

Dr. Stephen R. Stricklin

President, 2014-2015

I have finished my five-year term on the BDEA. Many changes have occurred during my tenure. The BDEA is one of many regulatory boards in Alabama. It exists to protect the public by overseeing the practice of dentistry. We write and amend the Alabama Dental Practice Act to reflect dental practice in the 21st century. Some of the changes the board has embraced in the last five years are:

With few exceptions, all complaints must be in writing and notarized. A complaint is anonymously assigned to a board member case manager, who reviews the complaint and the dentist's reply. This is presented to the entire board and a recommendation is made by the case manager. The recommendation might be "no evidence to sustain", "a letter of concern", or a "notice for a hearing". The board developed "protocols" for handling disciplinary actions, so everyone is treated equally. (All boards are themselves examined by the Examiners of Alabama and must function under their rules).

The clinical testing of graduating dentists and hygienists is now conducted by third party testing agencies. Some of the testing agencies include: CITA (Council of Interstate Testing), SRTA (Southern Regional Testing Agency) and CRDTS (Central Regional Dental Testing Service). The University of Alabama School Of Dentistry produces a well-trained dentist. We should all be proud of our school and instructors.

In cooperation with the Alabama Dental Association, legislation was passed to allow the creation of an expanded function dental assistant. This is a proactive response to the "mid-level provider".

The board successfully defended the law that whitening teeth is the "practice of dentistry".

Our "wellness committee" helps licensees with substance abuse problems enter treatment programs and return to the practice of dentistry or dental hygiene.

A new board member is elected every year. Only four states elect their dental board. We are indeed fortunate. Board meetings are open and anyone may attend. The meeting dates are published on the State and our website at www.dentalboard.org. You may also call the board office Monday through Friday. (205) 985-7267.

This year dentists and hygienists were able to renew their license ON LINE. You should know that you have a dedicated staff working for you at the board office. They are there to help you and answer any question you might have.

It has been my honor to serve as an elected member of the Board of Dental Examiners. I have done my best to serve with integrity.

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New Rules for Non-Disciplinary Administrative Penalties

Dr. William Eugene Chesser, Vice President

A new rule has been put into effect for licensees concerning non-disciplinary administrative penalties—**Rule 270-x-5.09**—in the Dental Practice Act.

The former rule allowed thirty (30) days after December 31 for licensees to renew their licenses without incurring disciplinary action. The BDEA felt this was an adequate timeline.

License renewals are due OCTOBER 1. Since notices are sent by September 1st and are delinquent after DECEMBER 31.

The Board received quite a lot of negative feedback about the Rule in its early version. After many meetings and consultations with Senator Paul Bussman, as well as ALDA Executive Director, Dr. Zack Studstill, and the ALDA Executive Committee led by Dr. Leigh Kent, ALDA President, we have instituted a new rule, to-wit:

Failing to timely renew any license or permit required pursuant to the Alabama Dental Practice Act and performing activities which require the applicable license or permit up to one hundred-eighty (180) days during the time the same was expired will impose a non-disciplinary administrative penalty.

Essentially, the time-line is as follows:

September 1: the annual online renewals open and are due October 1 of each year.

In November, a second and final notice is emailed to those who have not renewed.

December 31 of each year is the last day to renew without being required to reinstate.

A dentist or hygienist cannot practice in the State of Alabama on or after **January 1** without a current Certificate in hand.

Any person renewing on or after **January 1** must apply to reinstate his or her license, pay a reinstatement fee of **\$250**, if a dentist, or **\$100**, if a hygienist, in addition to the annual renewal fee.

The licensees must also execute an **affidavit** stating that they did not practice after January 1 without a current certificate. Any person who fails to provide the required affidavit is subject to either an administrative penalty or a disciplinary action, depending on individual circumstances.

If a licensee has received the administrative penalty once before in the past five (5) years, he or she is no longer eligible for the administrative penalty, and is subject to disciplinary action.

Second notices are sent in November to all licensees who have not yet renewed.

Return receipt letters are mailed during the second week of January to all licensees and permittees who did not renew before December 31, notifying them that their licenses have expired. Instructions are included, as well as forms which must be filled out for reinstatement.

I believe online renewal will provide a great benefit to all seeking to renew their licenses and permits in a timely manner. When you renew online by October 1, please remember to vote for the BDEA candidate of your choice.



The Prescription Drug Monitoring Program

Dr. Gerald Walker

The Prescription Drug Monitoring Program (PDMP) is a program that was developed to promote the public health and welfare by detecting diversion, abuse, and misuse of prescription medications classified as controlled substances under the Alabama Uniform Controlled Substances Act. It is available to all doctors licensed in the state to serve as an aid in checking the security of their DEA registration and scrutinize the prescriptions received by patients we treat. This is a valuable tool in curtailing the abuse of substances by patients and staff.

Enrolling in the program does take some time and effort, but it is a great way to help lessen the abuse of controlled substances. For those of you who are not aware of the access link it is <http://www.adph.org/PDMP/>.

There will be instructions on how to sign up for the PDMP at the above site. If you have not done so already, please sign up for it and use it. If you already have access to the PDMP site, be aware they have changed the site and you may be required to change your user name and password. Once you have a user name and password and are ready to use the site, I have found the following tips that can help you navigate the site more easily:

- 1) When entering a name type in the first three letters of their first and last name.
- 2) Click the next line and choose "Begins with..."
- 3) Enter date of birth
- 4) Enter Exact Match or within a time of 6 month to 2 years
- 5) Enter the Gender or All
- 6) Enter Statewide
- 7) Dispense start date will already be entered
- 8) Dispense end date will be a year from the already entered Dispense start date.
- 9) On the Preset Timeframe Ranges line change Custom Time Frame to Past Year
- 10) Click Next and then Submit

The new PDMP website is not user friendly and can be difficult to navigate but using the above tips it can make it easier.

Using the PDMP system can be a great adjunct to detecting the substance abusers we all see in our office. It is also a great policing agent to discover if any staff member is using your DEA number to write prescriptions for themselves, friends or family. Just go to Prescriber DEA Query under the Query tab.

This scrutiny can help you avoid any investigation by the Board from others that may be abusing your DEA registration.

Stay alert, check the patients' drug history and your prescription history and you will avoid any inquiries by the Board that is mandated by our Dental Practice Act.

DID YOU KNOW?

Pharmacists Continue to Report Dentists: part one

By Dr. Donna Dixon



In the last Newsletter I wrote an article regarding pharmacists and insurance companies reporting dentists for writing prescriptions outside the scope of practice. Well...pharmacists are continuing to report dentists to the Board.

Lately, reports have been coming in regarding dentists allowing unauthorized persons (auxiliaries and/or office staff) to sign prescriptions, with the doctor's name, for their patients. Whether such signatures are completed under the direction of the dentist or not, this is an unlawful practice.

Upon completion of an investigation of such an allegation, the dentist may be noticed for violating Code of Alabama (1975), §24-9-18(a)(7), and following a hearing may be fined between \$500.00 and \$5000.00 if guilt is proven. If a dental hygienist is alleged to have signed a dentist's name to a prescription, he/she may be noticed for practicing dentistry without a license, and following a hearing may be subject to any and all penalties available by law if guilt is proven.

Pharmacists Continue to Report Dentists: part two

Reports have also been coming in from pharmacists regarding issuance of prescriptions from dentists without the **2 signature lines printed on them as required by Alabama law**. One signature line should be labeled "dispense as written" and the other signature line should be labeled "substitution permitted".

Without these required lines, the pharmacist may refuse to fill the prescription and/or report the practitioner to the Board, often necessitating an investigation and possible disciplinary proceedings.

Some dental software programs print blank prescriptions with only one line. These programs may easily be changed to be in compliance with our state law after consultation with your software representative.



Executive Director's Corner



Susan Franklin Wilhelm, Esq.



As we finish the annual license renewal cycle here at the Dental Board office, I want to remind everyone that **All dental licenses for the State of Alabama expire at midnight on New Year's Eve.** If you do not have, in hand, your 2016 Cer-

tificate, you cannot legally practice dentistry or dental hygiene on or after January 1st.

Between October 1st and December 31st, the Board staff works diligently to process and issue all renewals. The renewing of a license and permits requires meticulous, time-consuming work by the Board

staff. So, if you have not already completed your online renewal, do so as soon as possible to assure your ability to practice in the new year.

Please note that the Board staff must first comply with all state policies and procedures before issuing a certificate, so do not wait until the end of the year to renew.

Concurrent with this newsletter, we are bidding farewell to two Board Members. The Board staff all wish our immediate past President, Dr. Stephen Stricklin, and Ms. Sandra Kay Alexander, RDH the best and thank them for their support and service during their tenures on the Board. They will both be missed.

If you have any questions or need information related to your license, the Alabama Dental Practice Act, or the Board Rules, please contact us at the Board Office. We are here to help.

Saying Farewell

Ms. Sandra Kay Alexander, RDH

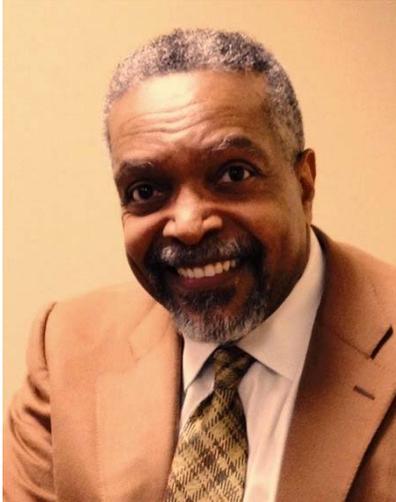
As I vacate my office after serving on the Board for five years, it will be with many memories of all the laughs, tears and frustrations that I have endured while serving with my peers. I have worked hard and traveled many miles to gain knowledge on how to better protect the public, to make legislative changes to the Alabama Practice Act, to make dentistry a better profession, and to be fair to the dentist and hygienist in my role in the regulatory arena.

I will return to my practice of dental hygiene and wonder how I had time to spend all the hours that were required to be a board member. I feel that I am better for having done this and that I have a deeper understanding and appreciation of my profession.

I know how other boards deal with their licensees and realize that the Alabama Board does not stand alone in what we have accomplished. The efforts of many board members such as ourselves in all the states have made dentistry a profession to be proud of. I want to thank those that made this opportunity a reality for me. I have loved serving in this capacity and it is with a heavy heart that I will give my seat to Ms. Sherry Campbell, RDH.

Know the Dental Practice Act

Dr. Adolphus Jackson



Let me first say that it is my sincere and humble honor to have the privilege to serve on the Board of Dental Examiners of Alabama. Being a servant to the people and dental profession of the

state is one of the greatest rewards one could achieve in our profession. It is my heartfelt duty to perform at the highest level possible to ensure quality dental care to the people of Alabama as well as maintain fairness and due diligence to all dentists and dental hygienists (and other auxiliary staff) that may present before the board.

Substance abuse is not uncommon in this day and age. Dentists and dental hygienists regularly gamble with addiction – and may be more likely to succumb than their patients. Research shows that about 10 to 12 percent of the general population becomes addicted to alcohol or drugs at some point in their lives. For dentist and physicians, the prevalence is probably 12 to 19 percent. Dentists' drugs of choice are typically alcohol, opiates (mostly hydrocodone and oxycodone), and nitrous oxide. According to John W. Drum, DMD, chair of the District of Columbia Dental Society's Well Being Program and former chair of the American Dental Association's Dentist Well-Being Commit-

tee (formerly known as Dentist Health and Wellness), "alcohol is the drug of choice for 37 percent of dentists with substance abuse problems, while prescription drugs are used by 31 percent, nitrous oxide by 5 percent and street drugs (including cocaine) by 10 percent."

The ADA Principles of Ethics and Code of Professional Conduct state that it is unethical for a dentist to practice while abusing controlled substances, alcohol or other chemical agents that impair the ability to practice and also state that all dentists have an ethical obligation to urge chemically-impaired colleagues to seek treatment.

The Alabama Wellness Program was designed as an interventional tool to protect the public and give care to impaired Dental Health professionals who are licensed in Alabama. At present there are 114 licensed individuals being monitored for some period of time after they have completed treatment. Each one of these individuals is given the name of a Wellness committee member (who is usually in recovery) on whom they can call for assistance in matters dealing with maintaining their sobriety: re-integration into practice.

The Wellness Program has a Deferral Program as part of its service to Dentists and Hygienists. Those individuals who self-report their problem to the committee are rewarded for taking this difficult step by signing non-public agreements, not being reported to the NPDB or third parties

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(insurance companies), and receiving no public disciplinary action by the Board. Since its inception a little over 8 years ago, we have seen this part of our program's success grow as dentists and dental hygienists realize the benefit of coming forward with their problems rather than awaiting the proverbial axe to fall. There are presently 23 people who are active in the deferral program.

The recovery rate for dentists and hygienists who receive the appropriate treatment has been quoted very high, as much as 90 percent for health professionals. There is only a four percent relapse rate of these individuals in Alabama. Dentists become highly motivated once they realize that their license, their livelihood – their whole identity – depends on getting well.

If you or someone you know in the dental profession has a problem, please encourage them to contact Dr. Garver. Dr. Garver and his committee are here to help.

A Potpourri of Good to Know Stuff

Dr. Stephen R. Stricklin

YES! Assistants are allowed to make final impressions as long as the dentist inspects the impressions. I don't let mine. I'm old school, I make all final impressions.

Locum Tenens (temporary provider). Many of our dental districts have castrophy committees to "fill in" when a dentist is injured or sick. BCBSAL's policy is to accept claims filed by the temporary using the owner's provider number for two weeks. If you need more than two weeks, contact your BCBSAL District representative.

State X-ray inspection You need to have posted Form x-notice to employees and Form 100-Notice to where documents may be found. You should have a yearly Radiation Protection Program and document the discussion. Have your employees sign.

Records keeping Almost every agency (state and insurance) suggest keeping dental records for 7-10 years.

Corporate owned dental offices- Alabama law states that only a dentist may own a dental office. Corporate entities are coming into Alabama. i.e. Aspen, Hartland, SaveOn. Google for NY Attorney's opinion on Aspen Dental offices in New York.

Whitening teeth The BDEA successfully defended the statue (law) that whitening teeth is the practice of dentistry. We expect another challenge to this ruling.

On-line renewal of license HALLELUJAH! You should have received your sign on and password.

Licensed employees (hygienist or dentist) - I suggest you require them to bring a copy of their renewed license (due by December 31) to you before they treat in the New Year. Of course, you may not practice without a current license either!

BCBSAL has a tutorial on the Patient Eligibility and Benefits that providers may access on the provider website. They just revised it to include dental information. Sign on to BCBSAL Providers.

Keep the Board informed of any change in your dental practice, i.e. Location, hygiene staff. The board needs a current e mail address.

EDDA- ALDA (and the Board supported) and the legislature passed a bill to allow creation of an expanded duty dental assistant. A joint committee is developing concepts of how this will develop.

Beginning in 2016, if you enroll a student in the Alabama Dental Hygiene Program, you will be required to attend an instructor's course.

The Board has a Wellness Committee headed by Dr. Mike Garver. If you are struggling with drugs or alcohol, you can self-report and get help in seeking treatment with no public action against your license.

You may contact the board at www.dentalboard.org or call 205-985-7267.

ALABAMA DENTAL PROFESSIONALS WELLNESS COMMITTEE

Dr. Mike Garver

Through the Alabama Dental Professionals Wellness Committee the Board of Dental Examiners of Alabama helps dozens of dentists and dental hygienists each year. We are proud of the Board's continuing support of its program and its oversight.

An important "subset" of the Board's Wellness Committee is the Deferral Program. Through this program, if a dental health professional identifies himself/herself as needing our help, and are willing to enter this program, they are not publicly reported in any way! Of note, no reporting is made to third party carriers (insurance companies), the National Practitioner Data Bank, or any other institutions/entities. If the self-reporting dental professional successfully completes the program, his/her public record does not reflect any completed treatment or any notations that

might adversely affect the individual's practice. As you might imagine, there are huge favorable implications involved here, and this program has become very popular in recent years. The Board has extended every courtesy toward these individuals, and its reward is watching the steady progression of the licensee from impairment to recovery.

As always, I urge each of you to self-report your problems. The consequences are far less severe when you reach out for help! If I can help in any way, you may call the Dental Hotline (800) 818-3880 or you may always reach me at my office (251)866-5585.

Remember, peers helping peers: That is the way it has always worked.

IF YOU HAVE NOT YET RENEWED YOUR LICENSE

Dental and Hygiene licenses expire 12/31/2015.

Renewals must be done online.

It takes staff 4-6 weeks to process your online renewal.

You cannot legally work after December 31st without your renewal in hand.

If you need assistance to renew your license please call the office.



Dental Hygiene Report

Ms. Kay Alexander

Greetings Alabama Dental Hygienists,

As we begin our new year, it is always important to review any new Rules that the Board of Dental Examiners might have passed recently. Be sure to read the up-

dated Section of the Practice Act which addresses Duties of Allied Personnel. This can be found in the Practice Act in Rule 270-X-3.10.

Be sure that you are up-to-date with your Continuing Education; it is part of your annual renewal process. Remember that at least twelve (12) of the twenty-four (24) hours during the two-year reporting period must be class room attendance. CPR has to be class room attendance as well. Rules for the Mandatory Continuing Education can be found in the Practice Act found online in Rule 270-X-4.04. Documentation and good record keeping are essential if you are selected for audit.

Concerning the Expanded Duty Auxiliary, the Board and involved parties are still in the planning stages of who, what, how and where. Hopefully we will have more to announce soon.

The 2014-2015 ADHP class took the CITA Regional Clinical Hygiene Exam again this year and did well. Of the 122 candidates, there were only 14 failures. Three of the failures were due to poor patient selection as the patients did not have the required calculus and these candidates were not permitted to go forward with the exam. The retake exam on August 22, 2015 had 16 candidates registered. There was one "no show" candidate and one that was terminated because the patient did not have the required calculus. Everyone else was successful on this second attempt.

The 2015-2016 class is a large class of over 180 students. Students are required to have a new typodont and the correct instrument packet. They have numerous assignments on identifying and measuring certain areas on the typodont, therefore they have to be standardized. The instrument packet has the required instruments for their state board exam.

The Board has appointed a committee to oversee and make recommendations to address issues with the ADHP. This committee will also be overseeing the Dentist Instructor Certification Classes which will begin soon. Beginning in January 2016, Dentist Instructors will have required class room attendance in order to get their certification. Instructor Certifications will be good for three years.