

Thursday September 17, 2009  
6:30 PM

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, Keith Warren and Mary Ann Wilkinson.

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

A motion was made by Ms. Chapman, seconded by Dr. DeRosier, for the Board of Dental Examiners of Alabama to retire to executive session based upon the following allowable statutory reasons:

Discussion of the general reputation, character and/or professional competence of licensee.

Motion orally approved by counsel.

Dr. McCaffery announced the time as 6:35 PM and will reconvene the public session at approximately 7:00 PM. Dr. McCaffery called for the vote. (Dr. McCaffery – Aye, Dr. DeRosier – Aye, Dr. Mahan – Aye, Dr. Willis – Aye, Dr. Northcutt – Aye t, Ms. Chapman – Aye). Motion carried.

Dr. McCaffery reconvened the meeting at 7:10 PM.

Dr. McCaffery opened the Public Hearing for amendment to Rule 270-X-1.08. Ms. Wilkinson confirmed for the Board that no written or oral requests to speak had been received.

Attending were Dr. Lee Chaumoun, Dr. Tom Barnes, Dr. Hunter Pope, Dr. Kurry White, Dr. Bobby Wells and Dr. Butch Busby.

A motion was made by Dr. Northcutt, seconded by Dr. Willis, to adopt Rule 270-X-1.08 with the following change the published notice of intended action:

(1) The Board of Dental Examiners of Alabama shall comply with all the requirements of Code of Alabama (1975) 34-9-41 concerning their meetings. Board members shall receive as compensation a sum of \$300.00 per each day actively engaged in the duties of their office.

a). Board members who participate in licensing examinations conducted by an approved testing agency shall be compensated by the testing agency.

b). A sitting Board member who observes a licensing examination, without actively participating in the examination, shall be compensated \$100 per day out of Board funds.

c). Board members shall be compensated at a rate of \$100 per hour, not to exceed \$300 per day, for documented time spent in review of assigned cases while serving on an Investigative or a Complaint Review Team.

(2) The Secretary-Treasurer shall keep a record of all meetings of the Board of Dental Examiners of Alabama. The place of each meeting of the Board, names of the members present, all official acts of the Board, and the votes shall be recorded in the minutes. The minutes shall be presented for approval or amendment at the next meeting of the Board, which upon approval will be signed by the Secretary-Treasurer. The minutes, not including any section relating to the good name or character of an individual, shall be open to public inspection.

(3) All meetings of the Board of Dental Examiners of Alabama, not including any part relating to the good name or character of an individual, shall be open and public. Reports of investigations or complaints alleging violation of any law or rule, documents subpoenaed by the Board, reports of any investigators or investigative agency appointed or employed by the Board, memorandum or reports of the Board's counsel, memorandum or reports of the Board's counsel relating to investigations or complaints alleging violation of any law or rule, statements of persons interviewed by the Board or any committee or member thereof unless made at public hearing, reports of information received by the Board or any member thereof in confidence, reports of sensitive personnel records or information, reports of pending criminal investigations or reports or information the disclosure of which would be detrimental to the best interests of the public shall be considered privileged and confidential and shall not be disclosed except to an agent, attorney or employee of the Board of Dental Examiners of Alabama. The foregoing non-public records or writings shall not be subject to subpoena except upon the express order of a court of competent jurisdiction.

Authority: Code of Alabama, (1975) § 34-9-41, 34-9-42, 34-9-43 (1) (10) 34-9-44, 13(a). Adopted September 28, 1985.

After discussion, Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Wills – Aye, Dr. Mahan – Aye, Dr. DeRosier Aye, Dr. McCaffery – Aye. Motion carried. .

On motion by Dr. DeRosier, seconded by Dr. Mahan, Mr. Warren was requested to seek the opinion from the Attorney General for the following question:

“Is the Board of Dental Examiners under the jurisdiction of the ethics commission. “

After discussion Dr. McCaffery called for the vote. With no objection, the motion carried.

On motion by Dr. Willis, seconded by Dr. DeRosier, the draft to amend Rule 270-X-1.08 was approved:

(4) Anyone wishing to address the board at a regularly scheduled board meeting will be required to submit a written request to the board no later than one week prior to the board meeting date. The request should include the topic to be addressed and the name(s) of the presenter(s). If time permits, the matter will be place on the board's agenda; otherwise the matter will be place on the agenda of the next regularly scheduled board meeting. All presenters will be given a time limit of fifteen (15) minutes to present their requests to the board.

Mr. Warren is requested to submit to Legislative Reference the necessary forms for public hearing. After discussion, Dr. McCaffery called for the vote. Dr. Northcutt – Nay, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier – Aye, Ms. Chapman – Aye, Dr. McCaffery – Aye. Motion carried.

On motion by Dr. Northcutt, seconded by Dr. Mahan, Dr. Dixon was instructed to have a consent order drawn for collection of outstanding fines from prior orders. After discussion, Dr. McCaffery called for the vote. 6-0, with no objection the motion carried.

A motion was made by Dr. Northcutt, seconded by Dr. Willis to table the discussion regarding the financing of a board member campaign through solicitation of donations from licensees until the conclusion of the current election. Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan – Nay, Dr. DeRosier – Nay, Dr. McCaffery – Nay, Ms. Chapman – Abstained. Motion failed.

A motion was made by Dr. DeRosier, seconded by Dr. Willis, to establish a committee to establish guidelines for ethical procedures for future elections of board members. The committee will consist of Dr. DeRosier, Dr. Northcutt, Dr. Mahan and Ms. Chapman. After discussion, Dr. McCaffery called for the vote. 6-0, with no objection the motion carried.

On motion by Dr. DeRosier, seconded by Dr. Mahan, Dr. Dixon, Mr. Warren and Mr. Windom were instructed to draft language to amend Code of Alabama (1795) §34-9-25 to require appeals to be filed in Montgomery Circuit Court. After discussion Dr. McCaffery called for the vote. Dr. Willis – Nay, Dr. Mahan – Aye, Ms. Chapman – Aye, Dr. DeRosier – Aye, Dr. McCaffery – Aye, Dr. Northcutt – Nay.

On motion by Dr. Mahan, seconded by Dr. Northcutt, the meeting was adjourned at 9:00 PM. The board will reconvene on Friday at 8:30 AM. Dr. McCaffery called for the vote, with no objection the motion carried.

Friday, September 18, 2009  
8:30 am

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 and Mary Ann Wilkinson.

Dr. McCaffery called the meeting to order at 8:30 AM and welcomed Dr. Bobby Wells.

A motion was made by Dr. DeRosier, seconded by Dr. Mahan to accept the minutes of August 6-7, 2009 as corrected. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

On motion by Dr. Willis, seconded by Dr. DeRosier, the minutes of August 13-15, 2009 were approved. After discussion Dr. McCaffery called for the vote. 5-0, Dr. Northcutt abstained, the motion carried

A motion was made by Dr. Willis, seconded by Dr. Mahan, to accept the minutes of August 27, 2009 as corrected. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

A motion was made by Dr. Willis, seconded by Dr. DeRosier to accept the financial report as presented. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

Dr. Willis will represent the board at the AADE Liaison meeting, Wednesday September 30, 2009 at 7:00 AM, Hawaii Prince Hotel Waikiki, Honolulu, HI.

The Board received the request from Cecile B. Matthew-Meacham, Coordinator of Dental Assisting H. Council Trenholm State Technical College for 2009-2010 approval status pursuant to Rule 270-X-4.03. Dr. Mahan will conduct the evaluation and report to the Board.

The Board received the request from Michele Snider, Dental Assisting Program Administrator Faulkner State for 2009-2010. Dr. Northcutt will conduct the evaluation and report to the Board.

On motion by Dr. Willis, seconded by Ms. Chapman, the continuing education course *EgroDentix*, as submitted by Chele Heid is approved as presented for 5 hours of continuing education credit. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

On motion by Dr. DeRosier, seconded by Dr. Northcutt, on October 8, 2009, the board will discuss and vote on approval of regional exams pursuant to Code of Alabama, 1975 §34-9-10(b) (1) and (2) and 34-9-10(c). After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

On motion by Dr. Mahan, seconded by Dr. DeRosier, Mr. Warren is requested to obtain out of state approval for Stan McAdams and Dr. Donna Dixon to attend the National Association of Drug Diversion Investigators Training Conference, November 17-20, 2009 in Annapolis, Maryland. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

On motion by Dr. Willis, seconded by Dr. Mahan, Mr. Warren is requested to obtain out of state approval for Dr. DeRosier and Dr. Willis to attend the CITA Examination Committee meeting being scheduled for October 23-24, 2009 at the CITA office in Cary, North Carolina. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

On motion by Dr. Willis, seconded by Dr. Mahan, the draft for amendment to Rule 270-X-2.19 was approved:

**270-X-2.19 Licensure By Credentials.**

(1) Definitions: The following definitions shall apply to these rules:

(i) LICENSURE BY CREDENTIALS. Licensure by credentials is to be used to evaluate the theoretical knowledge and clinical skill of a dentist or dental hygienist when an applicant holds a dental or dental hygienist license in another state.

(ii) BOARD. Board shall mean the Board of Dental Examiners of Alabama.

(iii) ACT. Code of Alabama, (1975)§ 34-9-1 et seq.

(2) To be eligible for licensure by credentials in the State of Alabama, the applicant shall meet the provisions of Code of Alabama, (1975) § 34-9-10 and this Rule, which are as follows:

(i) The dentist or dental hygienist must have been engaged in the active practice of clinical dentistry or clinical dental hygiene or in full time dental or dental hygiene education for no less than the five years or five thousand (5,000) hours over the five (5) year period immediately preceding the their application.

(ii) The applicant must hold a current, valid, unrevoked, and unexpired license in a state having examination standards regarded by the Board of Dental Examiners of Alabama as an equivalent to the Alabama standards. For purposes of this requirement, these exam standards shall include passing the National Dental Board Examination Parts 1 and 2 administered by the Joint Commission on National Dental Examinations.

(iii) The Board of Examiners in the state of current practice shall verify or endorse that the applicant's license is in good standing without any restrictions.

(iv) The dentist or dental hygienist shall must not be the subject of a pending or final disciplinary action in any state in which the individual has been licensed which shall be verified through inquiry to the National Practitioner Data Bank, the Health Integrity Protection Data Bank, the American Association of Dental Examiners clearing-Clearing House for Disciplinary Information, or any other pertinent Bank currently existing or which may exist in the future.

~~(v) There shall be certification from the United States Drug Enforcement Administration (DEA) and from the Board of Examiners of any state in which the applicant is or has been licensed that the DEA permit has not been revoked, suspended, modified, restricted, or limited in any way or that any state controlled substances permit has not been revoked, suspended, modified, restricted or limited in any way.~~

(v) The applicant shall provide a written statement agreeing to be interviewed at the request of the Board.

~~(vi) The applicant shall not be the subject of any pending or final action from any hospital revoking, suspending, limiting, modifying, or interfering with any clinical or staff privileges.~~

(vi) The applicant must successfully pass a written jurisprudence examination.

~~(vii) The applicant shall provide a written statement agreeing to be interviewed at the request of the Board.~~

(vii) There shall be certification from the United States Drug Enforcement Administration and from the State board of any state in which the applicant is or has been licensed that the DEA registration is not the subject of any pending disciplinary action or enforcement of any kind, or that any state controlled substances permit has not been revoked, suspended, modified, restricted or limited in any way.

~~(viii) The applicant must successfully pass a written jurisprudence examination to be designed and administered by the Board.~~

(viii) The applicant must submit affidavits from two licensed dentists or two licensed dental hygienists practicing in the same geographical area where the applicant currently is practicing or teaching attesting to the applicant's moral character, standing, and ability.

~~(ix) The applicant shall submit affidavits from two licensed dentists or two licensed dental hygienists practicing in the same geographical area where the applicant currently is practicing or teaching attesting to the applicant's moral character, standing, and ability.~~

(ix) The applicant must provide the Board with an official transcript with school seal from the school of dentistry or school of dental hygiene which issued the applicant's professional degree or execute a request and authorization allowing the board to obtain the transcript.

~~(x) Upon the Board's request, the applicant shall execute any necessary release or authorization to obtain information in connection with the application or the requirements of this rule.~~

(x) The applicant must be a graduate of a dental or dental hygiene school, college or educational program approved by the board.

~~(xi) The applicant must be a graduate of dental or dental hygiene school or college approved by the board and shall provide the Board with an official transcript with school seal from the school of dentistry or school of dental hygiene which issued the applicant's professional degree or execute a request and authorization allowing the board to obtain the transcript.~~

(xi) The applicant must not be the subject of any pending or final action from any hospital revoking, suspending, limiting, modifying, or interfering with any clinical or staff privileges.

(xii) The applicant must not have been convicted of a felony or any misdemeanor involving moral turpitude or of any law dealing with the administering or dispensing of legend drugs, including controlled substances.

(xiii) The board may consider or require other criteria including, but not limited to, any of the following:

a. Questioning under oath.

b. Results of peer review reports from constituent dental societies or federal dental services.

c. ~~Any history of or the need for~~ Substance abuse testing or treatment.

d. Background checks for criminal or fraudulent activities.

e. Participation in continuing education.

f. A current certificate in cardiopulmonary resuscitation.

g. Recent case reports or oral defense of diagnosis and treatment plans.

h. Proof of no physical or psychological impairment that would adversely affect the ability to practice dentistry or dental hygiene with reasonable skill and safety.

i. An agreement to initiate practice within the State of Alabama within a period of one year.

j. Proof of professional liability coverage and that coverage has not been refused, declined, cancelled, nonrenewed, or modified.

~~k. Proof of no communicable diseases.~~

~~l. Denial of any professional license or denial of the opportunity to take a dental exam or dental hygienist exam.~~

k. Whether the applicant has been subject to any final disciplinary action in any state in which the individual has been licensed which shall be verified by a query in the National Practitioner Data Bank, the Health Integrity Protection Databank, the American Association of Dental Examiners Clearing House for Disciplinary Information, any state where the applicant has been licensed, or any other pertinent bank currently existing or which may exist in the future.

l. Whether the applicant's DEA registration or any state controlled substances permit has ever been revoked, suspended, modified, restricted, or limited in any way. Provided, however, that any discipline that results only from a failure to timely renew a registration or permit shall not prevent an applicant from being eligible for this method of licensure.

(xiv) If all criteria and requirements are satisfied and the Board determines, after notice and hearing, that the individual committed fraud or in any way falsified any information in the application process, the license may be revoked by the Board, ~~or the Board may impose other disciplinary sanctions allowed by the provisions of the Act.~~

(3) In addition to the requirements for applicants seeking licensure by credentials, an applicant desiring to practice a specialty only, must meet the following requirements:

(i) ~~The specialty must be one in a branch of dentistry authorized by the Act, approved by the American Dental Association.~~

(ii) ~~The applicant shall meet the existing educational requirements, and standards or other criteria set forth in the Act by the American Dental Association for that approved specialty.~~

(iii) An applicant who chooses to announce or practice a specialty shall must limit his or her practice exclusively to the announced special area or areas of dental practice.

(iv) If an applicant who is initially licensed by credentials for a specialty practice decides to renounce his or her specialty and practice general dentistry and the license originally issued did not require a general dental license but rather a specialty license or the applicant originally passed only a specialty examination, the applicant shall may not practice general dentistry until he or she successfully ~~passed~~ passes the Board's regular general dentistry examination. However, if an applicant has passed a general dentistry examination ~~having standards regarded by the Board as an equivalent to the Alabama standards~~ or has a general dentistry license, was practicing a specialty and ~~decided~~ decides not to continue that specialty and practice only general dentistry, the applicant shall be in eligible for licensure by credentials as a general dentist.

(4) An applicant shall submit to the Board with the application, a non-refundable fee in the amount of Four Thousand and No/100 Dollars (\$4,000.00) for dentists and Two Thousand and No/100 Dollars (\$2,000.00) for dental hygienists. If an applicant is granted a license, this fee includes the licensing fee for the remaining portion of the first licensing year.

(5) Regardless of the applicant's compliance with the foregoing requirements, the Board may refuse to issue a license by ~~credential~~ credentials based on any conduct which would be a ground for discipline pursuant to Code of Alabama, (1975) § 34-9-19.

(6) An applicant granted a license by credentialing will be subject to the Act and all Board rules.

Mr. Warren was requested to submit to Legislative Reference the necessary forms for public hearing. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

Ms. Chapman, chairman of the **Internal Restructuring Committee** reported on the progress of meeting held September 17, 2009. The meeting time was changed from 2:00 PM to 3:00 PM prior to each board meeting scheduled on Thursday.

On motion by Dr. Mahan, seconded by Ms. Chapman, Mr. Warren is directed to seek and hire janitorial services for the administrative office. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

On motion by Ms. Chapman, seconded by Dr. Mahan, Mr. Warren is directed to begin an immediate search for an administrative assistant. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

A motion was made by Dr. Northcutt, seconded by Ms. Chapman to create an **Access to Care Research Committee** to meet at 2:00 PM prior to each Thursday board meetings to examine access to care issues and make recommendations to the board. The committee members will be Dr. Northcutt - chairman, Ms. Renee Chapman and Dr. Mike Mahan. This will be an ongoing committee. After discussion Dr. McCaffery called for the vote, with no objection the motion carried.

On motion by Dr. Willis, seconded by Dr. Mahan, the board along with board counsel interprets Code of Alabama (1975) § 34-9-40 (c)(5), in regard to the hygiene member voting, the hygiene voting will include all matters except for those only pertaining to dentists. After discussion Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis - Aye, Dr. Mahan - Aye, Dr. DeRosier - Aye Dr. McCaffery - Aye, Ms. Chapman – Aye. Motion carried.

On motion by Dr. Mahan, seconded by Dr. Northcutt, the licensure by credentials application for **Dr. Elliott P. Schlang** was denied. After discussion Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- Aye, Dr. McCaffery- Abstained. Motion carried.

Dr. Willis reported on the results of the **August 13-15, 2009 dental retake exam**. After completion of the retake session nine (9) dental licenses were issued. Schools represented were seven (7) from the University of Alabama in Birmingham School of Dentistry, one (1) each from the University of Tennessee and the Medical College of Georgia. Seven (7) applicants were unsuccessful; schools represented by those seven applicants were three (3) from University of Alabama Birmingham, one each from Meherry, New York University, University of Pacific and University of Tennessee.

Mr. Stan McAdams and Ms. Natalie Virciglio joined the meeting.

On motion by Dr. Willis, seconded by Dr. DeRosier, Dr. Dixon was requested to invite **Dr. Robert Pierce** for interview pertaining to his request for licensure reinstatement. After discussion Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- Aye, Dr. McCaffery- Aye. Motion carried.

A motion was made by Dr. Willis, seconded by Dr. Northcutt, to accept the recommendation of the complaint review team and instructed Dr. Dixon to issue a **letter of concern** regarding **2009-59**. After discussion Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- Aye, Ms. Chapman- Aye, Dr. McCaffery- Aye. Motion carried.

A motion was made by Dr. Northcutt, seconded by Dr. Willis to accept the recommendation of the complaint review team and requested Dr. Dixon to notify both the dentist and the complainant that there is **no evidence to sustain** a violation of the Alabama Dental Practice Act in connection with complaint **2009-51**. After discussion Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- Aye, Dr. McCaffery- Aye. Motion carried.

As chair of the complaint review team, Dr. McCaffery recommended a letter of concern regarding complaint **2009-9**. A motion was made by Dr. Willis, seconded by Dr. Northcutt to schedule case **2009-9** for **hearing**. After discussion, Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- No, Dr. McCaffery- Abstained. Motion carried.

A motion was made by Dr. DeRosier, seconded by Dr. Mahan, to accept the recommendation of the complaint review team and requested Dr. Dixon to inform both the dentist and complainant that the matters raised in the **2009-63** are **outside the jurisdiction** of the board. After discussion, Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- Aye, Dr. McCaffery- Aye. Motion carried.

A motion was made by Dr. Mahan, seconded by Dr. DeRosier, to accept the recommendation of the complaint review team, and requested a **hearing** be scheduled for **2007-107**. After discussion Dr. McCaffery called for the vote. Dr. Northcutt – Abstained, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier – Aye, Ms. Chapman – Aye, Dr. McCaffery – Aye. Motion carried.

A motion was made by Dr. Northcutt, seconded by Dr. Mahan, to accept the recommendation of the complaint review team and requested Dr. Dixon to notify both the dentist and the complainant that there is **no evidence to sustain** a violation of the Alabama Dental Practice Act in connection with complaint **2009-57**. After discussion Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- Aye, Dr. McCaffery- abstained. Motion carried.

A motion was made by Dr. DeRosier, seconded by Ms. Chapman, to accept the recommendation of the complaint review team and request a **hearing** be scheduled for **2009-37**. After discussion Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier – Aye, Ms. Chapman – Aye, Dr. McCaffery – Aye. Motion carried.

A motion was made by Dr. DeRosier, seconded by Dr. Mahan, to accept the recommendation of the complaint review team and moved to **close with no further action** compliant **2009-67**. After discussion, Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- Aye, Dr. McCaffery- Aye. Motion carried.

A motion was made by Dr. Willis, seconded by Dr. Northcutt, to accept the recommendation of the compliant review team and requested Dr. Dixon to inform both the dentist and complainant that the matters raised in the **2009-28** are **outside the jurisdiction** of the board. After discussion, Dr. McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye, Dr. Mahan- Aye, Dr. DeRosier- Aye, Dr. McCaffery- Aye. Motion carried.

Dr. McCaffery nominated the following members as officers for 2009-2010 to assume office at the conclusion of the October 9, 2009 meeting:

President - Dr. Leo DeRosier

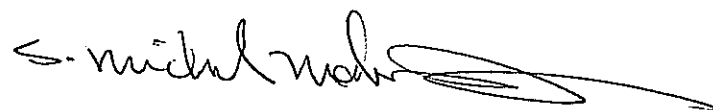
Vice-President - Dr. Mike Mahan

Secretary-Treasurer - Dr. Tom Willis

Upon nomination, Dr. Mahan asked to withdraw his name as Vice-President and nominated Ms. Renea Chapman. With no other nominations or discussion from the floor, Dr McCaffery called for the vote. Dr. Northcutt – Aye, Dr. Willis – Aye- Dr. Mahan- Aye, Dr. DeRosier – Aye, Ms. Chapman – Aye, Dr. McCaffery – Aye. Motion carried.

On motion by Dr. Mahan, seconded by Dr. Northcutt, the meeting adjourned at 4:10 PM. Without objection the motion carried, vote 6-0.

Respectfully submitted,



S. Michael Mahan, Jr.

Approved: *October 8, 2009*

Submitted by: Mary Ann Wilkinson

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

July 2009

Ordinary Income/Expense

Income

	Jul 09	Budget	Oct '08 - Jul 09	YTD Budget	Annual Budget
650 · Admin. Fees (Deferred Agreement)	0.00		2,500.00		
617 · MDF Permits	0.00		2,250.00		
501 · Annual Dental Registration	670.00		360,960.00	362,400.00	362,400.00
502 · Annual Hygiene Registration	275.00		206,360.00	201,500.00	201,500.00
503 · Controlled Substance Fee	3,265.00		224,335.00	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	77.00	41.67	469.00	416.66	500.00
508 · ADHP	0.00		64,050.00	64,750.00	64,750.00
509 · Dental Exam Fee	4,200.00		21,000.00	21,000.00	21,000.00
510 · Original License Fee	25.00		5,550.00	5,500.00	5,500.00
511 · Licenses Reprint Fee	25.00	50.00	625.00	500.00	600.00
512 · Dental Hygiene Exam Fee	0.00		16,100.00	15,000.00	15,000.00
513 · Directory Fee	176.00	333.33	4,418.25	3,333.34	4,000.00
514 · Materials Fee for Exam	2,800.00		22,050.00	21,500.00	21,500.00
515 · Penalty Fee	650.00	500.00	7,100.00	5,000.00	6,000.00
516 · Privilege License Money	0.00		0.00	19,000.00	19,000.00
517 · Interest Inc - checking	126.28	500.00	2,133.82	5,000.00	6,000.00
518 · Parental Sedation Permit Fee	0.00		6,600.00	7,200.00	7,200.00
519 · Anesthesia Permit	0.00		21,400.00	25,800.00	25,800.00
521 · Other Income	0.00	41.67	0.00	416.66	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	75.00		14,080.00	97,125.00	97,125.00
* 527 · Disciplinary Fines (Prior)	11,450.00	10,666.67	53,700.00	106,666.66	128,000.00
527-1 · Administrative Costs	0.00	125.00	19,603.00	1,250.00	1,500.00
528 · Initial Anesthesia Evaluation	1,650.00	500.00	18,900.00	5,000.00	6,000.00
529 · OCS Annual Reg. Fee	0.00		16,950.00	17,000.00	17,000.00
530 · Licensure By Credentials	8,000.00	3,333.33	42,000.00	33,333.34	40,000.00
531 · RETURNED CHECK CHARGES	0.00	12.50	95.00	125.00	150.00
533 · Dental Lic. Bd Exam Application	200.00		12,200.00	14,500.00	14,500.00
800 · 800-OVERPAYMENTS	0.00		25.40		
<b>Total Income</b>	<b>33,664.28</b>	<b>16,104.17</b>	<b>1,149,529.47</b>	<b>1,279,686.66</b>	<b>1,311,895.00</b>

\*Disciplinary fines assessed in prior years but collected in this fiscal year.

Budgeted amount represents approx. 75% of the outstanding disciplinary fines assessed in prior fiscal years.

*Approved Sept. 18, 2009*

09/2009 Bd Meeting  
Bank balances as of 07/31/2009  
Checking \$289,644.84  
Money Market \$298,009.88

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

July 2009

09/2009 Bd Meeting  
Bank balances as of 07/31/2009  
Checking \$289,644.84  
Money Market \$298,009.88

	Jul 09	Budget	Oct '08 - Jul 09	YTD Budget	Annual Budget
Gross Profit	33,664.28	16,104.17	1,149,529.47	1,279,686.66	1,311,895.00
<b>Expense</b>					
927-2 · ADPWC Expenses	1,051.60	1,200.00	12,051.31	12,000.00	14,400.00
0902-0 · NPDB HIPDB License Background	85.50	33.33	263.40	333.34	400.00
0100-0 · Personnel Costs	31,971.38	27,500.00	252,515.74	275,000.00	330,000.00
0114-0 · Board Member Compensation	10,800.00	7,500.00	78,600.00	75,000.00	90,000.00
0198-0 · Bonus	0.00		1,100.00	1,000.00	1,000.00
0201-0 · Payroll Expenses	3,376.32	4,583.33	32,923.53	45,833.34	55,000.00
0202-0 · Pension Plan	0.00		39,976.06	42,000.00	42,000.00
0203-0 · Medical Insurance	2,388.00	2,400.00	13,821.00	24,000.00	28,800.00
0204-0 · Workman Comp. Ins.	0.00		4,255.73	11,000.00	11,000.00
0300-0 · Travel - In-State	9,124.60	3,333.33	32,083.89	33,333.34	40,000.00
0400-0 · Travel - Out-of-State	0.00	2,083.33	24,280.10	20,833.34	25,000.00
0500-0 · Repairs & Maintenance	495.00		495.00		
0600-1 · Rentals & Leases/Offsite Meetin	0.00	83.33	778.85	833.34	1,000.00
0602-1 · Rent on Building	4,875.55	5,000.00	48,398.50	50,000.00	60,000.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	1,732.26	795.83	7,000.23	7,958.34	9,550.00
0700-3 · Utilities - Power	521.57	462.50	4,771.13	4,625.00	5,550.00
Total 0700-0 · Utilities & Communications	2,253.83	1,258.33	11,771.36	12,583.34	15,100.00
0800-0 · Professional Services	46,954.44	11,250.00	123,929.32	112,500.00	135,000.00
0800-1 · Membership Dues & Subscriptions	4,560.00	125.00	5,010.00	1,250.00	1,500.00
0801-0 · Board Attorney Fees	10,995.00	10,416.67	98,269.92	104,166.66	125,000.00
0840-0 · CONSULTANTS	9,163.38		33,163.38		
0899-1 · Evaluator Fees	551.08		2,056.93		
0899-2 · Hearing Officer Fees	0.00	2,500.00	3,716.79	25,000.00	30,000.00
0899-4 · WITNESSES	0.00	4.17	0.00	41.66	50.00
0899-6 · A.D.H.P. Materials & Supplies	120.00		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	1,585.01	833.33	7,955.99	8,333.34	10,000.00
0900-1 · Recycle / Paper Disposal	54.00	83.33	856.10	833.34	1,000.00
0901-0 · Cita Exam Fees	0.00	35,000.00	35,038.00	35,000.00	48,000.00

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

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

July 2009

09/2009 Bd Meeting  
Bank balances as of 07/31/2009  
Checking \$289,644.84  
Money Market \$298,009.88

	Jul 09	Budget	Oct '08 - Jul 09	YTD Budget	Annual Budget
0906-0 · Printing & Supplies	841.16	3,583.33	7,345.17	35,833.34	43,000.00
0910-0 · Postage	1,039.72	1,000.00	7,164.64	10,000.00	12,000.00
0924-0 · Insurance	0.00		10,266.00	10,350.00	10,350.00
0944 · Computer Expenses					
0944-0 · Computer Updates	17,012.00	2,500.00	21,656.00	25,000.00	30,000.00
0944-1 · Computer Support	5,225.53	2,500.00	19,829.65	25,000.00	30,000.00
0944 · Computer Expenses - Other	0.00		1,853.95		
<b>Total 0944 · Computer Expenses</b>	<b>22,237.53</b>	<b>5,000.00</b>	<b>43,339.60</b>	<b>50,000.00</b>	<b>60,000.00</b>
0951-0 · NSF	0.00		1,935.00		
0999-0 · MISC.	213.80	8.33	2,981.05	83.34	100.00
1000-0 · Auto Expense	19.33		2,387.98	20,000.00	20,000.00
1000-1 · Vehicle Repairs & Maint.	36.82	250.00	2,019.16	2,500.00	3,000.00
1000-2 · Vehicle Fuel	919.51	891.25	4,035.84	8,912.50	10,695.00
1400-0 · Equipment					
0600-3 · Equipment Rental/Lease	4,188.56	1,083.33	18,520.19	10,833.34	13,000.00
1400-1 · Equipment Repairs & Maint.	0.00	41.67	0.00	416.66	500.00
<b>Total 1400-0 · Equipment</b>	<b>4,188.56</b>	<b>1,125.00</b>	<b>18,520.19</b>	<b>11,250.00</b>	<b>13,500.00</b>
<b>Total Expense</b>	<b>169,901.12</b>	<b>127,045.39</b>	<b>963,718.03</b>	<b>1,114,804.22</b>	<b>1,311,895.00</b>
<b>Net Ordinary Income</b>	<b>-136,236.84</b>	<b>-110,941.22</b>	<b>185,811.44</b>	<b>164,862.44</b>	<b>0.00</b>
<b>Other Income/Expense</b>					
Other Income					
527-2 · ADPWC - Monitoring Fee	2,325.00		8,525.00		
503-1 · CONTROLLED SUBSTANCE STATE FEE	270.00		-11,630.00		
524 · NSF Checks	0.00		2,416.00		
<b>Total Other Income</b>	<b>2,595.00</b>		<b>-689.00</b>		
<b>Net Other Income</b>	<b>2,595.00</b>		<b>-689.00</b>		
<b>Net Income</b>	<b>-133,641.84</b>	<b>-110,941.22</b>	<b>185,122.44</b>	<b>164,862.44</b>	<b>0.00</b>

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

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Approved Sept. 18,