



BOARD OF DENTAL EXAMINERS OF ALABAMA
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MINUTES
Board Meeting
February 11-12, 2016

The Board of Dental Examiners of Alabama met Thursday February 11, 2016 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. Sam J. Citrano, Jr., President, Dr. William E. Chesser, Vice President, Dr. Adolphus M. Jackson, Dr. Thomas G. Walker, Dr. Douglas Beckham, Dr. Stephen R. Stricklin, and Ms. Sherry Skinner Campbell, RDH. Also in attendance were Ms. Susan Wilhelm, Esq., Executive Director and General Counsel, Dr. Donna Dixon, Esq., Prosecuting Attorney, Mr. Blake Strickland, 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. asked for review of the minutes from the January 7-8, 2016 meeting. Dr. Chesser moved to approve the minutes as presented. Dr. Stricklin seconded the motion and it was approved by general consent.

The President welcomed guest, Dr. Charles Mark King.

Mr. Steve Windom presented the Legislative report.

Mr. Windom gave a detailed account of current legislative and executive branch matters and discussed proposals for Dental Practice Act amendments.

Ms. Renea Chapman presented the ADHP Committee report.

The first ADHP Instructor Training class held in Birmingham was very well attended by 80+ dentists. Attendees told Ms. Chapman how much they appreciated the course and complimented the team: Ms. Chapman, Ms. Alexander, Ms. Campbell, Ms. Wilhelm and Ms. Johnson, for a job well done. The

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next class will be at Perdido Beach Resort at the ALDA Annual Session Saturday June 11, 10:00 a.m. to 12:00 p.m. This concluded the report.

The President invited comments from guests. Dr. King reminded members that more and more places are becoming gun-free zones. He also spoke on providing proper oral healthcare for inmates within Alabama Department of Corrections facilities. The President welcomed Dr. Mendel.

Dr. Joseph Loh and Dr. Richard Baratta have requested to supplement their WREB clinical examination score with the periodontal portion of another regional exam in order to qualify for initial dental licensure by regional exam. Dr. Walker moved to approve allowing Dr. Loh and Dr. Baratta to supplement their WREB exam with the periodontal portion of another regional exam. Dr. Jackson seconded the motion and it was approved by general consent.

Members reviewed information sent by CRDTS regarding upcoming meeting dates, school reports, meeting agenda and meeting reports.

The AADB Midyear Meeting will be held April 10-11 in Chicago. Dr. Chesser moved to approve all Board members for out-of-state travel to attend the AADB Midyear Meeting. Dr. Walker seconded the motion and it was approved by general consent. Members who want individual AADB membership should notify Ms. Wilhelm.

The National Dental Examiners' Advisory Forum takes place April 11 immediately following the AADB meeting. The American Dental Association will pay for air travel, one hotel night, plus \$75.00 for expenses for one board member to attend. Dr. Walker agreed to serve as the Board's designee and remain for the NDEA Forum. Dr. Citrano, Jr. moved for Dr. Walker to attend the NDEA Forum. Dr. Chesser seconded the motion and it was approved by general consent.

Members reviewed a notice that DANB has earned ISO Accreditation. They also reviewed an alert on the Zika Virus forwarded by Dr. Gerald Cimis.

At 7:40 p.m. the President announced a break; the meeting resumed at 7:50 p.m.

Mr. Blake Strickland presented the Site Inspection Report.

He and Dr. Wells inspected and approved Dr. Thomas Cole's Mobile Dental Unit (trailer) which Dr. Cole plans to utilize for nursing home practice in Athens. Dr. David Cowan's 2 Portable Dental Units were also inspected and approved.

There are upcoming inspections scheduled for portable units at the Board office in the coming month.

Ms. Susan Wilhelm presented the Executive Director Report.

Members reviewed the test site of the new website.

The Board staff has processed reinstatements for approximately 110 licensees who did not renew on time and did not practice after 12/31/2015. These individuals paid the annual renewal fee plus a reinstatement fee (\$250.00 for dentists; \$100.00 for hygienists).

Ms. Wilhelm informed the members that the Attorney General's Office has forwarded an amended interagency agreement to provide legal assistance to the Board on an as-needed basis. The amendment increases the hourly rate if the Board avails itself of legal assistance from the Attorney General's Office. Dr. Chesser moved to accept the amended agreement. Dr. Stricklin seconded the motion and it was approved by general consent.

The State Ethics Commission is producing a new training video for public officials. Ms. Wilhelm offered members a choice of sending each member a link to the video or setting a time during a future board meeting to watch the video as a group. Members agreed to watch the video as a group when there is a 45-minute opportunity at a board meeting.

Dr. Leigh Anne Nevins has submitted her nomination as a candidate for the 2016 Board Election.

There was discussion about current Board members supporting or endorsing a candidate for Board election. Although members are free to support whomever they wish, members unanimously agreed to not endorse or campaign for any candidate running for board member.

Members discussed the difference between *fill in* and *regular* place of practice in regards to notifying the Board. The board opined that a dentist could to fill in during a short illness or vacation for another dentist without reporting this place of practice to the Board. However, if a dentist were to fill-in regularly (for example, every Monday and Thursday for the next 4 months), the licensee should notify the office of this place of practice.

At 8:30 the President recessed the meeting until 8:30 a.m. Friday February 12.

Board Meeting
Friday, February 12, 2016

The meeting of the Board of Dental Examiners of Alabama reconvened Friday, February 12, 2016 at the Board Office in Hoover, Alabama.

The President called the meeting to order at 8:37 a.m. with the following members in attendance: Dr. Sam J. Citrano, Jr., President, Dr. William E. Chesser, Vice President, Dr. Adolphus M. Jackson, Dr. Thomas G. Walker, Dr. Douglas Beckham, Dr. Stephen R. Stricklin, and Ms. Sherry Skinner Campbell, RDH. Also in attendance were Ms. Susan Wilhelm, Esq., Executive Director and General Counsel, Dr. Donna Dixon, Esq., Prosecuting Attorney, Mr. Blake Strickland, 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.

The President welcomed guests.

Dr. Michael Garver presented the Wellness Committee report.

Members interviewed Dr. Ann Slaughter Smith who has applied for initial Dental Licensure by Credentials. At 9:17 a.m. the interview was completed and Dr. Slaughter left the meeting.

Dr. Jackson moved to approve Ann Smith, DDS and Jeffrey Brent Price, DDS, MS for Dental Licensure by Credentials based on successful completion of the jurisprudence exam. Dr. Chesser seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. Stricklin moved to approve Ivey Agee, DDS, Nathaniel Durtschi, DMD, Kosha Shah, DMD, and Lakeshia Thomas, DMD, for Dental Licensure by Regional Exam based on successful completion of the jurisprudence exam. Dr. Beckham seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. Jackson presented the financial reports for November 2015, December 2015, and January 2016. Dr. Chesser moved to approve the financial reports as presented. Dr. Stricklin seconded the motion and it was approved by general consent.

ADHP Report (presented by Ms. Wilhelm in the absence of Ms. Johnson)

A student left ADHP class and sent a doctor's excuse; Ms. Wilhelm distributed copies of the submitted excuse and follow-up correspondence from the student. Ms. Wilhelm and Dr. Dixon had contacted Doctor who said the student was seen and dismissed with no diagnosis. Members will consider the facts and make a decision later in the morning.

Meredith Dunn, an ADHP student who failed last year's clinical exam has requested a temporary hygiene permit in order to prepare for this year's exam. Dr. Walker moved to grant Meredith Dunn the temporary permit. Ms. Campbell seconded the motion and it was approved by general consent.

There was a question as whether to add a specific Nabers instrument to the students' packets for the exam. Ms. Johnson contacted Ms. Renea Chapman who confirmed that the instrument is not required for the CITA clinical exam.

Ms. Wilhelm will check on the need to schedule an Instructor Certification course in North Alabama.

Last year, an ADHP student applied for state licensure but failed the clinical exam twice. Members agreed that because application fees are non-refundable, she will need to reapply for a license and pay the application fee again.

Members discussed the 24-months dental assisting requirement for acceptance into the ADHP. It must be completed before the first class held in July.

Members discussed and agreed that the Instructor Certification course is valid for obtaining an IC Permit for 6 months from the date of the course.

Members discussed the actual cost to provide the Instructor Certification course. Expenses for the recent course session will include mileage and per diem for Ms. Lankford, Ms. Johnson, Ms. Wilhelm, participating Board Members, Ms. Alexander and Ms. Chapman. The course during the ALDA Perdido meeting will have similar expenses and the possible course during the AGD Review in Destin will require out-of-state approval as well as expense reimbursement. Members agreed that the Perdido class would be a *repeat* of the class given at the Hyatt. Members also agreed to wait to confirm the course proposed to be held at the AGD Annual Session after gauging need and interest.

The President announced a break at 10:21 a.m.; the meeting resumed at 10:34 a.m.

Members discussed the scenario of the ADHP student who left class without advising Mr. Johnson for a non-emergency appointment and did not return that day. According to Rule 270-X-3.04 *An ADHP student who fails to attend any session of academic instruction is no longer eligible for a training permit without consent of the Board.* Members agreed that the student did not inform Ms. Johnson and left for a non-emergency. Dr. Jackson moved to dismiss the student from the ADHP. Dr. Chesser seconded the motion and it was approved by general consent. Board Members noted that the class schedule is posted prior to the beginning of each year's course and the attendance policy is written in the student manual and emphasized at Orientation. A student who has been dismissed from the ADHP for any reason may continue to audit the course but the temporary hygiene permit is revoked.

This concluded the report.

Dr. Stricklin moved to notice the Respondent of case #2016-05 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.

Dr. Walker moved to notice the Respondent of case # 2015-62 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. Citrano, Jr. moved that case # 2015-75 has 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. Walker moved that case #2016-09 is outside of jurisdiction. 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. Stricklin moved that case # 2015-73 has no evidence to sustain. 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. Chesser moved that case #2015-68 has no evidence to sustain. 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 notice the Respondent of case # 2016-02 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 and Dr. Citrano, Jr. recusing himself.

Dr. Chesser moved to levy administrative fines of \$500.00 for dentists, \$250.00 for hygienists, and \$300.00 for the hygienists' supervising dentists who did not renew their licenses by 12/31/2015 and who did practice after that date for cases #2016-10 through 2016-20. Dr. Beckham seconded the motion and it was approved by general consent with the case team leader abstaining from the vote.

Dr. Jackson and Ms. Campbell gave a recap of the Southern Deans and Examiners meeting in Jackson, Mississippi.

Dr. Citrano, Jr., Dr. Chesser, Dr. Jackson, and Ms. Sherry Campbell gave a recap of the Annual CITA meeting in Orlando, Florida

Ms. Wilhelm distributed copies of HB 226 *Dental Scholarship Awards* and HB 223 *Income tax credits, increase for rural physicians and dentists*. Members reviewed the bills and agreed that they would both benefit the oral health of the State of Alabama. Board Members agreed that, if SB 80 *Administrative Regulation Review* were enacted, it would be of benefit to regulatory agencies. Members reviewed SB 104 *Rule making authority for Medical Examiners* and authorized Ms. Wilhelm to draft a similar amendment to the Dental Practice Act.

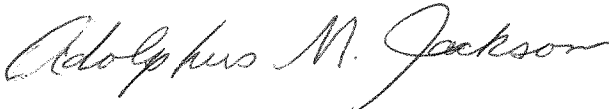
Members viewed the draft website and gave their opinions and suggestions.

At 12:10 p.m. staff were asked if they to voluntarily excuse themselves from the meeting.

At 12:40 p.m. Ms. Wilhelm returned to the meeting and the Board discussed daily staff schedules and individual staff members' responsibilities and how well they were fulfilling their duties.

At 1:00 p.m., Dr. Stricklin moved to adjourn the meeting. Dr. Jackson seconded the motion and it was approved by general consent.

Respectfully Submitted,



Dr. Adolphus M. Jackson, Secretary/Treasurer

Approved: 3/3/2016

Submitted by: Linda Dlugosz