



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 4, 2010

The Board of Dental Examiners of Alabama met on Thursday, November 4, 2010 at the Board Office in Hoover, Alabama in order to conduct business.

The President called the meeting to order at 6:00 p.m. with the following members in attendance: Dr. Thomas T. Willis, President, Dr. S. Michael Mahan, Jr., Vice President, Dr. J. David Northcutt, III, Secretary-Treasurer, Dr. Bobby R. Wells, Dr. Hunter V. Pope, Ms. Sandra Kay Alexander, R.D.H., and Dr. Stephen Stricklin. Also in attendance were Mr. Keith E. Warren, Executive Director, Dr. Donna L. Dixon, General Counsel, Mr. Stanley McAdams, Investigator, Mr. Dennis Hodtwalker, CLS, Complaints/Administrative Assistant, and Ms. Linda Savarese, Administrative Assistant. 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 President welcomed all including guests who had been given copies of the Agenda, Minutes, and Financial Report.

The President asked for review of the minutes from the October 2010 meeting. There were no corrections or additions requested. Dr. Willis made a motion to approve the minutes as presented. Dr. Mahan seconded the motion and it was unanimously approved by the Board.

The President asked the Board to review the financial reports: Payroll Summary, General Profit and Loss Statement and Detailed Profit and Loss Statement. Dr. Northcutt made motion to approve the reports as presented, Dr. Mahan seconded the motion, and it was unanimously approved by the Board.

The President invited guests to make any comments. There were none made.

There was discussion about articles for the next newsletter. Dr. Mahan has gathered notes on the history of the Alabama Board which will be used for one article. There will also be an article

reprinted from a previous ALDA newsletter regarding radiation safety and an article welcoming the two new Board members. Dr. Mahan recommended an article on volunteer dental services such as Dentistry from the Heart. All articles should be turned in to Ms. Savarese by the December meeting. A draft newsletter will be presented for approval at the January 2011 meeting. At that time the Board will decide on the avenue for distribution.

Dr. Mahan was appointed Chair of the Internal Restructuring Committee. Ms. Alexander and Dr. Wells were appointed as members. This committee will meet at 4:00 p.m. monthly on Thursday before Board meetings.

The Access to Care Committee and the 501(c)(3) Committee will no longer meet on a regularly scheduled basis but they will work with the Special Committee directed by ALDA to recommend legislative changes for 2011.

Dr. Pope, Dr. Northcutt, Dr. Willis, Mr. Warren, and Dr. Dixon were appointed to the Legislative/Rules Committee. It will meet at 2:00 p.m. monthly on Thursdays before Board meetings.

Dr. Mahan asked for discussion of the future of 501(c)(3) dental facilities and the future of the Alabama Dental Hygiene Foundation. Board members agreed that when involved in private discussions with individuals or groups to always offer the disclaimer that they are speaking as individuals with their own personal opinions not as Board members.

Dr. Wells asked that Board policy be changed regarding signatures on Letters of Explanation and other preliminary correspondence to respondents. After discussion, Dr. Wells made a motion that a generic signature that does not reveal the case team leader will be used on preliminary correspondence with a respondent. Dr. Stricklin seconded the motion and it was unanimously approved by the Board.

Guest, Dr. Lee Chamoun joined the meeting. The President invited him to make any comments. Dr. Chamoun commended the Board on their concern for dentists and for the public. He congratulated Dr. Stricklin and Ms. Alexander on their election to the Board.

At 7:40 p.m. Dr. Willis made a motion to retire to Executive Session for the discussion of the general reputation, character, and/or professional competence of licensees and to return to public session at approximately 8:00 p.m. Dr. Pope seconded the motion, Counsel approved, and it was unanimously approved by the Board.

At 8:05 Dr. Mahan made a motion to retire from Executive Session. Dr. Northcutt seconded the motion and it was unanimously approved by the Board.

Dr. Northcutt made a motion that Case #2010-8 has no evidence to sustain. Dr. Wells seconded the motion and it carried 5-0 with the case team leader and the dental hygiene member abstaining from the vote.

Dr. Pope made a motion to reject the offer of settlement for Case #2010-07. Dr. Mahan seconded the motion and it carried 5-0 with the case team leader and the dental hygiene member abstaining from the vote.

Dr. Pope made a motion to authorize the President of the Board to decide on any motion for continuance from the Respondent in Case # 2010-07. Dr. Mahan seconded the motion and it carried 5-0 with the case team leader and the dental hygiene member abstaining from the vote.

Dr. Northcutt made a motion to accept the Consent Order as written and signed for Case #2009-48. Dr. Wells seconded the motion and it carried 5-0 with the case team leader and the dental hygiene member abstaining from the vote.

Dr. Wells made a motion that Case #2010-57 has no evidence to sustain. Dr. Northcutt seconded the motion and it carried 5-0 with the case team leader and the dental hygiene member abstaining from the vote.

Dr. Northcutt made a motion that Case #2010-41 has no evidence to sustain. Dr. Pope seconded the motion and it carried 5-0 with the case team leader and the dental hygiene member abstaining from the vote.

Dr. Wells made a motion that Case #2010-33 has no evidence to sustain. Dr. Northcutt seconded the motion and it carried 5-0 with the case team leader and the dental hygiene member abstaining from the vote.

At 8:10 p.m. Dr. Mahan made a motion to adjourn the meeting and resume Friday, November 5 at 8:30 a.m. Dr. Stricklin seconded the motion and it was unanimously approved by the Board.

MINUTES
Board Meeting
Friday, November 5, 2010

The Board of Dental Examiners of Alabama met on Friday, November 5, 2010 at the Board Office in Hoover, Alabama in order to conduct business.

The President called the meeting to order at 8:37 a.m. with the following members in attendance: Dr. Thomas T. Willis, President, Dr. S. Michael Mahan, Jr., Vice President, Dr. J. David Northcutt, III, Secretary-Treasurer, Dr. Bobby R. Wells, Dr. Hunter V. Pope, Ms. Sandra Kay Alexander, R.D.H., and Dr. Stephen Stricklin. Also in attendance were Mr. Keith E. Warren, Executive Director, Dr. Donna L. Dixon, General Counsel, Mr. Stanley McAdams, Investigator, Mr. Dennis Hodtwalker, CLS, Complaints/Administrative Assistant, and Ms. Linda Savarese, Administrative Assistant. 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.

Ms. Alexander gave the Dental Hygiene Report.

UAB approved June 9-10, 2011 for the use of the school for the Dental Hygiene Board Exam. Comprehensive exams will be given on the morning of the 9th. Clinical exams will be given on that afternoon and two sessions on the 10th.

The Friday night study sessions held at the Doubletree Hotel the evening before ADHP classes have been very successful. The latest session had 99 attendees. Ms. Alexander and Dr. Wells announced that they will assist Hilda Johnson with ADHP classes. The next classes are scheduled for November 12-13. Classes are not scheduled in December.

Ms. Alexander announced that there is a student in the Mobile area who has lost sponsorship. She has offered to work without compensation if a dentist will sponsor her for the rest of this school year. This concluded Ms. Alexander's report.

At 8:50 a.m. Dr. Willis asked for a motion to retire to Executive Session for the discussion of the general reputation, character, and/or professional competence of licensees and to return to public session at approximately 10:00 a.m. Dr. Northcutt made the motion; Dr. Mahan seconded it; Counsel approved; and it was unanimously approved by the Board.

At 10:00 a.m. Dr. Northcutt made a motion to retire from Executive Session. Dr. Wells seconded the motion and it was unanimously approved by the Board.

Mr. Warren gave the Executive Report.

Only about 50% of active dentist have sent in their renewals for 2011. About 75% of active dental hygienists have renewed. The Board may decide to do something in the future to encourage more timely renewals as they are due October 1st.

Mr. Warren updated the Board on the status of the audit being performed by the Examiners of Public Accounts. The audit is going very well and the auditors are almost finished. They have been very considerate and worked with staff to get the information they require. When they

finish the audit they will mail Mr. Warren a report itemizing their findings. This audit will help to prepare the Board for the next Sunset Audit.

Mr. Warren will prepare a document with a list of all current fees and present it to the Board before the next meeting in December. When the audit is finished he will present a proposal for some minor changes to the Employee Manual.

Mr. Warren distributed a document describing services offered by Professional Background Information Services. The Board already uses their services to provide reports for applicants for Licensure by Credentials. Dr. Mahan made a motion to utilize the same level of report (level 2) for Licensure by Regional Exam applicants that is used for Licensure by Credentials. Dr. Northcutt 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, Dr. Stricklin, yea. The motion carried 7-0. This concluded the Executive Report.

At 10:20 the Board orally consented to take a 10-minute break and return to Public Session at 10:30.

Dr. John Cosby, Immediate Past President of Central Regional Dental Testing Service (CRDTS) and Dr. Stephan F. Holcomb, Chairman, CRDTS Dental Examination Committee, Georgia Board of Dentistry, joined the meeting and gave a presentation on CRDTS. They concluded at 11:40 and left the meeting.

Dr. Mahan asked Dr. Stricklin and Ms. Alexander to sign their names in the Membership Board Records Book. They will each be issued a Board Shield with a number that will be theirs for perpetuity.

Dr. Dixon gave the Attorney Report.

There are several new UAB offsite rotations that need to be inspected. Dr. DeRosier has offered his services for this type of work. He will be contacted to see if he will accept the appointment to schedule inspections for the locations.

Dr. Dixon presented a letter requesting approval of the UAB Dental Assisting program for 2011. Dr. Wells made a motion to approve the facility. Dr. Stricklin seconded the motion and it was unanimously approved by the Board.

Dr. Dixon presented a letter from a dentist at UAB asking for clarification of the controlled substance permit for special teaching licensees. Dr. Dixon will respond to his letter with an explanation.

Dr. Dixon presented a letter from Dr. Zack Studstill, Executive Director of ALDA and Coordinator of the Special Committee, regarding the Committee's examination of ethics legislation for the Board. Dr. Willis reminded them that the Board has agreed to fall under the Alabama Ethics Commission. The letter also advised that Dr. Red Stevens is Chair of that Committee.

At 12:15 Ms. Sonya Lankford was invited to join the meeting. She answered questions about facility inspections. Inspections are generally conducted every 2 years. The Board orally agreed that the task of coordinating inspections will be handled by the staff in the legal

department. Ms. Lankford turned the inspections binder over to Dr. Dixon and then she was dismissed from the meeting.

Dr. Dixon presented a letter of petition from Ms. Kathleen Kauffman, Legal Counsel for UAB, requesting that Board Rule 270-X-2 be amended to allow special privileges for post-doctoral dental students and residents regarding controlled substance permits. Dr. Dixon will respond to the petition. This concluded Dr. Dixon's report.

At 1:05 p.m. Dr. Northcutt made a motion to retire to Executive Session for the discussion of the general reputation, character, and/or professional competence of licensees and to return to public session at approximately 1:30 p.m. The motion was seconded by Dr. Wells, Counsel approved, and it was unanimously approved by the Board.

At 1:20 p.m. Dr. Mahan made a motion to retire from Executive Session. Dr. Northcutt seconded the motion and it was unanimously approved by the Board.

Dr. Wells made a motion to approve Dental Licensure by Credentials for Anthony J. Koagel, D.M.D. pending his passing the jurisprudence exam. Dr. Stricklin seconded the motion and it carried 6-0 with the dental hygiene member abstaining from the vote.

Dr. Pope made a motion to approve Dental Licensure by Regional Exam for Laura A. Moss, D.M.D. pending her passing the jurisprudence exam. Dr. Wells seconded the motion and it carried 6-0 with the dental hygiene member abstaining from the vote.

Dr. Wells made a motion to approve Dental Licensure by Regional Exam for Young Shim, D.M.D. pending his passing the jurisprudence exam. Dr. Northcutt seconded the motion and it carried 6-0 with the dental hygiene member abstaining from the vote.

Dr. Mahan made a motion to approve Dental Licensure by Regional Exam for Jimmy Walker, Jr., D.M.D. pending his passing the jurisprudence exam. Dr. Wells seconded the motion and it carried 6-0 with the dental hygiene member abstaining from the vote.

Dr. Wells made a motion to approve Dental Licensure by Regional Exam for Elyse C. Cascio, R.D.H. pending her passing the jurisprudence exam. Dr. Stricklin seconded the motion and it carried 7-0.

The Case Review Team leader recommended no evidence to sustain for the following cases: #2008-01, 2008-03, 2010-54, and 2010-66. Dr. Wells made a motion to accept his recommendation. Dr. Northcutt seconded the motion and it carried 6-0 with the dental hygiene member abstaining from the vote.

Dr. Wells made a motion to allow the licensee of Case #2010-70 to apply for reinstatement of his/her controlled substance license. Dr. Northcutt seconded the motion and it carried 6-0 with the dental hygiene member abstaining from the vote.

Dr. Willis asked that a letter be sent to all regional testing agencies to notify them that the Alabama Dental Board accepts their exams for application for dental and dental hygiene licensure.

The Legislative/Rules Committee Report was given by Dr. Dixon.

She commended Mr. Hodtwalker for his excellent work to correct the punctuation, spelling, terms, and formatting problems in the Alabama Dental Practice Act as a draft for legislative change. This was the conclusion of the report.

The Internal Restructuring Committee report was given by Dr. Mahan.

The Committee recommends that the Board forward the ADHP Foundation information along with documentation from the Sunset Committee recommending the separation of the entities to ALDA for their committee to review. The Special Committee will then provide their comments and/or recommendations to proceed with legislation.

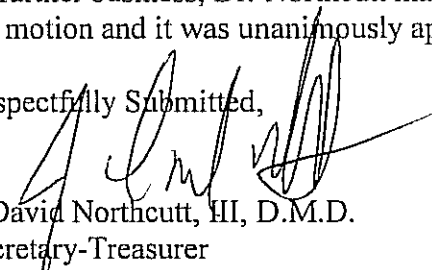
The Committee will continue finalizing a job description for Executive Director and present recommendations for obtaining a permanent Executive Director at the December meeting. This was the conclusion of the Internal Restructuring Committee report.

501(c)(3) Committee met Thursday and discussed some details about naming a chief of operations for each clinic. There were concerns because in large clinics there may be more than one working on rotation. For this situation the clinic would be required to post the name of the Dentist in charge for that day on an internal roster so that if contacted by the Board he/she could easily be identified. Some of these clinics see private-pay insurance patients on an emergency basis only. Some are on a contract with correctional and/or military institutions. They have requested allowance to be able to treat these patients on an emergency-needs basis. The 501(c)(3) Committee will provide proper language to the Legislative Committee in preparation for 2011 legislative proposals.

Dr. Northcutt talked with Mr. Steve Windom Thursday, November 4. Mr. Windom offered his apologies for not attending this meeting in the wake of his brother-in-law's passing. He assured Dr. Northcutt that he will be available by phone if the Board needs to contact him before the December meeting.

The next meeting of the Board is scheduled for December 2-3, 2010. At 2:00 p.m. there being no further business, Dr. Northcutt made a motion to adjourn the meeting. Dr. Wells seconded the motion and it was unanimously approved by the Board.

Respectfully Submitted,



J. David Northcutt, III, D.M.D.
Secretary-Treasurer

Approved:

Submitted by: Linda M. Savarese