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BOARD OF DENTAL EXAMINERS OF ALABAMA

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MINUTES BOARD MEETING March 14-15, 2019

The Board of Dental Examiners of Alabama met Thursday March 14, 2019 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. Thomas Gerald Walker; President; Dr. Douglas Beckham; Vice President; Dr. Mark Ray McIlwain, Secretary/Treasurer, Dr. Adolphus M. Jackson; Dr. Bruce E. Cunningham; and Sherry Skinner Campbell, RDH. Also in attendance were Brad W. Edmonds, Esq., Executive Director; Dr. Donna Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Sonya Lankford, Business Manager, and Linda Dlugosz, Licensing Clerk.

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

The meeting was advertised on the Board's website, 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 February 14-15 meeting. Dr. McIlwain noted one correction. Dr. Cunningham moved to approve the minutes with the correction as noted. Dr. Beckham seconded the motion and it was approved by general consent.

The President welcomed Steve Windom, Legislative Representative, who presented the Legislative Report.

He updated members on activities slated for this year's legislative session. After 3 days of session, it will close for spring break and reopen the following week. This concluded the report.

The President welcomed guest, Dr. Holt Gray, who said he was just observing in consideration of running for board member this year.

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

After discussion, Dr. McIlwain moved to rescind the appointment of a committee made by the President at the February meeting to review the requirements that make a Regional Exam acceptable

for Alabama initial dental licensure. Dr. Beckham seconded the motion and it was approved by general consent. Dr. Walker appointed a new committee for that same purpose consisting of Dr. Jackson, Dr. Beckham, and Ms. Campbell. Dr. McIlwain moved to accept the appointments. Dr. Cunningham seconded the motion and it was approved by general consent. The committee will present their findings at the April meeting.

Some dental hygienists have asked if the 32 hour Infiltration CE course offered by UAB can serve as a hygienist's required annual CEs for the CE period in which it was taken. Members concurred that as long as the hygienist was current in CPR it could fulfill CE requirements.

Mr. Edmonds presented the Executive Director Report.

Mr. Edmonds asked members if the intent of the hygienist infiltration anesthesia permit is to allow a hygienist to only prepare for procedures the hygienist would perform or would it also include preparation for the dentist to perform dental procedures. Members concurred that a hygienist with infiltration anesthesia permit could prepare a patient for the dentist to perform a dental procedure.

Mr. Edmonds asked members if the Adverse Occurrence Rule was intended to require a dentist to notify the Board within 7 days of an occurrence or within 7 days after *learning of an occurrence*. Members concurred that a dentist does not violate the rule if he/she hasn't learned of the occurrence in time to report within 7 days.

The Board's contract with CITA to administer the clinical exam to ADHP graduates expires this October. There was discussion about length of time to set for the contract. Ms. Campbell moved to renew the CITA contract for 2 years and to specify that CITA must follow Alabama State guidelines. Dr. Cunningham seconded the motion and it was approved by general consent.

Mr. Edmonds asked the Board to approve paying for a staff member to be certified in CPR. Blake Strickland said he is qualified to train and to certify CPR, and he would be glad to do this for staff. He would only submit cost of the CPR card(s) for reimbursement. This concluded the report.

Ms. Campbell informed members of a Public Health Opioid Summit that will be held at Frazer United Methodist Church in Montgomery on April 26 from 8:30 – 4:30. Ms. Campbell moved to approve expenses for members and the Executive Director to attend this summit. Dr. McIlwain seconded the motion and it was approved by general consent.

Ms. Campbell attended the CODA site visit for the Oral Maxillofacial Surgery Department at UAB. She signed a confidentiality agreement that she would not divulge details of the visit, but she could say that all things went well and they received their CODA accreditation. She was highly impressed with the Oral Surgery Department, staff, and residents.

The ADA has now recognized dental anesthesia as a specialty. Members agreed to recognize dental anesthesia as a specialty.

Dr. McIlwain moved to authorize Mr. Edmonds for expenses to attend the Instructor Certification course April 5 at Turtle Point. Ms. Sherry Campbell seconded the motion and it was approved by general consent.

Dr. Miles Jones requested a waiver of the administrative fine for practicing with an expired license. After discussion members denied his request. He will be informed of their decision.

Members reviewed an explanation sent by Anthony Caputo, DDS, after review of his application for licensure at the February meeting. After discussion, Dr. Cunningham moved to approve his application for Dental Licensure by Credentials based on successful completion of the jurisprudence exam. Dr. McIlwain seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

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

Dr. Cunningham moved to approve Dental Licensure by Regional Exam based on successful completion of the jurisprudence exam for Shirley Daniel, DDS. Dr. Jackson seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. Jackson moved to approve Dental Licensure by Regional Exam based on successful completion of the jurisprudence exam for Laura Vo, DDS. Dr. McIlwain seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. Beckham moved to approve Dental Special Purpose for 3-Yrs. Licensure based on successful completion of the jurisprudence exam for Lini Mickus, DMD. Dr. Cunningham seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

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

- Michelle Moore, RDH, Dental Hygiene Licensure
- Aubrey Moorer, RDH, Dental Hygiene Licensure
- Kelly Olguin, RDH, Dental Hygiene Licensure

Ms. Sherry Campbell moved to approve Dental Hygiene Infiltration Anesthesia permit for the following applicants who passed the UAB Infiltration course. Dr. McIlwain seconded the motion and it was approved by general consent.

- | | | |
|------------------------|--------------------------|-------------------------|
| ○ Sherry Calhoun, RDH | ○ Summer Kyser, RDH | ○ Sharli Sysouvanh, RDH |
| ○ Erica Earley, RDH | ○ Rachel Mardis, RDH | ○ Tabitha Taylor, RDH |
| ○ Tammy Halley, RDH | ○ Ashley McCafferty, RDH | ○ Stephanie Weaver, RDH |
| ○ Barbara Harrell, RDH | ○ Kelly Phillips, RDH | ○ Meagan Whisenant, RDH |
| ○ Lea Jennings, RDH | ○ Wanda Singleton, RDH | ○ Rebecca White, RDH |
| ○ Mary B Johnson, RDH | ○ Ashley Smith, RDH | ○ Karla Wright, RDH |
| ○ Jennifer Lash, RDH | ○ Thelma Smith, RDH | |
| ○ Shannon Kent, RDH | ○ Selina Steele, RDH | |

Dr. Cunningham moved to approve Dental Hygiene Infiltration Anesthesia permit for Maranda Allegood, RDH. Dr. Beckham seconded the motion and it was approved by general consent.

Dr. Beckham moved to approve Dental Hygiene Infiltration Anesthesia permit for Meredith Chrestman, RDH. Ms. Campbell seconded the motion and it was approved by general consent.

Dr. Cunningham moved to approve Dental Hygiene Infiltration Anesthesia permit for Katie Harris, RDH. Ms. Campbell seconded the motion and it was approved by general consent.

Dr. Jackson moved to approve Dental Hygiene Infiltration Anesthesia permit for Amanda Owen, RDH. Ms. Campbell seconded the motion and it was approved by general consent.

Ms. Lankford updated members on the status of moving to the new building.

Road Runner Moving Company pack the office on Monday April 15; the physical move will take place Tuesday April 16; unpacking and arranging will be done April 17. Staff should be able to return to normal business Thursday April 18.

Business Electronics (BE) has given a quote of \$3,150.00 to move and set up our network and phones. This is more than the quote from Datahouse but their bid includes a more robust service. They will split the data lines so that the phones can be separate from the computers allowing them to run with more efficiency. Ms. Lankford recommends accepting this contract instead of returning to Datahouse at this time.

Ms. Lankford will inform the landlord of the moving dates so that he can reconsider offering a break on the lease agreement. Some items/furniture will need to be purchased, such as a new desk for Ms. Harlequin and a second refrigerator. Ms. Lankford will research the cost of having a platform built for members in the new Board room.

The building is in an unincorporated area; the fire department visited the building and asked for a special box to be purchased for keys to the building in case of an emergency; it has been ordered.

Mr. Edmonds added to the Executive Director report.

Opioid information will be added to the Board's website by linking to the State Department of Mental Health rather than developing a separate page. A statement that the PDMP allows users to query states that boarder Alabama will be added to the *Permits and Order Forms* page.

The State Department of Public Health has requested to put the Board's logo on their oral cancer posters for Cancer Awareness Month in April. Dr. McIlwain moved to allow them to use the logo. Ms. Campbell seconded the motion and it was approved by general consent.

Mr. Edmonds asked members to send any suggestions for the next AADB meeting to him. This concluded the report.

Ms. Campbell, Dr. Beckham, Dr. Walker, Dr. Cunningham, and Mr. Edmonds reported on their attendance at the AADB meeting March 8-11 in Chicago.

At 7:56 p.m. the President recessed the meeting until Friday at 8:30 a.m.

MINUTES
BOARD MEETING
Friday March 15, 2019

The Board of Dental Examiners of Alabama met Friday March 15, 2019 at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 8:34 a.m. with the following members in attendance: Dr. Thomas Gerald Walker, President, Dr. Douglas Beckham, Vice President, Dr. Mark Ray McIlwain, Secretary/Treasurer, Dr. Adolphus M. Jackson, Dr. Bruce E. Cunningham, and Sherry Skinner Campbell, RDH. Also in attendance were Brad W. Edmonds, Esq., Executive Director; Dr. Donna Dixon, Esq., Prosecuting Counsel, Kevin Lane, Compliance Director; and Linda Dlugosz, Licensing Clerk.

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

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

Members discussed license renewal fees. Against the Executive Director's advice, Dr. Cunningham moved to adjust the dental license renewal fee from \$300.00 set at the February 2019 meeting to \$275.00. Dr. Jackson seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Jackson, yea, Dr. McIlwain, nay, Dr. Walker, yea, Dr. Beckham, yea, Ms. Campbell, abstain. The motion passed.

Dr. Garver joined the meeting and presented the Wellness Committee Report.

He updated members on activities of participants in the Wellness Program for the past month. When the report was concluded Dr. Garver left the meeting.

Dr. Dixon presented the Attorney Report.

At 9:12 a.m. Dr. McIlwain moved to enter Executive Session for the discussion of ongoing litigation and return to regular session at 9:20 a.m. Dr. Cunningham seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Jackson, yea, Dr. McIlwain, yea, Dr. Walker, yea, Dr. Beckham, yea, Ms. Campbell, yea. The motion carried. The Board retired from Executive Session at 9:15 a.m.

Members discussed the opinions that were discussed at the meeting last night and decided to place one of the suggestions on the Board's website.

Dr. Cunningham moved that cases #2019-6, #2019-29, and #2019-30 have no evidence to sustain. 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. McIlwain moved that cases #2018-86 and #2018-87 have no evidence to sustain. 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. Beckham moved that cases #2018-80 and #2018-81 have no evidence to sustain. Dr. Jackson seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Members concurred to assess a fine of \$300.00 against any licensed dentist who allowed a hygienist to practice without an active license. Dr. Dixon will prepare the letters.

Dr. Dixon confirmed with members that if a dentist receives a second, non-disciplinary fine within a year the dentist will be issued a notice for a hearing. Dr. McIlwain moved to notice the Respondent of case #2019-32 for a hearing. Dr. Beckham seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

At 10:23 a.m. the President announced a break; the meeting resumed at 10.32 a.m.

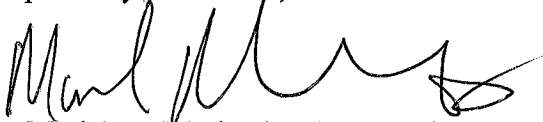
Ms. Hilda Johnson was invited to join the meeting to present the ADHP report.

Dr. Walker presented the Legislative Committee Report.

Members discussed current Bills of interest that could affect dentistry.

At 10:41 a.m. Dr. Cunningham moved to adjourn the meeting. Ms. Campbell seconded the motion and it was approved by general consent.

Respectfully Submitted,



Dr. Mark Ray McIlwain, Secretary/Treasurer

Approved: April 11, 2019
Submitted by: Linda Dlugosz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
January 2019

January 2019 for March 2019
Balance as of 1/31/2019
Checking: \$709, 210.33
MM: \$591, 380.75

	<u>Jan 19</u>	<u>Budget</u>	<u>Oct '18 - Jan 19</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
317 · Def. Revenue MDF Permit	0.00		0.00	0.00	0.00
501 · Annual Dental Registration	1,400.00	0.00	488,550.00	515,800.00	515,800.00
502 · Annual Hygiene Registration	650.00	0.00	275,114.58	285,220.00	285,220.00
503 · Controlled Substance Fee	1,670.00	0.00	203,875.00	246,000.00	246,000.00
504 · Annual Teaching Permits	0.00	0.00	3,600.00	6,000.00	6,000.00
505 · ADHP Certification	450.00	0.00	600.00	0.00	12,000.00
508 · ADHP	0.00	0.00	0.00	0.00	135,000.00
509 · Dental Exam Fee	500.00	750.00	1,000.00	3,000.00	9,000.00
510 · Original License Fee	200.00	322.92	550.00	1,291.68	3,875.00
511 · Licenses Reprint Fee	0.00	83.33	175.00	333.32	1,000.00
512 · Dental Hygiene Exam Fee	600.00	1,250.00	2,400.00	5,000.00	15,000.00
515 · Penalty Fee	2,650.00	583.33	3,950.00	2,333.32	7,000.00
516 · Privilege License Money	0.00	0.00	0.00	0.00	20,000.00
517 · Interest Inc - checking	27.48	16.67	110.75	66.68	200.00
518 · Parental Sedation Permit Fee	2,700.00	916.67	10,400.00	3,666.68	11,000.00
519 · Anesthesia Permit	0.00	2,500.00	31,200.00	10,000.00	30,000.00
521 · Other Income	0.00	41.67	0.00	166.68	500.00
525 · Dent Hyg Bd Appl	0.00	625.00	0.00	2,500.00	7,500.00
526 · ADHP Materials	0.00	0.00	0.00	0.00	65,000.00
527-1 · Administrative Costs	3,102.00	416.67	7,190.00	1,666.68	5,000.00
527-3 · Administrative Fines	0.00	0.00	1,000.00	0.00	0.00
527 · Disciplinary Fines (Prior)	6,800.00	0.00	79,028.00	0.00	0.00
528 · Initial Anesthesia Evaluation	1,800.00	2,083.33	14,600.00	8,333.32	25,000.00
529 · OCS Annual Reg. Fee	250.00	0.00	15,100.00	20,025.00	20,025.00
530 · Licensure By Credentials	4,000.00	4,166.67	15,675.00	16,666.68	50,000.00
531 · RETURNED CHECK CHARGES	0.00	41.67	1,335.00	166.68	500.00
532 · OCS Initial App. Fee	0.00	83.34	0.00	333.36	1,000.00
533 · Dental Lic. Bd Exam Application	1,000.00	1,500.00	2,000.00	6,000.00	18,000.00
540 · Special Purpose Dental Lic Fee	0.00	83.33	0.00	333.32	1,000.00
545 · Special Purpose Hygiene Lic Fee	0.00	41.67	0.00	166.68	500.00

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617 · MDF Permits	500.00	541.67	4,000.00	2,166.68	6,500.00
620 · Hygiene Infiltration Permit	650.00		2,500.00		
800 · 800-OVERPAYMENTS	0.00		0.00	0.00	0.00
Total Income	<u>28,949.48</u>	<u>16,047.94</u>	<u>1,163,953.33</u>	<u>1,137,236.76</u>	<u>1,497,620.00</u>
Gross Profit	28,949.48	16,047.94	1,163,953.33	1,137,236.76	1,497,620.00
Expense					
Refund	0.00		-106.72		
0100-0 · Personnel Costs	46,277.94	42,500.00	185,111.76	170,000.00	510,000.00 Salaries
0114-0 · Board Member Compensation	6,750.00	8,333.33	23,700.00	33,333.32	100,000.00
0198-0 · Bonus	0.00	0.00	3,200.00	3,200.00	3,200.00
0201-0 · Payroll Expenses	4,063.45	4,000.00	18,529.95	16,000.00	48,000.00
0202-0 · Pension Plan	0.00	0.00	84,194.25	0.00	75,000.00
0203-0 · Medical Insurance	7,003.87	7,500.00	26,083.21	30,000.00	90,000.00
0204-0 · Workman Comp. Ins.	0.00	0.00	0.00	0.00	6,600.00
0205 · Unemployment Fees	0.00		0.00	0.00	0.00
0300-0 · Travel - In-State	954.99	2,083.34	4,319.28	8,333.36	25,000.00
0400-0 · Travel - Out-of-State	0.00	2,333.33	1,699.51	9,333.32	28,000.00
0500-0 · Repairs & Maintenance	295.00	425.00	1,180.00	1,700.00	5,100.00
0600-1 · Rentals & Leases/Offsite Meetin	0.00	87.50	0.00	350.00	1,050.00
0600-2 · NEW OFFICE SPACE	1,060,569.56	2,083.34	1,060,569.56	8,333.36	25,000.00 Building
0602-1 · Rent on Building	8,692.36	8,700.00	34,769.44	34,800.00	104,400.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	398.12	708.34	1,446.58	2,833.36	8,500.00
0700-2 · Utilities - Cell Phone	0.00	0.00	0.00	0.00	0.00
0700-3 · Utilities - Power	857.96	708.34	2,573.05	2,833.36	8,500.00
0700-4 · Utilities - Internet	375.00	375.00	1,500.00	1,500.00	4,500.00
Total 0700-0 · Utilities & Communications	<u>1,631.08</u>	<u>1,791.68</u>	<u>5,519.63</u>	<u>7,166.72</u>	<u>21,500.00</u>
0800-0 · Professional Services	15,033.66	15,416.67	52,537.39	61,666.68	185,000.00
0800-1 · Membership Dues & Subscriptions	1,580.86	1,333.34	4,263.50	5,333.36	16,000.00 AADB
0801-0 · Board Attorney Fees					
0801-1 · Attorney General's Office	0.00		3,060.61		
0801-0 · Board Attorney Fees - Other	0.00	1,250.00	0.00	5,000.00	15,000.00

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Total 0801-0 - Board Attorney Fees	0.00	1,250.00	3,060.61	5,000.00	15,000.00	
0840-0 - CONSULTANTS	6,000.00	6,000.00	24,000.00	24,000.00	72,000.00	
0899-1 - Evaluator Fees	1,150.00	1,000.00	2,350.00	4,000.00	12,000.00	
0899-2 - Hearing Officer Fees	0.00	166.67	0.00	666.68	2,000.00	
0899-5 - Website	0.00		0.00	0.00	0.00	
0899-6 - A.D.H.P. Materials & Supplies	0.00	250.00	0.00	1,000.00	3,000.00	
0900-0 - Office Expense	1,619.00	1,125.00	4,135.91	4,500.00	13,500.00	Legal 12/7
0900-1 - Recycle / Paper Disposal	50.00	50.00	200.00	200.00	600.00	
0902-0 - NPDB HIPDB License Background	32.00	16.67	72.00	66.68	200.00	
0906-0 - Printing & Supplies	100.00	166.67	434.21	666.68	2,000.00	
0910-0 - Postage	2,087.96	583.34	4,087.73	2,333.36	7,000.00	Penalties
0924-0 - Insurance	0.00	0.00	9,465.00	0.00	9,000.00	
0944 - Computer Expenses						
0944-0 - Computer Updates	0.00	1,500.00	969.94	6,000.00	18,000.00	
0944-1 - Computer Support	1,122.99	5,833.34	5,340.52	23,333.36	70,000.00	
0944 - Computer Expenses - Other	295.00	0.00	1,382.98	0.00	0.00	
Total 0944 - Computer Expenses	1,417.99	7,333.34	7,693.44	29,333.36	88,000.00	
0950-0 - Penalty	0.00		0.00	0.00	0.00	
0951-0 - NSF	0.00	8.34	1,284.00	33.36	100.00	
0999-0 - MISC.	304.41	83.34	954.12	333.36	1,000.00	
1000-1 - Vehicle Repairs & Maint.	0.00	83.34	0.00	333.36	1,000.00	
1000-2 - Vehicle Fuel	412.06	250.00	1,309.53	1,000.00	3,000.00	
1400-0 - Equipment						
0600-3 - Equipment Rental/Lease	509.79	1,860.00	1,019.58	7,440.00	22,320.00	
1400-0 - Equipment - Other	1,852.94	0.00	7,411.76	0.00	0.00	
Total 1400-0 - Equipment	2,362.73	1,860.00	8,431.34	7,440.00	22,320.00	
6950 - Bank & CC Service Fees	134.04	170.84	560.14	683.36	2,050.00	
Total Expense	1,168,522.96	116,985.08	1,573,608.79	471,140.32	1,497,620.00	
Net Ordinary Income	-1,139,573.48	-100,937.14	-409,655.46	666,096.44	0.00	
Other Income/Expense						
Other Income						
524 - NSF Checks	0.00	0.00	0.00	0.00	0.00	

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527-2 · ADPWC - Monitoring Fee
 Total Other Income
 Net Other Income
 Net Income

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1,550.00	0.00	2,515.00	0.00	0.00
1,550.00	0.00	2,515.00	0.00	0.00
1,550.00	0.00	2,515.00	0.00	0.00
<u>-1,138,023.48</u>	<u>-100,937.14</u>	<u>-407,140.46</u>	<u>666,096.44</u>	<u>0.00</u>