



## BOARD OF DENTAL EXAMINERS OF ALABAMA

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### MINUTES

Board Meeting

Thursday March 4, 2010

6:30 p.m.

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

The President called the meeting to order at 6:30 p.m. with the following members in attendance: Dr. Leo DeRosier, President; Ms. Renea Chapman, RDH, Vice President; Dr. Tom Willis, Jr., Secretary-Treasurer; Dr. David Northcutt, Member; Dr. Bobby Wells, Member; and Dr. Hunter Pope, Member. Also in attendance were Dr. Donna Dixon, General Counsel; Mr. Keith E. Warren, Interim Executive Director; Mr. Stan McAdams, Investigator; and Ms. Linda Savarese, Administrative Assistant. A quorum was present to conduct business.

Dr. DeRosier welcomed all in attendance including guests.

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

Dr. Willis presented the Treasurer's report through January 2010 and distributed copies to the guests. He recommended the acceptance of the report. Dr. Northcutt made a motion to accept the Treasurer's report as presented. The motion was seconded by Ms. Chapman and unanimously approved by the Board.

Dr. Willis gave a report concerning the recent CITA licensing exam held March 18-20 at UAB Dental School. Other Board members in attendance at the exam also shared their positive experiences.

There were public comments and questions regarding the process for testing and accepting applicants who apply for Licensure by Regional Exam. An explanation was given that after passing a regional exam and being approved by the Board for licensure, the applicant is sent a jurisprudence exam. When the exam is returned and has a passing grade of 75% or higher the requestor is issued a dental license. These comments led to a decision to revise the Licensure by Regional Exam Form on the Board's website. In order to expedite issuance of the license all instances of sending of the jurisprudence test "thirty days after approval" will be deleted from the form.

There was discussion initiated by a guest regarding regulation of the clinical practice of a dentist who holds a Special Teaching (ST) license. Dr. Dixon explained that ST licensees are only allowed to practice within the UAB facility or one of its domains.

There was discussion regarding the following items: changing dental continuing education requirements, adding practice management courses to the list of allowed continuing education for dentists and allowing a licensed dentist to volunteer practice at a 501 (c)(3) facility as long as there is no monetary remuneration for services rendered. Ms. Chapman will work on composing language for Rule changes for these items for the Board to review at the next meeting.

There was discussion on the wording of Rule 270-X-4.04 regarding regulations for continuing education for CPR and for infectious disease control. The Board will consider revising Rule language to clarify "two (2) calendar year period" restrictions on both continuing education categories.

There was discussion on the timeline of online renewals being available in October of this year. Ballots for election of officers would still have to be mailed to licensees.

Dr. Michael Mahan endorsed the Alabama Prescription Drug Monitoring System and has invited a representative to speak at the next Board meeting about long-range plans to develop their program.

The Board reviewed the Dental Hygiene Refresher Program that will be offered in Stratford, Connecticut in April of this year.

The Board reviewed a letter from Dr. Lee Chamoun defining the formation of a Minority Dental Society.

The Board reviewed a seminar proposed by Dr. Keith A. Dillard. Dr. Dillard requested approval of CE credits for licensees who attend. Dr. Northcutt made a motion to allow 8 CE credits for the seminar. Dr. Willis seconded the motion; it failed 3-3 with Ms. Chapman abstaining from the vote. After discussion, Dr. DeRosier made a motion that although the Board does not have the authority to approve this course as CE for others, the Board would accept 4 clinical hours of CE credits for attendance at this seminar. Dr. Willis seconded the motion and it passed 6-0 with Ms. Chapman abstaining from the vote.

Dr. Willis gave a report on the 501 (c)(3) Committee. Two guests from Sarrell Dental Clinic attended the meeting. There was discussion about the need for the Board to be able to execute authority over the many non-profit dental facilities that are being opened all over the State. At

this time these facilities do not fall under the authority of the Board. Although many of these facilities are conducting business in an acceptable manner, there are also many that are practicing illegal dentistry. It is not the Board's intent to shut down clinics but rather to gain jurisdiction in order to properly regulate them.

Dr. Wells made a motion to adjourn the meeting at 8:00 p.m. Dr. DeRosier seconded the motion and it was unanimously approved by the Board.

MINUTES  
Board Meeting  
Friday March 5, 2010  
8:30 a.m.

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

The President called the meeting to order at 8:32 a.m. with the following members in attendance: Dr. Leo DeRosier, President; Ms. Renea Chapman, RDH, Vice President; Dr. Tom Willis, Jr., Secretary-Treasurer; Dr. David Northcutt, Member; Dr. Bobby Wells, Member; and Dr. Hunter Pope, Member. Also in attendance were Dr. Donna Dixon, General Counsel; Mr. Keith E. Warren, Interim Executive Director; Mr. Stan McAdams, Investigator; and Ms. Linda Savarese, Administrative Assistant. A quorum was present to conduct business.

Dr. Willis made a motion to enter into Executive session at 8:40 a.m. for the discussion of the general reputation, character and/or professional competence of licensees. The motion was seconded by Dr. Northcutt. Counsel approved and the motion was unanimously approved by the Board.

Dr. Willis made a motion to come out of Executive Session at 9:40 a.m. to take a break. Dr. Michael Mahan seconded the motion and it was unanimously approved by the Board.

Dr. Mahan made a motion to enter into Executive Session at 9:55 a.m. for the discussion of the general reputation, character and/or professional competence of licensees. Dr. Willis seconded the motion. Counsel approved, and the motion was unanimously approved by the Board.

Dr. Willis made a motion to come out of Executive at 10:05 a.m. Dr. Mahan seconded the motion and it was unanimously approved by the Board.

Case 2009-71: Dr. Willis made a motion that there is no evidence to sustain. Dr. Mahan seconded the motion and it was approved 6-0 with Ms. Chapman abstaining from the vote.

Case 2009-48: Dr. Mahan made a motion to set a hearing. Dr. Willis seconded the motion and it was approved 6-0 with Ms. Chapman abstaining from the vote.

Dr. Mahan made a motion to invite Dr. Daniel Spears for an interview with the Board in regards to his application for dental Licensure by Credentials. Dr. Pope seconded the motion and it was approved 6-0 with Ms. Chapman abstaining from the vote.

Dr. Willis made a motion to approve application for dental licensure by exam for Dr. Matthew Friedt. Dr. Mahan seconded the motion and it was approved 6-0 with Ms. Chapman abstaining from the vote.

Ms. Chapman made a motion to approve application for dental hygiene Licensure by Exam for Dr. Lakisha Anderson based on the successful passing of a jurisprudence exam. Dr. Mahan seconded the motion and it was approved 7-0.

Dr. Willis made a motion to approve application for dental Licensure by Exam for Dr. Lawrence Miller, Jr. Dr. Mahan seconded the motion and it was approved 6-0 with Ms. Chapman abstaining from the vote.

Ms. Chapman made a motion to approve application for dental hygiene Licensure by Exam for Christine Turner based on the successful passing of a jurisprudence exam. The motion was seconded by Dr. Wells and approved 7-0.

Case 2010-5: Dr. Willis made a motion that there is no evidence to sustain. Dr. Wells seconded the motion and it was approved 6-0 with Ms. Chapman abstaining from the vote.

Dr. Mahan thanked Dr. Dixon, Mr. Hodtwalker and Ms. Savarese for their work. Mr. Stan McAdams applauded the Board for handling matters quickly and smoothly. Dr. Northcutt commended the Board for its improved process of handling business.

Mr. Warren reported that the information for the 2010 Directory has been sent to the printer and should be mailed to licensed dentists and dental hygienists by the end of this month. The cover will be yellow. By using the state printing vendor, Ebsco, the Board will be saving about \$4,000.00.

Equipment for computer upgrades for Board offices has been ordered. Mr. Warren will be scheduling a conference call with representatives of the database used for licensees in order to ascertain options for maximum use of it and report his findings at the next Board meeting.

There was discussion about online registrations and the possibility of online voting for Board members. The process could be that upon renewing a license and paying the fee by credit card the licensee would be assigned a user name and password that would allow that person to participate in the vote. Mr. Warren will research to determine whether the Dental Practice Act will have to be amended in order to allow renewals and votes to be submitted online instead of "mailed" as the Act currently defines. He will report his findings at the next Board meeting.

Mr. Warren gave a report sent by Mr. Steve Windom, Legislative Consultant for the Board, on the status of legislation. The two most current bills have passed both the House and the Senate and are awaiting signature by the Governor. The status of the Board of Dental Examiners of Alabama has been continued for 2 years.

Dr. Willis made a motion to approve the Minutes for February 4-5, 2010 as presented. Dr. Mahan seconded the motion and it was unanimously approved by the Board.

Dr. Northcutt gave a report on the Access to Care – Expanded Duties Auxiliaries Committee. The direction of the committee is to facilitate better care for Alabama's underprivileged children by starting an Expanded Alabama Auxiliary Program similar to the ADHP in length, cost and intensity. This would be facilitated by creating an avenue for it in the Dental Practice Act and by having the particulars defined by Board Rule. Dr. Northcutt hopes the Access to Care – Expanded Duties Auxiliaries Committee and the 501(c)(3) Committee will come together to bring about legislation for this change. Dr. Northcutt distributed articles by PEW Center on the States that highlighted Alabama as receiving a "D" grade for addressing children's dental health needs. The Board orally approved this statement submitted by the committee: **"It is the intent**

of the Board to continue to be proactive in addressing the access to care issue in the State of Alabama. At this point, we believe one part of the solution will be expanding duties of our existing personnel while maintaining mandatory 'in house' dentists' supervision."

A report was given on the Internal Restructuring Committee by Ms. Chapman. Dr. Willis made a motion to create a committee taskforce consisting of Dr. Mahan, Dr. Dixon and Ms. Hilda Johnson, ADHP Administrative Assistant, to develop the ADHP into a non-profit, educational foundation. Dr. Northcutt seconded the motion and it was approved 7-0.

Ms. Chapman made a motion to purchase furniture for Dennis Hodtwalker's office totaling \$1,300.00. Dr. Mahan seconded the motion and it was approved 7-0.

The Board gave oral approval to postpone hiring a Receptionist until it is determined that there is a need to fill that position.

A report was given on the 501 (c)(3) Committee by Dr. DeRosier. For their information, he distributed copies of a letter from Dr. Koslin to Dr. Huw F. Thomas, Dean of UAB School of Dentistry, outlining his concerns for time spent by dental students in outside clinics; the development of a massive outsourcing program; the lack of clinical experience for dental students; and a need for funding the Dental School. The letter was copied to the Alumni Association President.

There was discussion about the need to create a survey to send to 501 (c)(3) entities so that the Board can initiate communication with them in order to create legislation that would give the Board jurisdiction over the facilities. At present the Board only has jurisdiction over the individual professionals who work there. Dr. Willis will develop a survey to present at the next Board meeting.

Ms. Chapman gave a report on the ADHP. The last session of this year's program will be May 1-2. The exam will be administered in June and the new session will begin in July.

Dr. Willis made a motion to purchase a scanner from Aperson Company that weighs only 7 lbs. at a cost of \$1,495.00. The scanner comes with a 30-day money-back guarantee and would be returned if it did not satisfy the need. Ms. Chapman seconded the motion and it was approved 7-0.

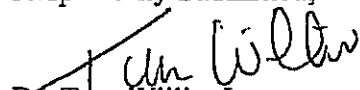
Dr. Willis made a motion that Board members be paid for 4 hours of participation in online calibration for CITA Exams. Dr. Northcutt seconded the motion and it was unanimously approved by the Board.

Dr. DeRosier presented a letter from AABD identifying that they have created 2 online courses for continuing education for licensees. Their intent is that the Board will cooperate in promoting use of these courses to licensees and put a link on Board's website.

Dr. Northcutt commended Dr. DeRosier for his phenomenal job as President of the Board.

The next meeting of the Board is scheduled for April 1-2, 2010. There being no further business, Dr. Northcutt made a motion to adjourn the meeting at 1:45 p.m. The motion was seconded by Dr. Mahan and unanimously approved by the Board.

Respectfully Submitted,

  
Dr. Tom Willis, Jr.  
*Secretary-Treasurer*

Approved:

Submitted by: Linda M. Savarese

**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**

January 2010

03/... Meeting  
Bank bal as of 01/31/2010  
Checking \$778,645.61  
Money Market \$298,760.46

Ordinary Income/Expense	Jan 10	Budget	Oct '09 - Jan 10	YTD Budget	Annual Budget
<b>Income</b>					
501 · Annual Dental Registration	4,000.00		167,690.00	486,200.00	486,200.00
502 · Annual Hygiene Registration	3,760.00		130,835.00	253,760.00	253,760.00
503 · Controlled Substance Fee	2,560.00		78,195.00	222,755.00	222,755.00
504 · Annual Teaching Permits	150.00		3,300.00	4,050.00	4,050.00
505 · ADHP Certification	375.00	1,093.75	525.00	4,375.00	13,125.00
507 · Drug Log Books	49.00	41.67	125.00	166.64	500.00
508 · ADHP	0.00		0.00		63,000.00
509 · Dental Exam Fee	600.00		1,800.00		
510 · Original License Fee	50.00	458.33	475.00	1,833.36	5,500.00
511 · Licenses Reprint Fee	125.00	50.00	350.00	200.00	600.00
512 · Dental Hygiene Exam Fee	600.00		1,400.00		15,000.00
513 · Directory Fee	625.00	333.33	1,450.00	1,333.36	4,000.00
514 · Materials Fee for Exam	0.00		0.00		7,500.00
515 · Penalty Fee	2,150.00	500.00	3,150.00	2,000.00	6,000.00
516 · Privilege License Money	0.00		0.00		19,000.00
517 · Interest Inc - checking	125.59	120.00	501.96	480.00	1,440.00
518 · Parental Sedation Permit Fee	0.00		2,200.00	7,400.00	7,400.00
519 · Anesthesia Permit	0.00		8,000.00	25,200.00	25,200.00
521 · Other Income	0.00	41.67	0.00	166.64	500.00
526 · ADHP Materials	0.00		0.00		94,500.00
527 · Disciplinary Fines (Prior)	4,000.00		9,200.00	500.00	1,500.00
527-1 · Administrative Costs	2,500.00	125.00	4,500.00	2,400.00	7,200.00
528 · Initial Anesthesia Evaluation	0.00	600.00	0.00	15,750.00	15,750.00
529 · OCS Annual Reg. Fee	700.00			4,000.00	12,000.00
530 · Licensure By Credentials	0.00	1,000.00	12,000.00	50.00	150.00
531 · RETURNED CHECK CHARGES	5.00	12.50	520.00		
533 · Dental Lic. Bd Exam Application	400.00		1,200.00		14,000.00
800 · 800-OVERPAYMENTS	0.00		130.00		
<b>Total Income</b>	<b>22,765.59</b>	<b>4,376.25</b>	<b>434,497.96</b>	<b>1,032,620.00</b>	<b>1,280,630.00</b>
<b>Gross Profit</b>	<b>22,765.59</b>	<b>4,376.25</b>	<b>434,497.96</b>	<b>1,032,620.00</b>	<b>1,280,630.00</b>
<b>Expense</b>					

\*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.

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	Jan 10	Budget	Oct '09 - Jan 10	YTD Budget	Annual Budget
927-2 - ADPWC Expenses	0.00		936.91		
0902-0 - NPDB HIPDB License Background	85.50	33.33	85.50	133.36	400.00
0100-0 - Personnel Costs	25,951.93	31,726.04	108,916.83	125,904.18	380,712.50
0114-0 - Board Member Compensation	2,100.00	7,666.67	31,500.00	30,666.64	92,000.00
0198-0 - Bonus	0.00		1,100.00	1,100.00	1,100.00
0201-0 - Payroll Expenses	2,512.31	4,583.33	11,225.95	18,333.36	55,000.00
0202-0 - Pension Plan	0.00		0.00		43,100.00
0203-0 - Medical Insurance	5,572.00	2,387.50	12,736.00	9,550.00	28,650.00
0204-0 - Workman Comp. Ins.	0.00		6,308.00	5,500.00	5,500.00
0300-0 - Travel - In-State	892.60	3,333.33	9,899.05	13,333.36	40,000.00
0400-0 - Travel - Out-of-State	0.00	2,291.67	10,525.27	9,166.64	27,500.00
0500-0 - Repairs & Maintenance	368.52		587.04		
0600-1 - Rentals & Leases/Offsite Meetin	0.00	83.33	0.00	333.36	1,000.00
0602-1 - Rent on Building	6,802.83	6,842.83	27,211.32	27,371.32	82,113.96
0700-0 - Utilities & Communications					
0700-1 - Utilities - Telephone	1,420.66	795.83	3,980.81	3,183.36	9,550.00
0700-2 - Utilities - Cell Phone	0.00	462.50	0.00	1,850.00	5,550.00
0700-3 - Utilities - Power	903.08		2,704.18		
Total 0700-0 - Utilities & Communications	2,323.74	1,258.33	6,684.99	5,033.36	15,100.00
0800-0 - Professional Services	9,923.62	9,783.33	38,195.39	38,133.36	117,400.00
0800-1 - Membership Dues & Subscriptions	20.81	416.67	415.81	1,666.64	5,000.00
0801-0 - Board Attorney Fees					
0801-1 - Attorney General's Office	0.00		5,177.75		
0801-0 - Board Attorney Fees - Other	7,270.00	4,166.67	26,861.06	16,666.64	50,000.00
Total 0801-0 - Board Attorney Fees	7,270.00	4,166.67	32,038.81	16,666.64	50,000.00
0840-0 - CONSULTANTS	11,000.00	7,500.00	30,000.00	30,000.00	90,000.00
0899-1 - Evaluator Fees	900.00	166.67	900.00	666.64	2,000.00
0899-2 - Hearing Officer Fees	633.69	833.33	633.69	3,333.36	10,000.00
0899-4 - WITNESSES	0.00	4.17	0.00	16.64	50.00
0899-6 - A.D.H.P. Materials & Supplies	0.00		-13,001.12		94,500.00
0899-7 - ALDA	0.00		0.00	5,000.00	5,000.00
0900-0 - Office Expense	2,861.31	833.33	4,526.02	3,333.36	10,000.00
0900-1 - Recycle / Paper Disposal	55.62	100.00	286.68	400.00	1,200.00

\*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**  
January 2010

03/\_\_\_\_/\_\_\_\_ leeting  
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	Jan 10	Budget	Oct '09 - Jan 10	YTD Budget	Annual Budget
0906-0 • Printing & Supplies	376.00	1,250.00	3,318.28	5,000.00	15,000.00
0910-0 • Postage	1,000.00	833.33	4,018.60	3,333.36	10,000.00
0924-0 • Insurance	637.00	1,000.00	11,487.00	4,000.00	12,000.00
0944 • Computer Expenses					
0944-0 • Computer Updates	0.00	2,500.00	0.00	10,000.00	30,000.00
0944-1 • Computer Support	3,743.15	2,500.00	9,258.24	10,000.00	30,000.00
0944 • Computer Expenses - Other	119.00		1,206.89		
<b>Total 0944 • Computer Expenses</b>	<b>3,862.15</b>	<b>5,000.00</b>	<b>10,465.13</b>	<b>20,000.00</b>	<b>50,000.00</b>
0951-0 • NSF	140.00	166.67	9,369.57	666.64	2,000.00
0999-0 • MISC.	1,705.80	416.67	4,138.74	1,666.64	5,000.00
1000-0 • Auto Expense	100.73		437.97		
1000-1 • Vehicle Repairs & Maint.	59.39	250.00	207.19	1,000.00	3,000.00
1000-2 • Vehicle Fuel	287.51	500.00	1,069.74	2,000.00	6,000.00
1400-0 • Equipment					
0500-3 • Equipment Rental/Lease	1,322.57	1,666.67	5,555.00	6,666.64	20,000.00
<b>Total 1400-0 • Equipment</b>	<b>1,322.57</b>	<b>1,666.67</b>	<b>5,555.00</b>	<b>6,666.64</b>	<b>20,000.00</b>
<b>Total Expense</b>	<b>88,765.63</b>	<b>95,093.87</b>	<b>371,779.36</b>	<b>391,975.50</b>	<b>1,290,326.46</b>
<b>Net Ordinary Income</b>	<b>-66,000.04</b>	<b>-90,717.62</b>	<b>62,718.60</b>	<b>640,644.50</b>	<b>-9,696.46</b>
<b>Other Income/Expense</b>					
Other Income					
527-2 • ADPWC - Monitoring Fee	0.00	645.83	775.00	2,583.36	7,750.00
503-1 • CONTROLLED SUBSTANCE STATE FEE	220.00		6,790.00		
524 • NSF Checks	55.00		2,555.00		
<b>Total Other Income</b>	<b>275.00</b>	<b>645.83</b>	<b>10,120.00</b>	<b>2,583.36</b>	<b>7,750.00</b>
<b>Net Other Income</b>	<b>275.00</b>	<b>645.83</b>	<b>10,120.00</b>	<b>2,583.36</b>	<b>7,750.00</b>
<b>Net Income</b>	<b>-65,725.04</b>	<b>-90,071.79</b>	<b>72,838.60</b>	<b>643,227.86</b>	<b>-1,946.46</b>

\*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.