

Thursday August 6, 2009  
6:30pm

Hoover, Alabama

The Board of Dental Examiners of Alabama met to conduct business. Members present were Drs. McCaffery, Mahan, DeRosier, Willis, Northcutt and Ms. Chapman. Also present were Dr. Donna Dixon, Stan McAdams and Mary Ann Wilkinson, and Keith Warren.

Dr. McCaffery called the meeting to order at 6:30 PM.

Dr. McCaffery welcomed Dr. Hunter Pope.

Dr. McCaffery asked members of the board to add the following meetings to their calendar:

Noon August 13, 2009 – Dental Licensure Exam Calibration, Doubletree Hotel

9:30 AM August 27, 2009 - Sunset Hearing, Montgomery, Alabama.

10:00 AM August 28, 2009 – ALDA Board of Trustee, Dr. McCaffery will attend

Ms. Chapman, chair of the Internal Restructuring Ad Hoc Committee, announced this committee will have a standing monthly meeting at 2:00 PM prior to any board meeting scheduled on Thursday. Members of this committee are Ms. Chapman, Dr. Mahan, Dr. Northcutt and Mr. Warren.

Drs. McCaffery, DeRosier and Willis will count the ballots on October 8, 2009 at 2:00 PM. Each candidate will be notified that they are welcome to attend with the newly elected member with the oath of office administered at the close of the October 9, 2009 meeting. Dr. Bobby Wells, selected by the Alabama Dental Society, will be sworn in on October 8, 2009, for a term of five years.

Ms. Wilkinson was instructed to post the following board meetings:

November 5, 2009 6:30 PM

November 6, 2009 8:30 AM

December 3, 2009 6:30 PM

December 4, 2009 8:30 AM

January 7, 2010 6:30 PM

January 8, 2010 8:30 AM

A motion was made by Dr. Willis, seconded by Ms. Chapman, to accept the minutes of July 9-10, 2009. After discussion, Dr. McCaffery called for the vote. With no objection, Dr. McCaffery stated the motion carried.

A motion was made by Dr. Mahan, seconded by Dr. Willis, to accept the financial report. With no objection, Dr. McCaffery stated the motion carried.

Ms. Wilkinson was requested to obtain exam criteria for dental and dental hygiene exams administered in the past eighteen months for the board to consider approval of exam that will be accepted for licensure pursuant to Code of Alabama §34-9-10.

Dr. Tom Barnes, Dr. Lee Chaumoun and Dr. Kurry Wyatt joined the meeting.

A motion was made by Dr. Willis, seconded by Dr. Northcutt, to approve the CITA hygiene exam as satisfying the clinical requirement for dental hygiene licensure. After discussion, Dr. McCaffery called for the vote. With no objection, Dr. McCaffery stated the motion carried.

A motion was made by Ms. Chapman, seconded by Dr. DeRosier, pending successful completion of the law and ethics exam, Ms. Kristy Manor, shall be issued a dental hygiene license. After discussion, Dr. McCaffery called for the vote. With no objection, Dr. McCaffery stated the motion carried.

On motion by Dr. Willis, seconded by Dr. Mahan, the licensure applicants, with satisfactory evidence of having completed clinical requirements through exams approved by the board, will be permitted to take the law and ethics exam by appointment with the administrative office. After discussion, Dr. McCaffery called for the vote. With no objection, Dr. McCaffery stated the motion carried.

On motion by Dr. Willis, seconded by Dr. Northcutt, the Continuing education course submitted by Dr. Thomas Fuqua, Jr is approved as submitted. After discussion Dr. McCaffery called for the vote. 6-0, with no objection the motion carried.

On motion by Dr. Mahan, seconded by Dr. Northcutt, the meeting adjourned at 8:30 PM. 6-0, with no objection the motion carried.

### **Friday August 7, 2009**

Dr. McCaffery called the meeting to order at 8:40 AM.

Ms. Chapman, Chairman and Mr. Warren Interim Executive Director presented a report from the Internal Restructuring AD Hoc Committee

A motion was made by Dr. Willis, seconded by Dr. Mahan, for the Internal Restructuring Committee to move forward in developing a job description and job search for an administrative assistant position. After discussion, Dr. McCaffery called for the vote. 6-0, with no objection, the motion carried.

Mr. Warren and Mr. Steve Windom reported on the status of the significant issues and findings of the Department of Examiners.

Dr. Dixon was requested to draft an amendment to Rule 270-X-2.19 based on the statutory changes effective March 5, 2009 as found in ACT 2009-18.

On motion by Dr. Northcutt, seconded by Dr. Mahan, as recommended by Dr. Willis, 2009-62 was placed under investigation. Vote 5-0, with no objection the motion carried.

On motion by Dr. Willis, seconded by Dr. Northcutt, Dr. Dixon was requested to issue a letter of concern for complaint 2009-43. After discussion, Dr. McCaffery called for the vote, 5-0, without objection the motion carried.

On motion by Dr. Northcutt, seconded by Dr. Mahan, Dr. Dixon was requested to issue a letter of concern for complaint 2007-118. After discussion Dr. McCaffery called for the vote. 5-0, without objection the motion carried.

On motion by Dr. Northcutt, seconded by Dr. Willis, 2009-52 was closed with no further action per recommendation of the Alabama Dental Professionals Wellness Committee. After discussion, Dr. McCaffery called for the vote. 5-0, without objection the motion carried.

On motion by Dr. Northcutt, seconded by Dr. Willis, Dr. Dixon was requested to inform the both the dentist and complainant that the matters raised in 2009-32 are outside the jurisdiction of the board. After discussion, Dr. McCaffery called for the vote. 5-0, without objection, the motion carried.

On motion by Dr. Willis, seconded by Dr. Mahan, Dr. Dixon was instructed to request a letter of explanation to clarify complaint 2009-29 within fourteen days or matter will be closed. After discussion, Dr. McCaffery called for a roll call vote. Dr. DeRosier – Aye, Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan – Aye, Dr. McCaffery – Aye. With no objection the motion carried.

A motion was made by Dr. Mahan, seconded by Dr. Willis that all complaints filed with the board should be notarized. After discussion, Dr. McCaffery called for a roll call vote. Dr. DeRosier – Aye, Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan – Aye, Ms. Chapman – Aye, Dr. McCaffery – Aye. With no objection the motion carried.

Dr. DeRosier, Ms. Chapman, Ms. Virciglio and Dr. Dixon were instructed to revise the investigative protocol draft previously provided by Mr. Matt Bledsoe.

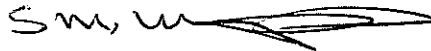
On motion by Dr. Mahan, seconded by Dr. Willis, Dr. Dixon was instructed to issue a Notice of Hearing for 2007-34. After discussion, Dr. McCaffery called for the vote. 5-0, without objection the motion carried.

A motion was made by Dr. Willis, seconded by Dr. Northcutt, to approve the proposed budget as written. After discussion, Dr. McCaffery called for a roll call vote. Dr. Northcutt – abstain, Dr. Willis – aye, Dr. Mahan – abstain, Ms. Chapman – No, Dr. DeRosier – No, Dr. McCaffery – No. Motion failed.

Ms. Wilkinson was requested to post a board meeting for August 27, 2009 noon at the office at the office of Mr. Warren with the purpose of discussion of employee contracts and the 2009-2010 budget.

On motion by Dr. Mahan, seconded by Dr. Willis the meeting adjourned at 5:35 PM. With no discussion, by unanimous vote the motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Michael Mahan, Jr.", with a stylized flourish at the end.

S. Michael Mahan, Jr.

Approved: September 18, 2009

Submitted by: Mary Ann Wilkinson