



**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
Stadium Parkway Office Center-Suite 112  
5346 Stadium Trace Parkway  
Hoover, Al 35244-4583  
PHONE 205-985-7267  
Fax 205-985-0674

**MINUTES**  
Board Meeting  
February 9-10, 2017

The Board of Dental Examiners of Alabama met Thursday February 9, 2017 at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 6:00 p.m. with the following members in attendance: Dr. William E. Chesser, President, Dr. Adolphus M. Jackson, Vice President, Dr. Thomas Gerald Walker, Secretary/Treasurer, Dr. Douglas Beckham, Dr. Stephen R. Stricklin, Dr. Mark Ray McIlwain, and Ms. Sherry Skinner Campbell, RDH. Also in attendance were Mr. Matt Hart, Esq., Executive Director, Dr. Donna Dixon, Esq., Prosecuting Attorney, Mr. Blake Strickland, Investigator, Mr. Kevin Lane, Paralegal, 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](http://www.dentalboard.org), and on the Secretary of State's website, [www.sos.alabama.gov](http://www.sos.alabama.gov), in compliance with the Alabama Open Meetings Act.

The President asked for review of the minutes from the January 5-6, 2017 meeting. Dr. McIlwain moved to approve the minutes as presented. Dr. Stricklin seconded the motion and it was approved by general consent.

Dr. Walker presented the Financial Report. Dr. McIlwain moved to approve the report as presented. Ms. Campbell seconded the motion and it was approved by general consent.

The President welcomed guests Dr. Leigh Kent, Dr. Charles King and Mr. Steve Windom, and invited comments. Dr. King talked about a staffing company that is supplying clinics with temporary dentists. He asked, "When does a temporary staffer become a permanent employee?" When a temporary dentist fills in for a permanent dentist the permanent dentist might file claims for insurance for work performed by the temporary dentist. Dr. King asked for how long this type of arrangement was permissible and the Board informed him that this was a contractual issue between the provider dentist and the insurance company.

Mr. Steve Windom presented the Legislative Report. The State Legislative session started today. He informed members of the status of current legislature. At the conclusion of his report Mr. Windom left the meeting.

Minutes February 9-10, 2017  
Board of Dental Examiners of Alabama

Dr. Beckham mentioned that the July Meeting date is set for July 6-7. There was discussion to keep that date and to make all aware that this is the week following the 4<sup>th</sup> of July which falls on a Tuesday.

Ms. Campbell obtained up-to-date information on *State Requirements for Dental Assistants to Perform Selected Restorative Functions* from DANB. She distributed a copy to each member.

Members discussed the ongoing draft survey for dentists to select duties for the EDDA and Hygienists. Dr. Zack Studstill had related that ALDA will not be participating in the Board's survey and ALDA may provide their own survey for dentists. Members gave their final edits to Mr. Hart; he will email the finished copy to members. The final survey will be emailed to all active dentists in a week or two. Members asked that an email be sent in advance of the actual survey announcing that it would be coming and to give dentists a time limit of 2 weeks to respond before calculating the results.

Ms. Campbell requested that ADHP students who lose their instructor be given more time than 30 days to find a new sponsor. After discussion, Ms. Campbell moved to increase the time for finding a new instructor to 60 days. Dr. Walker seconded the motion and it was approved by general consent. Mr. Hart asked members if a dentist who had paid the student's tuition and then fired her should be refunded his money. Members agreed that payment of tuition is strictly between the student and the dentist instructor; there is nothing in Rule to imply who pays for tuition nor would either be given a refund.

Dr. Koslin sent his concern that a number of dentists are using intra articular injections (injections into an inflammatory joint). Research shows that this could be dangerous. There was discussion about editing the Board's statement on use of *Cosmetic Injectables and Topicals* to include that Botox can only be used for FDA approved indications. Further discussions will be tabled until the March meeting when Dr. King will provide copies of articles on FDA approval of Botox and off-label drug use.

Dr. Jackson moved to approve the letter with corrections discussed at the Legislative meeting to obtain the Attorney General's Opinion on rule making authority of the Board. Dr. Beckham seconded the motion and it was approved by general consent.

Dr. Stricklin moved to appoint Dr. Walker as Representative to the National Dental Examiners' Advisor Forum. Dr. Jackson seconded the motion and it was approved by general consent.

Ms. Toni Bean joined the meeting; members interviewed her for the Bookkeeper position.

Members discussed United Healthcare Clinical Guidelines and agreed that it is within an insurance company's right to decide what is covered and what is not but they pushed the limit. It appears they are substituting their judgment for the doctor's judgment. They get around the legalities by stating that "Information provided does not support the procedure."

Dr. Stricklin moved to approve out-of-state travel for Dr. Beckham who had attended the CRDTS Steering Committee Meeting in St. Louis in January. Dr. McIlwain seconded the motion and it was approved by general consent.

Ms. Campbell moved to approve travel for all members and Mr. Hart to attend the AADB Mid-Year Meeting April 23-24 in Chicago. Members will pay their own expenses and then be reimbursed by the Board. Dr. Jackson seconded the motion and it was approved by general consent.

At 7:15 pm the President called a break; the meeting resumed at 7:29 pm.

Dr. Stricklin moved to approve Dental Licensure by Credentials for the following. Dr. Jackson seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

- Jordan Brunson, DDS
- Ghali Ghali, DDS
- Anthony Togrye, DDS
- Joseph Yoo, DDS

Dr. McIlwain moved to approve Dental Licensure by Regional Exam for the following. Dr. Walker seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

- Nicholas Kentros, DMD
- Jesse Rosario, DMD

Dr. Walker moved to approve Dental Hygiene Licensure by Credentials for the following. Dr. Beckham seconded the motion and it was approved by general consent.

- Dana Jennings, RDH
- Patricia Ann Kidwell, RDH
- Allison Wells, RDH

Dr. Stricklin moved to approve Dental Hygiene Special Purpose Licensure for 3 Years for the following. Ms. Campbell seconded the motion and it was approved by general consent.

- Jessica Dudley, RDH
- Michelle Wayt, RDH

Mr. Blake Strickland presented the Site Inspections Report.

He plans to inspect the 29 clinics where UAB SOD students/residents rotate plus the Foundry in September and October of this year. He will recruit members to assist in the inspections. Dr. King, guest, complimented Mr. Strickland's investigator skills.

Dr. McIlwain moved to notice the Respondent of Case #2016-39 for a hearing. Dr. Walker seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Jackson and Dr. Chesser reported on their attendance at the CITA Annual Meeting.

At 8:09 p.m. the President recessed the meeting until Friday at 8:30 a.m.

**MINUTES**  
Board Meeting  
Friday, February 10, 2017

The meeting of the Board of Dental Examiners of Alabama reconvened Friday, February 10, 2017 at the Board Office in Hoover, Alabama.

The President called the meeting to order at 8:34 a.m. with the following members in attendance: Dr. William E. Chesser, President, Dr. Adolphus M. Jackson, Vice President, Dr. Thomas Gerald Walker, Secretary/Treasurer, Dr. Douglas Beckham, Dr. Stephen R. Stricklin, Dr. Mark Ray McIlwain, and Ms. Sherry Skinner Campbell, RDH. Also in attendance were Mr. Matt Hart, Esq., Executive Director, Mr. Blake Strickland, Investigator, Mr. Kevin Lane, Paralegal, 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](http://www.dentalboard.org), and on the Secretary of State's website, [www.sos.alabama.gov](http://www.sos.alabama.gov), in compliance with the Alabama Open Meetings Act.

Dr. Mike Garver presented the Wellness Report.

He gave a summary of the licensees who are active in the Wellness Program and those who have dropped out or are not in compliance. At the conclusion of his report Dr. Garver left the meeting.

Ms. Hilda Johnson was called to the meeting to present the ADHP report.

There was discussion about what a dentist/instructor must do for success when taking on a student hygienists. Currently there are 170 students active in the program. There are about 24 whose grades are borderline and may not be able to graduate. Ms. Johnson thinks there will be around 150 who will graduate.

Members discussed the speakers and subject matter needed for the next Instructor Certification class which will be held Friday, April 7 at the Sheraton Four Seasons in Huntsville during the 8<sup>th</sup> District Dental Meeting.

There was discussion about limiting the number of students admitted to the program to 150 because of attrition instead of 125 suggested by Dr. Litz. At the conclusion of the report Ms. Johnson left the meeting.

Mr. Hart presented the Executive Director Report.

Painting of the interior of the office has been completed. The door trim and kick board in the front offices is a different color than the rest of the office. Members discussed changing the color of the trim and replacing the kickboard to match. The cost would be an additional \$1,464.52 of which the landlord would pay \$500.00. Members agreed that Mr. Hart would get a consensus from staff whether or not to go forward with the changes. When members brought up changing office location Mr. Hart reminded them that the Board is bound at the current location by a lease through 2019.

An out-of-state dentist requested waiver of the reinstatement fee for his dental license after neglecting to renew on time because his emails were not working. Members agreed that Rule does not allow for exceptions and so the Board cannot make an exception for one late renewal.

The number of complaints received so far this year is 20 which is higher than last year. Last year's total for the year was 97 and this number included administrative actions.

Ms. Lankford, Financial Administrator, has obtained a bid for a minimum order of 150 lapel pins at a cost of \$2.50 – \$3.50 per pin. After discussion, members agreed to order 150 pins with Board Seal.

Dr. McIlwain moved to approve travel for Ms. Hilda Johnson and Ms. Sonya Lankford to Huntsville in April and to Perdido Beach in June to assist at the Instructor Certification Courses. Dr. Stricklin seconded the motion and it was approved by general consent.

Mr. Hart reported on a number of licensees who have outstanding fines. He and the legal team will be increasing efforts to collect these fines.

At 9:25 a.m. Dr. Dixon joined the meeting.

The Board's Sunset Bill – continuing existence for 2 more years – has been approved by the House committee and should go to vote before the entire House next week. It will then proceed to the Senate for review and vote.

Mr. Hart provided the final Resolution to request Attorney General Opinion on Rule Making Authority for Dr. Walker to sign.

As Mr. Steve Windom had suggested, the Board will hold off introducing changes in legislation this year, tabling the couple of items discussed at prior meetings until next year.

The EDDA survey will be sent out using *Survey Monkey*.

Mr. Hart and Dr. Dixon presented the Attorney Report.

The President recognized Dr. Jason Northcutt who addressed the Board about out-of-state dentists who volunteer to practice at *Charity of the Heart* where services are offered free. He asked the Board to waive the \$100.00 fee for Special Purpose Licensure for 10X in One Year for these licensees. The Board will let him know if the fee can be waived. After discussion, members agreed that many other licensees have been charged this fee for crossing the State line in order to do pro bono dentistry and an exception could not be made for one particular charity.

At 9:45 the President announced a break to allow the photographer to take group and individual pictures.

At 10:38 a.m. the meeting resumed. Members reviewed a draft survey for the EDDA questions and offered suggestions for changes.

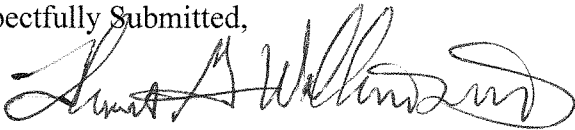
Members interviewed the following for the Bookkeeper position:

Ms. Yolanda Rabb, Ms. Shuntel Talton, Ms. Amanda Edwards, Ms. Tyee Eason, and Ms. Cassandra Harlequin.

After deliberation, Dr. Jackson moved to offer the Bookkeeper position to Ms. Cassandra Harlequin at a salary of \$37,500-\$40,000. If she does not accept, the position will then be offered to Ms. Tyee Eason at the same salary range. Employment would start immediately or as soon as the candidate was able to start. Dr. McIlwain seconded the motion and it was approved by general consent.

At 12:48 p.m. Dr. Stricklin moved to adjourn the meeting. Dr. Jackson seconded the motion and it was approved by general consent.

Respectfully Submitted,



Dr. Thomas Gerald Walker, Secretary/Treasurer

Approved: March 2, 2017

Submitted by: Linda Dlugosz

**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**  
December 2016

Dec, 2016 for Feb., 2017 Bd Mtg  
Bk bal as of 12/31/2016  
Ck \$ 1,802,912.71  
MM \$ 301,626.28

	<u>Dec 16</u>	<u>Budget</u>	<u>Oct - Dec 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
501 · Annual Dental Registration	37,600.00	171,000.00	480,600.00	513,000.00	513,000.00
502 · Annual Hygiene Registration	33,930.00	92,458.34	261,560.00	277,375.00	277,375.00
503 · Controlled Substance Fee	16,245.00	87,125.00	229,940.00	261,375.00	261,375.00
504 · Annual Teaching Permits	300.00	1,833.34	4,500.00	5,500.00	5,500.00
505 · ADHP Certification	300.00	0.00	375.00	0.00	12,000.00
507 · Drug Log Books	0.00	45.83	70.00	137.53	550.00
508 · ADHP	0.00	0.00	0.00	0.00	85,000.00
509 · Dental Exam Fee	-100.00	666.66	1,100.00	2,000.06	8,000.00
510 · Original License Fee	-25.00	333.33	275.00	1,000.03	4,000.00
511 · Licenses Reprint Fee	100.00	166.66	375.00	500.06	2,000.00
512 · Dental Hygiene Exam Fee	0.00	1,250.00	1,400.00	3,750.00	15,000.00
513 · Directory Fee	0.00	325.00	50.00	975.00	3,900.00
515 · Penalty Fee	450.00	1,250.00	1,400.00	3,750.00	15,000.00
516 · Privilege License Money	0.00	0.00	0.00	0.00	20,000.00
517 · Interest Inc - checking	5.13	16.66	19.01	50.06	200.00
518 · Parental Sedation Permit Fee	200.00	833.33	3,200.00	2,500.03	10,000.00
519 · Anesthesia Permit	600.00	2,500.00	26,800.00	7,500.00	30,000.00
521 · Other Income	0.00	41.66	0.00	125.06	500.00
525 · Dent Hyg Bd Appl	0.00	583.33	0.00	1,750.03	7,000.00
526 · ADHP Materials	0.00	0.00	0.00	0.00	45,000.00
527-1 · Administrative Costs	0.00	416.66	0.00	1,250.06	5,000.00
527-3 · Administrative Fines	0.00		250.00		
527 · Disciplinary Fines (Prior)	17,825.00		34,900.00		
528 · Initial Anesthesia Evaluation	0.00	1,333.33	4,500.00	4,000.03	16,000.00
529 · OCS Annual Reg. Fee	1,050.00	7,000.00	19,750.00	21,000.00	21,000.00
530 · Licensure By Credentials	5,000.00	3,333.33	21,000.00	10,000.03	40,000.00
531 · RETURNED CHECK CHARGES	30.00	83.33	90.00	250.03	1,000.00
533 · Dental Lic. Bd Exam Application	-200.00	1,250.00	2,200.00	3,750.00	15,000.00
540 · Special Purpose Dental Lic Fee	0.00	83.33	450.00	250.03	1,000.00
545 · Special Purpose Hygiene Lic Fee	195.00	66.66	390.00	200.06	800.00

**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**  
December 2016

Dec, 2016 for Feb., 2017 Bd Mtg  
Bk bal as of 12/31/2016  
Ck \$ 1,802,912.71  
MM \$ 301,626.28

	<u>Dec 16</u>	<u>Budget</u>	<u>Oct - Dec 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
617 - MDF Permits	1,500.00	333.33	2,750.00	1,000.03	4,000.00
<b>Total Income</b>	<u>115,005.13</u>	<u>374,329.11</u>	<u>1,097,944.01</u>	<u>1,122,988.13</u>	<u>1,419,200.00</u>
<b>Gross Profit</b>	115,005.13	374,329.11	1,097,944.01	1,122,988.13	1,419,200.00
<b>Expense</b>					
0100-0 - Personnel Costs	31,187.90	39,833.33	133,942.01	119,500.03	478,000.00
0114-0 - Board Member Compensation	9,500.00	8,333.33	24,350.00	25,000.03	100,000.00
0198-0 - Bonus	0.00	0.00	0.00	3,500.00	3,500.00
0201-0 - Payroll Expenses	2,867.72	4,166.66	14,030.64	12,500.06	50,000.00
0202-0 - Pension Plan	0.00	0.00	0.00	0.00	75,000.00
0203-0 - Medical Insurance	5,471.27	3,833.33	16,413.81	11,500.03	46,000.00
0204-0 - Workman Comp. Ins.	0.00		0.00		16,000.00
0205 - Unemployment Fees	0.00	41.66	0.00	125.06	500.00
0300-0 - Travel - In-State	2,361.41	2,250.00	4,585.70	6,750.00	27,000.00
0400-0 - Travel - Out-of-State	0.00	2,291.66	2,514.20	6,875.06	27,500.00
0500-0 - Repairs & Maintenance	437.04	225.00	655.56	675.00	2,700.00
0600-1 - Rentals & Leases/Offsite Meetin	0.00	83.33	0.00	250.03	1,000.00
0602-1 - Rent on Building	8,174.65	8,166.66	24,523.95	24,500.06	98,000.00
<b>0700-0 - Utilities &amp; Communications</b>					
0700-1 - Utilities - Telephone	1,601.77	708.33	4,061.74	2,125.03	8,500.00
0700-2 - Utilities - Cell Phone	0.00	41.66	0.00	125.06	500.00
0700-3 - Utilities - Power	875.59	708.33	2,372.67	2,125.03	8,500.00
<b>Total 0700-0 - Utilities &amp; Communications</b>	<u>2,477.36</u>	<u>1,458.32</u>	<u>6,434.41</u>	<u>4,375.12</u>	<u>17,500.00</u>
0800-0 - Professional Services	13,150.00	13,583.33	46,355.08	40,750.03	163,000.00
0800-1 - Membership Dues & Subscriptions	810.00	416.66	4,253.00	1,250.06	5,000.00
0801-0 - Board Attorney Fees	0.00	4,166.66	0.00	12,500.06	50,000.00
0840-0 - CONSULTANTS	5,000.00	5,000.00	15,000.00	15,000.00	60,000.00
0899-1 - Evaluator Fees	4,075.00	333.33	4,675.00	1,000.03	4,000.00
0899-2 - Hearing Officer Fees	0.00	666.66	0.00	2,000.06	8,000.00
0899-6 - A.D.H.P. Materials & Supplies	0.00	125.00	0.00	375.00	1,500.00
0900-0 - Office Expense	571.86	833.33	2,888.43	2,500.03	10,000.00
0900-1 - Recycle / Paper Disposal	100.00	83.33	150.00	250.03	1,000.00
0902-0 - NPDB HIPDB License Background	30.00	41.66	59.00	125.06	500.00



**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**  
December 2016

Dec, 2016 for Feb., 2017 Bd Mtg  
Bk bal as of 12/31/2016  
Ck \$ 1,802,912.71  
MM \$ 301,626.28

	<u>Dec 16</u>	<u>Budget</u>	<u>Oct - Dec 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
0906-0 · Printing & Supplies	0.00	83.33	0.00	250.03	1,000.00
0910-0 · Postage	2,000.00	833.33	4,000.00	2,500.03	10,000.00
0924-0 · Insurance	0.00		9,831.00		10,000.00
<b>0944 · Computer Expenses</b>					
0944-0 · Computer Updates	0.00	2,500.00	0.00	7,500.00	30,000.00
0944-1 · Computer Support	4,537.18	5,416.66	6,530.44	16,250.06	65,000.00
<b>Total 0944 · Computer Expenses</b>	<u>4,537.18</u>	<u>7,916.66</u>	<u>6,530.44</u>	<u>23,750.06</u>	<u>95,000.00</u>
0951-0 · NSF	0.00	41.66	27.00	125.06	500.00
0999-0 · MISC.	140.94	83.33	140.94	250.03	1,000.00
1000-0 · Auto Expense	0.00	2,083.33	1,334.97	6,250.03	25,000.00
1000-1 · Vehicle Repairs & Maint.	114.36	83.33	114.36	250.03	1,000.00
1000-2 · Vehicle Fuel	542.92	250.00	764.80	750.00	3,000.00
<b>1400-0 · Equipment</b>					
0600-3 · Equipment Rental/Lease	3,431.19	1,250.00	4,528.38	3,750.00	15,000.00
<b>Total 1400-0 · Equipment</b>	<u>3,431.19</u>	<u>1,250.00</u>	<u>4,528.38</u>	<u>3,750.00</u>	<u>15,000.00</u>
6950 · Bank & CC Service Fees	5,564.21	1,000.00	36,021.74	3,000.00	12,000.00
<b>Total Expense</b>	<u>102,545.01</u>	<u>109,558.21</u>	<u>364,124.42</u>	<u>332,176.11</u>	<u>1,419,200.00</u>
<b>Net Ordinary Income</b>	12,460.12	264,770.90	733,819.59	790,812.02	0.00
<b>Other Income/Expense</b>					
<b>Other Income</b>					
524 · NSF Checks	325.00		-120.00		
527-2 · ADPWC - Monitoring Fee	1,068.94		3,682.68		
560 · Online Renewals	5,975.00		-6,531.28		
<b>Total Other Income</b>	<u>7,368.94</u>		<u>-2,968.60</u>		
<b>Net Other Income</b>	7,368.94		-2,968.60		
<b>Net Income</b>	<u><u>19,829.06</u></u>	<u><u>264,770.90</u></u>	<u><u>730,850.99</u></u>	<u><u>790,812.02</u></u>	<u><u>0.00</u></u>