

**OHIO STATE DENTAL BOARD**  
**BOARD MEETING MINUTES**  
**FEBRUARY 3, 2016**

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**OHIO STATE DENTAL BOARD**  
**BOARD MEETING MINUTES**  
**FEBRUARY 3, 2016**

**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 3, 2016, beginning at 1:00 p.m. Board members present were:

Marybeth Shaffer, D.M.D., President	Patricia Guttman, D.D.S.
Constance Clark, R.D.H., Vice President	Chris Hanners, D.D.S.
Ashok Das, D.D.S., Secretary	Jeanne Huber, R.D.H.
Martin Chambers, D.D.S., Vice Secretary	Susan Johnston, R.D.H.
Ann Aquillo	Charles Smith, D.D.S.

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Attorney General's Office; David Owsiany, Esq., Executive Director, Nathan DeLong, Esq. and Henry Fields, D.D.S. of the Ohio Dental Association (ODA); Mark Wenzel, D.D.S. of the ODA's Dentists Concerned for Dentists Program; Nelson Heise, M.A., M.S., P.C.C-S., L.I.C.D.C.-C.S., Senior Case Manager of the Ohio Physicians Health Program (OPHP); Kenneth Molnar, D.D.S. of the Ohio Society of Oral and Maxillofacial Surgeons, Emily Whitmore, The Ohio State University Dental Hygiene Program Practicum Student, Columbus State Community College Dental Hygiene Program Senior Students, Harry Kamdar, M.B.A., Executive Director, Lyndsay Nash, Esq., Deputy Director, Kathy Carson and Barb Yehnert, Dental Board Enforcement Officers, Erica Pleiman, Investigator Assistant, Jayne Smith, Licensure Coordinator, Heidi Massaro, Compliance Coordinator, and Malynda Franks, Administrative Professional, of the Ohio State Dental Board.

**CALL TO ORDER**

Dr. Marybeth Shaffer introduced herself as the Board President, a general dentist from Columbiana. After extending greetings to everyone, President Shaffer noted that there was a quorum present and called the meeting to order at approximately 1:11 p.m.

**BOARD BUSINESS**

**INTRODUCTION OF BOARD MEMBERS**

President Shaffer then introduced the rest of the Board members. She introduced Ms. Connie Clark, the Board's Vice President and a dental hygienist from Dublin, Dr. Ashok Das, the Board's Secretary, a general dentist from Mason, Dr. Martin Chambers, the Board's Vice Secretary, a general

dentist from Cleveland, Dr. Patricia Guttman, a general dentist from Columbus, Dr. Chris Hanners, a general dentist from Piketon, Dr. Charles Smith, a general dentist from Tipp City, Ms. Susan Johnston, a dental hygienist from Columbus, Ms. Jeanne Huber, a dental hygienist from Dayton, and Ms. Ann Aquillo, the Board's Public member from Powell.

### **APPROVAL OF AGENDA**

*Motion by Ms. Clark, second by Ms. Johnston, to approve the February 2, 2016 Board meeting as presented.*

Motion carried unanimously.

### **REVIEW OF BOARD MEETING MINUTES**

DECEMBER 9, 2015

*Motion by Ms. Clark, second by Ms. Johnston, to approve the December 9, 2015 Board meeting minutes as presented.*

Motion carried unanimously.

### **PUBLIC COMMENT/PRESENTATIONS/CORRESPONDENCE**

OPEN MEETINGS PRESENTATION BY KATHERINE BOCKBRADER, ESQ., A.A.G.

President Shaffer welcomed Katherine Bockbrader, Esq., the Boards Assistant Attorney General. Ms. Bockbrader informed the members that she had copies of "Ohio Sunshine Laws 2015: An Open Government Resource Manual" for them and then proceeded with her PowerPoint presentation [Appendix A].

Upon completion of her presentation, President Shaffer opened up the meeting for a brief question and answer period. She then thanked Ms. Bockbrader for her presentation.

### **SUPERVISORY INVESTIGATIVE PANEL REPORT**

Dr. Das, the Board's Secretary, attested that he had spent in excess of twenty (20) hours per week attending to Board business. Dr. Chambers, the Board's Vice Secretary, attested that he had spent in excess of twenty (20) hours attending to Board business.

*Motion by Ms. Johnston, second by Dr. Smith, to approve the Supervisory Investigative Panel report.*

Motion carried unanimously.

## **ENFORCEMENT**

### **PERSONAL APPEARANCE(S)**

#### **JAMES RANDY FRANKLIN, D.D.S.**

Ms. Yehnert stated that Dr. Randy Franklin was making his third appearance before the Board since entering into a Standard Impairment Consent (Agreement) in July 2015. She stated that Dr. Franklin had been discharged as treatment complete from his residential care at Center for Chemical Addictions Treatment (CCAT) on August 30, 2015. She said that Dr. Franklin had his first appearance before them in October 2015 wherein they reinstated his license to practice dentistry up to twenty (20) hours per week.

Ms. Yehnert explained that Dr. Franklin had appeared for interview at the December meeting wherein he requested to be fully reinstated of work privileges. She stated that the Board did not increase his work privileges at that time but had requested that he appear before them during their February meeting.

Ms. Yehnert stated that Dr. Franklin has submitted his meeting logs, is registered with Ohio Physicians Health Program (OPHP), and has begun Caduceus and Aftercare meetings. She informed the Board members that he is compliant with the terms of his Agreement with the Board and is before them today to request an increase in working privileges.

#### **JAMES RANDY FRANKLIN, D.D.S.**

Upon questioning by the Board, Dr. Franklin began by thanking the members for their service to the profession and then stated that he was learning to be efficient by using the dental auxiliaries in his office. He stated that he now permits his dental hygienists to perform local anesthesia and his Expanded Function Dental Auxiliaries to perform fillings. He stated that he was before them to request full working privileges, however, he would take as many hours as they would grant him. Dr. Franklin continued by informing the members that he was still looking for a full-time associate but it has been difficult as he works in an underserved area of the State.

Dr. Franklin stated that outside of work he has been keeping busy filling his time with meetings. He explained that he recently had a birthday dinner with his daughter and that had gone well. He stated that he is learning that he is not in control of things and that he is living life as it comes at him.

President Shaffer thanked Dr. Franklin for appearing before them and informed him that the Board would be considering his request during Executive Session.

#### **SCOTT D. SCHUMANN, D.D.S.**

Ms. Yehnert introduced Scott D. Schumann, D.D.S. to the Board and stated that this was his second appearance before them. She stated that Dr. Schumann had appeared before the members at the December 2015 meeting, requesting reinstatement of his license to practice. He was declined reinstatement at that time and was requested to return for an interview at the February 2016 meeting.

Ms. Yehnert explained that Dr. Schumann entered into his current Standard Impairment Consent (Agreement) in October 2015, the same time he had entered into residential treatment at The Woods at Parkside. She explained that he had been discharged from residential treatment on December 4, 2015, when his residential treatment was completed. She stated that while Dr. Schumann is appearing before them today to request reinstatement of his license and working privileges, he has not been in full compliance with the terms of his Consent Agreement since it was ratified. She stated that there have been some misunderstandings/miscommunication and that she asked Dr. Schumann to submit new information regarding his compliance. Ms. Yehnert explained that Dr. Schumann has supplied documentation of full compliance for the past two (2) weeks by attending three (3) meetings per week along with aftercare, which is more than is required by his Consent Agreement.

SCOTT D. SCHUMAN, D.D.S.

Upon questioning by the Board, Dr. Schumann stated that his non-compliance was not his intention to deliberately disregard the order of the Board. He stated that he had been attempting to cooperate with the requirements from the Board, as well as OPHP and aftercare and thought everything was covered.

When asked how he would handle the additional responsibility of work, Dr. Schumann explained that things at his office are suffering as he has lost staff due to the decrease in his income. He stated that, should he be permitted to return to work, his meeting schedule would not be affected. Dr. Schumann commented that his personal life is good and that he has experienced personal growth.

Upon further questioning, Dr. Schumann stated that his drug of choice had been alcohol.

President Shaffer thanked Dr. Schumann for coming before them and stated that the Board would take this matter under advisement when they discussed this during Executive Session.

**EXECUTIVE SESSION**

*Motion by Ms. Aquillo, second by Dr. Das, to move the Board into executive session to consider the investigation of charges or complaints against a licensee, to confer with counsel regarding a pending or imminent court action, and to consider the dismissal or discipline of a public employee pursuant to Ohio Revised Code Section 121.22(G)(1) and (3).*

Roll call vote: Ms. Aquillo - Yes  
Dr. Chambers – Yes  
Ms. Clark – Yes  
Dr. Das – Yes  
Dr. Guttman – Yes  
Dr. Hanners – Yes  
Ms. Huber – Yes  
Ms. Johnston – Yes  
Dr. Shaffer – Yes

Dr. Smith – Yes

Motion carried unanimously.

President Shaffer requested Director Kamdar, Ms. Nash, and Ms. Bockbrader to attend the Executive Session.

## OPEN SESSION

The Board returned to open session at 2:51 p.m.

### **DECISION IN THE MATTER OF SCOTT D. SCHUMANN, D.D.S.**

*Motion by Ms. Clark, second by Dr. Das, to reinstate the license of Scott D. Schumann, D.D.S. to practice dentistry up to twenty-four (24) hours per week subject to the terms of his consent agreement with the Board and for Dr. Schumann to appear before the Board for a subsequent interview at the May 2016 meeting.*

Motion carried unanimously.

### **DECISION IN THE MATTER OF JAMES RANDY FRANKLIN, D.D.S.**

*Motion by Dr. Hanners, second by Ms. Johnston, to approve the request of James Randy Franklin, D.D.S. to increase his practice hours up to thirty-two (32) hours per week subject to the terms of his consent agreement with the Board and that Dr. Franklin is to appear before the Board for a subsequent interview at the May 2016 meeting if he wishes to request an additional four (4) hours of working privileges.*

Motion carried unanimously.

### **ADMINISTRATIVE OPERATIONS**

President Shaffer then stated that there was a matter of “housekeeping” that the Board needed to address and turned the floor over to the Chair of the Operations Committee, Ann Aquillo.

*Motion by Ms. Aquillo, second by Ms. Johnston, to authorize Harry Kamdar, the Executive Director, to act as the appointing authority for day-to-day operations of the Board, including but not limited to, providing legislative and budget testimony, hiring, firing, accepting resignations, imposing employee disciplinary action, approving or denying leave requests, to sign any fiscal or administrative documents, to contract for services as necessary to carry out the Board’s responsibilities, and to delegate authority to staff members to sign personnel, fiscal, and administrative documents as needed.*

Motion carried unanimously.

## **ENFORCEMENT REPORT**

Deputy Director, Lyndsay Nash, Esq., provided the background summary for the enforcement documents before the Board for consideration.

### REVIEW OF PROPOSED CONSENT AGREEMENT(S)

The Board reviewed three (3) proposed Consent Agreements. 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.

#### DISCIPLINARY

*PHILLIP T. LATHAM, D.D.S.*

***Motion by Ms. Johnston, second by Ms. Huber, to approve the proposed consent agreement for Phillip T. Latham, D.D.S., license number 30.013309, case numbers 15-25-0036 and 15-25-0037.***

Motion carried unanimously.

*ANDREW M. WROBLESKY, D.D.S.*

***Motion by Ms. Johnston, second by Ms. Huber, to approve the proposed addendum to consent agreement for Andrew M. Wroblewski, D.D.S., license number 30.019966, case number 13-04-0363.***

Motion carried unanimously.

*JASON P. YANICH, D.D.S.*

***Motion by Ms. Johnston, second by Ms. Aquillo, to approve the proposed consent agreement for Jason P. Yanich, D.D.S., license number 30.021662, case number 14-51-0219.***

Motion carried unanimously.

### NOTICES OF OPPORTUNITY FOR HEARING

The Board reviewed one (1) proposed notice of opportunity for hearing. The name of the individual/licensee was not included in the documents reviewed by the Board. The name of the individual/licensee has been added to the minutes for public notice purposes.

#### AHMAD MUHAMMAD

***Motion by Ms. Johnston, second by Ms. Clark, to approve the proposed notice to deny certification and notice of opportunity for hearing and forward it to Ahmad Muhammed.***

Motion carried unanimously.



## ORDER FOR PSYCHIATRIC EVALUATION

The Board reviewed one (1) proposed order to psychiatric evaluation. The name of the individual/licensee was not included in the documents reviewed by the Board. The name of the individual/licensee has been added to the minutes for public notice purposes.

*Motion by Ms. Clark, second by Ms. Johnston, to approve the proposed order to psychiatric evaluation and forward it to \_\_\_\_\_, D.D.S., license number 30-\_\_\_\_\_, case number 16-28-1039*

Motion carried unanimously.

## ENFORCEMENT UPDATE

Deputy Director Nash provided the Enforcement Update and began by informing the Board that there are two (2) cases pending hearings and that there were no cases pending a hearing examiners Report and Recommendation at this time. She indicated that there were currently forty-six (46) licensees and/or certificate holders under suspension and forty-nine (49) licensees and/or certificate holders on probation. Ms. Nash informed the Board members that the report indicated there were two hundred and eight (208) active cases; however, since the Supervisory Investigative Panel (SIP) met earlier that morning the number of active cases should be lower.

Ms. Nash said that there were two (2) licensees actively participating in QUIP and one (1) referral to QUIP. She informed the members that there were seven (7) cases which have been investigated and reviewed by the Board Secretaries and were recommended to be closed since the last Board meeting with five (5) warning letters being issued.

### 90-DAY REPORT

Ms. Nash then reviewed the 90-Day Report with the members. She stated that of the seventy-five (75) cases reflected in the report by age, 50% were under 90-days old, 14% were between 90-119 days, 7% were 120-149 days old, 4% were 150-179 days old, and 25% were 180 days old or older. Ms. Nash reviewed the 90-Day Report by type with the Board members, indicating that of the major categories, the 45% that had been awaiting SIP review would now be decreased subsequent to the meeting that morning. She explained that 7% of the cases were with police/prosecutors/Medicaid fraud, 19% were awaiting subpoenaed records, 17% were waiting on expert reports, and 12% were pending hearings or notices of opportunity for hearing.

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

### 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 Shaffer reviewed the cases to be closed with the Board.

The following cases are to be closed:

15-87-0403	15-18-0494 – Warning	15-30-0470 – Warning
15-48-0330 - Warning	15-52-0496 – Warning	
15-48-0495 – Warning	15-48-0458	

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

Roll call: Ms. Aquillo - No  
Dr. Chambers – No  
Ms. Clark – No  
Dr. Das – No  
Dr. Guttman – No  
Dr. Hanners – No  
Ms. Huber – No  
Ms. Johnston – No  
Dr. Shaffer – No  
Dr. Smith - No

President Shaffer then called for a motion to close the cases.

*Motion by Ms. Clark, second by Ms. Johnston, to close the above seven (7) cases.*

Roll call vote: Ms. Aquillo - Yes  
Dr. Chambers – Yes  
Ms. Clark – Yes  
Dr. Das – Yes  
Dr. Guttman – Yes  
Dr. Hanners – Yes  
Ms. Huber – Yes  
Ms. Johnston – Yes  
Dr. Shaffer – Yes  
Dr. Smith – Yes

Motion carried unanimously.

## **LICENSURE REPORT**

### LICENSURE/CERTIFICATION/REGISTRATION REPORT (APPROVED BY THE EXECUTIVE OFFICE)

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

DENTISTS

*Motion by Ms. Johnston, second by Ms. Aquillo, to approve the licensure report for the following dental licenses issued by a regional board examination:*

30.024655	Ana Luiza R. Arruda	30.024649	Wilson F. Morocho
30.024656	Gina Bitonte	30.024645	Maricel J. Perez
30.024657	Arlene S. Esche	30.024652	Darren J. Ramsey
30.024641	Karen Feldman	30.024647	Sandra M. Rittman
30.024650	Maija A. Fish	30.024648	Patrick T. Ruck
30.024660	Chelsea R. George	30.024653	Amanda L. Steen
30.024651	Logan D. Halderman	30.024658	Meng Tong
30.024642	Amy E. Lahm	30.024654	Claire E. Towning
30.024643	Marcell L. Lesueur	30.024646	Matthew J. Turner
30.024644	Lavika Mor	30.024659	Traci A. Williams

Motion carried unanimously.

DENTAL HYGIENISTS

*Motion by Ms. Johnston, second by Ms. Huber, to approve the licensure report for the following dental hygiene license issued by a regional board examination:*

31-015031	Tori A. Abner	31-015023	Emily N. Keinath
31-015019	Elizabeth M. Anderson	31-015032	Kathryn L Kennedy
31-015027	Katie U. Beck	31-015024	Daria Lenard
31-015020	Gitanjali Bhowmik	31-015025	Melissa M. Long
31-015021	Kayla M. Blacksmith	31-015018	Sarah M. Misley
31-015028	Michelle A. Bourgeois	31-015030	Sondra M. Mitchell
31-015029	Jessica M. Corso	31-015014	Monica R. Recksiedler
31-015022	Cassandra J. Davis	31-015026	Aimee E. Rotte
31-015012	Christine R. Foust	31-015015	Lorreen L. Vick
31-015017	Abigail M.F. Gray	31-015016	Paulette E. Walker
31-015013	Donna M. Gutierrez		

Motion carried unanimously.

DENTAL ASSISTANT RADIOGRAPHERS

*Motion by Ms. Johnston, second by Dr. Smith, to approve the licensure report for the following dental assistant radiographer certificates issued by: acceptable certification or licensure in another state, certification by the Dental Assisting National Board (DANB) or the Ohio Commission*

*on Dental Assistant Certification (OCDAC), or successful completion of the Board-approved radiography course:*

Brittany Austin	Alissa Collins	Lisa Gears
Le'shay Ayers	Michele Comstock	Shonda Gieseke
Bailee Babb	Keishawn Cook	Shelbie Glass
Avrial Bailey	Kaitlyn Corrigan	Kelly Globeck
Brittany Barksdale	Ginny Cortes	Alicia Goins
Maleah Belville	Trinity Costanzo	Lauren Gray
Maranda Bice	Heather Cotterman	Jenna Gress
Danielle Binkley	Kiara Couch	Kevie Grogan
Megan Blake	Kristina Cox	Meagan Grothouse
Taylor Block	Valerie Coxe	Brittni Hall
Alexis Bono	Brandy Cress	Nicole Hamilton
Kaitlyn Boyd	Antasia Curlett	Abigail Harper
Brandi Boyer	Katie Curtis	Briannah Harris
Kertisha Brabson	Deepshikha Dahiya	Marissa Hatch
Jessica Branham	Melissa Datish	Miranda Hatch
Kenzie Bratton	Paula Davis	Erin Hatfield
Victoria Brenlish	Jessica Devault	Carly Heldenbrand
Bethany Bridenstine	Tiffani Dever	Keziah Hendricks
Angela Brock	Kristin Dierks	Emily Herdman
Alyssa Brown	Nicole Drake	Violet Herrera
Donteja' Brown	Katharine Dunivant	Natasha Hiler
Dylon Brown	Madeline Durham	Kaitlyn Hill
Miles Brown	Alexis Eakes	Martin Hill
Nicole Burton	Kyra Ely	Emalee Hollis
Valdis Canelo	Sarah Fangman	Hailey Hossler
Andrea Carson	Brandi Fisher	Angelica Howell
Kimberly Cereghin	Sally Foran	Sarah Huber
Reshanna Chatman	Ashley Foreman	Keeven Huggins
Angelica Chionchio	Brittney Frank	Alexa Hunt
Monica Ciptak	Samantha French	Cur'tajah Hunter
Tiffany Clay	Steven Friedman	Shayla Hurst
Vada Clemens	Christina Gall	Hadeel Hussein
Shelby Cochren	Samantha Gamon	Shelby Ion
Hannah Coffee	Judah Gartman	Tranette Jackson
Shonda Coleman	Baylee Garven	Nataleigh Janusik

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Elise Januszewski	Bre'ona Martindale	Hailey Poulton
Camee Jennings	Patricia Martinez	Amruta Rahalkar
Jesselyn John	Stacey Masterson	Emily Rayburn
Alexis Jones	Kelly May	Karah Rhoads
Alyssa Jones	Morgan Mayle	Shirley Richardson
Brittani Jones	Robin McCann	Adrianna Rios
Kayla Jones	Brooke McDonald	Desiree' Ritchie
Sarah Jordan	Jamie McFarland	Heather Rittenhouse
Carli Kahny	Penny McGuff	Subin Rixey
Teresa Kamp	Megan McKown	Mary Robinson
Laura Keenan	Malerie Meadows	Sabrina Robinson
Faith Keiper	April Megahey	Willie Robinson
Brittany Keith	Rebecca Michaux	Lanisha Rodgers
Tarah Kelley	Jennifer Miller Eckardt	Miyana Ross
Heaven Kendrick	Kaci Miziker	Jessica Rosselot
Tyler Kerchner	Stephanie Moody	Paris Roten
Elizabeth Knapp	Michelle Moore	Lillian Royer
Kristyn Kolenc	Jessica Morton	Kaitlyn Russ
Sarah Krebs	Brandi Mowery	Amanjot Sarao
Gabriella Kyser	Leslie Murray	Jemma Sargsyan
Kiana Lambert	Giovonni Myers	Sierra Sarver
Morgan Lamping	Sierra Newmeyer	Brittany Schmidt
Kierra Lander	Heather Newsom	Christine Schmeer
Amarah Lawrence	Tina Norman	Johnathan Schoepf
Ngan Le	Dora Norris	Madalina Schwarzer
Bethany Leavitt	Dora O'Neill	Sara Sears
Tina Lee	Brooke Orvos	Carly Sheeley
Samantha Lloyd	Sarah Packard	Adalynn Sheridan
Megan Long	Preeti Padangady	Kameron Sheridan
Brittany Louallen	Magen Padovani	Andeja Smith
Kassandra Loveland	Beth Ann Patton	Cierra Smith
Shawna Mann	Allison Pauwels	Daisha Smith
Carly Manos	Shelby Payne	Kristen Smith
Kylee Markey	Amanda Perry	Samantha Smith
Jacquilyn Marlar	Madelyn Peterson	Aleina Soueidi
Stephanie Marsh	Rowan Pipher	Nichole Sparks
Kelsey Martin	Jasmine Pippins	Brianna Spaulding

Jalin Spencer	Brittany Thompkins	Savannah Wilham
Katlyn Sponcil	Hailey Thompson	Taylor Williams
Melissa Spurlock	Desiray Torrey	Wanda Williams
Corrin Stacey	Ashlee Trainer	Davonna Williamson
Whitley Stallworth	Vincenza Tremante	Karissa Wingfield
Chance Starkey	Abigail Trout-Mckenzie	Amber Wolf
Alexandra Stein	David Van Huffel	Kalyn Wolfe
Catherine Stone	Morgan Voytko	Claudia Woodward
Sie'coria Stuckey	Lindsay Walker	Melissa Wourms
Chloe Sumner	Rachel Ward	Kandias Wrick
Terra Swafford	Kelsie Watson	Shannon Wynn
Jakeyla Swain	Melissa Weber	Rebecca Wynnink
Kayla Swain	Karri Wells	Caila Yaden
Angel Swihart	Kurstin Wherry	Danielle Zappitelli
Carlie Tanner	Alexis White	Valerie Zuercher
Melissa Thien	Justice White	

Motion carried unanimously.

LIMITED RESIDENT'S

***Motion by Ms. Aquillo, second by Ms. Johnston, to approve the licensure report for the following limited resident's licenses:***

John Reimschiessel

Hussam Alqahtani

Motion carried unanimously.

LIMITED TEACHING

***Motion by Ms. Johnston, second by Ms. Huber, to approve the licensure report for the following limited teaching license:***

Anita Gohel

Motion carried unanimously.

CORONAL POLISHING CERTIFICATES

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

Lindsay M. Abrams  
 Chelsea P. Baker  
 Brittany L. Baltzer  
 Aniette Barefield  
 Kristin L. Bartley  
 Latrice Y. Boards  
 Kelsea Bostelman  
 Tiffany A. Bowman  
 Jaclynn M. Coffman  
 Jamie N. Copley  
 Julia M. Currie  
 Brenda S. Dunlap  
 Sara E. Evanchyk  
 Dena R. Geesaman  
 Jessica N. Glick  
 Annamarie Hanzak  
 Keerston L. Hopkins  
 Caitlin A. Janik

Kaley N. Johnson  
 Alissa J. Klein  
 Amanda M. Klosterman  
 Molly M. Koopman  
 Denise E. Le  
 Aimee E. Logan  
 Jessica M. Martin  
 Tanya R. Martin  
 Jordan L. Morris  
 Joy L. Shively  
 Amanda L Skladany  
 Nelly C. Solito  
 Alicia A. Warblow  
 Kaylie R. Warnock  
 Michelle L. Williamson  
 Amy S. Wilson  
 Taylor E. Winters

Motion carried unanimously.

EXPANDED FUNCTION DENTAL AUXILIARY REGISTRATIONS

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

Debra Hanover  
 Keylon Huff  
 Fregi A. Varghese  
 Molly E. Smith

Cassandra T. Paluskas  
 Janie L. Lively  
 Alisha A. Burgert

Motion carried unanimously.

**ORAL HEALTH ACCESS SUPERVISION PERMIT(S)**

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

DENTAL HYGIENISTS

Mindi L. Eyre  
Rebecca S. McElroy

Kathryn A. Mingus

Motion carried unanimously.

#### PERMITS – GENERAL ANESTHESIA/CONSCIOUS SEDATION

President Shaffer stated that the Board's Anesthesia Consultant, had vetted the following individuals who have applied for Anesthesia and Conscious Sedation permits, evaluations have been conducted, and the applicants are recommended to receive Permits for the specified modality.

##### GENERAL ANESTHESIA

Timothy Frey, D.D.S. – Columbus

##### CONSCIOUS SEDATION

Andrew Baker, D.D.S. – Intravenous

Lauren E. Capozza, D.D.S. – Non-intravenous Parenteral

Douglas Ferguson, D.D.S. – Intravenous

Nick Kerns, D.D.S., Oral for children 12 years or younger

***Motion by Ms. Johnston, second by Dr. Das, to accept the Anesthesia Consultants report and approve these applicants to receive general anesthesia and conscious sedation permits for the specified modality.***

Motion carried unanimously.

#### GRADUATE(S) OF UNACCREDITED DENTAL COLLEGES LOCATED OUTSIDE THE UNITED STATES

***Motion by Ms. Johnston, second by Dr. Das, that the following applicants have met the requirements necessary to obtain a license to practice dentistry in Ohio as a graduate of an unaccredited dental college outside the United States:***

Surabhi Chhibber

Ellys R. Tronilo

Motion carried unanimously.

#### REINSTATEMENT APPLICATION(S)

***Motion by Ms. Huber, second by Ms. Johnston, to approve the following reinstatement applications for dental and dental hygiene licensure in Ohio:***

##### DENTIST

Gary Laukhuf, D.D.S.

James Ripley, D.D.S.



DENTAL HYGIENIST

Lisa Fuchs, R.D.H.

Motion carried unanimously.

**COMMITTEE REPORTS****AD HOC COMMITTEE**

Ms. Clark stated that there was no report for the Ad Hoc Committee.

**EDUCATION COMMITTEE**

Ms. Johnston informed the Board members that the Education Committee had met earlier that morning at 11:00 a.m. in room 1948 and that all members were in attendance. She stated that the Committee had reviewed twenty-eight (28) Biennial Sponsor applications and were recommending twenty-two (22) for approval at this time. She stated that the Committee had also reviewed two (2) Dental Assistant Radiographer Initial Training courses and were recommending both for approval. Ms. Johnston stated that once their review of the applications was completed, they briefly continued a conversation from the December meeting regarding remedial education and providers for remedial education.

On another note, Ms. Johnston stated that she and Dr. Guttman had been in the Board executive office to review the Waiver/Extension requests that were submitted in response to the continuing education audit. She indicated that she had called and spoken with some of the licensees directly to inform them if they were missing a CPR certification or CE certificate. She concluded her report by informing the members that there were several of the Waiver/Extension requests that would be approved but many would be denied.

REVIEW OF APPLICATION(S)*BIENNIAL CONTINUING EDUCATION SPONSOR(S) 2014-2015*

Vlad Shapiro, D.D.S., M.S.

*BIENNIAL CONTINUING EDUCATION SPONSOR RENEWAL(S) 2016-2017*

Fred Alger, D.D.S., M.S., L.L.C.

James Spencer Boley, D.M.D. (Formerly Boley Braces)

Cleveland Academy of Advanced Dental Education

Cleveland Comprehensive Care Study Group

Cleveland Society of Orthodontists

Karen K. Daw, M.B.A., C.E.C.M.

Dental Hygiene Excellence

Elite CME, Inc.  
Greater Cincinnati Dental Study Club  
Greenbriar Study Club  
R. Rubin Gutarts, D.D.S., M.S.  
Hillcrest Dental Study Club  
James E. Metz, D.D.S.  
Craig Minich, D.D.S., M.S. Orthodontics, Inc.  
Ohio Association of Community Health Centers  
O.K.I. Study Club (Cincinnati Dental Services)  
Seattle Study Club of Cleveland  
Ryan Serra, D.M.D., M.S.  
Vlad Shapiro, D.D.S., M.S.  
Shirk Orthodontics, Inc.  
Stoner Periodontics and Implant Specialists (Formerly Stoner Periodontics)

DENTAL ASSISTANT RADIOGRAPHER INITIAL TRAINING

Heritage College – Columbus, Ohio  
“DA 150(B) – Radiography I”  
“DA 160(B) – Radiography II”  
“DA 211 Externship I”  
“DA 221 Externship II”  
  
Heritage College – Middleburg Heights, Ohio  
“DA 150(B) – Radiography I”  
“DA 160(B) – Radiography II”  
“DA 211 Externship I”  
“DA 221 Externship II”

***Motion by Ms. Aquillo, second by Dr. Das, to accept the Education Committee report and to approve the applications as presented.***

Motion carried unanimously.

LAW AND RULES REVIEW COMMITTEE

Dr. Chambers stated that there was no report for the Law and Rules Review Committee.

OPERATIONS COMMITTEE

Ms. Aquillo stated that there was no report for the Operations Committee.

## POLICY COMMITTEE

Ms. Johnston stated that there was no report for the Policy Committee.

## EXECUTIVE UPDATES

### PRESIDENT'S UPDATE

#### 2016 BOARD MEETING SCHEDULE

President Shaffer began her report by stating that a few of the members had a conflict with the date of the May meeting and was asking them to consider moving the date to ensure that as many members as possible could be in attendance since replacement appointments have not yet been made.

An open discussion ensued with the decision to change the meeting to May 18, 2016.

#### COMMISSION ON DENTAL COMPETENCY ASSESSMENTS MEETING

Dr. Shaffer mentioned that during the recent meeting for the Commission on Dental Competency Assessments in January, a vote was made for the Ohio Caucus to extend a formal "Thank you" to Director Kamdar for his revision and input into the recent renewal notice letter that was sent to Ohio dental and dental hygiene licensees. She stated that the uninitiated recognition was being put forth because they had been impressed and wanted to recognize and encourage his continued efforts for the licensees of Ohio.

#### AMERICAN BOARD OF DENTAL EXAMINERS, INC. REPRESENTATIVE

President Shaffer indicated that she had a discussion with Patrick Braatz of the American Board of Dental Examiners, Inc. (ADEX) regarding a change in the ADEX bylaws and representatives to ADEX from Ohio. She stated that the current member of the ADEX examination committee is former Board member, Eleanore Awadalla, D.D.S., whose term is set to expire in 2017. President Shaffer explained that at the previous meeting in December, the Board voted to have former Board member, Mary Ellen Wynn, D.D.S., replace Dr. Awadalla as the representative to ADEX. She stated that in order for this to happen, the Board would be required to vote to remove Dr. Awadalla and replace her with Dr. Wynn as representative or Dr. Wynn could wait and begin her term in 2017.

President Shaffer stated that she had spoken with Dr. Awadalla who expressed her desire to remain as the current ADEX Representative and serving through this year.

Ms. Johnston said that she felt that Dr. Awadalla has been doing a good job as the ADEX Representative and felt she should be able to complete her term. Ms. Huber agreed and a consensus of the Board resulted in the decision that Dr. Awadalla will remain as the ADEX Representative to the Examination Committee and Dr. Wynn will begin as the ADEX Representative in 2017.

AMERICAN ASSOCIATION OF DENTAL BOARDS MID-YEAR MEETING

President Shaffer informed the members that the Board pays for membership dues and meeting registrations to the American Association of Dental Boards (AADB) for all Board members. She explained that the Board will only pay for two (2) of its officers to attend the Mid-Year meeting in April, 2016 and that both she and Ms. Clark were planning to attend. Dr. Shaffer inquired as to whether any other Board members were planning on attending the meeting. Ms. Johnston expressed her desire to attend the meeting.

Dr. Shaffer then suggested that Ms. Johnston contact former Board member, William Leffler, D.D.S., as he had attended previous meetings as the Board member representative to the Joint Commission on National Dental Examinations (Joint Commission). She further explained that as the representative member of the Board, the Joint Commission would pay for some of Ms. Johnston's expenses but Ms. Johnston would need to check into this information as she was unsure if this was only available to dentist board members.

## EXECUTIVE DIRECTOR'S UPDATE

STRATEGIC PLANNING RETREAT

Director Kamdar expressed his continued desire for the board to become the "Gold Standard" of all regulatory boards. To reach this goal, he would continue taking a critical look at Board operations now and into the future. He thanked the Board members for all their time and effort in completing the S.W.O.T. Analysis (Strengths, Weaknesses, Opportunities, and Threats) homework assignment. He also wanted to take a moment to recognize Dr. Smith and Ms. Aquillo for all of their hard work and their assistance in preparation for the Strategic Planning Retreat (Retreat) scheduled for the next day.

Director Kamdar distributed copies of the retreat notebooks for the next day and explained that the board members had provided 232 SWOT items for the three (3) service lines: Enforcement, Education and Licensure. He stated that the goal of the Retreat was to trim those 232 items down to fifteen (15) of the most critical issues to address and then turn those items into priorities and goals for the short-term and long-term future. He further explained that the short-term goals would become the Strategic Plan for 2016 and the long-term goals would then become the Strategic Plan for 2017. He stated that it was his goal that any "low hanging fruits" would be resolved within the immediate future.

Continuing, Director Kamdar stated that they would begin the Retreat in the morning with ice-breaker questions, receive brief comments/presentations from those in attendance, and then begin narrowing down the S.W.O.T. analysis items.

LICENSURE RENEWAL PROCESS

Director Kamdar informed the Board members that they had experienced some significant "bumps" with the renewal of dental and dental hygiene licensure process.. He stated that the slow pace

of renewals did not meet his expectations, their expectations, or the licensees' expectations. He expressed that it was unfortunate that the dental and dental hygiene licensees had not received their renewal receipt cards before their licenses had expired and that swift corrective action was being taken.

#### E-LICENSING

Continuing on, Director Kamdar informed the members that the title of E-licensing maybe a misnomer in that the new "licensing" system was much more broader than what is currently in use. He explained that it is essentially a state enterprise IT solution to Board business and are looking to it to be a full and total solution and hopes that this new system will resolve many of the current issues the Board wishes to have addressed. He informed the members that the Board was planning to "go live" and convert all our current data over sometime during July or August but stated that projects of this magnitude are often subject to delays.

#### INVESTIGATOR TERRITORIES

Director Kamdar held up a heat map graphic of the Boards investigations geographically categorized over a map of Ohio. He explained to the Board members that this was a tool that the State Medical Board of Ohio uses which provides a critical look at the locations where complaints to the Board originate. He indicated that this tool becomes very useful in studying workload assignments of investigators and future considerations such as to where investigator headquarters should be versus the cost of working out of the Columbus area.

#### BADGES AND LOGO

Continuing on, Director Kamdar informed the members that in listening to the members of the Board, the responses to the S.W.O.T. Analysis, and Board customers, it had become clear that the use of the badge by the Dental Board Enforcement Officers was unnecessary and that a state-issued ID badge was sufficient for investigative purposes. He stated that all of the investigator badges have been turned in to Deputy Director Nash and while this appears to be superficial it speaks volumes in not treating our licensees as criminals. Additionally, Director Kamdar informed the members that he is still working on transitioning to a new logo for the Board that is based on the seal of the State of Ohio and that it has been suggested to incorporate a caduceus if possible.

#### FISCAL OFFICER

Director Kamdar informed the Board that Pam Cartwright, the Board's Fiscal Officer, had returned to work the previous week after being out of office for a few months. He stated that she is diligently working on getting back up to speed and that the Board could expect a comprehensive financial report for their next meeting in March.

BOARD NOTEBOOKS

Director Kamdar pointed out that, at Board member request, they would now be utilizing hardcopy Board notebooks for the Board meetings and a softcopy would be sent several days prior to a Board meeting. He stated that this manner of presenting business items to the Board appears to have been well received by Board members and he wanted to thank Ms. Franks for her assistance in the development of the meeting notebook.

ANYTHING FOR THE GOOD OF THE BOARD

## COMMISSION ON DENTAL COMPETENCY ASSESSMENTS

Ms. Johnston commented that at a recent Commission on Dental Competency Assessments meeting it had been reported that the first Expanded Function Dental Auxiliary (EFDA) examination had gone well. She stated that sixteen (16) of the eighteen (18) candidates had successfully passed the examination and she felt that was remarkably good.

## QUALITY INTERVENTION PROGRAM (QUIP)

Dr. Smith questioned transition/replacement for Dr. Hanners as the QUIP Coordinator since his appointment to the Board would soon end. Dr. Shaffer suggested it might be more beneficial that any discussion regarding QUIP could wait until after the Strategic Planning Retreat the next day.

ADJOURN

*Motion by Ms. Johnston, second Ms. Aquillo, to adjourn the meeting.*

Motion carried unanimously.

President Shaffer adjourned the meeting and reminded the Board members that the Strategic Planning Retreat would begin promptly at 8:30 a.m. the next day and that the next regularly scheduled Board meeting would be March 9, 2016.



Marybeth Shaffer, D.M.D.

President



Constance Clark, R.D.H.

Vice President

APPENDIX A

**APPENDIX A**


2/3/2016

**Ohio's Open Meetings Act**

*February 3, 2016*

Ohio Attorney General Mike DeWine

Presented by  
AAGs Katherine Bockbrader



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**Sunshine Laws— Why Do We Care?**

- Good government
- Visible and important issue to public and media
- Important to the AGO
- Liability for AGO and for clients



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**Open Meetings Act Overview**

*Definitions*

*Obligations*

*Executive Sessions*

*Liabilities*



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APPENDIX A

2/3/2016

**Who is Subject to the Open Meetings Act and When?**



**Public Body:**  
Any decision-making body of the state, its political subdivisions and school districts (including committees & sub-committees)

**Meeting:** (1) Prearranged gathering of  
(2) a majority of members of public body  
(3) conducting or discussing public business

MIKE DEWINE

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**Looking Deeper: What is a Meeting?**

**Discussion/Deliberation vs. Information Gathering:**

- Discussion & deliberation involve weighing reasons for/against a course of action & must be conducted openly
- In some appellate districts, gatherings solely to receive factual information may not be "meetings"...

... BUT FRANKLIN COUNTY APPELLATE COURT HAS NOT ADOPTED THIS REASONING, SO CONSULT LEGAL COUNSEL FIRST!

**Work sessions:**

- Prearranged work sessions, retreats, etc. where public business is discussed by majority of members of public body are "meetings" that must be noticed and open to public

MIKE DEWINE

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**Obligations**

Give appropriate NOTICE  
R.C. 121.22(F)

Take action & deliberate on public business in OPEN session  
R.C. 121.22(C)

Take & file MINUTES  
R.C. 121.22(C)

MIKE DEWINE

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APPENDIX A

2/3/2016

**Obligation 1: Notice**  
**Types of Meetings & Notice Required**

**Regular Meetings** → Held at prescheduled intervals  
 Notice = time and place

**Special Meeting** → Any meeting other than regular meeting  
 Notice = at least 24 hours in advance  
 = time, place, & purpose  
*unless*  
 Emergency = immediate notice to news media that have requested

MIKE DEWINE  
 GOVERNOR

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**Obligation 2: Openness**  
**Take Action & Deliberate in Public**

Where must public meetings be held?

- Public forum within area that public body serves

Does public have right to speak at public meetings?

- Not required by the OMA, but may otherwise be permitted or required

Can members of public record the proceedings?

- Yes, if it does not disrupt meeting

MIKE DEWINE  
 GOVERNOR

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**Obligation 3: Minutes**

"The minutes of a regular or special meeting of any public body shall be promptly prepared, filed, and maintained and shall be open to the public."  
 — O.R.C. 221.22(C)

- Do not have to be verbatim transcript of proceedings but must be full and accurate and enable public to understand rationale behind public body's decisions
- No requirement to take minutes of executive sessions

MIKE DEWINE  
 GOVERNOR

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APPENDIX A

2/3/2016

**Executive Sessions**

**Proper Procedures:**

- Meetings must always begin & end in open session
- Executive session must be preceded by specific motion
- Motion must specifically state permissible topic(s) that will be discussed
- Vote on motion must be by roll call of members

← MIKE DEWINE

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**Executive Sessions**

**Permissible topics for consideration:**

- 1) Personnel (must state specific type of personnel matter to be discussed, but not identity of person)
- 2) Certain property sale or purchase issues
- 3) Court action (only with the body's attorney)
- 4) Collective bargaining preparation & sessions
- 5) Matters required to be kept confidential by codified law
- 6) Security arrangements
- 7) Certain public hospitals' trade secrets
- 8) Economic development assistance applicants

← MIKE DEWINE

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**Executive Sessions**

**Present in Executive Sessions:**

Who may members include?  
 – anyone who is invited to stay

Who may the members exclude?  
 – any other members of the public

← MIKE DEWINE

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APPENDIX A

2/3/2016

**Restrictions On Executive Session**

- There can be no decision-making
- No voting, including "straw polls"
- Non-permitted matters may not be discussed, even if intertwined with permitted matters



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**Executive Sessions - Records**

- Executive sessions provide private space for discussion, but do not make any materials confidential, including documents handed out during session
- Analyze public records issues separately, as though taking place outside of executive session
- No minutes need to be taken of executive session discussions . . . and should not be!

MIKE DEWINE

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**Miscellaneous Topics:  
Virtual Participation**

- A member "shall be present in person" to be considered present or to vote at the meeting and for purposes of determining whether a quorum is present. - R.C. 121.22(C)
- Virtual participation (teleconferencing) is only permitted when specifically authorized by law.
- For example, the Dental Board is permitted to hold a telephone conference to summarily suspend a license, pursuant to R. C. 4715.30(G).

MIKE DEWINE

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APPENDIX A

2/3/2016

**Penalties for Violating OMA**



- Fines*
- Injunction*
- Court Costs*
- Attorney Fees*
- Action Invalidated*
- Removal from Office*

MIKE DEWINE

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**Questions & Answers**

Sunshine Laws Web Page:  
[www.ohioattorneygeneral.gov/Sunshine](http://www.ohioattorneygeneral.gov/Sunshine)

Sunshine Laws Manual Online:  
[www.ohioattorneygeneral.gov/YellowBook](http://www.ohioattorneygeneral.gov/YellowBook)

For Additional Information . . .

*Ohio Attorney General Mike DeWine*

Public Records Unit Phone:  
614-466-2872

MIKE DEWINE

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