Baxter, D.D.S., license number 30.018732, case number 17-25-1074.
Roll call vote. Motion carried with Dr. Guttman, Dr. Subramanian, and Dr. Job abstaining.

Larry Glass, D.D.S.
Motion by Dr. Anderson, second by Dr. Krob, to approve the proposed voluntary permanent retirement for Larry Glass, D.D.S., license number 30.011595, case number 16-50-1308.

Roll call vote. Motion carried with Dr. Guttman, Dr. Subramanian, and Dr. Job abstaining.

Proposed Consent Agreement(s)
Disciplinary
T. Dean Bobbitt, D.D.S.
Motion by Dr. Zucker, second by Dr. Krob, to approve the proposed consent agreement for T. Dean Bobbitt, D.D.S., license number 30.020974, and case number 14-84-0448.

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

Melville D. Hayes, D.D.S.
Motion by Dr. Ginder, second by Dr. Zucker, to approve the proposed consent agreement for Melville D. Hayes, D.D.S., license number 30.015151, and case number 16-14-1141.

Board members questioned whether the felony that Dr. Hayes was convicted of was in relation to the practice of dentistry. Mr. Kochheiser stated that it was not.

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

Danardo R. Scarso, D.D.S.
Motion by Dr. Zucker, second by Dr. Bauer, to approve the proposed consent agreement for Danardo R. Scarso, D.D.S., license number 30.019326, and case number 17-43-1288.

Motion carried with Dr. Subramanian and Dr. Guttmann, and Dr. Job abstaining.

Elizabeth Osterday Strange, D.D.S.
Motion by Dr. Bauer, second by Dr. Zucker, to approve the proposed consent agreement for Elizabeth Osterday Strange, D.D.S., license number 30.021992, and case number 16-13-1376.

Motion carried with Dr. Subramanian.

N. Stephen Wilson, D.D.S.
Motion by Dr. Krob, second by Dr. Zucker, to approve the proposed agreement to limit practice for N. Stephen Wilson, D.D.S., license number 30.015232, and case number 17-78-1169.

Board members questioned what was to happen with any of Dr. Wilson’s current orthodontic patients. Mr. Kochheiser explained that Dr. Wilson has been instructed to refer out any current orthodontic patients who are mid-treatment.

Motion carried with Dr. Guttmann, Dr. Subramanian, and Dr. Job abstaining.

Non-Disciplinary
Khalid N. Sahly, B.D.S.
Motion by Dr. Ginder, second by Dr. Krob, to approve the proposed consent agreement for Khalid N. Sahly, B.D.S., license number 30.025308.
Motion carried with Dr. Subramanian, Dr. Guttman, and Dr. Job abstaining.

Enforcement Update

Deputy Director Kochheiser began the Enforcement Update by informing the Board that there were originally three (3) cases pending hearings of which one (1), Dr. Hayes, had been resolved with the ratification of his consent agreement with the Board. He stated that there are two (2) cases pending Hearing Examiners Report and Recommendation and the members had just considered and voted on both cases. Mr. Kochheiser stated that there were forty-eight (48) licensees and certificate holders under suspension, and one hundred and two (102) active cases. He said that there no new referrals and two (2) licensees actively participating in QUIP. He informed the members that there were sixty-four (64) cases which have been investigated and reviewed by the Board Secretaries and are recommended to be closed with eight (8) warning letters having been issued. Mr. Kochheiser noted that there are twenty-six (26) licensees currently on probation. He indicated that there are thirty-eight (38) cases that have been open for longer than 90 days which is down significantly from the fifty-three (53) cases last reported in December. He noted that the detail of the categories of the cases and a brief explanation as to why they have been open longer than 90 days has been provided in the charts in the Board Notebooks.

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.”, Deputy Director Kochheiser reviewed the cases to be closed with the Board.

The following cases are to be closed:

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Prior to the vote to close the above listed cases, Deputy Director Kochheiser 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:
- Dr. Anderson – No
- Dr. Bauer – No
- Ms. Clark – No
- Dr. Das – No
- Dr. Ginder – No
- Dr. Guttmann – No
- Dr. Job – No
- Dr. Krob – No
- Dr. Subramanian – No
- Dr. Zucker – No

Deputy Director Kochheiser then called for a motion to close the cases.

*Motion by Dr. Subramanian, second by Dr. Zucker, to close the above sixty-four (64) cases.*

Motion carried with Dr. Job abstaining

Director Kamdar thanked Deputy Director Kochheiser for providing the Enforcement Report and Update.

**Licensure**

Samantha Slater, Licensing Manager, had prepared a report of the licenses, certificates, and registrations issued since the previous Board meeting in November.

**Dentist(s) – (27)**

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**Dental Hygienist(s) – (17)**

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31.015627  Autumn Elizabeth Blessing 31.015631  Emily Louise Fabian
31.015628  Lyndsi Nicole Gadd 31.015632  Brittany Nycole Cook
31.015629  Lindy Kay Herrell

Dental Assistant Radiographer(s) – (212)
51.032541  Chantilly Lace Curtis 51.032584  Mallory Dawn Caton
51.032542  Alexys Inez Sheckles 51.032585  Mya Rose Bagent
51.032543  Julia Brannock 51.032586  Allee Jean Rochelle Heskett
51.032544  Kelsey Lynn French 51.032587  Jailynn Ashli Driggs
51.032545  Logan Kelly Tate 51.032588  Kristen Michelle Landaker
51.032546  Catherine Frances Peoples 51.032589  Savannah Ray Touvell
51.032547  Gabriela A Torre De Vizuet 51.032590  Kaylee Ellen Renee Stewart
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51.032555  Emily Caitlin Stone 51.032598  Katrina May True
51.032556  Forrestine Love Merritt 51.032599  Averie Nakole Cronin
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51.032558  Mikayla Gibbs 51.032601  Rachel Ann Lane
51.032559  Michelle Young 51.032602  Andrea Noel Morrow
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51.032561  Brittany Brianne Hawkins 51.032604  Kamiya Allandra Blackwell
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51.032581  Ansley Falkner 51.032624  Ryan Lynn Kaydo
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51.032583  Jessica Stertzbach 51.032626  Alana Fayth Boliantz
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<th>February 7, 2018</th>
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Meeting Minutes
Ohio State Dental Board
February 7, 2018

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<td>Gabrielle E Helser</td>
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<td>51.032750</td>
<td>Marissa I Nash</td>
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<td>Autumn Marie Dipaolo</td>
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<tr>
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<td>Susan I Otto</td>
</tr>
</tbody>
</table>

Limited Resident’s – (2)
RES.003924 Nabia Nasreen Ahmad
RES.003925 Jarintorn Kotheeranurak

Limited Teaching – (1)
71.000258 Fernando Pugliese

Limited Continuing Education – (1)
LCE.000336 Matthew Charles Laurich

Coronal Polishing – (28)
CP.001856 Heidi Lynn Card
CP.001857 Carolyn Marie Carpenter
CP.001858 Michelle Lee Trickey
CP.001859 Bethany Lynn Chaffin
CP.001860 Karen Lorraine Cook
CP.001861 Lina Maria Dickerson
CP.001862 Rebecca Lynne Weyer
CP.001863 Kimberly Nettles
CP.001864 Alexis Lee Shockey
CP.001865 Brittney Nicole Karn
CP.001866 Shae L Taylor
CP.001867 Marina La'chelle Bryant
CP.001868 Sheila J Hoop
CP.001869 Janki A Patel
CP.001870 Cecilia Ann Hatfield
CP.001871 Danielle Marie Boosz
CP.001872 Deanna Louise Brock
CP.001873 Toni N Goerner
CP.001874 Sabrina Sertovic
CP.001875 Leigha Marie Waugh
CP.001876 Melissa Ann Stordeur
CP.001877 Taylor Brooke Cyr
CP.001878 Kimberly D McCann
CP.001879 Genevieve Rosario Crose
CP.001880 Amy L Willetts
CP.001881 Michelle L Staton
CP.001882 Amber M Ward
CP.001883 Samantha Rynae Earley

Expanded Function Dental Auxiliary – (3)
EFDA.002766 Samantha Jae Besser
EFDA.002767 Anitha Kampathi
EFDA.002768 Sherry R Johnson

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

Motion carried with Dr. Job abstaining
Graduate(s) of Unaccredited Dental Colleges Located Outside the United States
Director Kamdar stated that the Board’s Licensing Manager has reviewed a dental license application from Dr. Ziad Hikmat, a graduate of an unaccredited dental college located outside the United States, and has met all the requirements for dental licensure as set forth in Ohio Administrative Code Rule 4715-18-01. He stated that they are recommending issuance of a license to practice dentistry in Ohio to Dr. Ziad Hikmat.

Motion by Dr. Anderson, second by Dr. Bauer, to grant a license to practice dentistry in the State of Ohio to Dr. Ziad Hikmat.

Motion carried with Dr. Job abstaining

General Anesthesia/Conscious Sedation Permit(s)
Director Kamdar 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
Taylor Gordon, D.D.S., Boardman, Ohio – Intravenous
Sahar Ullery, D.D.S., Centerville, Ohio – Intravenous

Motion by Ms. Clark, second by Dr. Subramanian, to grant permits to the licensees for Conscious Sedation in the appropriate modality as listed.

Motion carried with Dr. Job abstaining

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

Dentist(s)
Katelyn Cody, D.D.S., Toledo, Ohio
Seth Cover, D.D.S., Columbus, Ohio
Rosa Ortega, D.D.S. – Columbus, Ohio
Jacob Venoy – Albany, Ohio
Brooke Williams, D.D.S. – Wheelersburg, Ohio

Dental Hygienist(s)
Amy Ohlinger, R.D.H., Middleport, Ohio

Motion by Dr. Subramanian, second by Dr. Krob, to grant Oral Health Access Supervision permits to the dentists and dental hygienist licensees as listed.

Motion carried with Dr. Job abstaining

Reinstatement Application(s)
Director Kamdar stated that the Board’s Licensing Manager had reviewed dental and dental hygiene reinstatement applications and recommended that the following individuals be reinstated to practice.

Dentist(s)
Dr. Winifredo Fabi
Dr. Catherine A. Phillips  
Dr. Brock Satoris  
Dr. Mona Skaff  

Dental Hygienist(s)  
Tanya Bricking, R.D.H.  
Linda Bunzey, R.D.H.  
Susan Lewis, R.D.H.  
Heather Rader, R.D.H.  
Haley Viel, R.D.H.  

Motion by Dr. Zucker, second by Dr. Anderson, to reinstate the licenses to practice dentistry and dental hygiene for the dentists and dental hygienists as listed.  

Motion carried with Dr. Job abstaining  

Executive Session  

Motion by Dr. Krob, second by Ms. Clark, 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:  
Dr. Anderson – Yes  
Dr. Bauer – Yes  
Ms. Clark – Yes  
Dr. Das – Yes  
Dr. Ginder – Yes  
Dr. Guttman – Yes  
Dr. Job – Yes  
Dr. Krob - Yes  
Dr. Subramanian – Yes  
Dr. Zucker – Yes  

Motion carried unanimously.  

Director Kamdar indicated that he would attend the executive session and then requested Mr. Kochheiser and Ms. Bockbrader to attend also. He then 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. He stated that they would be invited back in upon conclusion of the Executive Session.  

Open Session  
At 4:03 p.m. the Board resumed open session.  

Committee Reports  

Director Kamdar stated that only two (2) Board committees had met that day. He said that the Ad Hoc, Operations, Policy, and Scope of Practice Committees had not met that day.
Education

Practicum Education
Dr. Krob stated that the Committee had met at 9:00 a.m. that morning in Room 1924 and began the meeting with report from Ms. Franks regarding proposed protocols for submission of practicum continuing education for the purposes of limited continuing education licenses. She stated that Ms. Franks had detailed that the Director of the practicum would be required to submit an application to the Board for review at least 60 days in advance of any application for a limited continuing education license from an out-of-state applicant could be submitted for approval. The application for the practicum would include at a minimum proof of the following; malpractice insurance for the Director of the practicum, ADA CERP or AGD PACE approval to provide clinical education, and Ohio licensure for any clinical instructor. Additionally, the Director of the practicum must submit the curriculum, dates of instruction, location, and detailed information on the facility. Once approved, out-of-state applicants may apply for a limited continuing education license which will also be revised to include proof of malpractice insurance applicant.

Jurisprudence Examinations for Dentists and Dental Hygienists
Dr. Krob stated that she and Dr. Subramanian had submitted revision proposals to the dental and dental hygiene jurisprudence examinations in order to “clean-up” language and reduce ambiguity. The discussion focused on review of the Dental Practice Act, specific rules and statutes, and previously contested questions. The Committee has agreed on the revisions and recommends that the examinations be updated and posted to the Board website as soon as possible due to the upcoming examination season for Senior dental and dental hygiene students.

Review of Biennial Sponsor Application(s)
Dr. Krob stated that the Committee had been asked to review twenty-six (26) Biennial Sponsor and Biennial Sponsor Renewal Applications for consideration of approval prior to the meeting. She indicated that the Committee recommended approval for Biennial Sponsorship of continuing education for the following:

Advanced Periodontal Center-Study Club
Central Ohio Dental Forum
Cleveland Academy of Advanced Dental Education
Cleveland Society of Orthodontists
Karen K. Daw, M.B.A., C.E.C.M.
Felix A. Gen, D.D.S., M.S.
Greater Columbus Society of Contemporary Dentistry
Greenbriar/Southwest Study Club
R. Rubin Gutarts, D.D.S., M.S.
Heights Dental Study Club
Roger S. Karp, D.D.S., M.D.
David B. Krill, D.M.D.
Fernando L. Martinez, D.D.S., M.S.D.
North Coast Jaw Center
Northern Hills Dental Study Club
Northwest Oral & Facial Surgery
O.K.I. Study Club
Matthew M. Parker, D.D.S.
Practice Endeavors
Premier Dental Study Club
Discussion on Biennial Sponsors
Dr. Krob stated that approval of the Biennial Sponsor application lead the Committee to discussions focused on inherent responsibility of the Board regarding sponsors, expertise of presenters, curriculum, learning objectives, and content. The discussions also reflected the need to maintain quality on behalf of stakeholders, yet improve the process, as audit procedures are very cumbersome. The Committee would be looking at other states requirements to benchmark the process.

Opioid Prescribing Education
Dr. Krob informed the Board that opioid prescribing training, one of the strategic priorities for this year, had been moved to the top of the Education Committees priority list. The focus of the education should be on prevention, current/relevant content, and patient education training.

2017-2018 Strategic Priorities and Key Action Items
Concluding, Dr. Krob stated that the members have been charged with reviewing the Strategic Priorities and Key Action Items that have been assigned to the Committee in order to prioritize them for the rest of 2018.

Motion by Dr. Subramanian, second by Dr. Anderson, to approve the Education Committee report and the recommendations for applications as presented.

Motion carried with Dr. Job abstaining

Law and Rules Review
Dr. Subramanian took a brief moment to thank Immediate Past-President Clark for the great job and the guidance she had provided during the past year and to congratulate Dr. Das on his election as the new President of the Board.

Guidelines for Removal of Disciplinary Records from eLicense Public Portal
Dr. Subramanian stated that the Law and Rules Review Committee had met that morning at 10:40 a.m. in room 1914. He stated that the first order of business for the Committee was review of a draft protocol for removal of disciplinary records from the eLicense public portal that had been prepared by Deputy Director Kochheiser. The protocol requires that a request from a disciplined licensee will not be accepted or considered until at least three (3) years post probationary completion of the terms of their disciplinary agreement. Requests must be submitted to the Board office via the Deputy Director and the Supervisory Investigative Panel (SIP). Only upon favorable review by SIP would the request be forwarded to the full Board for consideration. Ultimately, it will be the decision of the full Board as to whether the information would be removed from immediate view by the public and only viewable subsequent to a public record request to the executive office.

Anesthesia & Sedation Working Group Update
Dr. Subramanian stated that the Anesthesia & Sedation Working Group (Working Group) had met on January 5, 2018. Minutes from the meeting were approved by the Law and Rules Review Committee earlier that day. The Working Group will be moving forward with current terminology and definitions and looking to make changes to
the guidelines in the future to better ensure the safe use of sedation and anesthesia for patients in the dental office. They hope to have a draft prepared for consideration possibly as early as June 2018.

Specialty Designation – Public Survey
Dr. Subramanian stated that Director Kamdar had updated the Committee on that status of the Specialties Survey that was contracted through Measurement Resources Company (MRC). They expect to have the information to the Board members later this month.

Licensing Guidelines for Fellowships
Dr. Subramanian informed the members that the Committee opened discussions on limited licenses and the differences between residencies vs. fellowships, and limited teaching licenses. As an example, he cited their recent adjudication deliberations earlier in the meeting wherein the question of licensure came into play due to completion of a fellowship rather than a residency, which is a requirement for a graduate of an unaccredited dental college. The Committee will be holding further discussions regarding revisions to the rules on limited licensure to further clarify the intent of statute.

Chronic Prescribing Guidelines
Dr. Subramanian indicated that they are now working on guidelines for chronic pain prescribing and hope to have a “soft” launch with the Ohio State Board of Pharmacy in the near future. Only a very select sub-group of dentists, oral and maxillofacial surgeons and hospital dentists, will possibly be affected by the new Chronic Prescribing Guidelines. Specifically, the guidelines affect the 80 MED limit for prescribing beyond the 7-day limit set forth in the Acute Prescribing Guidelines. This type of prescribing will require significant documentation and collaboration with a physician and the limits will be stringently applied.

*Motion by Ms. Clark, second by Dr. Das, to approve the Law and Rules Review Committee Report as presented.*

Motion carried with Dr. Job abstaining

Executive Updates

President’s Update
President Das thanked all the members for appointing him as the newest President of the Board and expressed that it was an honor to serve. He stated that his vision is to build on the great work initiated by Immediate Past-President Clark and to focus on the future, continuing to keep the opioid epidemic as their first priority. President Das also stated that he would like to see the Board and dentistry embrace technology and recognize its impact on dentistry, utilizing them the best we can. He would like to pursue modernization of our statute and rules, keeping in mind the considerations of all our stakeholders.

President Das thanked the Board Secretaries, Dr. Guttman and Dr. Subramanian, for the wonderful job they have done in the past and will continue to do in 2018 as he realizes the toll it takes on them to provide this service to the Board and to the public. He said that he would like to see continued enforcement of the law in Ohio for dentistry with due diligence, fairness, and integrity.

President Das stated that in the coming months the Board would be making an important decision and hopes his fellow members remember to put the protection of the dental consumers first in making decisions as that is what they are charged with as members of the Board; protection of our fellow citizens. And he wanted to let them all know how much he appreciates the very talented team he has surrounding him.
Commission on Dental Competency Assessments Annual Meeting
President Das stated that he had attended the Commission on Dental Competency Assessments (CDCA) Annual Meeting in Orlando, Florida on January 11-13, 2018 along with Vice President Johnston. He stated that Vice President Johnston is a copious note-taker and had provided the members with a detailed report on the meeting which was included in their Board meeting materials. He stated that he had hard copies of her report should any of the members wish a copy.

President Das stated that the one main topic that all states are dealing with and which comes across in Ms. Johnston’s report is that they are all dealing with the opioid crisis across the United States. He expressed that Ohio’s concerns are a concern for everyone and to keep in mind that what we do should not be restricted to Ohioans only.

Executive Director’s Update
State of Ohio Gateway - OHID
Director Kamdar informed the members that now that they have all been introduced to the new eLicense program via recent renewal of their licenses, the State of Ohio launched a new initiative, OHID. The purpose of this all-inclusive program is to simplify electronic management of multiple licenses, certificates, registrations, etc. with the State of Ohio. Rather than having multiple usernames and passwords, this new system will allow the user to have one username and password for all of their dealings with the State of Ohio. He explained that they launched the program on January 22 so if you had renewed your license by January 19, 2018 then your license renewal was not affected by the change. (Important post-meeting note: The State of Ohio made a decision a couple of days following this meeting to indefinitely postpone the OHID initiative.)

Mandatory Training
Director Kamdar explained that all Board members, as State of Ohio employees, must take mandatory training for the Ohio Ethics Commission and also Sexual Harassment Training. The ethics training is available in several formats via webinar or in person at various locations. The sexual harassment training is through their MyOhio.gov in the Electronic Learning Module and is required to be completed by all State of Ohio employees by March. He stated that he would follow up this reminder with an email to all Board members.

American Association of Dental Boards (AADB)
Director Kamdar informed the members that the American Association of Dental Boards (AADB) midyear meeting is April 22-23, 2018 and inquired as to who the members would like to send to the meeting. He reminded them that the Board Governance Guidelines states that the President and Secretary are to attend the meeting. However, should either of them not wish to attend the meeting or have a scheduling conflict, the Board members can vote to send others members to represent the Board.

Director Kamdar explained that immediately preceding the AADB meeting was the American Association of Dental Administrators (AADA) meeting which he and Deputy Director Kochheiser should consider attending at the Boards discretion.

Motion by Dr. Subramanian, second by Dr. Das, to authorize the Executive Director to research and determine the two (2) Board members to attend the AADB meeting along with the Executive Director and Deputy Directors attendance to the AADA meeting in April 2018

Motion carried with Dr. Job abstaining
Anything for the Good of the Board
Director Kamdar thanked all the members and staff for their perseverance with overcoming the inclement weather that day to attend the meetings. He then asked if any members had anything to report for the good of the Board.

Ms. Clark stated that she wanted to personally thank her fellow Board members for the privilege of serving them as Board President in 2017.

Adjourn
President Das adjourned the meeting at 4:23 p.m.

ASHOK DAS, D.D.S.
President

SUSAN JOHNSTON, R.D.H.
Vice President
December 15, 2017

Constance Clark, RDH, President
Ohio State Dental Board
77 S. High St., 18th Floor
Columbus, OH 43215-6135

Dear President Clark:

The ADEX 2017 Annual Meeting is history and we are already planning for the ADEX 2018 Meeting on August 10, 11, 2018 at the Doubletree Rosemont O’Hare.

Bylaw changes were passed by the 2017 ADEX House of Representatives (ADEXHR) and those changes have a possible impact on who Member State Boards can select to be their official Member State Representative.

Changes to the election of the Board of Directors will allow for a greater opportunity for Member Boards to serve on the ADEX Board of Directors.

Another notable Bylaws change allows a Member Board to select any current or past Member of the Board to serve as their official Member Board’s Representative to the ADEXHR. So, the Member Board Representative could be a dentist, dental Hygienists or a consumer member.

The previous Bylaws only allowed for the Member Board’s Representative to the ADEX Dental Examination Committee to serve as the Member Board’s Representative to the ADEXHR and that person could only be a dentist.

Current Bylaws still require that Member Representatives to the ADEX Dental Examination Committee must be a dentist.

If a Member Board appoints a dentist to serve as the Member Board’s Representative to the ADEXHR and the ADEX Dental Examination Committee, ADEX would fund that person.

But, if for example some Member Board choses to send a Consumer Member of their Board to be the official Member Representative to the ADEXHR and then a Dental Member to serve on the Dental Examination Committee, ADEX will only fund one of those individuals.
Constance Clark, RDH, President
December 15, 2017
Page 2

ADEX House of Representative Members serve a three-year term.

Your current ADEX House of Representative Member is Mary Ellen Wynn, D.D.S., and their term expired at the ADEXHR 2017

ADEX Dental Examination Committee Members serve a three-year term.

Your current ADEX Dental Examination Member is Mary Ellen Wynn, D.D.S., and their term will expire at the ADEXHR 2019.

However, a Member Board may change its appointed representatives at any time by notifying ADEX in writing.

Please advise ADEX no later than March 1, 2018 who your ADEXHR and your Dental Examination Committee Member will be.

Please send via e-mail to office@adexexams.org.

If you have any questions, please feel free to contact me at the e-mail address above or call me at 503-724-1104

Sincerely yours,

[Signature]
Patrick D. Braatz
ADEX Chief Operating Officer

cc: Executive Director/Administrator
Current ADEXHR & Dental Exam Committee Member
Appendix B

JOINT COMMISSION ON NATIONAL DENTAL EXAMINATIONS

December 20, 2017

Mr. Harry Kamdar
Executive Director
Ohio State Dental Board
77 South High Street, 17th Floor
Columbus, OH 43215-6135

Dear Mr. Kamdar:

This is the second official notice regarding implementation of the Integrated National Board Dental Examination (INBDE). The Joint Commission on National Dental Examinations (“Joint Commission”) is pleased to provide details concerning how and when implementation will occur, including the relevance to each state board of dentistry.

The Joint Commission has been working with subject matter experts since 2010 on the development of this innovative new examination program. INBDE content is focused on clinical relevance, and as such integrates knowledge and skills involving the biomedical, behavioral and clinical dental sciences. The purpose of the INBDE mirrors that of the National Board Dental Examination (NBDE) Parts I and II: to assist dental boards in determining the qualifications of individuals who seek licensure to practice dentistry. The Joint Commission anticipates the INBDE will be available for administration on August 1, 2020, with full replacement of the National Board Dental Examination (NBDE) scheduled to occur by August 1, 2022.

Details concerning the INBDE implementation plan are enclosed. Dates appearing in the plan represent a best-case scenario and are subject to change. The Joint Commission’s website contains additional background information concerning the INBDE, as well as information concerning communications and presentations on this topic to dental boards and communities of interest since 2010.

To best prepare for the upcoming changes to the National Board Dental Examination program, the Joint Commission recommends your dental board undertake the following activities to learn about the INBDE and prepare to use it in licensure decision making:

- Prepare to accept candidates who have successfully completed the National Boards. This could occur under either of the following sequences: 1) INBDE or 2) NBDE Parts I and II.
- Prepare to receive INBDE results on the first day of its availability. Consider whether any modifications to practice acts, rules, policies, or procedures will be required.
- Review INBDE validity evidence and the results of field testing as these studies occur.
- Communicate information concerning the acceptability of the INBDE to future licensure candidates.

In addition to provision of the enclosed implementation plan, the Joint Commission regularly provides up-to-date information regarding the INBDE, its development, and the validity evidence that is available to date. We invite you to:

- Review and monitor INBDE information on the Joint Commission’s website (www.ada.org/JCNDE/INBDE).
- Attend the annual National Dental Examiners’ Advisory Forum (NDEAF).

Thank you for your consideration and attention to this important matter. If you have any questions, please contact the Joint Commission (rnexams@ada.org) and we will be happy to assist.

Sincerely,

Dr. Lisa Heinrich-Null
Chair, Joint Commission on National Dental Examinations
Enclosure
INBDE Implementation Plan and Recommended Actions

INBDE Implementation Plan

- The Integrated National Board Dental Examination (INBDE) is an examination that is currently in development by the Joint Commission on National Dental Examinations (JCNDE).
- The INBDE is intended to replace National Board Dental Examination (NBDE) Parts I and II. The INBDE is intended for use by state dental boards to help inform decision-making concerning the licensure of entry-level dentists.
- To address concerns from stakeholders and communities of interest regarding the timing of INBDE implementation, the JCNDE indicated it would provide four years’ notice before the INBDE is implemented and the NBDE discontinued.
- The current presentation is designed to help address concerns regarding timing and provide this advance notification.
- This presentation provides stakeholders and communities of interest with information concerning how INBDE implementation will occur, the information that will be made available to help facilitate the transition, and recommended actions for stakeholders and communities of interest.
- The slide that follows shows key events associated with INBDE implementation, and the sequence of activity associated with the transition.
Integrated National Board Dental Examination (INBDE) Implementation Plan: "Best Case Scenario"

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
<th>Details</th>
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<tbody>
<tr>
<td>2018</td>
<td>Notice of INBDE Implementation and National Board Dental Examination (NBDE) Discontinuation</td>
<td>August 1, 2016</td>
</tr>
<tr>
<td>2020</td>
<td>First Official INBDE Administration</td>
<td>August 1, 2020</td>
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<tr>
<td>2021</td>
<td>NBDE Part I Discontinued</td>
<td>July 31, 2020</td>
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<tr>
<td>2022</td>
<td>NBDE Part II Discontinued</td>
<td>July 31, 2022</td>
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Note: This implementation plan communicates the best case scenario. Dates presented should be interpreted as "no sooner than." Actual dates will be contingent upon field testing results. INBDE Practice Test Questions are anticipated for release in 2019.

INBDE Implementation Plan

- On August 1, 2018, the Joint Commission intends to provide stakeholders and communities of interest with notice of INBDE implementation and NBDE discontinuation. This notice will include the following:
  - The projected date when the INBDE will be first available for administration, the official name of the new examination, and how results will be reported.*
  - The dates when NBDE Part I and NBDE Part II will be discontinued.
  - Retesting policies, eligibility rules, and any additional rules needed to facilitate the transition.
- Two years after notification has been provided, NBDE Part I will be discontinued (approx. July 31, 2020). No Part I administrations will occur after this date.
- The first official administration of the INBDE is expected to take place on August 1, 2020.
- Two years after NBDE Part I is discontinued, NBDE Part II will be discontinued (approx. July 31, 2022). No Part II administrations will occur after this date.
- Notification of INBDE implementation and NBDE discontinuation is contingent upon successful completion of the INBDE Field Testing Program (not depicted in the preceding diagram).

* Similar to Part I and Part II, INBDE results will be reported as “Pass/Fail.”
INBDE Implementation Plan

- In considering the dates provided, please note the following:
  - The plan as presented communicates the “best case scenario.”
  - The dates provided may be delayed if difficulties are encountered. However, the dates will not be “moved up” (e.g., NBDE Part I will be discontinued no sooner than August 1, 2020).
  - The Joint Commission reserves the right to make changes to the plan at any time and as needed, in keeping with the Joint Commission’s mission and purpose.
  - Any significant changes to this plan will be published as soon as information becomes available.
  - The final slide in the current presentation will provide a log of changes made.

Additional Information from the JCNDE

- Information concerning the INBDE is available via the Joint Commission’s website (www.ada.org/JCNDE/INBDE)
- The following information is currently available and is updated as changes occur:
  - INBDE background
  - INBDE FAQ’s
  - Domain of Dentistry and general validity evidence
  - Preliminary test specifications
  - Preliminary sample questions
- The following information will be posted as soon as it becomes available:
  - INBDE practice test questions (anticipated one year in advance of initial INBDE administration)
  - Technical report(s) providing detailed information concerning validity
INBDE Information from other Sources (not the JCNDE)

- INBDE eligibility rules for students of U.S. dental schools accredited by the Commission on Dental Accreditation (CODA).
  - These rules are determined by each dental school.

- Additional school requirements concerning the INBDE (e.g., linking successful completion of the INBDE to graduation requirements).
  - These rules are determined by each dental school.

- Written examination requirements for each state.
  - These requirements are determined by each state dental board.

INBDE Implementation Plan Considerations

- The requirements of key stakeholders and communities of interest were carefully considered in developing the implementation plan.
  - State Dental Boards
  - Dental Schools
  - US Dental Licensure Candidates

- The following slides indicate specific considerations involving the aforementioned groups, as well as recommended actions.

- The considerations indicated should NOT be regarded as comprehensive of all of the INBDE-related interests of the aforementioned groups.
State Dental Boards

<table>
<thead>
<tr>
<th>Implementation Plan Requirement</th>
<th>How Requirement is Addressed</th>
</tr>
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<tbody>
<tr>
<td>Provide sufficient time for state dental boards to assess and understand INBDE validity evidence.</td>
<td>Post and update validity information on JCNDE website as it becomes available.</td>
</tr>
<tr>
<td>Provide sufficient time for state dental boards to incorporate the INBDE into licensure decision-making and communicate its acceptability to future licensure candidates.</td>
<td>Communicate validity information on annual basis at National Dental Examiners’ Advisory Forum (NDEAF).</td>
</tr>
<tr>
<td>Provide sufficient time for state dental boards to prepare to receive INBDE results on day one of availability.</td>
<td>Release details of implementation plan in 2016, and provide the following notifications:</td>
</tr>
<tr>
<td>Consider whether any modifications to practice acts, rules, policies, or procedures will be required.</td>
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</tr>
</tbody>
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  - INBDE first administration possible as soon as 2020.  
  - NBDE Part I final administration possible in 2020.  
  - NBDE Part II final administration possible in 2022. |
| Provide sufficient time for state dental boards to accept both exam sequences: 1) INBDE and 2) NBDE Parts I and II. | Provide notice in 2016 of JCNDE plans for indicating the official name of the INBDE and how results will be reported. Current discussions indicate the JCNDE is likely to associate the name “NBDE” with the INBDE, to ease the transition with regard to state rules and practice acts. |

Recommended Actions for State Dental Boards

- Understand the INBDE and keep apprised of new developments.
  - Review information concerning the INBDE on the Joint Commission’s website (www.ada.org/JCNDE/INBDE), and attend the National Dental Examiners’ Advisory Forum (NDEAF) annually.
  - Review INBDE validity evidence and the results of field testing as these studies occur.
  - Monitor the website to understand and prepare for any changes as they occur.
- Prepare to use the INBDE in licensure decision-making.
  - Prepare to receive INBDE results on day one of availability.
  - Prepare to accept candidates who have successfully completed the National Boards. This could occur under either of the following sequences: 1) INBDE or 2) NBDE Parts I and II.
  - Communicate information concerning the acceptability of the INBDE to future licensure candidates.
Dental Schools

<table>
<thead>
<tr>
<th>Implementation Plan Requirement</th>
<th>How Requirement is Addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Provide sufficient time for U.S. dental schools to adjust curricula and prepare students for the INBDE (also consistent with current CODA requirements).</td>
<td>• Release details of implementation plan in 2016, and provide the following notifications:</td>
</tr>
<tr>
<td>• Provide sufficient time for U.S. dental schools to adjust academic policy for incoming students regarding eligibility to sit for National Board Examinations.</td>
<td>• INBDE first administration possible as soon as 2020.</td>
</tr>
<tr>
<td>• Provide sufficient time for U.S. dental schools to adjust academic policy for incoming students regarding school utilization of NBDE Part I and II results (e.g., as prerequisites for students to continue their studies or as a graduation requirement).</td>
<td>• NBDE Part I final administration possible in 2020.</td>
</tr>
<tr>
<td></td>
<td>• NBDE Part II final administration possible in 2022.</td>
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<tr>
<td></td>
<td>• Post INBDE preliminary sample questions publicly in 2016.</td>
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<td></td>
<td>• Provide INBDE practice test questions one year before INBDE initial administration.</td>
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<td></td>
<td>• Provide updates on the INBDE annually at the ADEA conference and subsequently post the presentations online.</td>
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</table>

Note: For US candidates, dental schools now approve the eligibility of Part I and Part II examinees and will determine when their students will transition to the new exam, within the feasible available options. For international candidates, eligibility for Parts I and II involves providing proof of dental school graduation (through ECE). This practice is expected to continue for the INBDE.

Recommended Actions for Dental Schools

• Understand the INBDE and keep apprised of new developments.
• Review information concerning the INBDE on the Joint Commission’s website (www.ada.org/JCNDE/INBDE), and attend ADEA sessions on the INBDE.
• Review INBDE validity evidence and field testing results as these studies occur.
• Monitor the website to understand and prepare for any changes as they occur.
• Prepare your school and students for the INBDE.
• Review and revise curricula to prepare students for the INBDE and the updated CODA standards.
• Review academic policy for incoming students and revise as needed concerning:
  • student eligibility to sit for National Board Dental Examinations.
  • school utilization of NBDE Part I and II results.
# U.S. Dental Licensure Candidates

<table>
<thead>
<tr>
<th>Implementation Plan Requirement</th>
<th>How Requirement is Addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Provide U.S. dental licensure candidates with a reasonable opportunity to demonstrate competence with respect to the knowledge and skills required for licensure and measured by a written examination.</td>
<td>• Begin INBDE administrations before NBDE Part II is discontinued.</td>
</tr>
<tr>
<td>• Provide reasonable time and sufficient notice so candidates can plan ahead and take action to avoid being “caught between examination programs” (e.g., preparing for Parts I and II but then finding themselves forced to shift to the INBDE).</td>
<td>• Release details of implementation plan in 2016, and provide the following notifications:</td>
</tr>
<tr>
<td>• Provide sufficient time for candidates to understand retesting policies concerning the INBDE and Parts I and II during the transition period, so candidates can plan and make decisions accordingly.</td>
<td></td>
</tr>
</tbody>
</table>
  • INBDE first administration possible as soon as 2020. |
| • Provide test specifications and practice materials so candidates can prepare for the INBDE and know what types of questions to expect. |  
  • NBDE Part I final administration possible in 2020. |
|  |  
  • NBDE Part II final administration possible in 2022. |

### Recommended Actions for U.S. Dental Licensure Candidates

- Understand the INBDE and keep apprised of new developments.
  - Review information concerning the INBDE on the Joint Commission’s website (www.ada.org/JCNDE/INBDE).
  - Review INBDE test specifications and practice questions.
  - Monitor the website to understand and prepare for any changes as they occur.
- Prepare for the National Board Examinations.
  - Determine which examination track to pursue (NBDE Parts I and II or the INBDE) in consultation with the most recent INBDE implementation plan and:
    - your dental school, its requirements, and your progress in meeting those requirements.
    - the dental boards of states where you intend to apply for licensure.
    - Joint Commission policies (e.g., retesting policies under both examination tracks).
  - Study the areas indicated in the test specifications of your intended examination track.
# Implementation Plan Version History

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>3/13/2016</td>
<td>First publication.</td>
</tr>
<tr>
<td>1.1</td>
<td>3/17/2016</td>
<td>Slide 4 – Further clarified that no administrations for Part I or II would be conducted after the dates listed.</td>
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</table>
Appendix C

State Board Presidents and Vice Presidents Meeting at the CDCA Annual Conference

Report by Susan Johnston, Ohio State Dental Board VP

Dr. David Perkins, the President of the CDCA, opened the meeting with a presentation on dental and dental hygiene licensing in the US. Some states have multiple pathways to licensure, resulting in students taking the “path of least resistance”. He updated us on the 2018 WREB exam, which has lowered requirements so significantly, as to make it not predictive of the student’s ability to treat patients safely. (The Ohio Dental Board has had one presentation on the WREB changes, and I will ask you to refer to that presentation for details, but it includes compensatory grading, no automatic failure for unrecognized exposure, completion of one class 2 restoration only and more.)

Dave went on to say that the ADEX examination is accepted in all states but 4, making that exam the path to licensure portability. Additionally, the ADEX exam is independent of the CDCA testing agency, and each state has a representative to the ADEX exam committee on their Board. The ADEX exam has psychometricians (a person who is skilled in the administration and interpretation of objective exams) and independent evaluations of the exam validity and fairness.

Several states require candidates who have taken the WREB exam to also take the ADEX Computer exam, as the WREB written exam amounts to 3 case studies, and does not include recognition of pathology. And several states no longer accept the WREB as a path to licensure in their state.

Next came comments about what various state dental boards are facing across the country. The President of the Rhode Island Board of Dentistry asked each state to comment on calibration of investigators and inspectors employed by each board. Calibration would include record keeping, infection control and so on.

Rhode Island said that in lawsuits, the first questions the opposing lawyer asks the investigators are:

“Are you calibrated? What is the calibration process? Have you been trained?

In some states, the Department of Health does the infection control inspections. Many state dental boards are increasing the number of inspectors (Rhode Island has 9).

Another interesting question came up regarding the indemnification of anesthesia inspectors. Are the anesthesia consultants who approve conscious sedation permits and so on covered by Ohio state indemnification? Also do any states require a simulation process/test as part of the Anesthesia inspection?

Maryland has an extensive calibration process for dental office inspections, for expert witnesses and for the anesthesia inspectors.

The Smile Direct Club is suing the Michigan Dental Association because the Michigan Dental Association wrote a disparaging article about the Smile Direct Club, urging dentists to have patients file complaints about the Smile Direct Club to state licensing boards.

Human Trafficking Education is now required as part of Michigan licensing requirements. It is a “one and done” presentation.

CDCA will be administering the Minnesota Dental Therapist exam.
Vermont is looking at allowing foreign dentists to practice in their state.

New Hampshire requires 3 CEUs on opioids each licensing period. NH has also been threatened with lawsuits on specialty designation. NH dental board told WREB that it would accept its exam if they change the exam to include a DSE, a prosthetic restoration, and Class III restoration along with the Class II restoration and only if they eliminate compensatory grading.

In Florida, a special ADEX exam has been planned for dentists from Puerto Rico and USVI who want to practice in Florida, after their practices were destroyed by hurricanes. Pending legislation in Florida include:

- Deregulating dental labs
- Opioid RX limitations
- 2 CEUs each licensing period on opioids
- PDMP database (like our OARRS)
- Changes to the dental practice act to include Dental Therapy

In Massachusetts, the dental board is considering eliminating accepting the WREB exam. There is also PGY1 proposed legislation. The dental board is dealing with legalized marijuana, in that there are no laws regarding impaired practitioners. There is a Dental Therapy Bill being considered by the Massachusetts legislature.

In Arizona, the proposed dental therapy or midlevel provider legislation will likely pass. The Dental Therapist must be trained and educated at a CODA accredited program.

In Illinois, Dentists can legally do vaccinations and be compensated by insurance. Illinois is also considering EFDA training.

In Hawaii, only accepts the ADEX examination for licensure in their state. Hawaii is looking at regulation of dental assistants, permitting licensed dental hygienists to practice under general supervision, and now dentists who provide sedation services must post contact information in their waiting rooms so that patients can check their credentials.

Mississippi has been struggling with the Opioid crisis, and has a Governor’s Task Force on Opioid addiction. Mississippi is standardizing the calibration of dental office inspectors.

NY State is an advisory board only. The Executive Director makes all decisions, but consults with the board first. NY accepts PGY1 only for licensure in NY. There is also a task force on the Opioid crisis. NY has a collaborative practice act with dental hygienists. Currently, NY is looking at allowing dentists to provide vaccinations, and the board is also looking into corporate dentistry and investigation of overtreatment complaints. Legislatively, Burns law changes the statute of limitations to 2.5 years from the date of discovery. And, like Ohio, are legislatively addressing the practice of insurance companies to dictate fees for non-covered services.

In Missouri, there is a mandate from the Governor telling all state boards to look at rules and cut them by half. The Missouri dental board has discovered that there are a lot of redundant rules that are NOT there to protect the public. In evaluating the rules, the Missouri board is keeping in the forefront that the Board protects the public, and that the ADA protects membership.

In Pennsylvania, the Governor wants a pathway for foreign dentists to treat patients in their state. Pennsylvania is considering restricting the licensing pathway to the ADEX exam only, and eliminating the other exams including WREB. Pennsylvania is expanding the locations of Public Health Dental Hygienists to practice in hospitals, medical offices and schools.

The Indiana dental board has completed a 5 year complete rule rewrite process. Indiana is also facing a lawsuit regarding specialty designation. Indiana is looking at testing agencies, and will have rules in place soon.
Nebraska has 21 pages of potential changes covering dentists, dental hygienists and dental assistants.

Every state, including Ohio, talked at length about the Opioid Crisis and what we are doing to address this significant problem.

After attending and participating in this meeting, I think that the Ohio Dental Board ought to consider:

- A systemized calibration process with standardization for the Infection Control Officers and for the Investigators. Calibration (with exams) should take place quarterly.
- A systemized calibration process for the Anesthesia Consultants
- Indemnification of the Anesthesia consultants, if not already in place
- Work with the ODA to take the WREB exam out of the statutory language. Perhaps take all of the exams out of the statutory language and let the Board members do its job in deciding which licensing exams are fair and valid.
- Mandatory Opioid continuing education for licensees
- Elimination of redundant rules
- Allowing dentists to serve the public by providing vaccinations

Respectfully submitted,

Susan Johnston
OSDB VP