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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

2229 Rocky Ridge Rd
Phone (205) 985-7267
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MINUTES BOARD MEETING June 11, 2020

The Board of Dental Examiners of Alabama met Thursday, June 11, 2020, via video conference.

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 V. Pischek. Also in attendance were Bradley W. Edmonds, Esq., Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Blake Strickland, Investigator; Kevin Lane, Compliance Director; Gina Latham, RDH, ADHP Coordinator; 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 May 7, May 18, and May 30, 2020 meetings. Dr. Sims moved to approve the three sets of minutes as presented. Dr. Beckham seconded the motion and it was approved by general consent.

Dr. Sims presented the Financial Report for April 2020. The report was accepted as presented.

At 6:05 P.M., on the advice of counsel per the pertinent provision of the Alabama Open Meetings Act, Dr. Pischek moved to enter into 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. Williams seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Williams, yea, Dr. Pischek, yea, Dr. McIlwain, yea, Ms. Campbell, yea, Dr. Sims, yea, Dr. Beckham, yea. The motion carried. At 6:43 P.M. the Board retired from Executive Session and returned to Public Session.

Dr. Cunningham moved to approve a licensee's confidential request previously discussed in executive session. Dr. Sims seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Ms. Campbell moved to adopt the draft *Protocol for a Student's Changing Their ADHP Dentist/Instructor*. Dr. Cunningham seconded the motion and it was approved by general consent.

After discussion of possible travel for members and staff, Dr. Sims moved to approve travel for Board members and the Executive Director, as necessary, to an out-of-state court hearing, to a SRTA conference, and to the Gulf Coast Dental Conference. Dr. Williams seconded the motion and it was approved by general consent.

After discussion, Dr. Cunningham moved to deny a request to accept a DSE for the periodontal portion of a manikin based clinical exam. Dr. Sims seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote. The Board's decision to accept manikin exams, voted upon in the May 30, 2020, meeting, stands.

Ms. Latham presented the ADHP Report.

Board members discussed whether to allow dentists who did not attend the June 6, 2020 ADHP Instructor Certification session to fulfill the requirement by watching the recorded video. Dr. Beckham moved to allow 3 dentists who had a true emergency to watch the recorded video to satisfy the requirement for instructor certification. After discussion, Dr. Beckham rescinded his motion. Dr. McIlwain called for the vote: Dr. Beckham, no, Dr. Pischek, no, Dr. Williams, no, Dr. Sims, no, Dr. Cunningham, yes, Dr. McIlwain, no, Ms. Campbell, no. The President announced that the request to make up the missed session by watching the video was denied.

Members reviewed a request from dentists to amend the Board's opinion on CDC guidance in regards to patients being required to sit in their vehicle until called for their appointment. After much discussion, Dr. Cunningham moved to adopt the following change to the current Board Opinion; Dr. Sims seconded the motion and it was approved by general consent.

"4. Use of the waiting room is allowed for a patient and attendant (if necessary), if every individual in the waiting room wears a mask and remains six (6) feet away, in all directions, from every other individual who is not from the same household as the patient."

Members discussed a question from a dentist about pre-procedural rinse. Members agreed not to change the current requirement for using 1.5% hydrogen peroxide.

Dr. Sims moved to adopt changes to Rule 270-X-2-.17 as were previously noticed to the public in compliance with the Alabama Administrative Procedure Act. Dr. Cunningham seconded the motion and it was approved by general consent.

Members discussed the definition of, "Day" in regards to board compensation. Statute and Rule state that members may be compensated for each day spent doing member duties. The State has left it up to members to set the definition. Mr. Edmonds will put members' decisions in a draft and present it at the next meeting.

At 7:47 P.M. the President announced a break. The meeting resumed at 7:52 P.M.

Dr. Cunningham moved to approve dental licensure following successful completion of the jurisprudence exam for the following applicants. Dr. Sims seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

- Katherine Bater, DMD
- Caitlin Jones, DMD
- Bryan Kariya, DDS
- Jaime Kim, DDS
- Drew Patchett, DMD
- Daniel Petersen, DMD
- Elizabeth Pickering, DMD
- Yasaman Yasini, DDS
- Grant Ross, DMD
- Larry Gessner, DDS
- Nathan Taylor, DMD
- Carmen Adcock, DMD

Ms. Campbell moved to approve dental hygiene licensure following successful completion of the jurisprudence exam for the following applicants. Dr. Williams seconded the motion and it was approved by general consent.

- Kayla Godley, RDH
- Kayla Sue Davis, RDH
- Crystal Goss, RDH
- Rebecca Stollefson, RDH

Ms. Campbell moved to approve infiltration/anesthesia permit for Jazmine Crane, RDH. Dr. Sims seconded the motion and it was approved by general consent.

Dr. Sims moved that case #2020-5 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. Cunningham moved that case #2020-28 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. Sims moved that case #2020-41 has no evidence to sustain. 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 that case #2020-40 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. Cunningham moved that case #2020-25 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. Cunningham moved that the Respondent of case #2020-23 will be assessed an administrative fine. 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 cases #2020-35 and 2020-36 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.

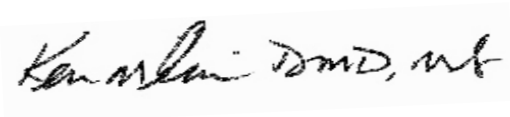
Dr. Beckham moved that case #2020-38 has no evidence to sustain. Dr. Pischek seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham moved that cases #2019-96 and #2019-98 have 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.

Case #2020-24 was closed administratively.

At 8:18 p.m. Dr. Pischek moved to adjourn the meeting. Dr. Sims seconded the motion and it was approved by general consent.

Respectfully Submitted,

A handwritten signature in black ink that reads "Kevin Michael Sims, DMD, MS". The signature is written in a cursive style and is enclosed in a light gray rectangular box.

Dr. Kevin Michael Sims, Secretary/Treasurer

Approved: _____

Submitted by: Linda Dlugosz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
April 2020

April 2020 for June 2020
Balance as of 4/30/2020
Checking: \$838,829.19
MM: \$391,495.97

	<u>Apr 20</u>	<u>Budget</u>	<u>Oct '19 - Apr 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	<u>Variance</u>
Ordinary Income/Expense						
Income						
501 · Annual Dental Registration	310.00	0.00	705,685.00	711,795.00	711,795.00	
502 · Annual Hygiene Registration	260.00	0.00	280,735.00	289,575.00	289,575.00	
503 · Controlled Substance Fee	125.00	0.00	240,135.00	245,870.00	245,870.00	
504 · Annual Teaching Permits	0.00	0.00	6,140.00	6,200.00	6,200.00	
505 · ADHP Certification	0.00	4,000.00	6,675.00	8,000.00	12,000.00	
508 · ADHP	8,775.00	45,000.00	20,925.00	90,000.00	135,000.00	
509 · Dental Exam Fee	1,400.00	750.00	3,200.00	5,250.00	9,000.00	
510 · Original License Fee	375.00	322.92	1,175.00	2,260.44	3,875.00	
511 · Licenses Reprint Fee	50.00	41.67	625.00	291.69	500.00	
512 · Dental Hygiene Exam Fee	225.00	1,250.00	3,150.00	8,750.00	15,000.00	
515 · Penalty Fee	400.00	583.33	6,800.00	4,083.31	7,000.00	
516 · Privilege License Money	0.00	0.00	16,471.78	20,000.00	20,000.00	
517 · Interest Inc - checking	6.43	16.67	45.68	116.69	200.00	
518 · Parental Sedation Permit Fee	0.00	1,000.00	14,050.00	7,000.00	12,000.00	
519 · Anesthesia Permit	0.00	2,500.00	41,750.00	17,500.00	30,000.00	
521 · Other Income	0.00	41.67	0.00	291.69	500.00	
525 · Dent Hyg Bd Appl	0.00	625.00	0.00	4,375.00	7,500.00	
526 · ADHP Materials	4,225.00	21,666.67	9,885.10	43,333.34	65,000.00	
527-1 · Administrative Costs	0.00	416.67	5,000.00	2,916.69	5,000.00	
527-3 · Administrative Fines	0.00	0.00	160.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	2,000.00	0.00	30,850.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	0.00	2,083.33	18,600.00	14,583.31	25,000.00	
529 · OCS Annual Reg. Fee	0.00	0.00	20,450.00	19,650.00	19,650.00	
530 · Licensure By Credentials	1,100.00	4,166.67	35,200.00	29,166.69	50,000.00	
531 · RETURNED CHECK CHARGES	0.00	41.67	195.00	291.69	500.00	
532 · OCS Initial App. Fee	0.00		0.00	0.00	0.00	
533 · Dental Lic. Bd Exam Application	5,250.00	1,500.00	12,000.00	10,500.00	18,000.00	
540 · Special Purpose Dental Lic Fee	0.00	83.33	0.00	583.31	1,000.00	
545 · Special Purpose Hygiene Lic Fee	0.00	83.33	585.00	583.31	1,000.00	
617 · MDF Permits	0.00	541.67	6,000.00	3,791.69	6,500.00	

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620 · Hygiene Infiltration Permit	50.00	729.17	4,700.00	5,104.19	8,750.00	
800 · 800-OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00	
Total Income	24,551.43	87,443.77	1,491,187.56	1,551,863.04	1,706,415.00	
Gross Profit	24,551.43	87,443.77	1,491,187.56	1,551,863.04	1,706,415.00	
Expense						
0100-0 · Personnel Costs	47,255.08	50,833.33	359,248.47	355,833.31	610,000.00	
0114-0 · Board Member Compensation	0.00	8,333.33	38,500.00	58,333.31	100,000.00	
0198-0 · Bonus	0.00	0.00	3,300.00	3,700.00	3,700.00	
0201-0 · Payroll Expenses	3,615.00	5,083.33	30,713.04	35,583.31	61,000.00	
0202-0 · Pension Plan	0.00	0.00	85,303.67	75,000.00	75,000.00	
0203-0 · Medical Insurance	7,443.18	9,166.67	57,040.62	64,166.69	110,000.00	
0204-0 · Workman Comp. Ins.	0.00	0.00	18,213.00	6,000.00	6,000.00	
0300-0 · Travel - In-State	56.01	2,083.34	7,769.34	14,583.38	25,000.00	
0400-0 · Travel - Out-of-State	0.00	2,333.33	17,564.41	16,333.31	28,000.00	
0500-0 · Repairs & Maintenance	2,095.35	1,666.67	9,452.85	11,666.69	20,000.00	Lawn Work
0600-1 · Rentals & Leases/Offsite Meetin	0.00	0.00	0.00	0.00	0.00	
0600-2 · NEW OFFICE SPACE	0.00	82.08	28,247.99	574.56	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	214.62	416.67	3,257.53	2,916.69	5,000.00	
0700-2 · Utilities - Cell Phone	0.00		0.00	0.00	0.00	
0700-3 · Utilities - Power	417.49	833.33	8,204.37	5,833.31	10,000.00	
0700-4 · Utilities - Internet	399.00	400.00	3,050.48	2,800.00	4,800.00	
0700-5 · Utilities - Water/Sewer	0.00	500.00	1,179.64	3,500.00	6,000.00	
Total 0700-0 · Utilities & Communications	1,031.11	2,150.00	15,692.02	15,050.00	25,800.00	
0800-0 · Professional Services	9,864.66	15,833.33	100,588.92	110,833.31	190,000.00	
0800-1 · Membership Dues & Subscriptions	729.00	1,666.67	5,991.50	11,666.69	20,000.00	
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00	416.67	0.00	2,916.69	5,000.00	
0801-0 · Board Attorney Fees - Other	3,646.31	11,666.67	24,101.40	81,666.69	140,000.00	
Total 0801-0 · Board Attorney Fees	3,646.31	12,083.34	24,101.40	84,583.38	145,000.00	
0840-0 · CONSULTANTS	6,000.00	6,000.00	42,000.00	42,000.00	72,000.00	

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0899-1 · Evaluator Fees	1,800.00	1,000.00	7,500.00	7,000.00	12,000.00	
0899-2 · Hearing Officer Fees	0.00	416.67	672.00	2,916.69	5,000.00	
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	7,700.00	1,750.00	3,000.00	
0900-0 · Office Expense	0.00	1,250.00	9,382.89	8,750.00	15,000.00	
0900-1 · Recycle / Paper Disposal	53.60	50.00	422.80	350.00	600.00	
0902-0 · NPDB HIPDB License Background	0.00	15.00	70.00	105.00	180.00	
0906-0 · Printing & Supplies	0.00	125.00	1,020.00	875.00	1,500.00	
0910-0 · Postage	0.00	583.34	3,587.00	4,083.38	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	8,402.95	17,500.00	30,000.00	
0944-1 · Computer Support	5,000.00	4,166.67	28,059.14	29,166.69	50,000.00	
0944 · Computer Expenses - Other	0.00	0.00	27,474.94	0.00	0.00	
Total 0944 · Computer Expenses	5,000.00	6,666.67	63,937.03	46,666.69	80,000.00	
0951-0 · NSF	0.00	8.34	174.00	58.38	100.00	
0999-0 · MISC.	0.00	250.00	1,532.94	1,750.00	3,000.00	
1000-1 · Vehicle Repairs & Maint.	0.00	3,000.00	765.85	21,000.00	36,000.00	
1000-2 · Vehicle Fuel	236.86	250.00	2,722.41	1,750.00	3,000.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	2,153.22	0.00	7,354.82	0.00	0.00	
1400-0 · Equipment - Other	0.00	2,916.67	10,771.00	20,416.69	35,000.00	
Total 1400-0 · Equipment	2,153.22	2,916.67	18,125.82	20,416.69	35,000.00	
6950 · Bank & CC Service Fees	135.19	170.83	1,062.42	1,195.81	2,050.00	
Total Expense	91,114.57	134,267.94	973,263.39	1,024,575.58	1,706,415.00	
Net Ordinary Income	-66,563.14	-46,824.17	517,924.17	527,287.46	0.00	
Other Income/Expense						
Other Income						
524 · NSF Checks	0.00		0.00	0.00	0.00	
527-2 · ADPWC - Monitoring Fee	2,325.00	0.00	6,350.00	0.00	0.00	
Total Other Income	2,325.00	0.00	6,350.00	0.00	0.00	
Net Other Income	2,325.00	0.00	6,350.00	0.00	0.00	
Net Income	-64,238.14	-46,824.17	524,274.17	527,287.46	0.00	