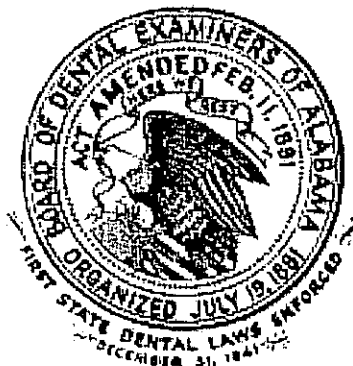


LEO J. DeROSIER, D.D.S
PRESIDENT
2331 Pansy St
Huntsville, AL 35801

RENEA P. CHAPMAN, R.D.H.
VICE PRESIDENT
1631 Vaughn Dr
Weaver, AL 36277

THOMAS T. WILLIS, JR., D.M.D.
SECRETARY-TREASURER
2691 C Sandlin Rd.
Decatur, AL 35601

DONNA L. DIXON, D.M.D., M.A., J.D
In House Attorney



S. MICHAEL MAHAN, JR., D.M.D.
19330 Hwy 139
Brierfield, AL 35035

J. DAVID NORTHCUTT, III, D.M.D
23675 Hwy 98
Fairhope, AL 36532

BOBBY R. WELLS, D.M.D.
920 16th Street South
Birmingham, AL 35210

HUNTER V. POPE, D.M.D.
2216 Old Springville Rd.
Birmingham, AL 35215

MARY ANN WILKINSON, R.D.H.
Administrative Secretary

BOARD OF DENTAL EXAMINERS OF ALABAMA
Stadium Parkway Office Center-Suite 112
5346 Stadium Trace Parkway
Hoover, Al 35244-4583
PHONE 205-985-7267
FAX 205-985-0674
e-mail: bdeal@dentalboard.org

MINUTES
Board Meeting
Thursday, November 5, 2009
6:30 p.m.

The Board of Dental Examiners of Alabama met on Thursday, November 5, 2009, at the Board Office in Hoover, Alabama in order to conduct business.

The meeting was called to order at 6:30 p.m. and the following members were in attendance: Dr. Leo J. DeRosier (President), Ms. Renea Chapman, RDH (Vice President), Dr. Tom Willis, Jr. (Secretary-Treasurer), Dr. S. Michael Mahan, Jr., Dr. J. David Northcutt, III, Dr. Bobby R. Wells, and Dr. Hunter V. Pope. Also in attendance were Keith E. Warren (Interim Executive Director), Dr. Donna L. Dixon (General Counsel) and Mr. Stan McAdams (Investigator). A quorum was present to conduct business.

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 minutes from the October 8 and 9, 2009, meeting was presented for approval. Dr. Willis made a motion to approve the minutes with the correction on page 4, change "Dr. Mc" to "Dr. McCaffery". The motion was seconded by Dr. Wells and unanimously approved by the Board.

Dr. Willis presented and recommended acceptance of the treasurer report. Dr. Northcutt made a motion to accept the treasurer report as presented. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Dr. Mahan made a motion to commend Sonya Lankford for the excellent job managing the financials of the Board for the fiscal year. The motion was seconded by Dr. Willis and unanimously approved by the Board.

Dr. Willis made a motion for the Board to enter Executive Session at 6:40 p.m. to conduct the Licensure by Credentials Interview and to exit Executive Session at 7:00 p.m. Counsel orally approves to enter Executive Session. The motion was seconded by Dr. Northcutt and unanimously approved by the Board.

Ms. Chapman made a motion to adjourn Executive Session at 6:55 p.m. and to take a five minute break. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

The Board returned from the break at 7:00 p.m. Dr. DeRosier introduced the guests in the audience, Dr. Jerry Walker, Dr. Lee Ferguson and Dr. Lee Chamoun.

Dr. DeRosier recognized Dr. Chamoun to address the Board as requested in writing prior to the meeting.

Dr. Willis made a motion to approve Dr. Whitney Brooke Bildsten for Licensure by Credentials. The motion was seconded by Dr. Northcutt and unanimously approved by the Board.

Dr. Willis made a motion to complete the CE Certificate Survey AGD, answering yes to the questions and also offer any assistance they may need in this matter. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Dr. Willis made a motion to approve Out of State Travel for the Board to attend the Southern Deans & Dental Examiners Conference to be held January 22 – 24, 2010, in Arlington, Virginia. The motion was seconded by Dr. Northcutt and unanimously approved by the Board.

Dr. Willis made a motion to inform Ms. Margie Bates that assistants cannot draw blood for the purpose of PRP. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Dr. Northcutt made a motion to approve a consent form presented by the Franklin Primary Health Center, Inc. for Medicaid Patients. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Dr. Willis made a motion to approve a Continuing Education Seminar presented by Facial Rejuvenation Injection Training Seminars, LLC. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

After a recommendation from Mr. Warren, Dr. Willis made a motion to postpone the Attorney General's Request pertaining to the ownership of 501(c) (3) dental facilities. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Dr. Mahan made a motion to adjourn the meeting at 8:30 p.m. and reconvene, Friday, November 6, 2009, beginning at 8:30 a.m. The motion was seconded by Dr. Willis and unanimously approved by the Board.

MINUTES
Board Meeting
Friday, November 6, 2009
8:30 a.m.

The Board of Dental Examiners of Alabama met on Friday, November 6, 2009, at the Board Office in Hoover, Alabama in order to conduct business.

The meeting was called to order at 8:30 a.m. and the following members were in attendance: Dr. Leo J. DeRosier (President), Ms. Renea Chapman, RDH (Vice President), Dr. Tom Willis, Jr., (Secretary-Treasurer), Dr. S. Michael Mahan, Jr., Dr. J. David Northcutt, III, Dr. Bobby R. Wells, and Dr. Hunter V. Pope (Arrived at 9:15 a.m.). Also in attendance were Mr. Keith E. Warren (Interim Executive Director), Dr. Donna L. Dixon (General Counsel) and Mr. Stan McAdams (Investigator). A quorum was present to conduct business.

Mr. Warren presented the response from the Attorney General's Opinion regarding the jurisdiction of the Alabama Ethics Commission over the Board. After discussion, Mr. Warren is to contact the Alabama Ethics Commission regarding this matter and report back to the Board.

Ms. Chapman, Chair of the Internal Restructuring Committee, reported that the Committee continues to work on the establishment of the ADHP in a 501 (c) (3) organization and would like the Board to authorize the committee to continue the establishment of this organization. Ms. Chapman also informed the Board the committee is recommending Dr. Mike Garver to attend a meeting on a quarterly basis to inform the Board of the activity of the Wellness Committee. Ms. Chapman also informed the Board the committee is recommending to renew the contract with Mr. Warren for an additional six months. At the end of the report, Ms. Chapman asked for the Board to consider the three recommendations accordingly.

Dr. Mahan made a motion to proceed with the establishment of the ADHP to a 501 (c) (3) Education Foundation. The motion was seconded by Ms. Chapman and unanimously approved by the Board. Dr. Mahan made a motion to remove the 501 (c) (3) from the previous motion for it to remain as the establishment of an Educational Foundation. The motion was seconded by Ms. Chapman and unanimously approved by the Board.

Dr. Willis made a motion for Dr. Garver to attend a quarterly meeting to report on the activity of the Alabama Dental Professionals Wellness Committee. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Dr. Northcutt made a motion to renew the contract with Mr. Keith Warren as Interim Executive Director for an additional six months with no changes to the contract. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Dr. Northcutt, Chair of the Access to Care Committee, reported to the Board on its first meeting and will continue to meet on a monthly basis.

Dr. Pope entered at 9:13 a.m.

Dr. DeRosier, Chair of the Campaign Committee, reported to the Board on its first meeting and will continue to meet on a monthly basis.

Dr. Willis made a motion to enter into Executive Session for the discussion of the general reputation, character and/or professional competence of licensees. The motion was seconded by Dr. Wells and orally approved by Counsel. Dr. DeRosier called for a Roll Call Vote, Dr. Pope, Aye, Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan – Aye, Ms. Chapman – Aye, and Dr. Wells – Aye. The motion was approved. Executive Session convened at 10:15 a.m.

Dr. Willis made a motion for the Board to reconvene to Open Session at 11:48 a.m. The motion was seconded by Dr. Mahan. Dr. Rosier called for a Roll Call Vote, Dr. Pope, - Aye, Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan – Aye, Ms. Chapman – Aye, and Dr. Wells – Aye. The motion was approved.

The Board decided to break at 11:48 a.m. The Board returned from break at 12:14 p.m.

Dr. Willis made a motion to proceed with the proposed settlement agreement presented by Ms. Hendon Coody in the Dr. Tracy Battle Appeal. The motion was seconded by Dr. Wells and unanimously approved by the Board.

Dr. Willis made a motion for Dr. Dixon to inform Dr. Connie Estes that she must be in compliance with all the stipulations in her Settlement Agreement, including outstanding fines, before any reinstatement application will be considered. The motion was seconded by Dr. Northcutt and unanimously approved by the Board.

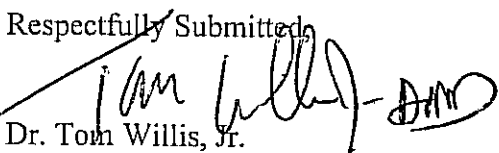
Dr. Willis made a motion for Dr. Dixon to issue a Notice of Hearing for 2009-50. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Dr. Pope addressed the Board regarding the 2009 Election.

Mr. Warren commended Ms. Natalie Virciglio on the outstanding job developing the new meeting binder system.

There being no further business before the Board, Dr. Northcutt made a motion to adjourn the meeting at 12:36 p.m. The motion was seconded by Dr. Willis and unanimously approved by the Board.

Respectfully Submitted,


Dr. Tom Willis, Jr.
Secretary-Treasurer

Approved: December 3, 2009
Submitted by: Keith Warren

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
September 2009

11/2009 Bd meeting
Bank bal as of 09/30/2009
Checking \$702,385.21
Money Market \$298,258.50

	<u>Sep 09</u>	<u>Budget</u>	<u>Oct '08 - Sep 09</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
650 - Admin. Fees (Deferred Agreement)	0.00		2,500.00		
617 - MDF Permits	0.00		2,250.00		
501 - Annual Dental Registration	200.00		361,160.00	362,400.00	362,400.00
502 - Annual Hygiene Registration	0.00		206,480.00	201,500.00	201,500.00
503 - Controlled Substance Fee	0.00		224,595.00	219,995.00	219,995.00
504 - Annual Teaching Permits	0.00		4,050.00	4,000.00	4,000.00
505 - ADHP Certification	0.00		0.00	13,125.00	13,125.00
507 - Drug Log Books	0.00	41.67	504.00	500.00	500.00
508 - ADHP	0.00		64,050.00	64,750.00	64,750.00
509 - Dental Exam Fee	0.00		21,300.00	21,000.00	21,000.00
510 - Original License Fee	845.00		6,395.00	5,500.00	5,500.00
511 - Licenses Reprint Fee	25.00	50.00	725.00	600.00	600.00
512 - Dental Hygiene Exam Fee	0.00		16,100.00	15,000.00	15,000.00
513 - Directory Fee	125.00	333.33	4,818.25	4,000.00	4,000.00
514 - Materials Fee for Exam	0.00		22,250.00	21,500.00	21,500.00
515 - Penalty Fee	1,050.00	500.00	8,350.00	6,000.00	6,000.00
516 - Privilege License Money	0.00		0.00	19,000.00	19,000.00
517 - Interest Inc - checking	122.30	500.00	2,382.44	6,000.00	6,000.00
518 - Parental Sedation Permit Fee	2,200.00		8,800.00	7,200.00	7,200.00
519 - Anesthesia Permit	11,200.00		32,600.00	25,800.00	25,800.00
520 - Refunds	0.00		-100.00		
521 - Other Income	0.00	41.67	0.00	500.00	500.00
523 - ADHP Appl Fee	0.00		0.00	5,000.00	5,000.00
525 - Dent Hyg Bd Appl	0.00		25.00	4,250.00	4,250.00
526 - ADHP Materials	0.00		14,080.00	97,125.00	97,125.00
527 - Disciplinary Fines (Prior)	1,400.00	10,666.67	57,300.00	128,000.00	128,000.00
527-1 - Administrative Costs	0.00	125.00	19,603.00	1,500.00	1,500.00
528 - Initial Anesthesia Evaluation	1,800.00	500.00	20,700.00	6,000.00	6,000.00
529 - OCS Annual Reg. Fee	8,950.00		26,000.00	17,000.00	17,000.00
530 - Licensure By Credentials	0.00	3,333.33	44,000.00	40,000.00	40,000.00
531 - RETURNED CHECK CHARGES	0.00	12.50	100.00	150.00	150.00
533 - Dental Lic. Bd Exam Application	0.00		12,200.00	14,500.00	14,500.00
800 - 800-OVERPAYMENTS	135.00		160.40		

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

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
September 2009

	<u>Sep 09</u>	<u>Budget</u>	<u>Oct '08 - Sep 09</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Total Income	28,052.30	16,104.17	1,183,378.09	1,311,895.00	1,311,895.00
Gross Profit	28,052.30	16,104.17	1,183,378.09	1,311,895.00	1,311,895.00
Expense					
927-2 · ADPWC Expenses	841.58	1,200.00	13,811.64	14,400.00	14,400.00
0902-0 · NPDB HIPDB License Background	0.00	33.33	263.40	400.00	400.00
0100-0 · Personnel Costs	25,738.21	27,500.00	314,819.46	330,000.00	330,000.00
0114-0 · Board Member Compensation	9,900.00	7,500.00	95,700.00	90,000.00	90,000.00
0198-0 · Bonus	0.00		1,100.00	1,000.00	1,000.00
0201-0 · Payroll Expenses	2,743.26	4,583.33	39,040.65	55,000.00	55,000.00
0202-0 · Pension Plan	0.00		39,976.06	42,000.00	42,000.00
0203-0 · Medical Insurance	1,355.00	2,400.00	18,995.00	28,800.00	28,800.00
0204-0 · Workman Comp. Ins.	0.00		4,255.73	11,000.00	11,000.00
0300-0 · Travel - In-State	3,447.30	3,333.33	39,782.59	40,000.00	40,000.00
0400-0 · Travel - Out-of-State	0.00	2,083.33	24,280.10	25,000.00	25,000.00
0500-0 · Repairs & Maintenance	0.00		495.00		
0600-1 · Rentals & Leases/Offsite Meetin	0.00	83.33	778.85	1,000.00	1,000.00
0602-1 · Rent on Building	0.00	5,000.00	60,076.88	60,000.00	60,000.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	1,332.57	795.83	8,332.80	9,550.00	9,550.00
0700-3 · Utilities - Power	1,081.45	462.50	6,497.21	5,550.00	5,550.00
Total 0700-0 · Utilities & Communications	2,414.02	1,258.33	14,830.01	15,100.00	15,100.00
0800-0 · Professional Services	8,586.43	11,250.00	154,972.30	135,000.00	135,000.00
0800-1 · Membership Dues & Subscriptions	60.00	125.00	5,070.00	1,500.00	1,500.00
0801-0 · Board Attorney Fees					
0801-1 · Attorney General's Office	0.00		9,011.70		
0801-0 · Board Attorney Fees - Other	225.00	10,416.67	99,862.48	125,000.00	125,000.00
Total 0801-0 · Board Attorney Fees	225.00	10,416.67	108,874.18	125,000.00	125,000.00
0840-0 · CONSULTANTS	3,500.00		48,163.38		
0899-1 · Evaluator Fees	0.00		2,056.93		
0899-2 · Hearing Officer Fees					
0899-11 · Jim Hampton	0.00		656.50		

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BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
September 2009

	<u>Sep 09</u>	<u>Budget</u>	<u>Oct '08 - Sep 09</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
0899-2 - Hearing Officer Fees - Other	0.00	2,500.00	3,716.79	30,000.00	30,000.00
Total 0899-2 - Hearing Officer Fees	0.00	2,500.00	4,373.29	30,000.00	30,000.00
0899-4 - WITNESSES	0.00	4.17	0.00	50.00	50.00
0899-6 - A.D.H.P. Materials & Supplies	0.00		412.50	70,000.00	70,000.00
0899-7 - ALDA	0.00		0.00	5,000.00	5,000.00
0900-0 - Office Expense	2,577.71	833.33	12,184.22	10,000.00	10,000.00
0900-1 - Recycle / Paper Disposal	249.64	83.33	1,105.74	1,000.00	1,000.00
0901-0 - Cita Exam Fees	0.00	13,000.00	47,465.30	48,000.00	48,000.00
0906-0 - Printing & Supplies	630.75	3,583.33	13,527.11	43,000.00	43,000.00
0910-0 - Postage	500.00	1,000.00	7,706.58	12,000.00	12,000.00
0924-0 - Insurance	202.00		10,468.00	10,350.00	10,350.00
0944 - Computer Expenses					
0944-0 - Computer Updates	748.98	2,500.00	22,404.98	30,000.00	30,000.00
0944-1 - Computer Support	4,633.88	2,500.00	24,703.81	30,000.00	30,000.00
0944 - Computer Expenses - Other	0.00		1,853.95		
Total 0944 - Computer Expenses	5,382.86	5,000.00	48,962.74	60,000.00	60,000.00
0951-0 - NSF	395.00		2,330.00		
0999-0 - MISC.	655.83	8.33	3,803.22	100.00	100.00
1000-0 - Auto Expense	24.00		2,491.98	20,000.00	20,000.00
1000-1 - Vehicle Repairs & Maint.	214.13	250.00	2,233.29	3,000.00	3,000.00
1000-2 - Vehicle Fuel	740.48	891.25	4,776.32	10,695.00	10,695.00
1400-0 - Equipment					
0600-3 - Equipment Rental/Lease	5,272.21	1,083.33	23,792.40	13,000.00	13,000.00
1400-1 - Equipment Repairs & Maint.	0.00	41.67	0.00	500.00	500.00
Total 1400-0 - Equipment	5,272.21	1,125.00	23,792.40	13,500.00	13,500.00
Total Expense	75,655.41	105,045.39	1,172,974.85	1,311,895.00	1,311,895.00
Net Ordinary Income	-47,603.11	-88,941.22	10,403.24	0.00	0.00
Other Income/Expense					
Other Income					
527-2 - ADPWC - Monitoring Fee	0.00		9,300.00		

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

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
 September 2009

11/2009 Bd meeting
 Bank bal as of 09/30/2009
 Checking \$702,385.21
 Money Market \$298,258.50

	<u>Sep 09</u>	<u>Budget</u>	<u>Oct '08 - Sep 09</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
503-1 - CONTROLLED SUBSTANCE STATE FEE	12,310.00		700.00		
524 - NSF Checks	0.00		2,851.00		
Total Other Income	<u>12,310.00</u>		<u>12,851.00</u>		
Net Other Income	<u>12,310.00</u>		<u>12,851.00</u>		
Net Income	<u><u>-35,293.11</u></u>	<u><u>-88,941.22</u></u>	<u><u>23,254.24</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>

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