



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
January 5-6, 2017

The Board of Dental Examiners of Alabama met Thursday January 5, 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, Mr. Bill Garrett, Esq., Attorney General's Office, 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, and on the Secretary of State's website, www.sos.alabama.gov, in compliance with the Alabama Open Meetings Act.

President Dr. William E. Chesser welcomed Mr. Matt Hart on behalf of the Board as the new Executive Director. Mr. Hart expressed his gratitude for being chosen to fill the position.

The President asked for review of the minutes from December 8-9, 2016. Ms. Campbell moved to approve the minutes as presented. Dr. Jackson 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. Dr. Stricklin seconded the motion and it was approved by general consent.

The President welcomed guests: Dr. Mike Koslin, Dr. Charles King, Dr. David Northcutt, and Mr. Ragan Galliher.

Mr. Galliher presented the Legislative Report. At the conclusion of the report Mr. Gallaher left the meeting.

Dr. Michael Koslin addressed the Board regarding Carbon Dioxide monitoring as it relates to the new ADA guidelines and the ADPA. Some dentists who hold an anesthesia permit do not use this type of monitoring. He voiced strong concern for all dentists holding general or parenteral anesthesia permits to be required to implement CO₂ monitoring. The Board will begin the draft to implement an addition to Rule 270-X-2.17 to add this requirement.

Members reviewed a draft survey provided by Dr. Northcutt for the purpose of obtaining preferences from dental licensees regarding duties of an Expanded Duties Dental Assistant. Some changes were recommended; Dr. Northcutt will edit the draft and present the final copy at the continuation of the meeting on Friday.

Members discussed changing the color of the walls when it is painted. Dr. Walker moved to accept the painter's quote for painting the interior office walls with a different color. The building owner will cover half the cost of the original estimate for painting the same color as currently on the walls. Dr. Beckham seconded the motion and it was approved by general consent.

Members discussed staff salaries. Mr. Garrett said that State employees, under the merit system, become eligible for a merit raise if there is State money available, but Board staff are not State employees. The Board is a State "Checkbook Agency." Salary raises were tabled until some time in the future.

Mr. Blake Strickland presented the Site Inspection Report. Mr. Strickland is looking forward to 2017 when UAB's 29 clinics and the Foundry Clinic are tentatively scheduled to be inspected at the end of September and first of October.

At 6:32 p.m. the President announced a break; the meeting resumed at 6:42 pm.

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

Dr. Stricklin moved to approve Dental Licensure by Credentials for Scott Wilson, DDS. There was no second to the motion; the motion failed. Dr. Walker moved to deny approval of licensure to Scott Wilson, DDS. Dr. McIlwain seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

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

- Komal Bahat, DDS
- Christopher Parker, DDS
- Melissa Santos Perez, DMD
- Gregory Wilson, DDS

Dr. Jackson moved to approve Dental Special Purpose Licensure for 10X in One Year for Francis Miller, DDS. Dr. Walker seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Ms. Campbell moved to approve Dental Hygiene Special Purpose Licensure for 3 Years for Yvette Macsalka, RDH. Dr. McIlwain seconded the motion and it was approved by general consent.

The President announced a break at 7:04 p.m.; the meeting resumed at 7:15 p.m.

Mr. Hart distributed the Wellness report provided by Dr. Mike Garver. Dr. Dixon presented the report.

Dr. Walker moved that case #2016-64 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.

Dr. Beckham moved to notice the Respondent of case #2016-93 for a hearing and send a *cease and desist* letter to the hygienist Respondent of case #2016-91. 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. McIlwain moved that case #2016-90 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. Jackson moved to appoint Ms. Campbell to the ADHP Restructuring Committee. Dr. Stricklin seconded the motion and it was approved by general consent. Members discussed the pre-admittance examination required of all ADHP applicants.

At 7:36 p.m. Dr. Walker moved to recess the meeting until 8:30 a.m. Friday January 13. Dr. Beckham seconded the motion and it was approved by general consent.

MINUTES
Board Meeting
Friday, January 6, 2017

The meeting of the Board of Dental Examiners of Alabama reconvened Friday, January 6, 2016 at the Board Office in Hoover, Alabama.

The President called the meeting to order at 8:31 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, 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, and on the Secretary of State's website, www.sos.alabama.gov, in compliance with the Alabama Open Meetings Act.

Dr. Dixon presented the Attorney Report. She informed members of ongoing cases.

Mr. Matt Hart presented the Executive Director Report.

Mr. Hart thanked members for the opportunity to be Executive Director. He held a staff meeting earlier in the week which was very productive.

At midnight, December 31st the online renewal portal was closed. At that time there were 292 licensees who had been in active status but who did not renew their license or else who did not inform the Board of electing *inactive* status. Since that time about 15 have come in person to bring their reinstatement papers and payment. Three of those were unable to sign the affidavit. There are still 110 dentists and 167 hygienists who have not renewed or contacted the office. There was a brief period of time that the online system was down with technical difficulties on Friday evening but the situation was quickly corrected. About 5 licensees stated that they were unable to access the portal during this time. They were told to go ahead and pay the reinstatement fee and then submit a statement of their issues. If their time frame coincides with the *down time* we will consider refunding their reinstatement penalty fee only.

Ms. Lankford is preparing certified letters to go out to all licensees who have not responded to license renewal. These letters require a signature upon delivery.

ADHP classes have been cancelled this weekend because of inclement weather. It has been rescheduled for the following weekend – January 17-18.

The cut off for receiving Bookkeeper applications was December 31st. Mr. Hart has reviewed the applications and selected several for the Board to interview whenever they are ready to do so.

Mr. Strickland has requested to attend a certified investigator training meeting sponsored by the Alabama Regulatory Board in Gulf Shores Jan. 30 – Feb 1. The cost is \$250.00 plus instate expenses.

Dr. Stricklin moved to approve his attendance. Dr. McIlwain seconded the motion and it was approved by general consent. This concluded the Executive Director Report.

Dr. McIlwain opened discussion about the weakness of the office WIFI and suggested obtaining a booster for the board room. Mr. Hart will get the IT technician to examine the problem.

Mr. Hart presented the Legislative Committee Report.

There was discussion about requesting an opinion from the Attorney General's Office regarding the scope of the Board's authority in regards to changing procedures to be conducted by licensed dental hygienists and whether certain regulations could be enacted through the Rule-making process. Mr. Hart will draw up a draft letter addressing these questions. In addition, Mr. Hart will draft a Rule to include mandatory CO₂ monitoring for general dentists who perform general anesthesia or parenteral anesthesia.

The President invited Dr. David Northcutt, guest, to address the Board. He presented a draft survey to send to all in-state licensed dentists with options for additional duties for EDDAs and hygienists. After discussion, members offered their suggestions for editing the draft.

At 9:23 a.m. the President announced a break; the meeting resumed at 9:47 a.m.

Members reviewed the draft survey that Dr. Northcutt edited according the members' suggestions and agreed for it to be presented to ALDA for their approval.

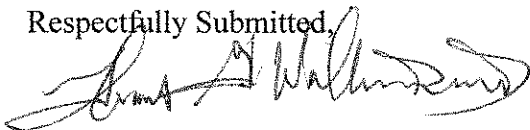
Dr. Stricklin moved to refund application fee of \$2,000.00 to Dr. Scott Wilson who was denied an Alabama License. Dr. Beckham seconded the motion and the President called for the vote: Dr. Beckham, yea, Dr. Stricklin, yea, Dr. Jackson, yea, Dr. McIlwain, yea, Dr. Chesser, yea, Dr. Walker, nay, Ms. Campbell, abstain. The motion carried.

Members discussed questions from a hygienist about what portion of tooth whitening could be performed by an assistant or hygienist. After discussion, members advised Dr. Dixon to answer the email with the statement that at this time the answers to those questions have not been defined.

Members requested that their outdated lap pads be replaced by newer models or by lap tops.

At 10:16 a.m. Dr. Jackson moved to adjourn the meeting. Dr. Beckham seconded the motion and it was approved by general consent.

Respectfully Submitted,



Dr. Thomas Gerald Walker, Secretary/Treasurer

Approved: Feb 9, 2017

Submitted by: Linda Dlugosz

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

Nov, 2016 for Bd mtg Jan, 2017
Bk bal as of 11/30/2016
Ck \$ 1,787,741.46
MM \$ 301,621.15

	<u>Nov 16</u>	<u>Budget</u>	<u>Oct - Nov 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
501 · Annual Dental Registration	56,400.00	171,000.00	443,000.00	342,000.00	513,000.00
502 · Annual Hygiene Registration	29,835.00	92,458.33	227,630.00	184,916.66	277,375.00
503 · Controlled Substance Fee	25,485.00	87,125.00	213,695.00	174,250.00	261,375.00
504 · Annual Teaching Permits	150.00	1,833.33	4,200.00	3,666.66	5,500.00
505 · ADHP Certification	75.00	0.00	75.00	0.00	12,000.00
507 · Drug Log Books	35.00	45.83	70.00	91.70	550.00
508 · ADHP	0.00	0.00	0.00	0.00	85,000.00
509 · Dental Exam Fee	700.00	666.66	1,200.00	1,333.40	8,000.00
510 · Original License Fee	175.00	333.33	300.00	666.70	4,000.00
511 · Licenses Reprint Fee	50.00	166.66	275.00	333.40	2,000.00
512 · Dental Hygiene Exam Fee	200.00	1,250.00	1,400.00	2,500.00	15,000.00
513 · Directory Fee	0.00	325.00	50.00	650.00	3,900.00
515 · Penalty Fee	200.00	1,250.00	950.00	2,500.00	15,000.00
516 · Privilege License Money	0.00	0.00	0.00	0.00	20,000.00
517 · Interest Inc - checking	4.96	16.66	13.88	33.40	200.00
518 · Parental Sedation Permit Fee	1,600.00	833.33	3,000.00	1,666.70	10,000.00
519 · Anesthesia Permit	2,400.00	2,500.00	26,200.00	5,000.00	30,000.00
521 · Other Income	0.00	41.66	0.00	83.40	500.00
525 · Dent Hyg Bd Appl	0.00	583.33	0.00	1,166.70	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	833.40	5,000.00
527-3 · Administrative Fines	0.00		250.00		
527 · Disciplinary Fines (Prior)	9,275.00		17,075.00		
528 · Initial Anesthesia Evaluation	2,700.00	1,333.33	4,500.00	2,666.70	16,000.00
529 · OCS Annual Reg. Fee	2,200.00	7,000.00	18,700.00	14,000.00	21,000.00
530 · Licensure By Credentials	9,000.00	3,333.33	16,000.00	6,666.70	40,000.00
531 · RETURNED CHECK CHARGES	60.00	83.33	60.00	166.70	1,000.00
533 · Dental Lic. Bd Exam Application	1,400.00	1,250.00	2,400.00	2,500.00	15,000.00
540 · Special Purpose Dental Lic Fee	0.00	83.33	450.00	166.70	1,000.00
545 · Special Purpose Hygiene Lic Fee	0.00	66.66	195.00	133.40	800.00

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

Nov, 2016 for Bd mtg Jan, 2017
Bk bal as of 11/30/2016
Ck \$ 1,787,741.46
MM \$ 301,621.15

	<u>Nov 16</u>	<u>Budget</u>	<u>Oct - Nov 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
617 - MDF Permits	1,250.00	333.33	1,250.00	666.70	4,000.00
Total Income	143,194.96	374,329.09	982,938.88	748,659.02	1,419,200.00
Gross Profit	143,194.96	374,329.09	982,938.88	748,659.02	1,419,200.00
Expense					
0100-0 - Personnel Costs	63,337.87	39,833.33	102,754.11	79,666.70	478,000.00
0114-0 - Board Member Compensation	6,850.00	8,333.33	14,850.00	16,666.70	100,000.00
0198-0 - Bonus	0.00	3,500.00	0.00	3,500.00	3,500.00
0201-0 - Payroll Expenses	7,524.11	4,166.66	11,162.92	8,333.40	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	10,942.54	7,666.70	46,000.00
0204-0 - Workman Comp. Ins.	0.00		0.00		16,000.00
0205 - Unemployment Fees	0.00	41.66	0.00	83.40	500.00
0300-0 - Travel - In-State	617.01	2,250.00	2,224.29	4,500.00	27,000.00
0400-0 - Travel - Out-of-State	2,471.39	2,291.66	2,514.20	4,583.40	27,500.00
0500-0 - Repairs & Maintenance	0.00	225.00	218.52	450.00	2,700.00
0600-1 - Rentals & Leases/Offsite Meetin	0.00	83.33	0.00	166.70	1,000.00
0602-1 - Rent on Building	8,174.65	8,166.66	16,349.30	16,333.40	98,000.00
0700-0 - Utilities & Communications					
0700-1 - Utilities - Telephone	1,082.91	708.33	2,459.97	1,416.70	8,500.00
0700-2 - Utilities - Cell Phone	0.00	41.66	0.00	83.40	500.00
0700-3 - Utilities - Power	974.34	708.33	1,497.08	1,416.70	8,500.00
Total 0700-0 - Utilities & Communications	2,057.25	1,458.32	3,957.05	2,916.80	17,500.00
0800-0 - Professional Services	12,610.68	13,583.33	33,205.08	27,166.70	163,000.00
0800-1 - Membership Dues & Subscriptions	0.00	416.66	3,443.00	833.40	5,000.00
0801-0 - Board Attorney Fees	0.00	4,166.66	0.00	8,333.40	50,000.00
0840-0 - CONSULTANTS	5,000.00	5,000.00	10,000.00	10,000.00	60,000.00
0899-1 - Evaluator Fees	0.00	333.33	600.00	666.70	4,000.00
0899-2 - Hearing Officer Fees	0.00	666.66	0.00	1,333.40	8,000.00
0899-6 - A.D.H.P. Materials & Supplies	0.00	125.00	0.00	250.00	1,500.00
0900-0 - Office Expense	0.00	833.33	2,316.57	1,666.70	10,000.00
0900-1 - Recycle / Paper Disposal	0.00	83.33	50.00	166.70	1,000.00
0902-0 - NPDB HIPDB License Background	0.00	41.66	29.00	83.40	500.00

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

Nov, 2016 for Bd mtg Jan, 2017
Bk bal as of 11/30/2016
Ck \$ 1,787,741.46
MM \$ 301,621.15

	<u>Nov 16</u>	<u>Budget</u>	<u>Oct - Nov 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
0906-0 · Printing & Supplies	0.00	83.33	0.00	166.70	1,000.00
0910-0 · Postage	0.00	833.33	2,000.00	1,666.70	10,000.00
0924-0 · Insurance	9,831.00		9,831.00		10,000.00
0944 · Computer Expenses					
0944-0 · Computer Updates	0.00	2,500.00	0.00	5,000.00	30,000.00
0944-1 · Computer Support	0.00	5,416.66	1,993.26	10,833.40	65,000.00
Total 0944 · Computer Expenses	<u>0.00</u>	<u>7,916.66</u>	<u>1,993.26</u>	<u>15,833.40</u>	<u>95,000.00</u>
0951-0 · NSF	27.00	41.66	27.00	83.40	500.00
0999-0 · MISC.	0.00	83.33	0.00	166.70	1,000.00
1000-0 · Auto Expense	1,334.97	2,083.33	1,334.97	4,166.70	25,000.00
1000-1 · Vehicle Repairs & Maint.	0.00	83.33	0.00	166.70	1,000.00
1000-2 · Vehicle Fuel	0.00	250.00	221.88	500.00	3,000.00
1400-0 · Equipment					
0600-3 · Equipment Rental/Lease	0.00	1,250.00	1,097.19	2,500.00	15,000.00
Total 1400-0 · Equipment	<u>0.00</u>	<u>1,250.00</u>	<u>1,097.19</u>	<u>2,500.00</u>	<u>15,000.00</u>
6950 · Bank & CC Service Fees	14,793.38	1,000.00	30,457.53	2,000.00	12,000.00
Total Expense	<u>140,100.58</u>	<u>113,058.21</u>	<u>261,579.41</u>	<u>222,617.90</u>	<u>1,419,200.00</u>
Net Ordinary Income	3,094.38	261,270.88	721,359.47	526,041.12	0.00
Other Income/Expense					
Other Income					
524 · NSF Checks	-445.00		-445.00		
527-2 · ADPWC - Monitoring Fee	2,194.16		2,613.74		
560 · Online Renewals	8,448.30		-12,506.28		
Total Other Income	<u>10,197.46</u>		<u>-10,337.54</u>		
Net Other Income	10,197.46		-10,337.54		
Net Income	<u><u>13,291.84</u></u>	<u><u>261,270.88</u></u>	<u><u>711,021.93</u></u>	<u><u>526,041.12</u></u>	<u><u>0.00</u></u>