

Adolphus M. Jackson, DMD
President

T. Gerald Walker, DMD
Vice-President

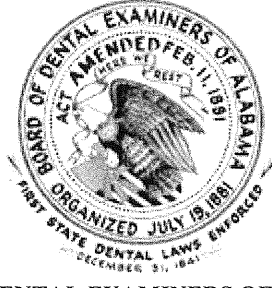
Douglas Beckham, DMD
Secretary/Treasurer

Stephen R. Stricklin, DMD

Mark R. McIlwain, DMD, MD

Kevin M. Sims, DMD, MS

Sherry S. Campbell, RDH



J. Matthew Hart, JD

Executive Director

Donna L. Dixon, DMD, MA, JD
Prosecuting Attorney

BOARD OF DENTAL EXAMINERS OF ALABAMA
5346 Stadium Trace Parkway, Ste. 112
Hoover, AL 35244-4583
Phone (205) 985-7267
Fax (205) 985-0674

MINUTES
BOARD MEETING
January 11-12, 2018

The Board of Dental Examiners of Alabama met Thursday January 11, 2018, at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 6:02 p.m. with the following members in attendance: Dr. Adolphus M. Jackson, President, Dr. Thomas Gerald Walker, Vice-President, Dr. Douglas Beckham, Secretary/Treasurer, Dr. Stephen R. Stricklin, Dr. Mark R. McIlwain, Dr. Kevin M. Sims, 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 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. Dr. McIlwain moved to approve the minutes as presented. Dr. Stricklin seconded the motion and it was approved by general consent.

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

Ms. Sherry Campbell requested that the ADHP continue to use the ADEX exam first administered by CITA in 2017 rather than revert to the former state board exam administered by CITA in 2016. After discussion, Dr. McIlwain approved to retain the CITA-ADEX exam for graduating ADHP students. Dr. Sims seconded the motion and it was approved by general consent.

At 6:14 p.m. Mr. Steve Windom joined the meeting and presented the Legislative Report.

Mr. Windom updated members on current legislation and upcoming issues. The Board has a bill that has been filed and is in committee. It is essentially a *housekeeping* bill that updates language and corrects some errors. The Board has drafted a second bill that addresses infiltration by

hygienists and the deletion of the Expanded Duties Dental Assistant position but will not file it until a consensus has been achieved between the Board and ALDA. This concluded the report.

Members discussed details of plans to add infiltration anesthesia injections as a permissible duty of properly trained dental hygienists. Dr. Peter Waite and Dr. Patrick Louis have agreed to establish a 32-hour course that would be mandatory for any hygienist desiring to perform this duty. A hygienist could only participate after at least 1 year of hygiene practice. A written exam would follow the course as well as a clinical portion during the course under the constant observation of the instructor. Permitted hygienists would be required to take a refresher course every 4 years.

At 7:48 p.m. the President announced a break; the meeting resumed at 7:58 pm.

Mr. Hart reviewed with members the excessive number of affidavits that are currently required for the background report for initial licensing. Members agreed that the following would be sufficient: 2 affidavits declaring moral character, 2 affidavits to confirm 5 years or 5,000 hours of active practice for licensure by credentials, and 2 affidavits for character reference. PBIS, who conducts licensure background investigations on behalf of the Board, will be informed of the change in requirements.

At the October 5-6, 2017 meeting, members voted to extend a 50% discount for initial dental licensing to any active dentist in Puerto Rico seeking to come to Alabama to practice because of the devastation from the hurricane. Members discussed offering this discount to hygienists as well. Dr. Stricklin moved to reduce initial licensure fee by 50% for any currently licensed hygienist in Puerto Rico applying for an Alabama license within 6 months from the date originally moved for dentists. Ms. Campbell seconded the motion and it was approved by general consent.

Dr. Stricklin, Dr. Walker, Dr. Jackson, and Mr. Hart gave an update on the Annual CITA meeting. Members thanked Dr. Stricklin for giving an excellent report for Alabama at the meeting. Former Board Member and licensee, Renee Chapman has been elected as Vice-President of CITA.

Mr. Hart updated Board Members on the data file that was lost by UPS when sent by the Board's IT Contractor, Datahouse, to the developers of the new licensure database, iGov. UPS was unable to locate the package through their lost package protocol and it has not yet been received by iGov. Mr. Hart has been in contact with the State's Office of Information Technology and received advice from them on how to address this issue. The Office of IT has classified the risk of exposure from this incident as being "low risk" due to the fact that there is no evidence of any malicious intent and the package merely seems to be lost in UPS's distribution chain in their regular course of business. However, Mr. Hart advised the Board that, since the data file contained personal information of licensees and applicants, that a notification should be sent to those affected with an offer of 1-year of credit monitoring. The Board agreed with this and directed that all active licensees be sent a notification via email and anyone in any other type of status be notified via regular US Mail. Mr. Hart presented several different options for offering credit monitoring. Dr. McIlwain moved to accept the proposal from AllClear ID for 12 months of credit monitoring for all affected by the loss of the data. Dr. Sims seconded the motion and it was approved by general consent.

Members discussed a request by the American Academy of Facial Esthetics, an approved PACE CE provider, to consider injection of the trapezius muscle for TMJ and orofacial pain to be within the scope

of dental practice. After discussion, members concurred that injection into the trapezoid muscle for the treatment of TMJ is within the scope of dental practice.

At 8:36 p.m. the President recessed the meeting until 8:30 a.m. Friday.

MINUTES
BOARD MEETING
Friday January 12, 2018

The Board of Dental Examiners of Alabama met Friday January 12, 2018, at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 8:37 a.m. with the following members in attendance: Dr. Adolphus M. Jackson, President, Dr. Thomas Gerald Walker, Vice-President, Dr. Douglas Beckham, Secretary/Treasurer, Dr. Stephen R. Stricklin, Dr. Mark R. McIlwain, Dr. Kevin M. Sims, 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 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.

In preparation for a public hearing to review proposed Rule amendments, Investigator Blake Strickland checked the halls and foyers and ascertained that no one was waiting to attend the hearing. The President convened the public hearing. Mr. Kevin Lane read aloud Rule 270-X-2.17 *Criteria for On-Site Inspection for the Use of General Anesthesia and Parenteral Sedation* with proposed revisions. There were no public objections; no comments had been received on the Rule change. Dr. McIlwain moved to approve the revisions as read. Dr. Sims seconded the motion and it was approved by general consent. Dr. Jackson closed the Public Hearing and returned to regular Board meeting.

Mr. Blake Strickland presented the Inspections Report.

About 40 clinics are set to be inspected this year. Dr. McIlwain praised and thanked Mr. Strickland for his assistance at Ethics Day at UAB. Dr. McIlwain suggested that a combination of a Board member, Board Attorney, and Investigator speak at this event each January.

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

Currently there are 184 students in the program. Seven have withdrawn since the beginning of the course. There are 17 students with a low grade point average who may not be able to remain in the course. Ms. Johnson hasn't mailed any *low GPA letters* yet, but she has spoken with the students and warned them about their averages.

Next month Ms. Sandra Kay Alexander will review the CITA application with students and give instructions on completing it.

The Oak Mountain Book Store will provide books, instruments and typodonts, for the 2018-19 Course.

Dentists have already begun registering for the Instructor Certification classes.

CITA sent Ms. Johnson June 21-22 as exam dates for but some students have told her that CITA's website shows June 22-23. She will confirm the correct dates.

Dr. Matthew Litz has given the Board notice that, for personal reasons, he will not be able to continue serving as ADHP Director after the conclusion of his contract for this academic year. The Board

acknowledged that the program will suffer a great loss from his departure. The Board will begin to search for a replacement for Dr. Litz in the next few months.

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

- Silvia Brautigam-Martinez, DDS
- Keith Jackson, DMD

Dr. Sims moved to approve Dental Licensure by Credentials based on successful completion of the jurisprudence exam for the following applicant. Dr. Stricklin seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

- Allison Driscoll, DDS

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

- Danielle Guillory, RDH
- Chonkita Miller, RDH
- Kendall Scott, RDH

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

- Sonja Warburton, RDH

Mr. Hart presented the Real Estate Committee Report by listing properties that he had viewed with the Board's agent.

Dr. Dixon presented the Wellness Report provided by Dr. Mike Garver. She reported on licensees who have had some activity in the past month.

Mr. Hart and Dr. Dixon presented the Attorney Report. They updated members on civil court activity.

Dr. Beckham moved to close case #2016-43. Dr. Sims seconded the motion and it was approved by general consent with the case team leader abstaining from the vote.

Dr. Beckham moved to close case #2016-54. Dr. Sims seconded the motion and it was approved by general consent with the case team leader abstaining from the vote.

Dr. McIlwain moved to notice the Respondent of case #2017-111 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. Walker moved to notice the Respondent of case #2017-109 for a hearing. Dr. McIlwain 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 notice the Respondent of case #2017-120 for a hearing. Dr. Sims seconded the motion and the President called for the vote: Dr. Stricklin, yea, Dr. McIlwain, yea, Dr. Walker, nay, Dr. Sims, yea. Dr. Jackson, yea. The motion carried with the case team leader and hygiene member abstaining from the vote.

Dr. McIlwain moved to notice the Respondent of case #2017-116 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. McIlwain moved to notice the Respondent of case #2017-117 for a hearing. Dr. Beckham seconded the motion and it was approved by general consent with the case team leader abstaining from the vote.

Dr. Sims moved to close case #2016-65 and #2016-27 based on the licensee's voluntary surrender of her license. 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. Stricklin moved that there is no evidence to sustain case #2017-108. Dr. McIlwain 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 there is no evidence to sustain cases #2017-89 and 2017-90. There was no second; the motion failed. After discussion, Dr. McIlwain moved no evidence to sustain these two cases. Dr. Beckham seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

The President announced a break at 10:32 a.m.; the meeting resumed at 10:45 a.m.

Dr. Kevin M. Sims moved to notice the Respondent of case #2017-110 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. McIlwain moved to dismiss cases #2017-106 and 2017-92. Dr. Sims seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Sims moved that case #2017-73 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. Walker moved that case #2017-104 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. Stricklin moved to amend the current Notice for case #2017-67 to only include one count for record keeping. Dr. Sims seconded the motion and the President called for the vote: Dr. Stricklin, yea, Dr. Walker, recused, Dr. Beckham, recused, Dr. Sims, yea, Dr. Jackson, nay. The motion carried with the case team leader and hygiene member abstaining from the vote.

Mr. Hart presented the Executive Director Report.

License Renewal portal closed at midnight 12/31/2017.

Dental Renewals

2,491 dental renewals were processed

44 active dentists did not renew or elect inactive status

69 dentists elected inactive status

To date no dentists have submitted reinstatement requests

Hygiene Renewals

1,489 hygiene renewals were processed

88 active hygienists did not renew or elect inactive status

112 elected inactive status

To date 7 have submitted reinstatement requests

The numbers for non-renewals are significantly down from last year because of extra steps taken to notify licensees. Certified letters were mailed last week to licensees who did not renew/did not elect inactive.

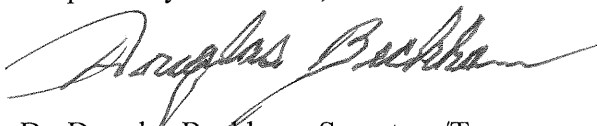
Mr. Hart read a report comprised by Mr. Strickland on the types of discipline cases brought before the Board in the previous year. In 2017, 123 cases were opened; this number is up from 95 cases in 2016. A large majority of this increase is due to a change in the way the Board is now tracking adverse occurrences and other administrative actions.

Members discussed the logistics/safety of a dentist holding multiple GA permits and whether a rule should be made to limit the number of permits that a licensee can hold.

Mr. Hart's one-year work anniversary is this month and is due an evaluation by members. He distributed blank evaluation forms for members to take home and complete and present at the February meeting. This concluded the report.

At 12:38 p.m. Ms. Campbell moved to adjourn the meeting. Dr. McIlwain seconded the motion and it was approved by general consent.

Respectfully Submitted,



Dr. Douglas Beckham, Secretary/Treasurer

Approved: Feb. 8, 2018

Submitted by: Linda Dlugosz