

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
Phone (205) 985-7267
Fax (205) 823-9006

MINUTES BOARD MEETING September 3, 2020

The Board of Dental Examiners of Alabama met Thursday, September 3, 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 August 13, 2020 meeting. Dr. Sims moved to approve the minutes as presented. Dr. Williams seconded the motion and it was approved by unanimous consent. Dr. Cunningham moved to approve the minutes from the August 25, 2020 emergency meeting. Dr. Sims seconded the motion and it was approved by unanimous consent.

Dr. Sims presented the Financial Report for July 2020. There were no objections to the report; it was accepted as presented.

Dr. Sims moved to approve CE provided by Auburn University Harrison School of Pharmacy. Ms. Campbell seconded the motion with the addition to request that they include dental hygienists in those to be offered the CE and it was approved by unanimous consent. Mr. Edmonds will request that the course be made available to dental hygienists.

Members discussed 2021 meeting dates. Dr. Sims moved to change the May date to 13-14, the July date to 8-9, and the September date to 9-10. Dr. Pischek seconded the motion and it was approved by unanimous consent.

Members discussed the Board Compensation Policy that was approved at the August meeting. Dr. Cunningham moved to change the wording for participation at board meeting from “paid at \$100/hr. up to \$300/day” to “paid at a flat rate of \$300.00.” Dr. Beckham seconded the motion and it was approved by unanimous consent.

Members re-visited 2021 board meeting dates. Dr. Cunningham moved to change the September date to a virtual meeting on the 2nd. Dr. Sims seconded the motion and it was approved by unanimous consent.

Members were presented the proposed FY 2020-2021 proposed budget. Dr. Kevin Sims moved to approve it as presented; Dr. Williams seconded, and the motion passed by unanimous consent. Dr. Bruce Cunningham moved to approve a 3% COLA for Board staff effective Oct. 1, 2020. Dr. Sims seconded the motion and it was approved by unanimous consent.

Ms. Campbell led a discussion on the need for dental assistants to be properly trained on infection control in the office. A committee composed of Dr. Williams and Dr. Pischek will present at a future meeting a report on the education required for infection control.

Dr. Pischek moved to renew the contract with Lightfoot, Franklin and White. Dr. Sims seconded the motion and it was approved by unanimous consent.

After discussion of a request by UAB SOD regarding anesthesia permits, Dr. Cunningham moved to postpone the question until the Board’s legal staff reviews the request. Dr. Sims seconded the motion and it was approved by unanimous consent.

Ms. Campbell moved to reappoint Barbara Elbert Sharp as Hygiene Representative to CRDTS. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Upon a suggestion by Dr. Thomas G. Walker, President of SRTA, Ms. Campbell moved to allow the appointment of Dr. Williams to the SRTA Board of Directors and Dr. Adolphus Jackson as a consultant to the SRTA Board of Directors. Dr. Sims seconded the motion and it was approved by unanimous consent.

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

- Emily Clark, DDS
- Jennifer Jones, DDS
- Krina Patel, DMD
- Benjamin Shepperd, DMD
- Judson Wells, Jr., DMD

Dr. Cunningham moved to approve Dental License by Credentials based on successful completion of the jurisprudence exam for the following applicants. Dr. Beckham seconded the motion and it was approved by unanimous consent with the hygiene member abstaining from the vote.

- Honey Bargatz, DDS
- Nathan Owens, DMD

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

- Lucy Haynes, RDH
- Lauren Reed, RDH
- Kimberly Vickers, RDH

Ms. Campbell moved to approve Dental Hygiene License by Credentials based on successful completion of the jurisprudence exam for Michelle Andrews, RDH. Dr. Sims seconded the motion and it was approved by unanimous consent.

Ms. Campbell moved to approve Infiltration/Anesthesia permit for the following licensed hygienists. Dr. Williams seconded the motion and it was approved by unanimous consent.

- Kayla Webb, RDH
- Macie Menesses, RDH

Ms. Latham presented the ADHP report, updating Members on the progress of the current class and licensing examinations being taken by the 2019-2020 class.

At 6:55 p.m. Dr. Walker joined the meeting. He has been contacted by several licensees who say they are unable to obtain certificates for some of their online CEs or from reading materials in order to prove their eligibility to renew. Dr. Cunningham moved to use prosecutorial discretion to allow a detailed log of date, time, title of course, and on which internet site or which document read to provide proof of CE for renewals. This waiver will be acceptable through September 30, 2021. Dr. Sims seconded the motion and it was approved by unanimous consent. Dr. Walker thanked members for the concession and left the meeting.

Blake Strickland invited members to join him on inspections of clinics starting late September and extending into October.

Dr. Sims moved to close case 2020-3. Dr. Cunningham seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Sims moved to notice the Respondent of cases 2019-48 and 2020-22 for hearings. Dr. Beckham seconded the motion and it was approved by unanimous consent with the case team leader abstaining from the vote.

Dr. Sims moved that case 2020-57 has no evidence to sustain. Dr. Williams seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham moved to notice the Respondent of case 2020-4 for a hearing. Dr. Williams seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.


Dr. Roberto Victor Pischek moved that case 2020-42 has no evidence to sustain. Dr. Williams seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek moved that case 2020-45 has no evidence to sustain. Dr. Cunningham seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek moved to notice the Respondent of case 2020-53 for a hearing. Dr. Williams seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

At 7:20 P.M. Dr. Sims moved to adjourn the meeting. Dr. Williams seconded the motion and it was approved by unanimous consent.

Respectfully Submitted,

A handwritten signature in black ink that reads "Kevin Michael Sims, DMD, MSF". The signature is written in a cursive style.

Kevin Michael Sims, Secretary/Treasurer

Approved: October 2, 2020

Submitted by: Linda Dlugosz

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

July 2020 for Sept 2020 Meeting
Balance as of 7/31/2020
Checking: \$741,405.03
MM: \$391,515.71

	<u>Jul 20</u>	<u>Budget</u>	<u>Oct '19 - Jul 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
Ordinary Income/Expense						
Income						
501 · Annual Dental Registration	675.00	0.00	707,860.00	711,795.00	711,795.00	
502 · Annual Hygiene Registration	65.00	0.00	281,515.00	289,575.00	289,575.00	
503 · Controlled Substance Fee	1,625.00	0.00	246,510.00	245,870.00	245,870.00	
504 · Annual Teaching Permits	400.00	0.00	6,940.00	6,200.00	6,200.00	
505 · ADHP Certification	225.00	0.00	13,875.00	12,000.00	12,000.00	
508 · ADHP	4,050.00	0.00	128,925.00	135,000.00	135,000.00	
509 · Dental Exam Fee	1,500.00	750.00	8,200.00	7,500.00	9,000.00	
510 · Original License Fee	425.00	322.92	2,500.00	3,229.20	3,875.00	
511 · Licenses Reprint Fee	50.00	41.67	725.00	416.70	500.00	
512 · Dental Hygiene Exam Fee	450.00	1,250.00	3,825.00	12,500.00	15,000.00	
515 · Penalty Fee	350.00	583.33	8,350.00	5,833.30	7,000.00	
516 · Privilege License Money	0.00	0.00	16,471.78	20,000.00	20,000.00	
517 · Interest Inc - checking	6.65	16.67	65.42	166.70	200.00	
518 · Parental Sedation Permit Fee	3,600.00	1,000.00	17,650.00	10,000.00	12,000.00	
519 · Anesthesia Permit	0.00	2,500.00	41,750.00	25,000.00	30,000.00	
521 · Other Income	0.00	41.67	0.00	416.70	500.00	
525 · Dent Hyg Bd Appl	0.00	625.00	0.00	6,250.00	7,500.00	
526 · ADHP Materials	1,950.00	0.00	61,885.10	65,000.00	65,000.00	
527-1 · Administrative Costs	0.00	416.67	7,500.00	4,166.70	5,000.00	
527-3 · Administrative Fines	160.00	0.00	480.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	0.00	0.00	43,510.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	12,000.00	2,083.33	35,400.00	20,833.30	25,000.00	
529 · OCS Annual Reg. Fee	0.00	0.00	20,650.00	19,650.00	19,650.00	
530 · Licensure By Credentials	3,300.00	4,166.67	58,300.00	41,666.70	50,000.00	
531 · RETURNED CHECK CHARGES	0.00	41.67	1,225.00	416.70	500.00	
532 · OCS Initial App. Fee	0.00		0.00	0.00	0.00	
533 · Dental Lic. Bd Exam Application	5,625.00	1,500.00	30,750.00	15,000.00	18,000.00	
540 · Special Purpose Dental Lic Fee	0.00	83.33	0.00	833.30	1,000.00	
545 · Special Purpose Hygiene Lic Fee	450.00	83.33	1,035.00	833.30	1,000.00	
617 · MDF Permits	0.00	541.67	6,000.00	5,416.70	6,500.00	

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

July 2020 for Sept 2020 Meeting
Balance as of 7/31/2020
Checking: \$741,405.03
MM: \$391,515.71

	<u>Jul 20</u>	<u>Budget</u>	<u>Oct '19 - Jul 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
620 · Hygiene Infiltration Permit	550.00	729.17	5,500.00	7,291.70	8,750.00	
800 · 800-OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00	
Total Income	37,456.65	16,777.10	1,757,397.30	1,672,861.00	1,706,415.00	
Gross Profit	37,456.65	16,777.10	1,757,397.30	1,672,861.00	1,706,415.00	
Expense						
0100-0 · Personnel Costs	47,655.08	50,833.33	502,613.71	508,333.30	610,000.00	
0114-0 · Board Member Compensation	5,875.00	8,333.33	65,090.00	83,333.30	100,000.00	
0198-0 · Bonus	0.00	0.00	3,300.00	3,700.00	3,700.00	
0201-0 · Payroll Expenses	4,095.03	5,083.33	43,714.63	50,833.30	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	79,370.16	91,666.70	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	0.00	2,083.34	7,769.34	20,833.40	25,000.00	
0400-0 · Travel - Out-of-State	0.00	2,333.33	16,390.41	23,333.30	28,000.00	
0500-0 · Repairs & Maintenance	2,696.70	1,666.67	15,782.75	16,666.70	20,000.00	Lawn Prune
0600-1 · Rentals & Leases/Offsite Meetin	1,078.15	0.00	1,258.15	0.00	0.00	
0600-2 · NEW OFFICE SPACE	2,948.24	82.08	43,159.11	820.80	985.00	Fire Dues
0602-1 · Rent on Building	0.00	0.00	0.00	0.00	0.00	
0700-0 · Utilities & Communications						
0700-1 · Utilities - Telephone	548.72	416.67	5,336.85	4,166.70	5,000.00	
0700-2 · Utilities - Cell Phone	0.00		0.00	0.00	0.00	
0700-3 · Utilities - Power	661.47	833.33	10,229.10	8,333.30	10,000.00	
0700-4 · Utilities - Internet	399.00	400.00	4,247.48	4,000.00	4,800.00	
0700-5 · Utilities - Water/Sewer	366.12	500.00	2,052.08	5,000.00	6,000.00	
Total 0700-0 · Utilities & Communications	1,975.31	2,150.00	21,865.51	21,500.00	25,800.00	
0800-0 · Professional Services	17,574.88	15,833.33	145,148.13	158,333.30	190,000.00	Evals & ADHP
0800-1 · Membership Dues & Subscriptions	5,119.00	1,666.67	11,988.50	16,666.70	20,000.00	AADB
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00	416.67	0.00	4,166.70	5,000.00	
0801-0 · Board Attorney Fees - Other	4,153.50	11,666.67	60,292.11	116,666.70	140,000.00	
Total 0801-0 · Board Attorney Fees	4,153.50	12,083.34	60,292.11	120,833.40	145,000.00	
0840-0 · CONSULTANTS	6,000.00	6,000.00	60,000.00	60,000.00	72,000.00	

BOARD OF DENTAL EXAMINERS OF ALABAMA

Profit & Loss Budget Performance

July 2020

	<u>Jul 20</u>	<u>Budget</u>	<u>Oct '19 - Jul 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
0899-1 · Evaluator Fees	0.00	1,000.00	7,500.00	10,000.00	12,000.00	
0899-2 · Hearing Officer Fees	0.00	416.67	672.00	4,166.70	5,000.00	
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	7,520.00	2,500.00	3,000.00	
0900-0 · Office Expense	508.76	1,250.00	11,360.22	12,500.00	15,000.00	
0900-1 · Recycle / Paper Disposal	53.60	50.00	583.60	500.00	600.00	
0902-0 · NPDB HIPDB License Background	0.00	15.00	86.00	150.00	180.00	
0906-0 · Printing & Supplies	0.00	125.00	1,371.85	1,250.00	1,500.00	
0910-0 · Postage	0.00	583.34	3,000.00	5,833.40	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	13,553.26	25,000.00	30,000.00	
0944-1 · Computer Support	5,436.99	4,166.67	61,187.10	41,666.70	50,000.00	IGOV pmt
0944 · Computer Expenses - Other	0.00	0.00	0.00	0.00	0.00	
Total 0944 · Computer Expenses	5,436.99	6,666.67	74,740.36	66,666.70	80,000.00	
0951-0 · NSF	1,009.00	8.34	3,201.00	83.40	100.00	
0999-0 · MISC.	0.00	250.00	2,711.94	2,500.00	3,000.00	
1000-1 · Vehicle Repairs & Maint.	0.00	3,000.00	877.74	30,000.00	36,000.00	
1000-2 · Vehicle Fuel	342.36	250.00	3,554.26	2,500.00	3,000.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	2,111.92	2,916.67	27,810.24	29,166.70	35,000.00	
1400-0 · Equipment - Other	0.00	0.00	0.00	0.00	0.00	
Total 1400-0 · Equipment	2,111.92	2,916.67	27,810.24	29,166.70	35,000.00	
6950 · Bank & CC Service Fees	179.50	170.83	1,656.58	1,708.30	2,050.00	
Total Expense	116,256.20	134,267.94	1,338,765.97	1,427,379.40	1,706,415.00	
Net Ordinary Income	-78,799.55	-117,490.84	418,631.33	245,481.60	0.00	
Other Income/Expense						
Other Income						
524 · NSF Checks	0.00		0.00	0.00	0.00	
527-2 · ADPWC - Monitoring Fee	1,550.00	0.00	8,675.00	0.00	0.00	
Total Other Income	1,550.00	0.00	8,675.00	0.00	0.00	
Net Other Income	1,550.00	0.00	8,675.00	0.00	0.00	
Net Income	-77,249.55	-117,490.84	427,306.33	245,481.60	0.00	