



# Board of Dental Examiners of Alabama

2229 Rocky Ridge Road, Birmingham, AL 35216

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[www.dentalboard.org](http://www.dentalboard.org)

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## MINUTES BOARD MEETING October 11, 2022

The Board of Dental Examiners of Alabama met Thursday, October 11, 2022, at the Board office to conduct business.

The President called the meeting to order at 9:00 a.m. with the following members in attendance: Dr. Kevin M. Sims, President; Dr. Bruce Cunningham, Vice President, Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Roberto V. Pischek; Dr. Melodie A. Jones; and Sandra Kay Alexander, RDH. Also in attendance were W. Blake Strickland, Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Aaron Dettling, Esq., General Counsel; Kevin Lane, Compliance Director; Dr. Mary Beth Finn, Financial Services Manager; George French, III, Investigator; Gina Latham, ADHP Coordinator; and Linda Dlugosz, Licensing Clerk.

The President determined that a quorum was present, and the Executive Director 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 September 1-2, 2022 minutes. Dr. Cunningham moved to approve the minutes with one correction. Dr. Jones seconded the motion. It was approved by unanimous consent.

Dr. Williams presented the Financial Report for August 2022. Dr. Jones moved to accept the report as presented. Dr. Pischek seconded the motion. The motion was approved by unanimous consent. Director Strickland explained the new accounting codes that the staff will be using moving forward. Monies will be moved to the money market account in mid-November as previously approved.

Director Strickland invited the guests to introduce themselves. One of the guests, Dr. Holt Gray, one of the candidates for the 2022 board election, congratulated Dr. McIlwain on winning the Board election.

Director Strickland invited Mr. Mark Muncy and his associates from SRTA to present their testing and technology information to the Board. SRTA has changed its name to States Resources for Testing and Assessments.

Ann Marie Karaki, Director, UAB-Continuing Dental Education, asked for clarity regarding interactive, internet-based video conferencing (e.g., Zoom, Webex, etc.) counting as *in-person* CEs for license renewals. After discussion, the Board took no action leaving the current CE requirements and definitions in place.

Dr. McIlwain submitted a continuing education course for Board approval. Dr. Jones moved to approve the course. Dr. Williams seconded the motion. It was approved by unanimous consent.

Ms. Latham presented the ADHP Report.

Ms. Latham advised that a change in ADHP curriculum regarding acceptable prophies has been made which requires the patient to be a minimum of 15 years of age; members concurred. This change will be included in the ADHP-Instructor Course curriculum, as well.

An individual who graduated from a previous ADHP class requested a Temporary Training Permit to prepare for testing at the next CITA exam due to the amount of time between her graduation and taking the test. Ms. Alexander moved to deny her request for a Temporary Training Permit, but to allow her to test at the next CITA exam. Dr. Jones seconded the motion. It was approved by unanimous consent.

A current ADHP student left class after testing and did not return for the weekend's lectures. The student provided an excuse for the Board's consideration. After discussion, Dr. Cunningham moved not to approve the student's excuse and to dismiss the student from the ADHP. Dr. Williams seconded the motion. It was approved by unanimous consent. This concluded the report.

Director Strickland presented the contract renewal for Windom, Galliher and Associates with a monthly fee increase to \$7,000.00 for legislative services. Dr. Jones moved to approve the contract with the fee increase. Ms. Alexander seconded the motion. It was approved by unanimous consent.

Dr. Williams voted to approve the proposed Board Meetings schedule for 2023. Dr. Jones seconded the motion. It was approved by unanimous consent.

Dr. Jones presented draft legislation to Alabama Administrative Code, r. 270-X-4 .04 that would include a mandatory Ethics requirement for mandatory continuing education for dentists and dental hygienists. Mr. Dettling advised the Board that he would research other state dental boards for comparison prior to including the draft into current legislative requests.

Dr. Jones presented meeting reports from the State Committee of Public Health (SCPH) and the American Association of Dental Boards (AADB) Annual meeting.

Dr. Sims announced a break at 10:23 a.m.; the meeting resumed at 10:37 a.m.

Dr. Williams moved to approve travel to the December Annual CITA meeting in Florida for members. Dr. Jones seconded the motion. It was approved by unanimous consent. Members suggested the Executive Director should also attend.

Dr. Pischek agreed to fill the committee member seat for the AL-PDMP, which is being vacated by Dr. Sims.

Director Strickland presented an updated *Open Records Request Policy* developed in collaboration with Mr. Dettling. The policy will be published on the board's website and will go into effect immediately.

Director Strickland presented an addendum to the current renovation project that would allow for the enlargement of the board room to meet current needs. The project will be handled by the state architect currently assigned to the original contract. Dr. Pischek moved to approve the addendum and the funding. Dr. Jones seconded the motion. It was approved by unanimous consent. The board room project is scheduled to be completed by year's end.

Dr. Jones recommended approval of Dental License by Regional Exam based on successful completion of the jurisprudence exam for the below applicants. Dr. Williams moved to approve the applications. Dr. Cunningham seconded the motion. It was approved by unanimous consent.

- Andra Andrei, DMD
- Tammy Kumar, DDS
- Mai Lati, DDS
- Chih Yen Liu, DDS
- Michael Stock, DMD
- Aleksandra Stefanovski, DDS

Dr. Pischek recommended approval of Dental License by Credentials based on successful completion of the jurisprudence exam for the following applicants. Dr. Williams moved to approve the applications. Dr. Jones seconded the motion. It was approved by unanimous consent.

- Bryan Hiller, DMD
- Mayur Nayee, DMD
- Pooja Patel, DDS
- David Sander, DMD
- Jeffrey McAuley, DMD

Ms. Alexander recommended approval of Dental Hygiene License by Regional Exam based on successful completion of the jurisprudence exam for the following applicants. Dr. Jones moved to approve the applications. Dr. Williams seconded the motion. It was approved by unanimous consent.

- Sonya Juan Pedro, RDH
- Janessa Marshall, RDH
- Neal Patel, RDH

Ms. Alexander recommended approval of Dental Hygiene License by Credentials based on successful completion of the jurisprudence exam for the following applicants. Dr. Pischek moved to approve the applications. Dr. Williams seconded the motion. It was approved by unanimous consent.

- Melisa Brown, RDH
- Jaclyn Willis, RDH
- Cheryl Goodson, RDH

Director Strickland presented the Wellness Report provided by Dr. Garver.

Dr. Williams moved that case #2022-75 has no evidence to sustain. Dr. Pischek seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham moved that case #2022-88 has no evidence to sustain. Dr. Williams seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Williams moved that case #2022-89 has no evidence to sustain. Dr. Jones seconded the motion. 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 #2022-9 for a hearing. Dr. Williams seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Williams moved that case #2022-10 has no evidence to sustain. Dr. Cunningham seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Williams moved to notice the Respondent of Case #2022-74 for a hearing. Dr. Jones seconded the motion. The President called for the vote: Dr. Williams, yea; Dr. Jones, yea; Dr. Sims, yea; Dr. Cunningham, nay; Dr. Pischek, abstain; Ms. Alexander, abstain. The motion carried.

Dr. Cunningham moved to notice the Respondent of Case #2022-72 for a hearing. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

At 11:32 a.m. Dr. Sims announced a break; the meeting resumed at 11:37 a.m.

Dr. Cunningham moved to notice the Respondents of Cases #2022-90 through 2022-97 for hearings. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Mr. French presented the Inspection Report.

All sites that have been inspected have passed.

Board staff donated toothbrushes and toothpaste to the Jimmy Hale Mission and Jessie's Place.

Mr. Dettling presented the Attorney Report. An injunction has been filed against an individual practicing dentistry without a license. No other actions are needed, at this time.

Director Strickland presented the Executive Director's report.

Applicants have been interviewed for the Licensing Clerk position. Ms. Brooke Schwartz was selected and has accepted the job. She will start on October 24, 2022.

Renovation update: The HVAC project should be completed by year's end. The plans for the rest of the renovation project were reviewed with the Members. Director Strickland asked for confirmation that the Board wants to move forward with the project and allow him to expend the funds to complete the project. Dr. Jones moved to approve the project and allow Director Strickland to expend funds, as needed. Dr. Williams seconded the motion. It was approved by unanimous consent. Director Strickland advised that he will ensure the Executive Committee is aware of all expenditures.

The clearing of bad debt from the Board's accounts has been completed. This will put the Board in compliance with current accounting requirements and practices, as requested by auditors. Director Strickland thanked Dr. Finn and Ms. Cassandra Harlequin for all their hard work.

Staff continues to update licensing and permit applications for overall consistency, uniformity, and ease of use.

A Legislative Meeting is scheduled for the November board meeting. Members will review the current legislative packet for a second review. Suggested legislative changes regarding the licensing of Dental Assistants will be presented to the Board for a first review.

A training session for Board Members will be conducted by board staff at the conclusion of the November board meeting. This concluded the report.

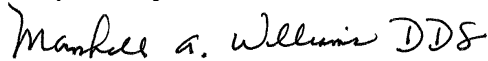
Dr. Cunningham, on behalf of the Board, staff, and the public, presented a plaque to Dr. Sims in honor of his service as Board member for the past 5 years. Dr. Sims reminded members they are called to *protect the public* and also reminded them to trust the staff.

Director Strickland announced the election results for the vacated board seat. The results from Election America were opened on October 2, 2022 and verified by Dr. Sims, Dr. Cunningham, and Dr. Jones. Out of 856 votes: Dr. Holt Gray – 420, Dr. Mark McIlwain – 436. Dr. McIlwain was the winner with 51% of the vote. Dr. Sims swore in Dr. McIlwain as the newest Board member.

Dr. Sims announced the incoming Executive Committee: Dr. Williams, President; Dr. Cunningham, Vice President; Dr. Pischek, Secretary/Treasurer. Dr. Sims passed the gavel to Dr. Williams who took over as the new Board President.

At 12:18 p.m. Dr. Cunningham moved to adjourn the meeting and Ms. Alexander seconded the motion. It was approved by unanimous consent.

Respectfully Submitted,

Handwritten signature of Marshall A. Williams DDS in cursive script.

Dr. Marshall A. Williams, Secretary/Treasurer

Approved: Nov. 4, 2022

Submitted by: Linda Dlugosz

**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**  
 August 2022

October 2022 for August 2022  
 Bk Bal as of 8/31/22  
 MM: \$391,678.99  
 Checking: \$1,728,620.34

	<u>Aug 22</u>	<u>Budget</u>	<u>Oct '21 - Aug 22</u>	<u>Annual Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
501 · Annual Dental Registration	1,175.00		687,825.00	715,000.00
502 · Annual Hygiene Registration	0.00		286,325.00	296,790.00
503 · Controlled Substance Fee	4,050.00		250,110.00	246,100.00
504 · Annual Teaching Permits	250.00		7,300.00	7,000.00
505 · ADHP Certification	0.00		15,900.00	15,000.00
508 · ADHP	0.00	0.00	292,500.00	170,625.00
509 · Dental Exam Fee	400.00	750.00	10,700.00	9,000.00
510 · Original License Fee	175.00	322.92	3,925.00	3,875.00
511 · Licenses Reprint Fee	50.00	41.67	625.00	500.00
512 · Dental Hygiene Exam Fee	650.00	416.67	11,300.00	5,000.00
515 · Penalty Fee	250.00	583.33	12,800.00	7,000.00
516 · Privilege License Money	31,410.12	0.00	31,410.12	20,000.00
517 · Interest Inc - checking	6.66	16.67	71.89	200.00
518 · Parental Sedation Permit Fee	0.00		11,500.00	14,000.00
519 · Anesthesia Permit	0.00		49,250.00	52,250.00
521 · Other Income	9,001.36	41.67	13,463.86	500.00
525 · Dent Hyg Bd Appl	0.00	0.00	11,400.00	7,500.00
526 · ADHP Materials	0.00	0.00	115,092.20	74,375.00
527-1 · Administrative Costs	18,000.00	625.00	66,225.00	7,500.00
527-3 · Administrative Fines	0.00		610.00	0.00
527 · Disciplinary Fines (Prior)	12,750.00		140,035.00	0.00
528 · Initial Anesthesia Evaluation	9,000.00	2,083.33	28,200.00	25,000.00
529 · OCS Annual Reg. Fee	0.00		18,150.00	19,450.00
530 · Licensure By Credentials	10,300.00	4,166.67	75,325.00	50,000.00
531 · RETURNED CHECK CHARGES	0.00	41.67	240.00	500.00
532 · OCS Initial App. Fee	0.00		1,100.00	
533 · Dental Lic. Bd Exam Application	2,300.00	1,666.67	41,900.00	20,000.00
545 · Special Purpose Hygiene Lic Fee	0.00		450.00	0.00
617 · MDF Permits	0.00		7,000.00	6,500.00
620 · Hygiene Infiltration Permit	50.00		14,400.00	7,775.00

**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**  
August 2022

October 2022 for August 2022  
Bk Bal as of 8/31/22  
MM: \$391,678.99  
Checking: \$1,728,620.34

	<u>Aug 22</u>	<u>Budget</u>	<u>Oct '21 - Aug 22</u>	<u>Annual Budget</u>	
<b>800 · 800-OVERPAYMENTS</b>	0.00		-245.50		
<b>Total Income</b>	<u>99,818.14</u>	<u>10,756.27</u>	<u>2,204,887.57</u>	<u>1,781,440.00</u>	
<b>Gross Profit</b>	99,818.14	10,756.27	2,204,887.57	1,781,440.00	
<b>Expense</b>					
<b>0100-0 · Personnel Costs</b>	48,013.56	51,083.33	552,769.93	613,000.00	
<b>0114-0 · Board Member Compensation</b>	5,300.00	8,333.33	69,771.91	100,000.00	
<b>0198-0 · Bonus</b>	0.00		3,400.00	4,000.00	
<b>0201-0 · Payroll Expenses</b>	4,078.49	5,250.00	63,438.00	63,000.00	Salaries*
<b>0202-0 · Pension Plan</b>	0.00	0.00	89,390.94	93,000.00	
<b>0203-0 · Medical Insurance</b>	7,545.13	9,166.67	92,385.97	110,000.00	
<b>0204-0 · Workman Comp. Ins.</b>	0.00	0.00	6,809.00	10,000.00	
<b>0205 · Unemployment Fees</b>	0.00		533.94		
<b>0300-0 · Travel - In-State</b>	1,567.38	2,083.33	19,886.84	25,000.00	
<b>0400-0 · Travel - Out-of-State</b>	0.00	2,333.33	3,424.74	28,000.00	
<b>0500-0 · Repairs &amp; Maintenance</b>	19,635.56	1,666.67	39,767.15	20,000.00	Roof* ADHP
<b>0600-1 · Rentals &amp; Leases/Offsite Meetin</b>	5,850.00	666.67	24,698.88	8,000.00	Class Room
<b>0600-2 · NEW OFFICE SPACE</b>	2,011.00	347.92	8,072.45	4,175.00	Board TV
<b>0700-0 · Utilities &amp; Communications</b>					
<b>0700-1 · Utilities - Telephone</b>	259.04	535.00	6,733.50	6,420.00	
<b>0700-3 · Utilities - Power</b>	990.08	1,000.00	11,621.07	12,000.00	
<b>0700-4 · Utilities - Internet</b>	399.00	400.00	3,990.00	4,800.00	
<b>0700-5 · Utilities - Water/Sewer</b>	224.01	333.33	1,592.73	4,000.00	
<b>Total 0700-0 · Utilities &amp; Communications</b>	<u>1,872.13</u>	<u>2,268.33</u>	<u>23,937.30</u>	<u>27,220.00</u>	
<b>0800-0 · Professional Services</b>	16,234.55	16,791.67	150,040.69	201,500.00	
<b>0800-1 · Membership Dues &amp; Subscriptions</b>	1,410.00	2,500.00	21,528.54	30,000.00	
<b>0801-0 · Board Attorney Fees</b>					
<b>0801-1 · Attorney General's Office</b>	4,922.33	416.67	7,945.44	5,000.00	AG services
<b>0801-0 · Board Attorney Fees - Other</b>	0.00	12,083.33	9,337.51	145,000.00	
<b>Total 0801-0 · Board Attorney Fees</b>	<u>4,922.33</u>	<u>12,500.00</u>	<u>17,282.95</u>	<u>150,000.00</u>	
<b>0840-0 · CONSULTANTS</b>	6,000.00	6,000.00	66,000.00	72,000.00	

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	<u>Aug 22</u>	<u>Budget</u>	<u>Oct '21 - Aug 22</u>	<u>Annual Budget</u>	
0899-1 · Evaluator Fees	600.00	1,000.00	6,900.00	12,000.00	
0899-2 · Hearing Officer Fees	16,954.50	166.67	19,642.50	2,000.00	Cases
0899-4 · WITNESSES	0.00		600.00		
0899-6 · A.D.H.P. Materials & Supplies	450.60	250.00	450.60	3,000.00	
0900-0 · Office Expense	903.50	1,666.67	16,388.95	20,000.00	
0900-1 · Recycle / Paper Disposal	0.00	54.17	600.48	650.00	
0902-0 · NPDB HIPDB License Background	25.00	15.00	195.50	180.00	
0906-0 · Printing & Supplies	0.00	166.67	649.00	2,000.00	
0910-0 · Postage	0.00	416.67	3,000.00	5,000.00	
0924-0 · Insurance	0.00		11,711.00	11,000.00	
0944 · Computer Expenses					
0944-0 · Computer Updates	0.00	2,083.33	279.99	25,000.00	
0944-1 · Computer Support	6,749.49	6,666.67	78,896.54	80,000.00	
<b>Total 0944 · Computer Expenses</b>	<b>6,749.49</b>	<b>8,750.00</b>	<b>79,176.53</b>	<b>105,000.00</b>	
0951-0 · NSF	0.00	8.33	189.00	100.00	
0999-0 · MISC.	43.00	625.00	7,804.41	7,500.00	
1000-1 · Vehicle Repairs & Maint.	6,765.95	416.67	8,281.61	5,000.00	Transmission
1000-2 · Vehicle Fuel	691.16	422.08	7,054.86	5,065.00	Gas prices
1400-0 · Equipment					
0600-3 · Equipment Rental/Lease	2,335.98	3,333.33	26,480.87	40,000.00	
<b>Total 1400-0 · Equipment</b>	<b>2,335.98</b>	<b>3,333.33</b>	<b>26,480.87</b>	<b>40,000.00</b>	
6950 · Bank & CC Service Fees	231.14	170.83	2,326.60	2,050.00	
<b>Total Expense</b>	<b>160,190.45</b>	<b>138,453.34</b>	<b>1,444,591.14</b>	<b>1,779,440.00</b>	
<b>Net Ordinary Income</b>	<b>-60,372.31</b>	<b>-127,697.07</b>	<b>760,296.43</b>	<b>2,000.00</b>	
<b>Other Income/Expense</b>					
<b>Other Income</b>					
524 · NSF Checks	0.00		1,433.00		
527-2 · ADPWC - Monitoring Fee	3,875.00		16,509.00	0.00	
<b>Total Other Income</b>	<b>3,875.00</b>		<b>17,942.00</b>	<b>0.00</b>	
<b>Net Other Income</b>	<b>3,875.00</b>		<b>17,942.00</b>	<b>0.00</b>	
<b>Net Income</b>	<b>-56,497.31</b>	<b>-127,697.07</b>	<b>778,238.43</b>	<b>2,000.00</b>	

\*Salaries include the Investigator and Staff Increases. The roof expenses were reimbursed by the state into the income account #525 \$9001.36