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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

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MINUTES BOARD MEETING January 16-17, 2020

The Board of Dental Examiners of Alabama met Thursday, January 16, 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; Dr. Marshall A. Williams; and Dr. Roberto Victor Pischek. Also in attendance were Brad W. Edmonds, Esq., Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Blake Strickland, Investigator; Sonya Lankford, Business Manager, 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, 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 from the December 5-6, 2019 meeting. Dr. Beckham moved to approve the minutes as presented. Dr. Williams seconded the motion and it was approved by general consent.

Dr. Sims presented the Financial Report. There were no objections.

The President welcomed guests: Sandra Kay Alexander, RDH, Mary Taylor Wallace, RAM, Angela Anderson, RAM, Loni Maughan, RAM, Dr. Lew Mitchell, RAM, and Dr. Michael Koslin, Anesthesia Committee.

The President invited Dr. Mitchell to Address the Board. Dr. Mitchell introduced Ms. Angela Anderson, Executive Director of East Central AL AHEC. Ms. Anderson explained the goal of the AHEC is to bring students to the patients. Loni Maughan said she was very excited about the upcoming event and wants all to go smoothly. The President thanked all for coming; the visitors left the meeting.

Dr. Koslin spoke with members regarding his concerns with the safety of drugs used for general anesthesia. He strongly suggested that Board Rule 270-X-2.17 *Criteria for On-Site Inspection for The Use of General*

Anesthesia and Parenteral Sedation be amended to require specific drugs that should and should not be used in an emergency anesthesia situation. He also discussed the difficulty of scheduling 3 qualified dentists to conduct the inspections for GA/PA permits.

Ms. Campbell stressed the need for alternative treatment plans for hygienists who are required to participate in the Wellness Program. Dr. McIlwain said that Dr. Garver would be able to discuss matters at the February meeting.

Ms. Campbell and Dr. Cunningham updated members on the Annual CITA meeting they attended in January at San Diego.

After review of Dr. William Eastburn's request, Dr. Cunningham moved to lift *probation* status from his dental license. Dr. Beckham seconded the motion. After much discussion, the President called for the vote: Dr. Williams, nay, Dr. Cunningham, nay, Dr. McIlwain, nay, Dr. Sims, nay, Dr. Beckham, nay, Dr. Pischek, nay, Ms. Campbell, abstain. The motion failed.

Dr. Sims moved to approve out-of-state travel for all members and staff to the AADA/AADB Mid-year meeting in Chicago April 4-5; and to Joe Wheeler State Park in April as well as to Perdido in June for Instructors' Certification. Ms. Sherry S. Campbell seconded the motion and it was approved by general consent.

Dr. Pischek moved to approve purchase of a new front door made of metal and glass for the Board building. The Board's state seal will be etched in the glass. Dr. Cunningham seconded the motion and it was approved by general consent.

Dr. Sims moved to approve Dental License by Credentials application for Jason McGovern, DMD. Dr. Williams seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. Beckham moved to approve Dental Hygiene License for the following applicants. Dr. Pischek seconded the motion and it was approved by general consent:

- Iris Mason, RDH, Hygiene Special Purpose-3YRs
- Tammy Norstum, RDH, Dental Hygiene License by Credentials
- Michelle Varma, RDH, Dental Hygiene License by Regional Exam
- Sonora Wheeler-Holmes, RDH, Dental Hygiene License by Regional Exam

Dr. Pischek moved to approve Infiltration/Anesthesia permit for Mary Walter, RDH. Dr. Beckham seconded the motion and it was approved by general consent.

Dr. Williams moved to approve Infiltration/Anesthesia permit for the following applicants. Dr. Sims seconded the motion and it was approved by general consent.

- Qyuinna Airhart, RDH License #6334
- Brannan Ballard, RDH License #8639
- Melanie Barclay, RDH License #6272
- Candace Fells, RDH, License #7657
- Lacey Gipson, RDH, License #8341
- Skyler Graham, RDH, License #6975
- Traci Grisham, RDH, License #3417
- Ashley Hebson, RDH, License #7313
- Hanna Hornbuckle, RDH, License #8607
- Sharon Hornbuckle, RDH, License #7225

- Jessica Jackson, RDH, License #8663
- Brittney Johnson, RDH, License #8034
- Crystal Johnson, RDH, License #8236
- Katrina Livingston, RDH, License #7563
- Marley Mullis, RDH, License #8699
- Carmen Odom, RDH, License #6329
- Morgan Parrish, RDH, License #8704
- Magen Randolph, RDH, License #6753
- Devon Reid, RDH, License #8044
- Felicia Spivey, RDH, License #5217
- Casey Turner, RDH, License #7377
- Suzanne Webb, RDH, License # 7474
- Jennifer Wood, RDH, License #6445
- Kristen Findley, RDH, License #8221

At 7:15 p.m. Dr. Cunningham moved to enter Executive Session for the discussion of the general reputation, character, and/or professional competence of members of the public and return to public session by 7:45 p.m. Dr. Williams seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Williams, yea, Dr. Sims, yea, Dr. McIlwain, yea, Dr. Beckham, yea, Dr. Pischek, yea, Ms. Campbell, yea. The motion carried. At 7:28 the Board retired from Executive Session. The President announced a break; the meeting resumed at 7:38 p.m.

Dr. Sims moved to approve Dental License by Credentials for Nilo Hernandez, DDS. 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 License by Regional Exam for Keshia Cushenberry, RDH. Dr. Sims seconded the motion and it was approved by general consent.

Dr. Cunningham moved to deny License by Regional Exam for Janet Campbell, RDH. Dr. Williams seconded the motion and it was approved by general consent.

Members discussed Rule 270-X-4-.04 *Mandatory Continuing Education for Dentists and Dental Hygienists* and decided to review the draft again at the February Legislative Committee meeting.

At 8:02 p.m. Dr. Sims moved to recess the meeting until 8:30 a.m. Friday. Ms. Campbell seconded the motion and it was approved by general consent.

MINUTES
BOARD MEETING
Friday January 17, 2020

The Board of Dental Examiners of Alabama met Friday January 17, 2020 at the Board Office in Birmingham, Alabama to conduct business.

The President called the meeting to order at 8:30 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. Bruce E. Cunningham; Dr. Marshall A. Williams; and Dr. Roberto Victor Pischek. Also in attendance were Brad W. Edmonds, Esq., Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Blake Strickland, Investigator; Sonya Lankford, Business Manager, 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, and on the Secretary of State's website, www.sos.alabama.gov, in compliance with the Alabama Open Meetings Act.

Mr. Edmonds presented the Executive Director Report.

Mr. Edmonds has audited all consent orders and final orders from 2014 forward for *probation status* and added this as license status to the Board database. There were 11 found; only one of these has a balance owed.

Mr. Edmonds has been comparing the Board's wellness contract with other Boards' contracts.

Mr. Edmonds has been asked to be on the Program Committee for the AADA Annual Meeting in November. He invited members to give him topics to present.

Mr. Edmonds is adding a question to initial license applications and to renewals to help identify clinics that are owned by other than an Alabama licensed dentist.

Mr. Edmonds alerted members to watch for an email from the State for filing their required Statement of Economic Interests.

Mr. Strickland presented the Inspection Report.

Mr. Strickland presented the Inspection Report. He advised that the inspection of 15-20 portable units for Team Smile, Inc. is scheduled for 02/04/2020 at the UAB-Recreation Center. Team Smile's event should see between 150-200 students. Mr. Strickland also reminded the Board of the upcoming RAM event in Gadsden, AL.

Dr. Dixon presented the Wellness Report provided by Dr. Garver. The Report detailed activities of participants in the past month.

At 9:18 a.m. the President announced a break; the meeting resumed at 9:30 a.m.

At 9:30 a.m. Dr. Cunningham moved to enter Executive Session for the discussion of pending litigation and return to public session at 10:00 a.m. Dr. Williams seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Williams, yea, Dr. Sims, yea, Dr. McIlwain, yea, Dr. Pischek, yea, Ms. Campbell, yea. The motion carried. The Board retired from Executive Session at 9:50 a.m.

Dr. Sims moved that case #2019-97 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. Pischek moved that case #2019-100 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. Pischek moved that case #2019-101 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 to notice the Respondent of case #2019-111 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. Williams moved to notice the Respondent of case #2019-105 for a hearing. There was no second; the motion failed. After discussion, Dr. Cunningham moved that case #2019-105 has no evidence to sustain. 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 to notice the Respondent of case #2019-93 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. Sims moved that case #2019-95 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 #2019-109 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. Williams moved to notice the Respondents of cases #2019-41 and #2019-106 for a hearing. Dr. Pischek 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 #2019-08 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. Pischek moved to notice the Respondent of case #2019-94 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.

Gina Latham joined the meeting and presented the ADHP Report.

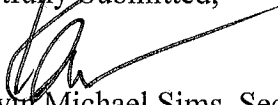
Five students did not return in January after the November grades were sent out. After January exams were graded, an additional 20 had failing grades that would not allow for graduation.

Renae Chapman, Vice President of CITA, spoke with the students in January re: the CITA exam to be administered in June. She also showed the calculus detecting *cube* to Dr. Stevens and Ms. Latham. She will be back with the students in March to go through a mock exam. The cubes will be available either at the March or April sessions for students to examine.

It was agreed to implement the cubes in the Instructor Certification courses starting in January 2021 for the 2021/2022 ADHP year.

At 11:29 Dr. Cunningham moved to adjourn the meeting. Dr. Williams seconded the motion and it was approved by general consent.

Respectfully Submitted,



Dr. Kevin Michael Sims, Secretary/Treasurer

Approved: Feb. 13, 2020

Submitted by: Linda Dlugosz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
November 2019

Nov 2019 for Jan 2020
Balance as of 11/30/2019
Checking: \$1,322,460.03
MM: \$391,463.37

	<u>Nov 19</u>	<u>Budget</u>	<u>Oct - Nov 19</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
Ordinary Income/Expense						
Income						
501 · Annual Dental Registration	65,600.00	237,265.00	626,825.00	474,530.00	711,795.00	
502 · Annual Hygiene Registration	18,980.00	96,525.00	243,490.00	193,050.00	289,575.00	
503 · Controlled Substance Fee	21,085.00	81,956.67	222,120.00	163,913.34	245,870.00	
504 · Annual Teaching Permits	800.00	2,066.67	5,940.00	4,133.34	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	300.00	750.00	400.00	1,500.00	9,000.00	
510 · Original License Fee	150.00	322.92	200.00	645.84	3,875.00	
511 · Licenses Reprint Fee	75.00	41.67	125.00	83.34	500.00	
512 · Dental Hygiene Exam Fee	675.00	1,250.00	900.00	2,500.00	15,000.00	
515 · Penalty Fee	200.00	583.33	1,100.00	1,166.66	7,000.00	
516 · Privilege License Money	53,336.11	0.00	53,336.11	0.00	20,000.00	
517 · Interest Inc - checking	6.43	16.67	13.08	33.34	200.00	
518 · Parental Sedation Permit Fee	1,200.00	1,000.00	11,650.00	2,000.00	12,000.00	
519 · Anesthesia Permit	1,750.00	2,500.00	40,250.00	5,000.00	30,000.00	
521 · Other Income	0.00	41.67	0.00	83.34	500.00	
525 · Dent Hyg Bd Appl	0.00	625.00	0.00	1,250.00	7,500.00	
526 · ADHP Materials	0.00	0.00	-189.90	0.00	65,000.00	
527-1 · Administrative Costs	2,000.00	416.67	3,000.00	833.34	5,000.00	
527-3 · Administrative Fines	0.00	0.00	0.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	13,000.00	0.00	14,500.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	12,750.00	2,083.33	14,700.00	4,166.66	25,000.00	
529 · OCS Annual Reg. Fee	2,550.00	6,550.00	18,700.00	13,100.00	19,650.00	
530 · Licensure By Credentials	3,300.00	4,166.67	7,700.00	8,333.34	50,000.00	
531 · RETURNED CHECK CHARGES	0.00	41.67	0.00	83.34	500.00	
532 · OCS Initial App. Fee	0.00	0.00	0.00	0.00	0.00	
533 · Dental Lic. Bd Exam Application	1,125.00	1,500.00	1,500.00	3,000.00	18,000.00	
540 · Special Purpose Dental Lic Fee	0.00	83.33	0.00	166.66	1,000.00	
545 · Special Purpose Hygiene Lic Fee	390.00	83.33	390.00	166.66	1,000.00	
617 · MDF Permits	0.00	541.67	750.00	1,083.34	6,500.00	

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620 · Hygiene Infiltration Permit	50.00	729.17	3,050.00	1,458.34	8,750.00	
800 · 800-OVERPAYMENTS	0.00		0.00		0.00	
Total Income	<u>199,322.54</u>	<u>441,140.44</u>	<u>1,270,449.29</u>	<u>882,280.88</u>	<u>1,706,415.00</u>	
Gross Profit	199,322.54	441,140.44	1,270,449.29	882,280.88	1,706,415.00	
Expense						
0100-0 · Personnel Costs	51,879.45	50,833.33	102,616.59	101,666.66	610,000.00	
						Vegas
0114-0 · Board Member Compensation	10,550.00	8,333.33	16,500.00	16,666.66	100,000.00	AADB
0198-0 · Bonus	0.00	3,700.00	0.00	3,700.00	3,700.00	
0201-0 · Payroll Expenses	4,778.79	5,083.33	9,126.42	10,166.66	61,000.00	
0202-0 · Pension Plan	0.00	0.00	0.00	0.00	75,000.00	
0203-0 · Medical Insurance	9,437.42	9,166.67	17,344.14	18,333.34	110,000.00	
0204-0 · Workman Comp. Ins.	0.00	0.00	0.00	0.00	6,000.00	
0300-0 · Travel - In-State	1,483.20	2,083.34	2,736.74	4,166.68	25,000.00	
						Vegas
0400-0 · Travel - Out-of-State	12,313.26	2,333.33	12,313.26	4,666.66	28,000.00	AADB
0500-0 · Repairs & Maintenance	758.40	1,666.67	2,899.10	3,333.34	20,000.00	
0600-1 · Rentals & Leases/Offsite Meetin	0.00	0.00	0.00	0.00	0.00	
0600-2 · NEW OFFICE SPACE	220.99	82.08	23,897.99	164.16	985.00	
0602-1 · Rent on Building	0.00	0.00	0.00	0.00	0.00	
0700-0 · Utilities & Communications						
0700-1 · Utilities - Telephone	469.12	416.67	924.05	833.34	5,000.00	
0700-2 · Utilities - Cell Phone	0.00	0.00	0.00	0.00	0.00	
0700-3 · Utilities - Power	814.39	833.33	1,751.69	1,666.66	10,000.00	
0700-4 · Utilities - Internet	399.00	400.00	798.00	800.00	4,800.00	
0700-5 · Utilities - Water/Sewer	303.20	500.00	711.72	1,000.00	6,000.00	
Total 0700-0 · Utilities & Communications	<u>1,985.71</u>	<u>2,150.00</u>	<u>4,185.46</u>	<u>4,300.00</u>	<u>25,800.00</u>	
0800-0 · Professional Services	11,671.41	15,833.33	25,597.24	31,666.66	190,000.00	
0800-1 · Membership Dues & Subscriptions	774.00	1,666.67	2,553.00	3,333.34	20,000.00	
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00	416.67	0.00	833.34	5,000.00	
0801-0 · Board Attorney Fees - Other	0.00	11,666.67	58,560.91	23,333.34	140,000.00	

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Total 0801-0 · Board Attorney Fees	0.00	12,083.34	58,560.91	24,166.68	145,000.00	
0840-0 · CONSULTANTS	6,000.00	6,000.00	12,000.00	12,000.00	72,000.00	
0899-1 · Evaluator Fees	1,200.00	1,000.00	2,100.00	2,000.00	12,000.00	
0899-2 · Hearing Officer Fees	0.00	416.67	0.00	833.34	5,000.00	
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	0.00	500.00	3,000.00	
						Quickbooks
0900-0 · Office Expense	2,130.83	1,250.00	3,175.47	2,500.00	15,000.00	Renewal
0900-1 · Recycle / Paper Disposal	53.00	50.00	106.00	100.00	600.00	
0902-0 · NPDB HIPDB License Background	12.00	15.00	20.00	30.00	180.00	
0906-0 · Printing & Supplies	0.00	125.00	200.00	250.00	1,500.00	
0910-0 · Postage	0.00	583.34	2,000.00	1,166.68	7,000.00	
0924-0 · Insurance	0.00	0.00	10,861.00	0.00	10,500.00	
0944 · Computer Expenses						
0944-0 · Computer Updates	0.00	2,500.00	1,672.99	5,000.00	30,000.00	
0944-1 · Computer Support	395.99	4,166.67	716.98	8,333.34	50,000.00	
0944 · Computer Expenses - Other	577.54	0.00	25,561.23	0.00	0.00	
Total 0944 · Computer Expenses	973.53	6,666.67	27,951.20	13,333.34	80,000.00	
0951-0 · NSF	0.00	8.34	174.00	16.68	100.00	
0999-0 · MISC.	0.00	250.00	0.00	500.00	3,000.00	
1000-1 · Vehicle Repairs & Maint.	0.00	3,000.00	50.41	6,000.00	36,000.00	
1000-2 · Vehicle Fuel	387.73	250.00	811.30	500.00	3,000.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	0.00	0.00	0.00	0.00	0.00	
1400-0 · Equipment - Other	2,051.68	2,916.67	3,904.62	5,833.34	35,000.00	
Total 1400-0 · Equipment	2,051.68	2,916.67	3,904.62	5,833.34	35,000.00	
6950 · Bank & CC Service Fees	117.92	170.83	298.39	341.66	2,050.00	
Total Expense	<u>118,779.32</u>	<u>137,967.94</u>	<u>341,983.24</u>	<u>272,235.88</u>	<u>1,706,415.00</u>	
Net Ordinary Income	80,543.22	303,172.50	928,466.05	610,045.00	0.00	
Other Income/Expense						
Other Income						
524 · NSF Checks	0.00	0.00	0.00	0.00	0.00	

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527-2 - ADPWC - Monitoring Fee	1,650.00	0.00	1,650.00	0.00	0.00	
Total Other Income	1,650.00	0.00	1,650.00	0.00	0.00	
Net Other Income	1,650.00	0.00	1,650.00	0.00	0.00	
Net Income	<u>82,193.22</u>	<u>303,172.50</u>	<u>930,116.05</u>	<u>610,045.00</u>	<u>0.00</u>	