

Mark R. McIlwain, DMD, MD  
*President*  
Sherry S. Campbell, RDH, CDHC  
*Vice-President*  
Kevin M. Sims, DMD, MS  
*Secretary/Treasurer*  
L. Douglas Beckham, DMD  
Bruce E. Cunningham, DMD  
Marshall A. Williams, DDS  
Roberto V. Pischek, DMD



Bradley W. Edmonds, JD, MBA, MS  
*Executive Director*

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

## BOARD OF DENTAL EXAMINERS OF ALABAMA

2229 Rocky Ridge Rd  
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### MINUTES BOARD MEETING December 5-6, 2019

The Board of Dental Examiners of Alabama met Thursday, December 5, 2019, at the Board Office in Birmingham, Alabama to conduct business.

The President called the meeting to order at 6:00 p.m. with the following members in attendance: Dr. Mark R. McIlwain, President; Ms. Sherry S. Campbell, RDH, Vice President; Dr. Kevin M. Sims, Secretary/Treasurer; Dr. L. Douglas Beckham; Dr. Bruce E. Cunningham; and Dr. Marshall A. Williams. Also in attendance were Brad W. Edmonds, Esq., Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Blake Strickland, Investigator; 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](http://www.dentalboard.org), and on the Secretary of State's website, [www.sos.alabama.gov](http://www.sos.alabama.gov), in compliance with the Alabama Open Meetings Act.

The President asked for review of the minutes from the November 2019 meeting. Dr. Sims moved to approve the minutes as presented. Dr. Cunningham seconded the motion and it was approved by general consent.

Dr. Sims presented the Financial report. There were no objections to the report.

The President welcomed guests and invited public comments. Dr. Thomas Willis addressed the Board as President of CRDTS Executive Committee. He updated members on the status of the CRDTS testing agency and their possible merger with CITA. Both CITA and CRDTS plan to test in Alabama. Dr. Willis answered questions posed by members. At the conclusion of his address, Dr. Willis left the meeting.

At 6:17 p.m. Ms. Campbell moved to enter Executive Session for the discussion of the general reputation, character, and/or professional competence of licensees and to return to public session at 6:45 p.m. Dr. Sims seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Beckham, yea, Ms. Campbell, yea, Dr. McIlwain, yea, Dr. Sims, yea, and Dr. Williams, yea. The motion carried. At 6:40 p.m. the Board retired from Executive Session.

Ms. Campbell moved to approve Dental Hygiene License by Regional Exam based on successful completion of the jurisprudence exam for Christopher Cogmon, RDH, and Alexandra Keenan, RDH. Dr. Sims seconded the motion and it was approved by general consent.

Dr. Alvin “Red” Stevens joined the meeting and was invited to present the ADHP Report. He distributed a document that detailed the financial impact of producing a new ADHP Training Video. He heartily recommended the production of a new video because the former one was past due for corrections. Dr. Sims moved to approve the expenditure of \$12,000 in excess of the amount already budgeted for the ADHP to cover production of the new video. Ms. Campbell seconded the motion and it was approved by general consent.

Instead of hiring 30 dental students to teach instrumentation as was done in the past, Dr. Stevens will hire 8 licensed dentists or hygienists.

Members discussed the retirement of Dr. Weatherford and Ms. Hilda Johnson. Dr. Beckham moved to approve the purchase of commemorative plaques for these two retirees of the ADHP. Dr. Sims seconded the motion and it was approved by general consent.

Ms. Campbell will work with Rene Chapman to research purchasing the “cube” to use with Instructor Certification.

Dr. Stevens is very pleased with the direction in which the ADHP is going. He has high hopes for the future of the program. This concluded the report; Dr. Stevens left the meeting.

Mr. Edmonds explained the policy on providing addresses of licensees when requested. If the request is for a valid reason such as survey or government report it will be considered; but not for a personal reason such as searching for a dentist partner. He plans to research whether an applicant’s denied license application is public information and then inform staff on what information can and cannot be given out.

Members discussed the need to revise the Alabama Dental Practice Act as well as Board Rules so that they comply with one another. More will be discussed and determined at a future meeting.

Dr. Sims moved to adopt the draft of Rule 270-X-4-.04 as amended. Dr. Beckham seconded the motion and it was approved by general consent. There will be a public hearing at the Board office at 8:30 a.m. on February 14, 2020.

Dr. Pischek, Dr. Williams, Mr. Edmonds, Cassandra Harlequin, and Sonya Lankford will attend Board Member Training January 29 in Montgomery.

Dr. Sims moved to approve Dental Licensure by Credentials based on successful completion of the jurisprudence exam for Michael Sawaf, DMD. Dr. Williams 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 Licensure by Regional Exam based on successful completion of the jurisprudence exam for Catherine Edwards, RDH. Dr. Williams seconded the motion and it was approved by general consent.

Dr. Beckham moved to approve Dental License by Credentials based on successful completion of the jurisprudence exam for Michael West, DDS. Dr. Williams seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. Cunningham moved to approve Dental Hygiene Infiltration/Anesthesia Permit for Nahid Zamani, RDH, Kelly Juzikis, RDH, and Christiana Wachter, RDH. Dr. Sims seconded the motion and it was approved by general consent.

Dr. Beckham moved to approve Dental Hygiene Infiltration/Anesthesia Permit for Alexis Nold, RDH. Dr. Williams seconded the motion and it was approved by general consent.

At 8:00 Dr. McIlwain recessed the meeting until Friday at 8:30 a.m.

**MINUTES**  
**BOARD MEETING**  
Friday December 6, 2019

The Board of Dental Examiners of Alabama met Friday December 6, 2019 at the Board Office in Birmingham, Alabama to conduct business.

The President called the meeting to order at 8:35 a.m. with the following members in attendance: Dr. Mark R. McIlwain, President; Ms. Sherry Skinner Campbell, RDH, Vice President; Dr. Kevin M. Sims, Secretary/Treasurer; Dr. Douglas Beckham; Dr. Bruce E. Cunningham; and Dr. Marshall A. Williams. Also in attendance were Brad W. Edmonds, Esq., Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Blake Strickland, Investigator; 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](http://www.dentalboard.org), and on the Secretary of State's website, [www.sos.alabama.gov](http://www.sos.alabama.gov), in compliance with the Alabama Open Meetings Act.

The President recognized Dr. Mike Garver, Director, Alabama Dental Professionals' Wellness Committee; and Blaine Galliher, of Windom, Galliher & Associates.

Dr. Garver presented the Wellness Committee Report. He reported on participants who have had some activity this past month. When the report was completed, Dr. Garver left the meeting.

Blaine Galliher, Legislative Representative, presented the Legislative Report. He updated members on what to expect in Montgomery for 2020. When the report was concluded, Mr. Galliher left the meeting.

At 9:00, Dr. Cunningham moved to enter Executive Session and return to public session at 9:15 a.m. for the discussion of pending litigation. Dr. Sims seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Williams, yea, Dr. Sims, yea, Dr. McIlwain, yea, Ms. Campbell, yea, Dr. Beckham, yea. The motion carried. At 9:15 a.m. the Board retired from Executive Session.

Blake Strickland presented the Inspection Report.

He reported the ongoing application process for the RAM event to be hosted in Gadsden, AL in March 2020. Mr. Strickland also reported that he was working in conjunction with the UAB-School of Dentistry to complete the necessary paperwork for their faculty and students to participate in this event. Lastly, he reported the scheduled inspection for the new UAB-OMS Clinic in Hoover. This concluded the report.

Members discussed GA/PA inspections of inventory/dispensing logs and some of the ways to educate dentists regarding the requirements for keeping these records. Some options for spreading the word are blast emails, letters, check box on the permit renewal, and speakers at district meetings.

At 10:02 a.m. the President called for a break; the meeting resumed at 10:15 a.m.

Executive Director Report

License Lookup will be ready to go live on the Board's website very soon. Probation status will be manually confirmed and indicated for the licensees in that status. The database will be adjusted so that these licensees can renew their license while showing, "probation" instead of "active."

The Board received a bill of \$11,000 for property tax which must be paid. The Board will be exempt from this tax in the future.

Mr. Edmonds will be working with Dr. Dixon to update the Complaint Protocol.

The new vehicle for Mr. Strickland's use for inspections should be delivered Monday.

Mr. Edmonds distributed packets containing a generic job evaluation form for an Executive Director, job description, E.D. job duties composed by Dr. McIlwain, and Prosecuting Attorney's job description. Dr. McIlwain and Mr. Lane will modify the job evaluation form to fit Mr. Edmonds's particular position. This concluded the report.

Dr. Dixon presented the Attorney Report.  
She updated members on current litigation.

After discussing the need to amend protocol in the instance of dispensing log irregularities, Dr. Sims moved that if there are irregularities in controlled substance inventory and/or dispensing drug logs, the responsible licensee will be asked to have an appropriate evaluation at a board approved facility. Dr. Beckham seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote. This concluded the Attorney Report.

Dr. Beckham moved that case #2019-91 has no evidence to sustain. Dr. Williams seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Williams moved to notice the Respondent of case #2019-85 for a hearing. Dr. Cunningham 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 # 2019-92 for a hearing. 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. Cunningham moved to notice the Respondent of case #2019-69 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. Sims moved that case #2019-86 has no evidence to sustain. Dr. Cunningham seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

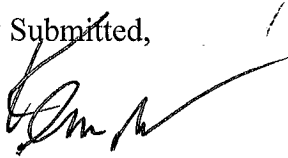
Dr. Sims moved that case #2019-88 has no evidence to sustain. Dr. Cunningham seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham moved to notice the Respondent of case #2019-104 for a hearing. Dr. Williams seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham moved to notice the Respondent of case #2019-103 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 12:34 p.m. Dr. McIlwain moved to adjourn the meeting. Dr. Beckham seconded the motion and it was approved by general consent.

Respectfully Submitted,



Dr. Kevin Michael Sims, Secretary/Treasurer

Approved: Jan. 16, 2020

Submitted by: Linda Dlugosz

**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**  
October 2019

Oct 2019 for Dec 2019  
Balance as of 10/31/2019  
Checking: \$1,269,449.71  
MM: \$391,456.94

	<u>Oct 19</u>	<u>Budget</u>	<u>Oct 19</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	<b>VARIANCE</b>
<b>Ordinary Income/Expense</b>						
<b>Income</b>						
320 · Def. Hygiene Infiltration Permi	575.00		575.00		0.00	
501 · Annual Dental Registration	55,225.00	237,265.00	55,225.00	237,265.00	711,795.00	
502 · Annual Hygiene Registration	36,205.00	96,525.00	36,205.00	96,525.00	289,575.00	
503 · Controlled Substance Fee	22,360.00	81,956.67	22,360.00	81,956.67	245,870.00	
504 · Annual Teaching Permits	340.00	2,066.67	340.00	2,066.67	6,200.00	
505 · ADHP Certification	0.00	0.00	0.00	0.00	12,000.00	
508 · ADHP	0.00	0.00	0.00	0.00	135,000.00	
509 · Dental Exam Fee	100.00	750.00	100.00	750.00	9,000.00	
510 · Original License Fee	50.00	322.92	50.00	322.92	3,875.00	
511 · Licenses Reprint Fee	50.00	41.67	50.00	41.67	500.00	
512 · Dental Hygiene Exam Fee	225.00	1,250.00	225.00	1,250.00	15,000.00	
515 · Penalty Fee	900.00	583.33	900.00	583.33	7,000.00	
516 · Privilege License Money	0.00	0.00	0.00	0.00	20,000.00	
517 · Interest Inc - checking	6.65	16.67	6.65	16.67	200.00	
518 · Parental Sedation Permit Fee	1,200.00	1,000.00	1,200.00	1,000.00	12,000.00	
519 · Anesthesia Permit	1,500.00	2,500.00	1,500.00	2,500.00	30,000.00	
521 · Other Income	0.00	41.67	0.00	41.67	500.00	
525 · Dent Hyg Bd Appl	0.00	625.00	0.00	625.00	7,500.00	
526 · ADHP Materials	0.00	0.00	0.00	0.00	65,000.00	
527-1 · Administrative Costs	1,000.00	416.67	1,000.00	416.67	5,000.00	
527-3 · Administrative Fines	0.00	0.00	0.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	1,500.00	0.00	1,500.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	1,950.00	2,083.33	1,950.00	2,083.33	25,000.00	
529 · OCS Annual Reg. Fee	1,500.00	6,550.00	1,500.00	6,550.00	19,650.00	
530 · Licensure By Credentials	4,400.00	4,166.67	4,400.00	4,166.67	50,000.00	
531 · RETURNED CHECK CHARGES	0.00	41.67	0.00	41.67	500.00	
532 · OCS Initial App. Fee	0.00	0.00	0.00	0.00	0.00	
533 · Dental Lic. Bd Exam Application	375.00	1,500.00	375.00	1,500.00	18,000.00	
540 · Special Purpose Dental Lic Fee	0.00	83.33	0.00	83.33	1,000.00	
545 · Special Purpose Hygiene Lic Fee	0.00	83.33	0.00	83.33	1,000.00	

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617 · MDF Permits	750.00	541.67	750.00	541.67	6,500.00	
620 · Hygiene Infiltration Permit	50.00	729.17	50.00	729.17	8,750.00	
800 · 800-OVERPAYMENTS	0.00		0.00		0.00	
<b>Total Income</b>	<u>130,261.65</u>	<u>441,140.44</u>	<u>130,261.65</u>	<u>441,140.44</u>	<u>1,706,415.00</u>	
<b>Gross Profit</b>	130,261.65	441,140.44	130,261.65	441,140.44	1,706,415.00	
<b>Expense</b>						
0100-0 · Personnel Costs	50,737.14	50,833.33	50,737.14	50,833.33	610,000.00	
0114-0 · Board Member Compensation	5,950.00	8,333.33	5,950.00	8,333.33	100,000.00	
0198-0 · Bonus	0.00	0.00	0.00	0.00	3,700.00	
0201-0 · Payroll Expenses	4,347.63	5,083.33	4,347.63	5,083.33	61,000.00	
0202-0 · Pension Plan	0.00	0.00	0.00	0.00	75,000.00	
0203-0 · Medical Insurance	7,906.72	9,166.67	7,906.72	9,166.67	110,000.00	
0204-0 · Workman Comp. Ins.	0.00	0.00	0.00	0.00	6,000.00	
0300-0 · Travel - In-State	1,236.14	2,083.34	1,236.14	2,083.34	25,000.00	
0400-0 · Travel - Out-of-State	0.00	2,333.33	0.00	2,333.33	28,000.00	
0500-0 · Repairs & Maintenance	945.35	1,666.67	945.35	1,666.67	20,000.00	
0600-1 · Rentals & Leases/Offsite Meetin	0.00	0.00	0.00	0.00	0.00	
0600-2 · NEW OFFICE SPACE	23,677.00	82.08	23,677.00	82.08	985.00	Attic Work
0602-1 · Rent on Building	0.00	0.00	0.00	0.00	0.00	
0700-0 · Utilities & Communications						
0700-1 · Utilities - Telephone	116.76	416.67	116.76	416.67	5,000.00	
0700-2 · Utilities - Cell Phone	0.00	0.00	0.00	0.00	0.00	
0700-3 · Utilities - Power	937.30	833.33	937.30	833.33	10,000.00	
0700-4 · Utilities - Internet	399.00	400.00	399.00	400.00	4,800.00	
0700-5 · Utilities - Water/Sewer	0.00	500.00	0.00	500.00	6,000.00	
<b>Total 0700-0 · Utilities &amp; Communications</b>	<u>1,453.06</u>	<u>2,150.00</u>	<u>1,453.06</u>	<u>2,150.00</u>	<u>25,800.00</u>	
0800-0 · Professional Services	13,875.83	15,833.33	13,875.83	15,833.33	190,000.00	
0800-1 · Membership Dues & Subscriptions	1,719.00	1,666.67	1,719.00	1,666.67	20,000.00	
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00	416.67	0.00	416.67	5,000.00	
0801-0 · Board Attorney Fees - Other	58,560.91	11,666.67	58,560.91	11,666.67	140,000.00	Lightfoot
<b>Total 0801-0 · Board Attorney Fees</b>	<u>58,560.91</u>	<u>12,083.34</u>	<u>58,560.91</u>	<u>12,083.34</u>	<u>145,000.00</u>	



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<b>0840-0 · CONSULTANTS</b>	6,000.00	6,000.00	6,000.00	6,000.00	72,000.00	
<b>0899-1 · Evaluator Fees</b>	600.00	1,000.00	600.00	1,000.00	12,000.00	
<b>0899-2 · Hearing Officer Fees</b>	0.00	416.67	0.00	416.67	5,000.00	
<b>0899-6 · A.D.H.P. Materials &amp; Supplies</b>	0.00	250.00	0.00	250.00	3,000.00	
<b>0900-0 · Office Expense</b>	611.97	1,250.00	611.97	1,250.00	15,000.00	
<b>0900-1 · Recycle / Paper Disposal</b>	0.00	50.00	0.00	50.00	600.00	
<b>0902-0 · NPDB HIPDB License Background</b>	0.00	15.00	0.00	15.00	180.00	
<b>0906-0 · Printing &amp; Supplies</b>	200.00	125.00	200.00	125.00	1,500.00	
<b>0910-0 · Postage</b>	2,000.00	583.34	2,000.00	583.34	7,000.00	ADHP
<b>0924-0 · Insurance</b>	0.00	0.00	0.00	0.00	10,500.00	
<b>0944 · Computer Expenses</b>						
<b>0944-0 · Computer Updates</b>	0.00	2,500.00	0.00	2,500.00	30,000.00	
<b>0944-1 · Computer Support</b>	0.00	4,166.67	0.00	4,166.67	50,000.00	
<b>0944 · Computer Expenses - Other</b>	6,154.41	0.00	6,154.41	0.00	0.00	
<b>Total 0944 · Computer Expenses</b>	6,154.41	6,666.67	6,154.41	6,666.67	80,000.00	
<b>0951-0 · NSF</b>	174.00	8.34	174.00	8.34	100.00	
<b>0999-0 · MISC.</b>	0.00	250.00	0.00	250.00	3,000.00	
<b>1000-1 · Vehicle Repairs &amp; Maint.</b>	50.41	3,000.00	50.41	3,000.00	36,000.00	
<b>1000-2 · Vehicle Fuel</b>	0.00	250.00	0.00	250.00	3,000.00	
<b>1400-0 · Equipment</b>						
<b>0600-3 · Equipment Rental/Lease</b>	0.00	0.00	0.00	0.00	0.00	
<b>1400-0 · Equipment - Other</b>	1,852.94	2,916.67	1,852.94	2,916.67	35,000.00	
<b>Total 1400-0 · Equipment</b>	1,852.94	2,916.67	1,852.94	2,916.67	35,000.00	
<b>6950 · Bank &amp; CC Service Fees</b>	180.47	170.83	180.47	170.83	2,050.00	
<b>Total Expense</b>	<u>188,232.98</u>	<u>134,267.94</u>	<u>188,232.98</u>	<u>134,267.94</u>	<u>1,706,415.00</u>	
<b>Net Ordinary Income</b>	-57,971.33	306,872.50	-57,971.33	306,872.50	0.00	
<b>Other Income/Expense</b>						
<b>Other Income</b>						
<b>524 · NSF Checks</b>	0.00	0.00	0.00	0.00	0.00	
<b>527-2 · ADPWC - Monitoring Fee</b>	0.00	0.00	0.00	0.00	0.00	
<b>Total Other Income</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	
<b>Net Other Income</b>	0.00	0.00	0.00	0.00	0.00	

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Net Income	<u>-57,971.33</u>	<u>306,872.50</u>	<u>-57,971.33</u>	<u>306,872.50</u>	<u>0.00</u>	