



BOARD OF DENTAL EXAMINERS OF ALABAMA
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MINUTES
Board Meeting
June 2-3, 2016

The Board of Dental Examiners of Alabama met Thursday June 2, 2016 at the Board Office in Hoover, Alabama to conduct business.

The Vice President called the meeting to order at 6:02 p.m. with the following members in attendance: Dr. William E. Chesser, Vice President, Dr. Adolphus M. Jackson, Secretary/Treasurer, Dr. Douglas Beckham, Dr. Thomas Gerald Walker, 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 Vice 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 Vice President asked for review of the minutes from the May 12-13, 2016 meeting. Dr. Stricklin moved to approve the minutes as presented. Dr. Jackson seconded the motion and it was approved by general consent.

Dr. Chesser welcomed guest, Dr. Charles King, and invited comments. Dr. King informed members of an online provider of orthodontic treatment.

Dr. Jackson presented the Financial Report. Dr. Walker moved to approve the report as presented. Dr. Beckham seconded the motion and it was approved by general consent. Dr. Jackson brought to members' attention letters regarding correct mileage reimbursements.

Members reviewed letters from the ADA/ADEA, from other state boards, and regional exam agencies regarding testing and dental license portability. Members approved a draft response written by Ms. Wilhelm to be sent to the ADA/ADEA.

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Board of Dental Examiners of Alabama

Members discussed AADB's request for a volunteer to serve on the Advisory Board for Assessment Services (tabled from May meeting). Dr. Jackson volunteered to serve.

Dr. Thomas T. Willis is currently serving on the CRDTS Exam Steering Committee. Dr. Willis is attending the CRDTS Annual Meeting Aug. 27th. Dr. Walker will advise if he will be able to also attend the meeting.

Dr. Harrell in Alexander City requested Board approval to use a cellular phone-based monitoring app to monitor patients. The Board does not provide advisory opinions regarding the standard of care and Dr. Dixon will correspond with Dr. Harrell regarding this matter.

At 6:39 p.m., in preparation for a public hearing, Ms. Wilhelm checked the halls and foyer and ascertained that no one was waiting to attend the hearing; there were none. The Vice President convened the public hearing to repeal Rule 270-X-5.12 *Candidates for Board Election; Election Procedures*. Mr. Blake Strickland read the Rule aloud. After much discussion, Dr. Walker moved to repeal Rule 270-X-5.12. Dr. Stricklin seconded the motion and it was approved by general consent. The Vice President closed the Public Hearing.

At 7:00 p.m. The Vice President announced a short break; the meeting resumed at 7:14 p.m.

Dr. Jackson moved to approve Dental Licensure by Credentials based on successful completion of the jurisprudence exam for:

- David Dowling, DDS

Dr. Chesser seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. Beckham moved to approve Dental Licensure by Regional Exam based on successful completion of the jurisprudence exam for the following.

- Joshua Dabbs, DMD
- Roger Flippen, DDS
- Kathryn Harrison, DMD
- Garrett Kever, DDS
- LiHsing Loh, DDS

Dr. Stricklin seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Ms. Sherry Campbell moved to approve Dental Hygiene Special Purpose Licensure for 3 Years based on successful completion of the jurisprudence exam for

- Anne Cherrier, RDH.

Dr. Beckham seconded the motion and it was approved by general consent.

Ms. Sherry Campbell moved to approve Dental Hygiene Licensure by Regional Exam based on successful completion of the jurisprudence exam for the following:

- Angela Doane, RDH
- Camille Dole, RDH
- Kayla Patel, RDH

- Alicia Quick, RDH

Dr. Jackson seconded the motion and it was approved by general consent.

Dr. Stricklin moved to approve Dental Hygiene Licensure by Regional Exam based on successful completion of the jurisprudence exam for the following applicants who graduated from Wallace State:

- Katelyn Bogus, RDH
- Lora Leigh Brown, RDH
- Victoria Ferguson, RDH
- Sarah Graham, RDH
- Katie Harris, RDH
- Shauna Hendrix, RDH
- Courtney James, RDH
- Kaitlin McCoy, RDH
- Lauren Morton, RDH
- Caitlin Overton, RDH
- Lauren Overton, RDH
- Charelle Powell, RDH
- Shelby Rickets, RDH
- Rachel Simmons, RDH
- Kristine Staudt, RDH
- Ashley Tucker, RDH
- Sussudia Webb, RDH
- Kristy Jo Wright, RDH

Ms. Sherry Campbell seconded the motion and it was approved by general consent.

Dr. Stricklin moved to notice the Respondent of case #2016-34 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 that case #2016-35 has no evidence to sustain. 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. Stricklin moved to levy a non-disciplinary administrative penalty of \$500.00 to the Respondent of case #2016-40 for non-renewal of dental license before the expiration date. 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. Beckham moved that case #2015-43 has no evidence to sustain. Dr. Stricklin seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Ms. Campbell moved that case #2016-28 has no evidence to sustain. Dr. Walker seconded the motion and it was approved by general consent with the case team leader abstaining from the vote.

Mr. Blake Strickland presented the Inspection Report. He is confirming inspection dates in September and October.

Ms. Wilhelm presented the Attorney Report.

Ms. Wilhelm presented the Legislative Report and provided members with a copy of draft rules for the Expanded Duty Dental Assistant license.

At 8:14 p.m. Dr. Chesser recessed the meeting until 8:30 a.m. Friday June 3rd.

MINUTES
Board Meeting
Friday, June 3, 2016

The meeting of the Board of Dental Examiners of Alabama reconvened Friday, June 3, 2016 at the Board Office in Hoover, Alabama.

The President called the meeting to order at 8:43 a.m. with the following members in attendance: Dr. Sam J. Citrano, Jr., President, Dr. William E. Chesser, Vice President, 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, 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.

Ms. Wilhelm presented the Executive Director Report.

Dr. Walker moved to formally request an opinion from the Alabama Ethics Commission regarding the appropriateness of members' acceptance of a tuition waiver to audit CE courses regarding anesthesia. Dr. Beckham seconded the motion and it was approved by general consent.

Dr. Cater mentioned to a member that Lawson State is due for an inspection for their hygiene program. Ms. Wilhelm has attempted to reach Dr. Cater by email and U.S. mail regarding the Lawson State assisting program and whether the program wishes to be considered as a prerequisite for the ADHP. She will update the Board at the July meeting.

The new website has been updated with license verifications. Staff is creating and loading current active dental, controlled substance and hygiene rosters suitable for license verifications. These will be updated monthly. Ms. Wilhelm has posted a disclaimer regarding the information provided.

Ms. Wilhelm will research for a photographer to take pictures of members for the website. The photos will be scheduled for the August Board Meeting.

The Sunset Hearing is scheduled for Thursday Sept 22nd at 10:00 a.m. in the Joint Briefing Room, 8th Floor Alabama State House in Montgomery. Auditors have been reviewing Board minutes, Board actions, and member compensation. Auditors have received a 100% return on member surveys. Auditors also inquired about the progress of Expanded Assisting licensing. Ms. Wilhelm explained that Dr. Gamble chaired the committee and since his passing, the Board has had to start over. Also, Dr. Gamble was reimbursed twice for hotel expenses for a meeting.

Dr. Litz has accepted the position of ADHP Director. Ms. Wilhelm is preparing his contract at \$18,000/yr. Ms. Johnson is gathering materials and text books for Dr. Litz. This concluded the Executive Director report.

Ms. Johnson joined the meeting and presented the ADHP report.

There are 170 applications for the 2016-2017 ADHP. Orientation will be held Friday, July 15 from 3:00-5:00 p.m. Students must use a new typodont and will be reminded of this in July prior to the August instrumentation course. Any student who does not have a new one at the August session will be removed from the course.

There are 50+ dentists registered for the Instructor Course at the ALDA meeting. They will be told about the mandatory new typodont. Some of the dentists coming to take the ALDA class are not participating in the ALDA meeting, so Ms. Johnson will incorporate ALDA's list of registrants with her list. ALDA has a list of 40+ registered to take the class; Ms. Johnson has a list of 50+.

There are 130 students scheduled to take the ADHP final comprehensive exam Saturday, June 4. Ms. Campbell, Dr. Walker, Dr. Jackson, Dr. Beckham, and Dr. Stricklin will be present.

There are currently 133 candidates scheduled to take the CITA clinical exam (one from last year who failed; 2 more that are not ADHP students). CITA reserves the right to include non-ADHP candidates if there is clinic space available.

The 2016-17 ADHP classes begin in July. There are session breaks in December and March leaving the last class in May. This puts a strain on Ms. Johnson to get a list of failures and certificates to CITA within 2-3 days of the last class. Ms. Johnson requested changing next year's schedule to include class in March, conclude the lecture sessions in April, and administer the final written exam in early May. Members agreed to this for the 2017-2018 year and also discussed the possibility of changing the calendar for 2016-17.

Ms. Wilhelm discussed a Facebook page for students. The page would be set up so only Ms. Johnson could post information like reminders or notifications.

One student who has failed the ADHP 3 times has applied for a 4th attempt. Board Rule requires a 2 year wait after a second unsuccessful attempt before applying for a 3rd time but it does not address a 4th attempt. Members agreed that, as the rule is silent as to enrollment following three failures, the applicant may not enroll for a fourth attempt. Ms. Wilhelm will contact the applicant and instructing dentist.

At 10:00 a.m., the President declared a brief break to prepare the Board Room for the hearing *in the matter of Dr. Winston Guthrie D.2911*.

At 10:20 a.m., the President turned the meeting over to Ms. Kelli Robinson, Administrative Law Judge, to conduct a hearing *in the matter of Dr. Winston Guthrie D.2911*.

At 10:55 a.m. Dr. Jackson joined the meeting.

The hearing was concluded at 11:38 a.m. and the meeting was turned over to the President.

Following deliberation, Dr. Walker moved that Dr. Winston Guthrie is guilty of Count Sixteen in the Amended Notice of Hearing dated March 1, 2016:

Violating Code of Alabama (1975), § 34-9-18(a)(11) by being convicted in any court of competent jurisdiction a felony, namely, sodomy in the second degree, and a misdemeanor, namely, sexual abuse in the second degree.

Dr. Stricklin seconded the motion and the President called for the vote: Dr. Stricklin, yea, Dr. Beckham, yea, Dr. Chesser, yea, Dr. Walker, yea, with Dr. Citrano, Jr., Dr. Jackson, and the Hygiene member abstaining from the vote.

Dr. Walker moved to revoke Dr. Winston Guthrie's dental license. Dr. Chesser seconded the motion and the President called for the vote: Dr. Stricklin, yea, Dr. Beckham, yea, Dr. Chesser, yea, Dr. Walker, yea, with Dr. Citrano, Jr., Dr. Jackson, and the Hygiene member abstaining from the vote.

Dr. Citrano, Jr. moved not to assess a fine or administrative cost to Dr. Winston Guthrie. Dr. Beckham seconded the motion and the President called for the vote: Dr. Stricklin, yea, Dr. Beckham, yea, Dr. Chesser, yea, Dr. Walker, yea, with Dr. Citrano, Jr., Dr. Jackson, and the Hygiene member abstaining from the vote.

Ms. Wilhelm presented the Wellness report provided by Dr. Mike Garver.

Dr. Stricklin moved to notice the Respondent of case #2015-72 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. Chesser moved to notice the Respondent of case #2016-74 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 12:30 p.m. the President announced a break for lunch; the meeting resumed at 1:02 p.m.

Ms. Wilhelm reminded members of the following events: The ADHP final comprehensive exam will be held at 8:00 a.m. on Saturday, June 4 at Volker Hall. At 2:00 p.m. Saturday, the Board will meet at the Board office to approve UAB SOD license applications. ADHP Instructor Certification class will be held at 10:00 on June 11, at 10:00 a.m. at the ALDA Annual Meeting. Ms. Sherry Campbell, Ms. Kay Alexander, Ms. Hilda Johnson and Ms. Sonya Lankford will be presenting the certification class. Dr. Litz, Ms. Campbell and Ms. Johnson will help to redesign the course and present it in the future.

At 1:15 p.m. Dr. Chesser moved to adjourn the meeting. Dr. Stricklin seconded the motion and it was approved by general consent.

Respectfully Submitted,



Dr. Adolphus M. Jackson, Secretary/Treasurer

Approved: 7-7-2016

Submitted by: Linda Dlugosz

Minutes June 2-3, 2016
Board of Dental Examiners of Alabama

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
April 2016

April, 2016 for June, 2016 Bd mtg
Bank Bal as of 04/30/2016
Cking \$1,384,594.06
MM \$ 301,556.70

	<u>Apr 16</u>	<u>Budget</u>	<u>Oct '15 - Apr 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
501 · Annual Dental Registration	600.00		488,000.00	512,000.00	512,000.00
502 · Annual Hygiene Registration	130.00		265,785.00	277,375.00	277,375.00
503 · Controlled Substance Fee	980.00		234,420.00	261,375.00	261,375.00
504 · Annual Teaching Permits	0.00		5,350.00	5,400.00	5,400.00
505 · ADHP Certification	2,175.00	1,000.00	4,800.00	7,000.00	12,000.00
507 · Drug Log Books	140.00	45.83	385.00	320.85	550.00
508 · ADHP	10,925.00	28,333.33	16,150.00	56,666.66	85,000.00
509 · Dental Exam Fee	1,800.00	666.66	3,900.00	4,666.70	8,000.00
510 · Original License Fee	450.00	333.33	975.00	2,333.35	4,000.00
511 · Licenses Reprint Fee	200.00	166.66	1,000.00	1,166.70	2,000.00
512 · Dental Hygiene Exam Fee	600.00	1,250.00	2,200.00	8,750.00	15,000.00
513 · Directory Fee	400.00	291.66	3,225.01	2,041.70	3,500.00
515 · Penalty Fee	950.00	625.00	12,050.00	4,375.00	7,500.00
516 · Privilege License Money	0.00	0.00	0.00	20,000.00	20,000.00
517 · Interest Inc - checking	9.91	16.66	83.51	116.70	200.00
518 · Parental Sedation Permit Fee	0.00		8,400.00	10,000.00	10,000.00
519 · Anesthesia Permit	0.00		25,800.00	25,000.00	25,000.00
520 · Refunds	0.00		1,134.79		
521 · Other Income	0.00	41.66	0.00	291.70	500.00
525 · Dent Hyg Bd Appl	100.00	583.33	100.00	4,083.35	7,000.00
526 · ADHP Materials	5,175.00	15,000.00	7,590.00	30,000.00	45,000.00
527-1 · Administrative Costs	5,000.00	166.66	5,000.00	1,166.70	2,000.00
527-3 · Administrative Fines	1,800.00		5,900.00		
527 · Disciplinary Fines (Prior)	27,350.00		100,000.00		
528 · Initial Anesthesia Evaluation	7,200.00	1,250.00	12,600.00	8,750.00	15,000.00
529 · OCS Annual Reg. Fee	500.00		20,200.00	21,000.00	21,000.00
530 · Licensure By Credentials	7,000.00	2,916.66	26,000.00	20,416.70	35,000.00
531 · RETURNED CHECK CHARGES	30.00	83.33	90.00	583.35	1,000.00
532 · OCS Initial App. Fee	0.00		100.00		
533 · Dental Lic. Bd Exam Application	3,600.00	1,166.66	7,800.00	8,166.70	14,000.00

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	<u>Apr 16</u>	<u>Budget</u>	<u>Oct '15 - Apr 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
540 · Special Purpose Dental Lic Fee	450.00	83.33	550.00	583.35	1,000.00
545 · Special Purpose Hygiene Lic Fee	195.00	66.66	390.00	466.70	800.00
617 · MDF Permits	2,000.00	166.66	4,750.00	1,166.70	2,000.00
800 · 800-OVERPAYMENTS	0.00		-10.00		
Total Income	<u>79,759.91</u>	<u>54,254.08</u>	<u>1,264,718.31</u>	<u>1,295,262.91</u>	<u>1,393,200.00</u>
Gross Profit	79,759.91	54,254.08	1,264,718.31	1,295,262.91	1,393,200.00
Expense					
0100-0 · Personnel Costs	68,234.74	39,833.33	317,912.37	278,833.35	478,000.00
0114-0 · Board Member Compensation	4,900.00	8,333.33	44,950.00	58,333.35	100,000.00
0198-0 · Bonus	0.00		2,900.00	3,500.00	3,500.00
0201-0 · Payroll Expenses	5,680.71	4,166.66	28,738.25	29,166.70	50,000.00
0202-0 · Pension Plan	0.00	0.00	71,508.19	75,000.00	75,000.00
0203-0 · Medical Insurance	6,201.80	3,833.33	31,508.90	26,833.35	46,000.00
0204-0 · Workman Comp. Ins.	0.00		11,016.00	20,000.00	20,000.00
0205 · Unemployment Fees	0.00	41.66	25.00	291.70	500.00
0300-0 · Travel - In-State	962.71	2,250.00	23,073.52	15,750.00	27,000.00
0400-0 · Travel - Out-of-State	0.00	2,291.66	7,502.95	16,041.70	27,500.00
0500-0 · Repairs & Maintenance	218.52	225.00	1,748.16	1,575.00	2,700.00
0600-1 · Rentals & Leases/Offsite Meetin	0.00	83.33	1,077.87	583.35	1,000.00
0602-1 · Rent on Building	7,977.35	8,166.66	55,841.45	57,166.70	98,000.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	1,860.69	708.33	8,217.19	4,958.35	8,500.00
0700-2 · Utilities - Cell Phone	0.00	41.66	490.56	291.70	500.00
0700-3 · Utilities - Power	527.31	708.33	5,331.95	4,958.35	8,500.00
Total 0700-0 · Utilities & Communications	<u>2,388.00</u>	<u>1,458.32</u>	<u>14,039.70</u>	<u>10,208.40</u>	<u>17,500.00</u>
0800-0 · Professional Services	12,503.75	12,083.33	94,996.87	84,583.35	145,000.00
0800-1 · Membership Dues & Subscriptions	570.00	416.66	6,020.00	2,916.70	5,000.00
0801-0 · Board Attorney Fees	0.00	4,166.66	35,084.45	29,166.70	50,000.00
0840-0 · CONSULTANTS	5,000.00	4,000.00	35,000.00	28,000.00	48,000.00
0899-1 · Evaluator Fees	2,797.68	333.33	9,885.30	2,333.35	4,000.00
0899-2 · Hearing Officer Fees	0.00	666.66	2,928.00	4,666.70	8,000.00
0899-6 · A.D.H.P. Materials & Supplies	0.00	500.00	0.00	1,000.00	1,500.00

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0900-0 · Office Expense	2,052.78	833.33	11,539.76	5,833.35	10,000.00
0900-1 · Recycle / Paper Disposal	206.12	83.33	826.31	583.35	1,000.00
0902-0 · NPDB HIPDB License Background	36.00	41.66	111.00	291.70	500.00
0906-0 · Printing & Supplies	0.00	83.33	0.00	583.35	1,000.00
0910-0 · Postage	0.00	833.33	10,335.62	5,833.35	10,000.00
0924-0 · Insurance	0.00		10,369.00	10,000.00	10,000.00
0944 · Computer Expenses					
0944-0 · Computer Updates	0.00	2,500.00	8,737.91	17,500.00	30,000.00
0944-1 · Computer Support	2,463.11	5,416.66	50,152.90	37,916.70	65,000.00
Total 0944 · Computer Expenses	2,463.11	7,916.66	58,890.81	55,416.70	95,000.00
0951-0 · NSF	0.00	41.66	36.00	291.70	500.00
0999-0 · MISC.	0.00	83.33	245.00	583.35	1,000.00
1000-0 · Auto Expense	260.00	2,083.33	23,124.87	14,583.35	25,000.00
1000-1 · Vehicle Repairs & Maint.	0.00	83.33	409.91	583.35	1,000.00
1000-2 · Vehicle Fuel	212.08	250.00	1,876.61	1,750.00	3,000.00
1400-0 · Equipment					
0600-3 · Equipment Rental/Lease	1,018.96	1,250.00	8,641.18	8,750.00	15,000.00
Total 1400-0 · Equipment	1,018.96	1,250.00	8,641.18	8,750.00	15,000.00
6950 · Bank & CC Service Fees	181.47	1,000.00	41,643.73	7,000.00	12,000.00
Total Expense	123,865.78	107,433.21	963,806.78	858,033.95	1,393,200.00
Net Ordinary Income	-44,105.87	-53,179.13	300,911.53	437,228.96	0.00
Other Income/Expense					
Other Income					
524 · NSF Checks	0.00		3,680.00		
527-2 · ADPWC - Monitoring Fee	1,779.16		7,386.22		
560 · Online Renewals	0.00		-70.00		
Total Other Income	1,779.16		10,996.22		
Net Other Income	1,779.16		10,996.22		
Net Income	-42,326.71	-53,179.13	311,907.75	437,228.96	0.00