



BOARD OF DENTAL EXAMINERS OF ALABAMA
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MINUTES
Board Meeting
October 1-2, 2015

The Board of Dental Examiners of Alabama met Thursday October 1, 2015 at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 6:03 p.m. with the following members in attendance: Dr. Stephen R. Stricklin, President, Dr. William E. Chesser, Secretary/Treasurer, Dr. Howard R. Gamble, Dr. Adolphus M. Jackson, Dr. Thomas G. Walker, and Ms. Sandra Kay Alexander, RDH. Also in attendance were Ms. Susan Wilhelm, Esq., Executive Director and General Counsel, Dr. Donna Dixon, Esq., Prosecuting Attorney, Mr. Stan McAdams, Investigations, Mr. Kevin Lane, Paralegal and Executive Assistant to Dr. Donna Dixon, Esq. and Ms. Susan Wilhelm, Esq., and Ms. Linda Dlugosz, Administrative Assistant.

The President determined that a quorum was present; Counsel orally confirmed.

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

The President asked for review of the minutes from the September 10-11, 2015 meeting. Ms. Alexander moved to approve the minutes as presented with one correction. Dr. Jackson seconded the motion and it was approved by general consent.

Dr. Chesser presented the financial report. Dr. Gamble moved to approve the report as presented. Dr. Walker seconded the motion and it was approved by general consent.

The President welcomed guests and invited comments: Dr. Zack Studstill, President of the Alabama Dental Association (ALDA) thanked the Board for the good job they are doing. He presented a plaque on behalf of ALDA to Dr. Stricklin in honor of his service to the Board.

Dr. Citrano, Jr. had suggested scheduling Legislative Committee meetings quarterly instead of monthly. After discussion, members agreed that general scheduling would continue to be for monthly meetings as needed.

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Members viewed the “Save the Date” for the SCDDE meeting January 29-31, 2016.

Mr. Blaine Galliher presented the governmental affairs report. After concluding his report he left the meeting.

Wallace State - Hanceville requested annual approval for both their Dental Assisting and Dental Hygiene programs for 2015-2016 academic year. Both programs are CODA approved. Ms. Alexander moved to approve both the Dental Hygiene and Dental Assisting programs at Wallace State for 2015-2016. Dr. Gamble seconded the motion and it was approved by general consent.

Members interviewed Mr. Randy Hurst for the Investigator position. Members thanked him for his time and Mr. Hurst left the meeting.

Ms. Alexander moved to approve Dental Hygiene Licensure by State Board Exam administered by CITA for Deidra Bannister, RDH. Dr. Walker seconded the motion and it was approved by general consent.

Dr. Walker moved to approve Dental Hygiene Licensure by Regional Exam based on successful completion of the jurisprudence exam for the following. Dr. Jackson seconded the motion and it was approved by general consent.

- Karita Galloway, RDH
- Windria Mayo, RDH
- Morgan Warren, RDH

Dr. Walker moved to approve Dental Licensure by Regional Exam based on successful completion of the jurisprudence exam for the following. Dr. Gamble seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

- Ala Barakat, DDS, Dental Licensure Exam – CITA ok 2015
- Maegen McCabe, DMD, Dental Licensure Exam – NERB/CDCA ok 2013

Dr. Chesser moved to approve Dental Licensure by Credentials based on successful completion of the jurisprudence exam for the following. Dr. Jackson seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

- Dana Fender, DMD
- Gregory Goggans, DMD
- Scott LaFont, DDS
- Scott Law, DMD
- Joey Seale, DDS

Ms. Wilhelm has emailed all candidates for Board Member to advise them of 1:00 p.m. for counting votes. At 1:00 p.m. on Friday Oct. 2nd Board members and candidates will observe Ms. Lankford as she downloads the voting report from the licensing software. That report will then be exported to Excel for tabulation of each candidate’s votes. Ms. Wilhelm has also prepared a memo for all candidates regarding compliance with Rule 270-X-5.12.

At 6:55 p.m. the President called a break; the meeting resumed at 7:05 p.m.

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At 7:06 p.m. Dr. Gamble moved to enter into Executive Session for the discussion of the general reputation, character, and/or professional competence of licensees and to return to public session at 7:20 p.m. Dr. Chesser seconded the motion and the President called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea, and Ms. Alexander, yea. The motion carried.

At 7:42 p.m. Dr. Gamble moved to retire from executive session. Dr. Chesser seconded the motion and the President called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea, and Ms. Alexander, yea. The motion carried.

At 7:45 the President recessed the meeting until 8:30 a.m. Friday October 2.

Board Meeting
Friday, October 1-2, 2015

The meeting of the Board of Dental Examiners of Alabama reconvened Friday, October 2, 2015 at the Board Office in Hoover, Alabama.

The President called the meeting to order at 8:41 a.m. with the following members in attendance: Dr. Stephen R. Stricklin, President, Dr. Sam J. Citrano, Jr., Vice President, Dr. William E. Chesser, Secretary/Treasurer, Dr. Howard R. Gamble, Dr. Adolphus M. Jackson, Dr. Thomas G. Walker, and Ms. Sandra Kay Alexander, RDH. Also in attendance were Ms. Susan Wilhelm, Esq., Executive Director and General Counsel, Dr. Donna Dixon, Esq., Prosecuting Attorney, Mr. Stan McAdams, Investigator, Mr. Kevin Lane, Paralegal and Executive Assistant to Dr. Donna Dixon, Esq. and Ms. Susan Wilhelm, Esq., and Ms. Linda Dlugosz, Administrative Assistant.

The President determined that a quorum was present; Counsel orally confirmed.

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

Dr. Citrano, Jr. moved to change the May meeting date to 12-13, 2016. Dr. Gamble seconded the motion and it was approved by general consent. This change will be reflected on the Board's website and on the Secretary of State's website.

There will be a Legislative Committee meeting scheduled monthly throughout the legislative session. After that time members will decide if monthly meetings are necessary.

Mr. McAdams gave the Inspection report.

He expects that all inspections at UAB sites will be completed by the end of November.

There was discussion about a mobile unit's permit application which did not pass because of its lack of an on-board toilet facility.

Ms. Johnson was invited to present the Hygiene report.

In September the scheduled presenter for Sunday had an emergency health issue and was taken to the hospital. Dr. Cristo finished presenting the presentation material.

There were 179 students in the September class.

Dr. Dixon and Ms. Wilhelm will talk with students this Saturday regarding their responsibilities as a permittee and licensee and compliance with the Practice Act and Board Rules.

Students scored much higher on the September class exam than on the August class. This concluded Ms. Johnson's report.

At 8:53 a.m. the President announced a break. The meeting resumed at 9:00 a.m. The President turned the meeting over to Ms. Kelli Robinson, Administrative Law Judge, to conduct a hearing in the matter of

Ms. Ashley Scott RDH, license #H-7217. At 9:13 a.m. the hearing was concluded and the meeting was turned over to the President.

At 9:15 a.m. Dr. Stricklin moved that Ms. Ashley Scott is guilty of Count 1 in the notice dated July 10, 2015, *“Failing to comply with Board Rule 270-X-5.09 of the Board of Dental Examiners of Alabama in that you practiced dentistry without a license for a period of time after December 31, 2014 and failed to timely pay the non-disciplinary administrative penalty as required by said Board Rule.”* Dr. Walker seconded the motion and the President called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea and Ms. Alexander, yea. The motion carried with Dr. Citrano abstaining from the vote.

Ms. Alexander moved to assess Ms. Scott a \$1,500.00 administrative fine and \$500.00 disciplinary fine to be paid within 90 days from the execution of Ms. Robinson’s Order. Dr. Stricklin seconded the motion and he called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea, and Ms. Alexander, yea. The motion carried with Dr. Citrano abstaining from the vote.

Dr. Chesser moved to suspend Ms. Scott’s dental hygiene license with immediate reversion to probation for 2 years upon payment of the administrative costs and disciplinary fines (\$2,000.00.) Ms. Alexander seconded the motion and the President called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea, and Ms. Alexander, yea. The motion carried with Dr. Citrano abstaining from the vote.

At 10:00 a.m. the President announced a break; the meeting resumed at 10:19 a.m.

Dr. Gamble moved that case #2015-50 has no evidence to sustain and suggested peer review. Dr. Citrano, Jr. seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Walker moved to close case #2015-42 by sending a Letter of Concern to the Respondent. Dr. Gamble seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Chesser moved to close case #2015-24 until the Respondent attempts to reinstate dental license in Alabama. Dr. Jackson seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote. A letter of explanation will be sent to the complainant.

Dr. Chesser moved to notice the Respondent of case #2015-47 for a hearing. Dr. Gamble seconded the motion and the President called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, nay. The motion carried with the case team leader and hygiene member abstaining from the vote.

Dr. Jackson moved to notice the Respondent of case #2015-23 for a hearing. Dr. Chesser seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Gamble moved that case #2015-53 is outside of jurisdiction. Dr. Chesser seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Gamble moved to notice the Respondent of case #2006-188 (who has applied for reinstatement of license) for a hearing. Dr. Jackson seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Willis texted Ms. Wilhelm from the CRDTS clinical exam at UAB School of Dentistry and said to proceed with counting votes without him because he cannot be present until after 2:00.

Ms. Wilhelm gave a Wellness Committee report provided by Dr. Mike Garver.

Ms. Wilhelm has prepared packets for all candidates with a brief memo regarding Rule 270-X-5.12 “*A candidate for the Board of Dental Examiners of Alabama must maintain a complete and accurate record of all campaign contributions accepted and said record must be submitted to the Secretary/Treasurer of the Board, at the Board’s office, by the first day of November in his/her election year and made available to any licensee upon written request.*” The packet also contains two affidavits for the candidates’ convenience: 1. If no contributions were received 2. If contributions were received.

Dr. Beckham asked what is meant by “accepting” a contribution. Does having received checks and kept them for a period of time but returned them mean that they were accepted? Ms. Wilhelm will research the answer to this question and provide clarification at the November meeting.

The Board has been selected for a National Practitioner Data Bank audit. It must be provided in the next 2 weeks.

The Board has received an invoice from the American Association of Dental Boards for Board membership. Dr. Gamble and the new hygiene Board member will be signed up for individual memberships as voting members in addition to the Board’s membership.

Ms. Wilhelm has reposted the ad for Investigator position. She expects to interview additional candidates for the Board’s review at the November meeting.

Audio visual work has been completed and seems to be working fine. Members asked if the Board can teleconference. The Board doesn’t have statutory authority to meet telephonically.

Ms. Yolanda Rabb will come on board as Administrative Assistant next week.

A letter was sent to Ms. Wilkinson that the Board has reviewed her request regarding payment of funds owed to her. Ms. Wilhelm is researching for more information and will get back to Ms. Wilkinson with that information. Dr. Chesser suggested sending a letter to the Board of Adjustment to see if Ms. Wilkinson can be paid at this time.

At 11:55 a.m. The President announced a break to prepare for a hearing; the meeting resumed at 12:09 p.m. The President turned the meeting over to Ms. Kelli Robinson, Administrative Law Judge, for a hearing in the matter of Dr. John Bishop, license # D-3481. At 12:20 the hearing was concluded and the meeting was turned over to the President.

Dr. Gamble moved to find Dr. John Bishop guilty of Count One in the Notice dated August 27, 2015, *“Failing to comply with Board Rule 270-X-5.09 of the Board of Dental Examiners of Alabama in that you practiced dentistry without a license for a period of time after December 31, 2014 and failed to timely pay the non-disciplinary administrative penalty as required by said Board Rule.”* Dr. Stricklin seconded the motion and called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea. The motion carried with Dr. Citrano and the hygiene member abstaining from the vote.

Dr. Gamble moved to assess Dr. Bishop a disciplinary fine of \$2,500.00 and administrative costs of \$1,500.00. Dr. Gamble amended the motion to assess a disciplinary fine of \$1,500.00 and administrative costs of \$1,500.00. Dr. Stricklin seconded the motion and called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea. The motion carried with Dr. Citrano and the hygiene member abstaining from the vote.

Dr. Walker moved to suspend Dr. Bishop’s dental license with immediate reversion to probation for 2 years upon payment of the administrative costs and disciplinary fines (\$3,000.00). Dr. Chesser seconded the motion and the President called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea. The motion carried with Dr. Citrano and the hygiene member abstaining from the vote.

At 12:45 p.m. Dr. Chesser moved to enter into Executive session for the discussion of the general reputation, character, and/or professional competence of licensees and to return to public session at 1:00 p.m. Dr. Gamble seconded the motion and the President called for the vote: Dr. Gamble, yea, Dr. Jackson, yea, Dr. Citrano, Jr., yea, Dr. Stricklin, yea, Dr. Chesser, yea, Dr. Walker, yea, and Ms. Alexander, yea. The motion carried.

At 12:57 the Board retired from Executive Session.

Ms. Wilhelm distributed the “wire frame” for new website being designed by Rocket City Media

At 1:08 p.m. President announced a break. At 1:17 p.m. the voting report for Board member election was run from the Board’s database and counted. These were the results of 1,382 votes cast:

For Dental Member – 1,382 votes cast; signed by Dr. Chesser and certified this day.

Dr. Douglas Beckham: 766 votes Winner

Dr. Thomas T. Willis: 616 votes

For Hygiene Member – 1,481 votes cast; signed by Dr. Chesser and certified this day.

Ms. Sherry Campbell, RDH: 786 votes Winner

Ms. Amy Enfinger: 566 votes

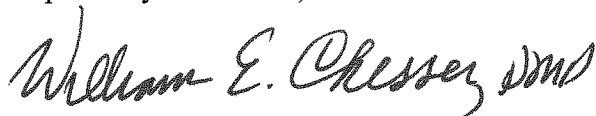
Ms. Teshia Luker: 129 votes

The President swore in Dr. Douglas Beckham and Ms. Sherry Campbell as Board members.

Dr. Chesser thanked Dr. Stricklin and Ms. Alexander for their service on the Board.

At 1:50 p.m. Dr. Citrano, Jr. moved to adjourn the meeting. Dr. Walker seconded the motion and it was approved by general consent.

Respectfully Submitted,

A handwritten signature in black ink that reads "William E. Chesser, DMD". The signature is written in a cursive style.

Dr. William E. Chesser, Secretary/Treasurer

Approved: 11-12-2015

Submitted by: Linda Dlugosz