

BOARD OF DENTAL EXAMINERS OF ALABAMA

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MINUTES

Board Meeting

Thursday June 2-3, 2011

The Board of Dental Examiners of Alabama met Thursday June 2, 2011 at the Board Office in Hoover, Alabama in order to conduct business.

The President called the meeting to order at 6:05 p.m. with the following members in attendance: Dr. Thomas T. Willis, President, Dr. S. Michael Mahan, Vice President, Dr. David Northcutt, III, D.M.D., Secretary/Treasurer, Dr. Bobby R. Wells, Dr. Hunter V. Pope, Dr. Stephen Stricklin, and Ms. Sandra Kay Alexander, R.D.H. Also in attendance were Mr. Keith E. Warren, Executive Director, Mr. Nick Vondereau, Administrator, Dr. Donna L. Dixon, General Counsel, Mr. Stanley McAdams, Investigations, Mr. Dennis Hodtwalker, CLS, Complaints/Administrative Assistant, and Linda Savarese, Administrative Assistant. A quorum was present to conduct business.

The President welcomed guests, including Dr. Gerald Cimis who was present to address the Board. Guests were provided with copies of the agenda, minutes from the previous meeting, and financial report.

The meeting was advertised on the Board's web site, www.dentalboard.org, and on the Secretary of State's web site, www.sos.alabama.gov, in compliance with the Alabama Open Meetings Act.

The President announced that the Board's bill passed today and will go to the Governor's desk for his signature.

The President asked members to review the minutes from May 2011 and offer any corrections or additions. One correction was noted. Ms. Alexander moved to approve the minutes with correction noted. Dr. Stricklin seconded the motion and it was unanimously approved by the Board.

Dr. Northcutt presented the financial report. Dr. Pope moved to approve the report as presented. Dr. Stricklin seconded the motion and it was unanimously approved by the Board.

The President invited public comments. Dr. Gerry Walker reported the status of a final report from the Special Committee that deals with recommendations to the Board for ethics reform. Members asked questions in regards to the Committee's lack of response to the Board's invitation to study Alabama's need for expanded duties and to propose changes for improvement to access to care in preparation for legislative changes. Dr. Walker explained a process that was used at their meetings to determine their direction in this regard and advised that their final report will probably be sent by email after it has been shortened and obtained final approval. Dr. Northcutt thanked Dr. Walker for the Committee's work.

At 6:20 p.m. Dr. Wells made a motion to enter into executive session and to return to public session at approximately 6:45 p.m. Dr. Pope seconded the motion, Counsel approved, and the President called for the vote: Ms. Alexander, yea, Dr. Pope, yea, Dr. Northcutt, yea, Dr. Willis, yea, Dr. Mahan, yea, Dr. Wells, yea and Dr. Stricklin, yea. The motion carried 7-0. All guests left the meeting.

At 6:42 p.m. Dr. Northcutt made a motion to retire from executive session. Dr. Stricklin seconded the motion and it was unanimously approved by the Board.

Dr. Northcutt made a motion to amend/void the consent order on Dr. Gerald Cimis's license and take the corrective action with the National Practitioners Data Base (NPDB) to remove the adverse action status against his license. Dr. Pope seconded the motion and the President called for the vote: Dr. Pope, yea, Dr. Northcutt, yea, Dr. Willis, yea, Dr. Mahan, yea, Dr. Wells, yea and Dr. Stricklin, yea. Ms. Alexander, abstain. The motion carried 6-0 with the hygiene member abstaining.

Members reviewed a correspondence from the American Dental Association (ADA) regarding their House of Delegates Resolution 106H-2010. This resolution strongly encourages testing agencies to examine candidates for dental licensure separately from candidates for allied dental (non-dentist) licensure.

Members were reminded of the Central Regional Dental Testing Services (CRDTS) Workshop and Annual Meeting to be held in Missouri in August 2011. Although the application deadline was May 31 it is possible they would make an exception if a member wants to attend. CRDTS will cover most of the costs for Board members from a state that accepts their exam.

Members were reminded of registering for the American Association of Dental Boards (AADB) Annual Meeting in Las Vegas.

Members discussed a response to two letters from Dr. Bishop, President of Alabama Dental Association (ALDA). Dr. Northcutt distributed a draft letter for review after which there was discussion. Dr. Northcutt made a motion to send the letter as presented to ALDA Executive Director, the Executive Committee, and Board of Trustees. Dr. Pope seconded the motion and there was discussion. Ms. Alexander made a motion to amend the motion to send an edited letter by striking two paragraphs. Dr. Wells seconded the amended motion and the President called for the vote: Dr. Stricklin yea, Dr. Wells, yea, Dr. Mahan, nay, Dr. Northcutt, nay, Dr. Pope, nay, Ms. Alexander, yea, Dr. Willis nay. The motion failed 4-3. The President called for a vote for the original motion: Dr. Stricklin yea, Dr. Wells, nay, Dr. Mahan, nay, Dr. Northcutt yea, Dr. Pope, yea, Ms. Alexander, nay, Dr. Willis, yea. The motion carried 4-3.

Dr. Willis gave a report on the CITA Exam given at UAB May 20-21. This was the first exam where photographs were taken which resulted in re-grades of candidates. Re-grades were requested for 2 Endo candidates and 3 Pros candidates by the Chief Examiner, Dr. Tom Willis. There were 16 Prosthodontic candidates, 11 Restorative candidates, 15 Endodontic candidates, and 8 Perio candidates.

Dr. Northcutt announced that www.docseducation.com/courses has invited a member or members to attend and evaluate their sedation course. They will comp the fee for the course (\$2,500.00) for Dr. Northcutt and two other members who may want to attend Sept. 22-24, 2011 in Atlanta. Dr. Northcutt advised any member who wants to attend to see him after the meeting.

Dr. Willis distributed licensure applications for members to review for approval at the next day's continuation of the meeting.

At 7:40 p.m. Dr. Willis made a motion to recess until 8:30 a.m. Friday June 3, 2011. Dr. Stricklin seconded the motion and it was unanimously approved by the Board.

MINUTES
Board Meeting
Friday, June 3, 2011

The Board of Dental Examiners of Alabama met on Friday, June 3, 2011 at the Board Office in Hoover, Alabama in order to conduct business.

The President reconvened the meeting at 8:38 a.m. with the following members in attendance: Dr. Thomas T. Willis, President, Dr. S. Michael Mahan, Vice President, Dr. David Northcutt, III, D.M.D., Secretary/Treasurer, Dr. Bobby R. Wells, Dr. Hunter V. Pope, Dr. Stephen Stricklin, and Ms. Sandra Kay Alexander, R.D.H. Also in attendance were Mr. Keith E. Warren, Executive Director, Mr. Nick Vondereau, Administrator, Dr. Donna L. Dixon, General Counsel, Mr. Stanley McAdams, Investigator, Mr. Dennis Hodtwalker, CLS, Complaints/Administrative Assistant, and Linda Savarese, Administrative Assistant. A quorum was present to conduct business.

There were no guests present.

Ms. Alexander gave a report on the Alabama Dental Hygiene Program. Hygiene Board exams will be conducted on June 9-10; Board members will be graders. Ms. Alexander distributed Assistant and Grader manuals and instructed members on the grading process and completion of forms. This concluded her report.

At 9:25 a.m. Dr. Pope made a motion to enter into executive session and return to public session at approximately 10:30 a.m. Dr. Stricklin seconded the motion, Counsel approved, and the President called for the vote: Ms. Alexander, yea, Dr. Pope, yea, Dr. Northcutt, yea, Dr. Willis, yea, Dr. Mahan, yea, Dr. Wells, yea and Dr. Stricklin, yea. The motion carried 7-0.

At 10:25 Dr. Northcutt made a motion to retire from executive session. Dr. Stricklin seconded the motion and it was unanimously approved by the Board.

Dr. Northcutt made a motion to approve Licensure by Regional Exam for the following applicants based on their successful completion of the jurisprudence exam:

Haleigh Blackwell, DMD, Michael Bivona, DMD, William Boggess, DMD, Joseph Donaghey, DMD, James Geise, DMD, Tia Kennedy, DMD, Juliana LaRota, DMD, Don Norris, DMD, Lauren Peebles, DMD, Sarah A. Schmidt, DMD, Sara C. Sheppard, DMD, Brandon Snell, DMD, Dannon Sutherland, DMD, Xueming Zhang, DMD, and Stephen Glover Rowe, DMD. Dr. Stricklin seconded the motion and the President called for the vote: Dr. Pope, yea, Dr. Northcutt, yea, Dr. Willis, yea, Dr. Mahan, yea, Dr. Wells, yea and Dr. Stricklin, yea, Ms. Alexander, abstain. The motion carried 6-0 with the dental hygiene member abstaining.

Dr. Mahan made a motion to approve Licensure by Regional Exam for the following applicants base on their successful completion of the jurisprudence exam: Elaine McCutcheon-Jones, DMD and William McKenzie, DMD. Dr. Northcutt seconded the motion and the President called for the vote: Dr. Pope, yea, Dr. Northcutt, yea, Dr. Willis, yea, Dr. Mahan, yea, Dr. Wells, yea and Dr. Stricklin, yea, Ms. Alexander, abstain. The motion carried 6-0 with the dental hygiene member abstaining.

Ms. Alexander made a motion to approve Dental Hygiene Licensure by Regional Exam for the following applicants: Deborah Birney, RDH, Ashley Mueller, RDH, Holly L. Gentry, RDH, and Joni Griffin, RDH based on their successful completion of the jurisprudence exam. Dr. Mahan seconded the motion and the President called for the vote: Ms. Alexander, yea, Dr. Pope, yea, Dr. Northcutt, yea, Dr. Willis, yea, Dr. Mahan, yea, Dr. Wells, yea and Dr. Stricklin, yea. The motion carried 7-0.

Dr. Northcutt made a motion to approve Special Purpose Licensure for performing dentistry up to 10 times in one year based on receiving all necessary official documents to complete their application for the following: Robert R. Laville, Jr., DDS, Walter Carl Chitwood, DDS, David Dominic Dalise, DDS, and Shankar Iyer, DDS. Dr. Stricklin seconded the motion and the President called for the vote: Dr. Pope, yea, Dr. Northcutt, yea, Dr. Willis, yea, Dr. Mahan, yea, Dr. Wells, yea, Dr. Stricklin, yea, and Ms. Alexander, abstain. The motion carried 6-0 with the dental hygiene member abstaining.

At 10:30 a.m. Dr. Mahan made a motion to enter into executive session and to return to public session at approximately 10:45 a.m. Dr. Pope seconded the motion, Counsel approved and the President called for the vote: Ms. Alexander, yea, Dr. Pope, yea, Dr. Northcutt, yea, Dr. Willis, yea, Dr. Mahan, yea, Dr. Wells, yea and Dr. Stricklin, yea. The motion carried 7-0.

At 10:39 a.m. Dr. Stricklin made a motion to retire from executive session. Ms. Alexander seconded the motion and it was unanimously approved by the Board.

Dr. Willis read a letter from a licensee who was fined \$500.00 for employing a hygienist who had not renewed her license in a timely manner. The licensee paid the fine but made suggestions for improving the notification process.

Ms. Alexander announced that she had just been advised that the jackets ordered for graders of the hygiene exam will not arrive in time if names are embroidered on them as specified. They could be sent on time without names. Members agreed to wait for the jackets as originally ordered with names embroidered on them. They will bring their own jackets to the exam.

Regarding 5 applicants for the Hygiene Board Exam who were found to have criminal records, Dr. Stricklin made a motion to call one applicant for an interview who had 2 felonies if that applicant passes the exam and not to call the 4 who had misdemeanors. Dr. Mahan seconded the motion and it was unanimously approved by the Board. Next year ADHP applicants will have background checks before being accepted into the program.

Mr. Warren gave the Executive Director Report:

- He distributed a litigation report prepared by Ms. Coody; members discussed the contents.
- Laptops for members to use at Board meetings have been ordered. Mr. Warren gave an explanation of how they will be using their laptops to view the meeting documents. He will order regular cases for the laptops. Because the only wall monitor available on state contract is too small for the Board's purpose it will be purchased from an outside vendor.
- The lowest bidder for internal auditor was Carr, Riggs & Ingram who will be conducting the audit in June 2011.

- The Sunset audit is near completion. The report will be transmitted electronically and should be available by the July meeting. As soon as it is received Mr. Warren will work on responses. The Hearing is scheduled for the 1st or 2nd week of August.
- Mr. Warren suggested changing the dates for the October 2011 meeting because of conflict with the CITA and AADB meetings in Las Vegas. Members orally agreed to move the meeting to October 13-14. This concluded the Executive Director Report.

At 11:34 Steve Windom, Legislative Consultant to the Board, joined the meeting and gave a report on legislation. He announced that the Board's bill has been approved and will go to the Governor's desk for signing. He thanked the Board for working so hard to get this put together. Dr. Mahan thanked Mr. Windom and Dr. Willis for their work to get it passed. Members voiced praise for Senator Busman's hard work.

Mr. Windom said that hopefully, next year the Sunset cycle will move to a 4-year cycle instead of 2 years as it is now. This concluded Mr. Windom's report; he was dismissed from the meeting at 12:13 p.m.

Counsel will ask for a letter of explanation from a dental assisting school that issued a certificate stating "approved" dental assisting school. This school is not on the Board's "approved" list.

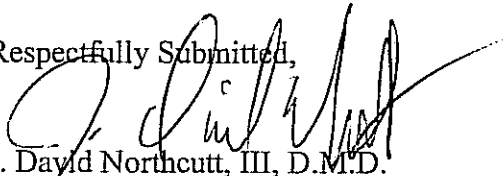
Dr. Northcutt gave a report on the Legislative/Rules Committee. While the committee was meeting members received the news that the Board's bill had passed. They immediately began the process of reviewing Board Rule for necessary revisions.

The Internal Restructuring Committee Report was given by Dr. Mahan. Discussions involved the ADHP-EDA Foundation. Dr. Northcutt made a motion that the Board begin the finalization of the ADHP-EDA Foundation by establishing the bylaws, constitution, and board of directors by July 31, 2011. Dr. Mahan seconded the motion and there was discussion. After reviewing the original motion approved in April 2010 regarding the Foundation Dr. Northcutt rescinded his motion. This concluded the report.

Dr. Northcutt presented an edited version of a letter that was approved earlier in the meeting to send to the ALDA Executive Director, Executive Committee, and Board of Trustees and made a motion to substitute this edited letter for the one that was approved earlier in the meeting. Dr. Stricklin seconded the motion and the President called for the vote: Dr. Stricklin yea, Dr. Wells, nay, Dr. Mahan, yea, Dr. Willis, yea, Dr. Northcutt yea, Dr. Pope, yea, Ms. Alexander, yea. The motion carried 6-1.

The next meeting of the Board is scheduled for July 7-8, 2011. There being no further business, at 12:55 p.m. Dr. Northcutt made a motion to adjourn the meeting. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Respectfully Submitted,


J. David Northcutt, III, D.M.D.

Secretary-Treasurer

Approved: 7/7/11

Submitted by: Linda M. Savarese

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
 April 2011

06/20 Meeting
 Bank Bal as of 04/30/2011
 Checking \$749,396.84
 Money Market \$300,276.88

Ordinary Income/Expense	Apr 11	Budget	Oct '10 - Apr 11	YTD Budget	Annual Budget
Income					
540 · Special Purpose Dental Lic Fee	300.00		300.00		491,800.00
527-3 · Administrative Fines	625.00		3,209.00		259,350.00
650 · Admin. Fees (Deferred Agreement	0.00		3,000.00		226,090.00
501 · Annual Dental Registration	810.00		143,030.00	491,800.00	4,200.00
502 · Annual Hygiene Registration	195.00		107,445.00	259,350.00	10,000.00
503 · Controlled Substance Fee	500.00		69,145.00	226,090.00	500.00
504 · Annual Teaching Permits	0.00		2,400.00	4,200.00	10,000.00
505 · ADHP Certification	1,650.00	833.33	3,825.00	5,833.35	63,000.00
507 · Drug Log Books	42.00	41.67	308.00	291.65	16,800.00
508 · ADHP	7,600.00	21,000.00	11,400.00	42,000.00	5,550.00
509 · Dental Exam Fee	900.00	1,400.00	4,300.00	9,800.00	1,000.00
510 · Original License Fee	400.00	462.50	1,580.00	3,237.50	20,000.00
511 · Licenses Reprint Fee	150.00	83.33	700.00	583.35	4,000.00
512 · Dental Hygiene Exam Fee	1,050.00	1,666.67	2,925.00	11,666.65	7,500.00
513 · Directory Fee	150.00	333.33	2,081.00	2,333.35	6,000.00
514 · Materials Fee for Exam	700.00	625.00	900.00	4,375.00	19,000.00
515 · Penalty Fee	550.00	500.00	5,040.00	3,500.00	1,440.00
516 · Privilege License Money	0.00		0.00	19,000.00	8,000.00
517 · Interest Inc - checking	61.45	120.00	526.36	840.00	26,200.00
518 · Parental Sedation Permit Fee	0.00		1,800.00	8,000.00	500.00
519 · Anesthesia Permit	0.00		6,800.00	26,200.00	94,500.00
521 · Other Income	0.00	41.67	0.00	291.65	
526 · ADHP Materials	3,150.00	31,500.00	4,700.00	63,000.00	
527 · Disciplinary Fines (Prior)	0.00		17,250.00		
527-1 · Administrative Costs	0.00	125.00	5,000.00	875.00	1,500.00
528 · Initial Anesthesia Evaluation	2,700.00	600.00	7,200.00	4,200.00	7,200.00
529 · OCS Annual Reg. Fee	100.00		6,050.00	16,650.00	12,000.00
530 · Licensure By Credentials	10,000.00	1,000.00	28,000.00	7,000.00	300.00
531 · RETURNED CHECK CHARGES	0.00	25.00	570.00	175.00	
533 · Dental Lic. Bd Exam Application	1,800.00	1,166.67	4,400.00	8,166.65	14,000.00
800 · 800-OVERPAYMENTS	0.00		-95.00		
Total Income	33,433.45	61,524.17	443,789.36	1,219,459.15	1,317,080.00

*Disciplinary Fines assessed in prior fiscal years but collected in this fiscal year.
 Budgeted amount represents approx. 75% of the outstanding fees assessed in prior years.

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance

April 2011

06/2011 Bd Meeting
 Bank Bal as of 04/30/2011
 Checking \$749,396.84
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	Apr 11	Budget	Oct '10 - Apr 11	YTD Budget	Annual Budget
Gross Profit	33,433.45	61,524.17	443,789.36	1,219,459.15	1,317,080.00
Expense					
0902-0 · NPDB HIPDB License Background	0.00	33.33	228.00	233.35	400.00
0100-0 · Personnel Costs	24,019.48	31,726.04	166,650.97	222,082.30	380,712.50
0114-0 · Board Member Compensation	4,750.00	7,666.67	49,250.00	53,666.65	92,000.00
0198-0 · Bonus	0.00		1,100.00	800.00	800.00
0201-0 · Payroll Expenses	2,155.67	4,583.33	15,917.56	32,083.35	55,000.00
0202-0 · Pension Plan	0.00		39,366.50	30,000.00	30,000.00
0203-0 · Medical Insurance	0.00	2,583.33	23,616.00	18,083.35	31,000.00
0204-0 · Workman Comp. Ins.	-394.25		6,265.75	5,700.00	5,700.00
0300-0 · Travel - In-State	797.51	3,333.33	18,795.33	23,333.35	40,000.00
0400-0 · Travel - Out-of-State	463.75	2,291.67	7,563.21	16,041.65	27,500.00
0500-0 · Repairs & Maintenance	0.00	166.67	1,311.12	1,166.65	2,000.00
0600-1 · Rentals & Leases/Offsite Meetin	0.00	83.33	0.00	583.35	1,000.00
0602-1 · Rent on Building	6,992.00	6,916.67	48,944.00	48,416.65	83,000.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	0.00	795.83	5,355.71	5,570.85	9,550.00
0700-3 · Utilities - Power	0.00	901.46	4,889.04	6,310.20	10,817.50
Total 0700-0 · Utilities & Communications	0.00	1,697.29	10,244.75	11,881.05	20,367.50
0800-0 · Professional Services	12,066.68	9,783.33	60,768.88	68,483.35	117,400.00
0800-1 · Membership Dues & Subscriptions	0.00	416.67	5,632.30	2,916.65	5,000.00
0801-0 · Board Attorney Fees	5,805.00	4,166.67	58,632.10	29,166.65	50,000.00
0840-0 · CONSULTANTS	9,500.00	9,500.00	66,771.50	66,500.00	114,000.00
0899-1 · Evaluator Fees	0.00	500.00	2,525.00	3,500.00	6,000.00
0899-2 · Hearing Officer Fees	0.00	833.33	10,384.12	5,833.35	10,000.00
0899-6 · A.D.H.P. Materials & Supplies	0.00	31,500.00	0.00	63,000.00	94,500.00
0900-0 · Office Expense	0.00	833.33	6,193.77	5,833.35	10,000.00
0900-1 · Recycle / Paper Disposal	0.00	100.00	543.65	700.00	1,200.00
0906-0 · Printing & Supplies	-229.42	1,250.00	1,658.65	8,750.00	15,000.00
0910-0 · Postage	1,000.00	1,666.67	5,000.00	11,666.65	20,000.00
0924-0 · Insurance	0.00		9,351.00	12,000.00	12,000.00
0944 · Computer Expenses					

*Disciplinary Fines assessed in prior fiscal years but collected in this fiscal year.
 Budgeted amount represents approx. 75% of the outstanding fees assessed in prior years.

BOARD OF DENTAL WINERS OF ALABAMA
Profit & Loss Budget Performance

April 2011

06/20 Meeting
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	Apr 11	Budget	Oct '10 - Apr 11	YTD Budget	Annual Budget
0944-0 · Computer Updates	0.00	2,500.00	24,309.18	17,500.00	30,000.00
0944-1 · Computer Support	0.00	2,500.00	5,521.84	17,500.00	30,000.00
0944 · Computer Expenses - Other	0.00	1,071.00			
Total 0944 · Computer Expenses	0.00	5,000.00	30,902.02	35,000.00	60,000.00
0951-0 · NSF	0.00	166.67	4,817.00	1,166.65	2,000.00
0999-0 · MISC.	4.00	666.67	17,624.54	4,666.65	8,000.00
1000-0 · Auto Expense	0.00		748.21		
1000-1 · Vehicle Repairs & Maint.	0.00	208.33	521.25	1,458.35	2,500.00
1000-2 · Vehicle Fuel	0.00	416.67	1,996.17	2,916.65	5,000.00
1400-0 · Equipment					
0600-3 · Equipment Rental/Lease	0.00	1,250.00	8,467.00	8,750.00	15,000.00
Total 1400-0 · Equipment	0.00	1,250.00	8,467.00	8,750.00	15,000.00
Total Expense	66,930.42	129,340.00	681,990.35	796,380.00	1,317,080.00
Net Ordinary Income	-33,496.97	-67,815.83	-238,200.99	423,079.15	0.00
Other Income/Expense					
Other Income					
550 · Hygiene Exam UAB Facility Fee	700.00		900.00		
527-2 · ADPWC - Monitoring Fee	1,550.00		5,825.00		
503-1 · CONTROLLED SUBSTANCE STATE FEE	40.00		-33,730.00		
524 · NSF Checks	3,000.00		4,815.00		
Total Other Income	5,290.00		-22,190.00		
Net Other Income	5,290.00		-22,190.00		
Net Income	-28,206.97	-67,815.83	-260,390.99	423,079.15	0.00

*Disciplinary Fines assessed in prior fiscal years but collected in this fiscal year.
 Budgeted amount represents approx. 75% of the outstanding fees assessed in prior years.