

NEVADA STATE BOARD
of
DENTAL EXAMINERS

BOARD MEETING

MARCH 22, 2012

6:15 p.m.

PUBLIC COPY

NEVADA STATE BOARD OF DENTAL EXAMINERS
6010 S. Rainbow Boulevard, Suite A-1
Las Vegas, Nevada 89118
Thursday, September 8, 2011 at 6:25 pm

Teleconferencing was available at the Board office, 6010 S Rainbow Boulevard, Suite A-1, in Las Vegas, Nevada 89118.

DRAFT Minutes

Call to Order

1. Roll call and Establish a Quorum:

Dr. Pappas called the meeting to order and Ms. Kelly conducted the following role call:

Dr. William Pappas	-----PRESENT
Dr. M Masih Soltani	-----PRESENT
Dr. Donna Hellwinkel	-----PRESENT
Dr. J Gordon Kinard	-----PRESENT
Dr. Timothy Pinther	-----PRESENT
Dr. Jade Miller	-----EXCUSED
Dr. J. Stephen Sill	-----PRESENT
Mrs. Rosanne "Missy" Matthews	-----EXCUSED
Mrs. Leslea Villigan	-----PRESENT
Mr. James "Tuko" McKernan	-----PRESENT
Mrs. Lisa Wark	-----EXCUSED

Others Present: John Hunt, Board Legal Counsel; Kathleen Kelly, Executive Director; Debra Shaffer, Deputy Executive Director.

Public Attendees: Robert Talley, NDA; Delwin McCarthy, DDS, ALD; Lancette VanGuilder, NDHA (via teleconference).

2. Public Comment: For Agenda Items 3b, 4a-b, 5a-b, 6a-g, and 6i public comment will be taken at this time and each person/entity/organization represented will be allotted 5 minutes to make comment.

No comments were made. Dr. Pappas indicated that any public comments to be made to please state them now or prior to rendering a decision on applicable items for public comment.

***3. Executive Director's Report:**

***a. FY12 Draft Budget** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)

Ms. Kelly asked that this item be tabled. She indicated that she was still working on the budget. She reminded the Board members that they finished fiscal year 2011 and asked that any outstanding expenses are to be submitted to her as soon as possible.

MOTION: Mr. McKernan made the motion to table. Second by Dr. Sill. No public comment. All in favor.

MOTION: Dr. Hellwinkel made the motion to go out of order to item (6h). Second by Dr. Kinard .All in favor.

***6. New Business**

- *h. Accept or Reject Recommendations from the Laser Working Group of the Legislative and Dental Practice Resource Group** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)

Dr. Pappas indicated that at the Laser Working Group meeting, they recommended that the Board approve the courses for Dr. McCarthy of the ALD and Dr. Chris Owens with Advanced Laser Training Inc. He mentioned that they tabled the course for AIM. Several Board members indicated that they did not have information regarding the courses. Ms. Kelly gave the Board members a brief overview of the courses that the Laser Working Group recommended. She indicated that the working group also identified what some of the inconsistencies/deficiencies were in accordance with the curriculum guidelines. Dr. Pappas offered to read the letters from the ALD to assist the members in rendering a decision. Dr. Sill asked what the differences were between classes that are approved specifically by the working group versus classes approved by the regular continuing education process; and whether there was a different process. Dr. Pappas indicated that it was a different process because of the regulation they enacted regarding lasers. Dr. Sill then inquired if it was because there is a specific requirement that they have to have a class for lasers and if that's why the specific guidelines have been considered by the group instead of the regular continuing education group. Ms. Kelly indicated that the regulation states proficiency courses must be taught to the curriculum guidelines for laser education as enacted by the ALD and NAC 631.035. She indicated that the Board automatically adopted the guidelines. Dr. Sill indicated that as far as the group was concerned, do the courses meet the guidelines. Dr. Pappas answered affirmatively, but with some recommendations that the Board will make in their letter of approval to the providers.

MOTION: Dr. Sill made the motion to approve the courses following the recommendations of the Laser Working Group. Second by Dr. Pinther. All in favor.

MOTION: Dr. Hellwinkel made the motion to return to agenda order. Second by Mrs. Wark. All in favor.

***3. Executive Director's Report:**

- *b. Authorized Investigative Complaints**
(1) RDH Y-NAC 631.210(2)(f)

Ms. Kelly went over the alleged violation.

MOTION: Dr. Kinard made the motion to authorize. Second by Mrs. Wark. Discussion: Dr. Sill inquired if a dental hygienist can apply a bleaching agent without the light and without supervision. Ms. Kelly indicated that under NRS 631.215, no they cannot. All in favor.

Dr. Pappas inquired of Mr. Hunt if he was comfortable with how he was handling public comment. He reminded him that he mentioned in the beginning of the meeting that public comments on action items may be made at anytime during discussions. Ms. Hunt answered affirmatively.

(2) DR Z-NAC 631.155; NAC 631.2237

Ms. Kelly went over the alleged violation.

MOTION: Dr. Kinard made the motion to authorize. Second by Dr. Pinther. All in favor.

***4. Board Counsel's Report**

- *a. Legal Actions/Lawsuit(s) Update**

Mr. Hunt indicated that there were no lawsuits pending.

***b. Consideration of Stipulation Agreement**

(1) Jai Park, DDS

Mr. Hunt indicated went over the proposed stipulation agreement. He indicated that Dr. Park had not had any previous actions.

MOTION: Dr. Kinard made the motion to adopt the stipulation agreement. Second by Dr. Sill. All in favor.

***5. Old Business**

***a. Reconsideration of Application to Reactivate Inactive License - NAC 631.170(4)**

(1) Laurie A. Clay, RDH

Ms. Kelly indicated that she believes that Ms. Clay may not have been able to join the conference call, and therefore, would repost this item on the October Board meeting agenda.

MOTION: Dr. Pinther made the motion to table. Second by Mr. McKernan. All in favor.

***b. Appointments for Disciplinary Screening**

(1) William G. Anspach, DDS

(2) Tony Guillen, DDS

(3) Christine L. Haskin, DDS

MOTION: Mrs. Villigan made the motion to approve. Second by Mr. McKernan. All in favor.

***6. New Business**

***a. Approval for Dental Licensure by ADEX-NRS 631.240**

(1) Dharminder Happy S. Ghag, DDS

(2) David J. Wilcox, DMD

Dr. Hellwinkel indicated that all applications were reviewed, met all provisions and recommended approval.

MOTION: Dr. Kinard made the motion to approve. Second by Dr. Soltani. All in favor, Dr. Hellwinkel abstained.

***b. Approval of Limited Licensure – NRS 631.271**

(1) Sarika Anand, DMD

(2) An N Trinh, DDS

Dr. Hellwinkel indicated that all applications were reviewed, met all provisions and recommended approval.

MOTION: Mr. McKernan made the motion to approve. Second by Dr. Soltani. All in favor, Dr. Hellwinkel abstained.

***c. Approval for Dental Hygiene Licensure by WREB- NRS 631.300(1)(b)(2)**

(1) McKenzie Barnhurst, RDH

(2) Adena M. Gonzalez-Wright, RDH

(3) Alisha D. Webster, RDH

Dr. Hellwinkel indicated that all applications were reviewed, met all provisions and recommended approval.

MOTION: Dr. Pinther made the motion to approve. Second by Mr. McKernan. All in favor, Dr. Hellwinkel abstained.

***d. Approval for Anesthesia-Temporary Permit – NAC 631.2254**

(1) General Anesthesia

a. Blaine D. Austin, DDS

Dr. Pappas indicated that Dr. Miller reviewed the application and recommended approval.

MOTION: Dr. Pinther made the motion to approve. Second by Dr. Soltani. All in favor.

***e. Approval for Anesthesia-Permanent Permit – NAC 631.2233**

(1) General Anesthesia

a. Katherine A. Keeley, DDS

b. Amanda J. Okundaye, DDS

Dr. Pappas indicated that Dr. Miller indicated that the site was evaluated, passed inspection, and recommended approval.

MOTION: Mr. McKernan made the motion to approve. Second by Dr. Pinther. All in favor.

***f. Approval for Site Permit – NAC 631.2236**

(1) General Anesthesia

a. Huai Phen

(1) 8445 W. Flamingo Road, Las Vegas, NV 89147

Dr. Pappas indicated that Dr. Miller indicated that the site was evaluated, passed inspection, and recommended approval.

MOTION: Mr. McKernan made the motion to approve. Second by Dr. Soltani. All in favor.

***g. Approval for 90-day extension of Anesthesia Permit – NAC 631.2254(2)**

(1) General Anesthesia

a. Judd Partridge, DMD

b. Azizollah Maghen, DDS, MD

Dr. Pappas indicated that they needed an extension due to scheduling issues.

MOTION: Dr. Soltani made the motion to approve. Second by Dr. Pinther. All in favor.

***i. Request by Joseph Mir, DDS to amend his Stipulation Agreement Adopted October 1, 2010 to grant additional time for completion of required supplemental education.**

Ms. Kelly indicated that Dr. Mir submitted a written request asking that the Board consider granting him more time to complete his required supplemental information. She reminded them that the stipulation agreement was adopted in October 2010 and had until October 1, 2011 to complete his hours of continuing education. Ms. Kelly read the letter that Dr. Mir submitted. She indicated that she requested from Dr. Mir written documentation of his orders, which he did provide. She noted that his orders indicated that he was ordered to report for active duty on February 2, 2011, but has not been able to confirm the date of his return. She said that he returned sometime in June or late May, but does not have a confirmed date. Mrs. Villigan inquired if he had completed any CE's thus far. Ms. Kelly indicated he had not; she added that he submitted some courses, a total of seventeen (17) hours for approval, which she granted. Mrs. Villigan inquired further if Dr. Mir mentioned the possibility of potentially being deployed again. Ms. Kelly indicated that he had not. She indicated that his orders did indicate, however, that upon reporting for duty February 2, 2011 he would be on active duty for 365 days. She indicated that she has spoken with several individuals to try and confirm a

date the he returned to no avail. Dr. Hellwinkel inquired if he was in compliance with other provisions of the stipulation agreement. Ms. Kelly answered affirmatively and reminded her that the Board had granted Dr. Mir a payment plan schedule, which he has complied with. Dr. Pappas suggested creating a continuing education plan schedule; similar to a payment plan that would require him to complete a set number of CE's per month just to ensure that he is completing his CE's. Dr. Sill commented that, though, he can appreciate Dr. Mir serving in the military and that he was deployed for a few months, but, would also appreciate if the person making this request would present themselves before the Board to answer questions. He added that he would be willing to grant an additional 30 days but would like a better time frame. He indicated that only completing 17 hours of CE's since his return from deployment is not acceptable; however would be willing to give him a little more time.

MOTION: Dr. Sill made the motion to grant Dr. Mir an additional 30 days, until the end of October, to finish his required CE's and should he desire additional time he is to come before the Board to make his request. Second by Mrs. Wark. Discussion: Mr. Hunt added that it would be important to indicate in the motion that it would stay the automatic revocation if Dr. Mir failed to appear at the October meeting. Additionally, to explain in the motion that the automatic provision pursuant to paragraph (9) would be in full force and effect. Mr. Hunt indicated to Dr. Pappas that he would prepare an amended order to the stipulation agreement for the Board's execution.

AMENDED MOTION: Dr. Sill amended his motion to indicate that the Board will grant an additional 30 days to complete the supplemental continuing education, and require that Dr. Mir appear before the Board at the October Board meeting should he desire additional time; and should Dr. Mir fail to appear before the Board at said meeting to request for additional time the provisions of paragraph (9) of the current stipulation agreement will remain in full force and effect. Mrs. Wark amended her second in favor of the amended motion. All in favor, Dr. Hellwinkel opposed.

7. Resource Group Reports

- *a. Legislative and Dental Practice** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)
(Chair: Dr. Kinard; Dr. Sill; Dr. Hellwinkel; Dr. Pappas; Mrs. Villigan; Mrs. Matthews; and Mrs. Wark)

Dr. Kinard mentioned that he sent notes to committee from staff regarding new guidelines recommendations for on-line renewal registration and possibly changing the renewal application forms. Dr. Pappas inquired if there were any dates yet for a committee meeting. Dr. Kinard indicated there was not, as he is waiting on more information. Dr. Pappas inquired if there were any deadlines for GL Suites. Ms. Kelly indicated that on October 17th they will be upgrading the licensing system to version 5. She indicated that they will begin working on the online process for hygiene, which is when they will begin working on the affixations with Mr. Hunt, but needs committee to have their meeting first. She anticipates that the committee could meet before the Board meeting in October; she hopes that they could finalize online renewal before December 5th so that GL could start implementing the fields on screens they have to create to drop in online in order to make the February date. Ms. Kelly indicated that when she spoke with them it was to ask them what their capabilities were with respect to online renewal. They indicated that they felt it would be easier to try for hygiene renewal because there are fewer items on the hygiene renewal form. But that they will need to upgrade the system to version 5. She indicated that she hopes the committee will meet and finalize requirements, details, what would be accepted for CPR, what they will do about CE certificates, bioterrorism, and certifications of dental assistants for infection control and radiography, laser certifications, etc before December 5th. She commented that essentially the online renewal would resemble the paper renewal. She indicated that some fields are already created in GL but other fields will have to be created, so that the information entered will go to a designated area that will trigger the license to be approved for renewal. She indicated that they will need to find an online payment vendor, which she has the name of a vendor who can work with Bank of Nevada. She indicated that she will have to check that the bank/Board can accept the payments and that they will drop into the right categories and how they defer the money the Board is accepting.

Dr. Kinard inquired if there would be any additional costs to the Board to upgrade to version 5. Ms. Kelly indicated that part of the Board's GL Simple plan was to go to version 5. She added that the Board had paid the fee to go online initially. She commented that she has talked with them about what they will send out and what they will be mailing. She indicated that the other issue is the addresses; that they have to figure out what the Board is comfortable with, what they can and can't do with address change information and having them update it themselves. She

indicated that not many have done the address change online. Dr. Kinard asked if she could put some of the information in writing, information that he doesn't already have from Board staff, so that he may provide it to the committee. Ms. Kelly answered affirmatively. She reminded Dr. Kinard that meetings have to be posted at least 3 business days prior to a meeting, and therefore, asked that he please notify her in advanced when the committee plans to hold their meeting so that it may be properly noticed in accordance to the open meeting law. Dr. Kinard indicated that he would have staff send out information on potential meeting dates.

- *b. **Legal and Disciplinary Action** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)
(Chair: Dr. Hellwinkel; Mrs. Wark; Mrs. Villigan; Mr. McKernan; Dr. Kinard; and Dr. Soltani)

Dr. Hellwinkel indicated that the next scheduled committee meeting was on October 21, 2011; no other reports.

- *c. **Examinations**

- (1) **Dental** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)
(Dr. Pappas; Dr. Kinard and Mrs. Matthews)

Dr. Pappas indicated that the first exam of the CIF series is on October 22nd, 2011.

- (2) **Dental Hygiene** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)
(Chair: Mrs. Matthews; Mrs. Villigan; Mr. McKernan; Dr. Pinther)

No report.

- *d. **Continuing Education** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)
(Chair: Dr. Hellwinkel and Dr. Sill)

Dr. Sill indicated that they have approved some courses; no other reports.

- *e. **Dental Hygiene** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)
(Chair: Mr. McKernan; Mrs. Matthews; Mrs. Villigan; and Dr. Sill)

Mr. McKernan indicated that the committee meeting in August had to be rescheduled and is scheduled just before the Board meeting in October.

- *f. **Specialty** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)
(Chair: Dr. Miller; and Dr. Pinther)

No report.

***g. Anesthesia/Infection Control** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)
(Chair: Dr. Miller; Dr. Pappas; Dr. Hellwinkel; Mr. McKernan and Mrs. Villigan)

No report.

***8. Comments from the Public:** No comments.

9. Announcements: No announcements.

***10. Adjournment** (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization represented to make comment)

MOTION: Mr. McKernan made the motion to adjourn. Second by Dr. Soltani. All in favor.

Meeting Adjourned at 7:36 pm.

Respectfully submitted by:

Kathleen J. Kelly

1 NEVADA STATE BOARD OF DENTAL EXAMINERS
2 6010 S. Rainbow Boulevard, Suite A-1
3 Las Vegas, Nevada 89118
4 Friday, October 21, 2011 at 8:08 a.m.
5
6

7 Videoconferencing was available at the Board office, 6010 S Rainbow Boulevard, Suite A-1, in Las Vegas,
8 Nevada and at the State of Nevada Board of Medical Examiners, 1105 Terminal Way, Suite 301 in Reno,
9 Nevada.
10

11
12 DRAFT Minutes
13 COMMITTEE ON DENTAL HYGIENE
14 (Chair: Mr. McKernan; Mrs. Villigan; Mrs. Matthews; Dr. Sill)
15

16 Call to Order
17

18 *1. Roll call
19

20 Mr. McKernan called the meeting to order and Ms. Kelly conducted the following role call:
21

22 Mr. James "Tuko" McKernan-----PRESENT
23 Dr. J. Stephen Sill-----EXCUSED
24 Mrs. Rosanne "Missy" Matthews-----PRESENT
25 Mrs. Leslea Villigan-----PRESENT
26

27 Others present: John Hunt, Board Legal Counsel; Kathleen Kelly, Executive Director; Debra Shaffer, Deputy
28 Executive Director.
29

30 Public attendees: L. Annette Lincicome, Huntridge Teen Clinic; Shannon Wittenberger (Jones Vargas) counsel for
31 Dr. Leonid Banchik; Terri Chandler, Future Smiles; Robert Talley, DDS, NDA; Heather Rogers, NDHA; Stephanie
32 Redwine, Future Smiles; Mary Bobbett, RDH, BA; Lancette VanGuilder, RDH, NDHA; Masih Soltani, DDS;
33 Chris Garvey.
34
35

36 **2. Report from the Nevada Dental Hygiene Association regarding Nevada issues in dental hygiene and**
37 **national issues from the ADHA**
38

39 Ms. VanGuilder indicated that there was a lot going on nationally with the American Dental Hygiene Association
40 (ADHA). She mentioned that the ADHA hired an outside firm to conduct an environmental scan of hygienists
41 nationally; and went over what the environmental scan consisted of. (Information available on the ADHA website)
42 She indicated that the scan did show how dental hygiene has changed over the years and that there is now higher
43 education for dental hygienists. She commented on the accomplishments for dental hygienists in Minnesota and
44 that they are now the first state to offer a Master's of Science in Oral Health Practitioner degree. She commented
45 that all the information is available on the ADHA website.

46 She indicated that she has also worked with the ADEA (American Dental Education Association) and that
47 seventeen (17) bills have passed across the country, some of them including collaborative hygiene practice, more
48 education and less supervision. She commented that five hygienists won national awards and that Nevada was
49 published in the last issues of "Access" and that one of the articles published was recognition for Ms. Annette
50 Lincicome's work at the Huntridge Teen Clinic. Ms. Rogers indicated that at the House of Delegates meeting, the
51 proposed resolutions seemed to be doing well.
52
53
54
55

- 56 3. **Public Comment: For Agenda Items 4a-b public comment will be taken at this time and each**
57 **person/entity/organization represented will be allotted 5 minutes to make comment.**
58

59 Refer to agenda item (4)(a).
60

61 **4. New Business**
62

63 **a. Discussion Regarding the Functions of the Committee on Dental Hygiene of the Nevada**
64 **State Board of Dental Examiners**
65

66 Ms. VanGuilder commented on pursuing changes to regulations but is somewhat confused on how to pursue making
67 changes. She read the purpose for creating the Dental Hygiene committee and indicated that it seemed every time
68 they have made recommendations to the Committee, the committee would choose to remain neutral and not make
69 recommendations to the Board. She asked if it would be best to go directly to the Board and be placed on the board
70 agenda, or if it would be best to begin scheduling regular meetings with the committee. Mr. McKernan indicated
71 that discussion with the committee would be the best route. Ms. Kelly confirmed the purpose for the creation of
72 the committee, which, is to make recommendations to the Board. Mr. Hunt indicated that this was the mechanism
73 the legislature enacted. He commented that whether the committee chooses to make or not make recommendations
74 to the Board or choose to remain neutral, they have that right to do so. He indicated that if there is a problem with
75 the current statutory construction, then the association's alternative would be to somehow adjust the structure at the
76 next legislative session. Mrs. Villigan indicated that the committee is comfortable with making recommendations;
77 but that it also depended on how the recommendations are presented to the committee and whether they are
78 comfortable presenting the recommendations to the Board. Ms. Rogers indicated that would like to know which
79 method would be most effective, whether going before the committee or going directly to the Board. Mr. Hunt
80 indicated to Ms. Rogers that going directly to the Board would not be appropriate and reminded her that the
81 committee structure was created and generated by the hygiene association. Mrs. Rogers inquired if there was a
82 limit to how many times they could meet with the hygiene committee. Ms. Kelly indicated there was not, therefore,
83 they may meet with the committee as many times as the Committee chooses to meet.
84

85 **b. Discussion Regarding Dental Hygiene Community Service and Volunteer Activities With**
86 **and Without Dentists**
87

88 Mrs. VanGuilder indicated that they have been getting many inquiries from other hygienists on how they may
89 participate in community service events that do not necessarily fall under the public health endorsement area; for
90 example, if a dental hygienist wanted to perform screenings when a dentist is not present. Ms. Kelly indicated that
91 there is currently no statute in Nevada for this specific type of volunteer service and in order to recognize some type
92 of volunteer service would require a statute- legislature change; which would probably be something they would
93 want to meet with the dental hygiene committee about so that they can, perhaps, advocate for a statutory change
94 that would recognize volunteer services as described. Mrs. Rogers indicated that screenings are needed in
95 Tonopah, but is unsure if there are any hygienists in Tonopah and are only aware of a public health nurse. She
96 added that the NDHA is planning on gathering a team to go out to Tonopah, but are unsure of how to proceed on
97 notifying the Board. Ms. Kelly indicated that under current regulations, licensees are supposed to notify the Board
98 of all locations at which there are practicing and advised that it would be a good idea to find out who the nearby
99 dentist is. She indicated that patients treated by a dentist essentially become that dentists' patient of record. Mr.
100 McKernan indicated that if they have a dentist there that could possibly continue treating the patients they screen, to
101 avoid potentially falling into patient abandonment. Mrs. Rogers indicated that the Nurse in Tonopah indicated that
102 there are a lot of children and adults that are in need and they want to help them; which would include providing
103 them with names of dentists in the surrounding area that will be willing to help them. Ms. Kelly asked that they
104 please provide the Board with a list of the supervising dentists that will be participating, a list of the hygienists, and
105 the address of the location where they will be practicing. Ms. Chandler commented that every year UNLV
106 sponsors a trip to go out to Tonopah and take dental students and that they take portable dental equipment. She
107 indicated to the NDHA representatives that if their caravan goes up to Tonopah before UNLV, to identify the
108 urgent need, perhaps collaborate with UNLV and Dr. Demopoulos and their team so that they can make the best use
109 of the dental students upon their visit. Mr. Hunt referred Ms. Rogers to NRS 631.317, 631.346, and 631.287 as her
110 guidance to pursue a possible statute change that would address their desires and concerns for volunteer services.

111 ***5. Consideration for Recommendations from the Dental Hygiene Committee to the Full Board.**
112 (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization
113 represented to make comment)

114
115 No recommendations.

116
117 **6. Comments from the Public** (Public comment prior to any action taken is limited to 5 minutes for each
118 person/entity/organization represented to make comment)

119
120 No public comment.

121
122 **7. Announcements:** No announcements.

123
124 ***8. Adjournment:** Mrs. Villigan made the motion to adjourn. Second by Mrs. Matthews. All in favor.

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133 Meeting Adjourned at 8:46 am.

134
135 Respectfully submitted by:

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137 _____
138 Kathleen J. Kelly

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1 NEVADA STATE BOARD OF DENTAL EXAMINERS
2 6010 S. Rainbow Boulevard, Suite A-1
3 Las Vegas, Nevada 89118
4 Friday, October 21, 2011 at 8:53 am
5

6 Videoconferencing was available at the Board office, 6010 S Rainbow Boulevard, Suite A-1, in Las Vegas and
7 at the Nevada State Board of Medical Examiners, 1105 Terminal Way, Suite 301, Reno, Nevada 89502
8

9 DRAFT Minutes

10
11 Laser Working Group/Legislative and Dental Practice (Resource Group)
12 (Chair: Dr. Pappas, Dr. Hellwinkel, and Mr. McKernan)
13

14 Call to Order

15
16 1. Roll call and Establish a Quorum:

17
18 Dr. Pappas called the meeting to order and Ms. Kelly conducted the following roll call:
19

20 Dr. William Pappas -----PRESENT
21 Dr. Donna Hellwinkel-----PRESENT
22 Mr. James "Tuko" McKernan-----PRESENT
23

24 Others Present: John Hunt, Board Legal Counsel; Kathleen Kelly, Executive Director; Debra Shaffer, Deputy
25 Executive Director.
26

27 Public Attendees: Mary Bobbett, RDH; Terri Chandler, RDH, Future Smiles; L. Annette Lincicome, Huntridge Teen
28 Clinic; Michelle Fasbinder, Dental Hygiene student CSN; Lancette VanGuilder, RDH, NDHA; Stephanie Redwine,
29 RDH, Future Smiles; Chris Garvey, RDH; Heather Rogers, BSDH, NDHA.
30

31 2. **Public Comment: For Agenda Items public comment will be taken at this time and each**
32 **person/entity/organization represented will be allotted 5 minutes to make comment.**
33

34 No public comments made.
35

36 *3. New Business

37
38 *a. **Consideration/Recommendations from ALD on Laser Course**

39 (Public comment prior to any action taken is limited to 5 minutes for each person/entity/organization
40 represented to make comment)
41

42 (1) **AIM/Scott Benjamin, DDS**
43

44 Dr. Hellwinkel indicated that the comments from the Academy of Laser Dentistry were similar to other courses they
45 have reviewed; that the course is more specific to a certain type of laser. Dr. Pappas suggested including a statement
46 in the letter to Dr. Benjamin that it would be beneficial to the course participants to maybe give a little more
47 background on using different lasers. Dr. Hellwinkel inquired if the class was going to be taught or if it has already
48 been given. Ms. Kelly responded that the course has been taught.
49

50 MOTION: Dr. Hellwinkel made the motion to approve the course for laser certification with notice that in future
51 courses, Dr. Benjamin provide a broader scope. Second by Mr. McKernan. Discussion: Ms. Kelly inquired of Dr.
52 Pappas if in the letter to Dr. Benjamin if she should include that if his intention of his laser education course is to
53 teach for that particular type of laser that it must be noted and he must notify students to that effect. Dr. Pappas
54 answered affirmatively. No public comments. All in favor.
55

56 4. Comments from the Public (Public comment prior to any action taken is limited to 5 minutes for each
57 person/entity/organization represented to make comment)
58

59 No comments.
60

61 5. Announcements: No announcements.
62

63 *6. Adjournment (Public comment prior to any action taken is limited to 5 minutes for each
64 person/entity/organization represented to make comment)
65

66 MOTION: Mr. McKernan made the motion to adjourn. Second by Dr. Hellwinkel. No public comment. All in
67 favor.
68

69
70
71 Meeting Adjourned at 8:57 am.
72

73 Respectfully submitted by:
74

75
76 _____
77 Kathleen J. Kelly
78

**ADA American
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Association®**

America's leading
advocate for oral health

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William R. Calnon, D.D.S.
President

January 27, 2012

Romell J. Madison, D.D.S.
President
Louisiana State Board of Dentistry
One Canal Place
365 Canal Street, Suite 2680
New Orleans, LA 70130

Dear Doctor Madison:

Thank you for your recent correspondence to the American Dental Association (ADA) regarding the House of Delegates' action directing the ADA to prepare a Request for Proposals (RFP) calling for the development of a portfolio-style examination for initial licensure purposes (Resolution 42H-2010). We appreciate all opinions expressed on this issue.

The ADA fully supports the state dental board's role in regulating the practice of dentistry. The intent of Resolution 42H-2010 is for the ADA to seek the expertise of a qualified agency to develop a portfolio-style examination that could be used by state dental boards as another avenue to evaluate a candidate for licensure, such as the PGY-1 (NY, CT, CA, MN, WA), the National Dental Examining Board of Canada's two part examination (MN) and the portfolio examination recently adopted in California. The RFP was sent to all the dental clinical testing agencies as well as some private test development companies with experience in dental testing.

ADA recognizes the challenges of a portfolio-style examination and hopes that the testing community will view the ADA's action as an opportunity to develop an alternative clinical assessment tool that could be utilized and supported by the state boards.

I hope this clarifies the intent of Resolution 42H-2010.

Sincerely,

William R. Calnon

William R. Calnon, D.D.S.
President

WRC/ljh:kb

cc: Executive Directors, state licensing boards
Members, ADA Workgroup on Resolution 42H-2010 (Portfolio Style Examination)
Dr. Anthony Ziebert, senior vice president, Education/Professional Affairs
Ms. Karen Hart, director, Council on Dental Education and Licensure



Oregon

John A. Kitzhaber, MD, Governor

Board of Dentistry

1600 SW 4th Avenue

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December 16, 2011

Dr. William R. Calnon, President
American Dental Association
211 E. Chicago Ave.
Chicago, IL 60611-2678

DEC 23 2011
N.S.B.D.E.

Dear Dr. Calnon:

The Oregon Board of Dentistry (OBD) recently reviewed the resolution passed by the American Dental Association (ADA) House of Delegates regarding the development of a portfolio-style examination for initial licensure.

The OBD also recently reviewed the request by the ADA Workgroup on Development for Portfolio-Style Examinations and is very concerned that the ADA has entered into an area that is beyond the mission and purpose of the ADA.

The stated mission of the ADA: "The ADA is the professional association of dentists that fosters the success of a diverse membership and advances the oral health of the public." Clearly this mission does not and should not have anything directly related to the initial licensure of dentists or dental hygienists; this authority is left to the state dental boards.

The stated mission of the OBD: The Mission of the Oregon Board of Dentistry is to protect the public by assuring that the citizens of Oregon receive the highest possible quality oral health care." Clearly the licensure of dentists and dental hygienists falls under this mission.

The OBD urges the ADA to stop this invasion upon the mission, rights and responsibilities found in the dental practice acts of each state board. Licensure of dentists and dental hygienists is left to the state dental boards, not the ADA.



Dr. William R. Calnon
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December 16, 2011

The OBD believes that in this time of serious economic difficulties that face our state and nation, as well as the ADA, according to recent review of ADA publications, that the ADA not waste any more of its precious financial and time resources on issues that are not within their mission or purview.

We encourage our fellow dental boards to join in this effort to have the ADA return to its core mission and leave the licensure, regulation and discipline of dental care professionals to the state dental boards where it belongs.

Sincerely yours,

Handwritten signature of Mary W. Davidson in cursive, with the initials "MW RD" written at the end.

Mary W. Davidson, M.P.H., R.D.H., L.A.P., President
Oregon Board of Dentistry

Handwritten signature of Patricia Parker in cursive, with the initials "DMD" written at the end.

Patricia Parker, D.M.D., Vice-President
Oregon Board of Dentistry

cc: Dr. White Graves, President-AADB
All State Dental Boards



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
BUREAU OF HEALTH LICENSURE AND REGULATION
DIVISION OF HEALTH RELATED BOARDS
227 FRENCH LANDING, SUITE 300
HERITAGE PLACE METROCENTER
NASHVILLE, TENNESSEE 37243

TENNESSEE BOARD OF DENTISTRY
(615) 532-3202 or 1-800-778-4123
www.Tennessee.gov/health

February 2, 2012

Dr. William R. Calnon, President
American Dental Association
211 E. Chicago Avenue
Chicago, IL 60611-2678

Dear Dr. Calnon:

The members of the Tennessee board of Dentistry, at their meeting of January 26-27, 2012, reviewed the October 25, 2011 American Dental Association's Request for Proposals (RFP) to develop a portfolio-style examination for initial license purposes, along with the Oregon board of Dentistry and West Virginia Board of Dental Examiners responses.

The Board agrees with the Oregon Board of Dentistry and the West Virginia Board of Dental Examiners unanimously in that it is the responsibility and privilege of the state boards to regulate the practice of dentistry and dental hygiene, which includes the responsibility of administering clinical licensure examinations. The Board agreed that it was not the responsibility of the American Dental Association. All of the dentist and dental hygiene members of the Board participate with the Southern Regional Testing Agency (SRTA) clinical examination and the Board recently voted to accept and participate in the American Board of Dental Examiners (ADEX) clinical examination. In addition, the Board accepts the Western Regional Examining Board (WREB) examination. The Board does not recognize licenses obtained through PGY-1 or other non-clinical means.

Tennessee Code Annotated Title 63, Chapter 5, Section 105 states that "the board has the following powers and duties in addition to the powers and duties granted to or imposed upon it by the other section of this chapter (2) conduct examinations to ascertain the qualifications and fitness of applicants for licenses to practice dentistry and of applicants for certificates to practice a specialty in dentistry or licenses to practice as a dental hygienist or registered as a dental assistant". In addition, Tennessee Code Annotated Title 63, Chapter 5, Section 111 states that the "board shall recognize a certificate granted by the American Dental Association's Commission on National Board Dental Examinations and may accept the results of its own board examination or the results of an examination conducted by one (1) or more of the regional testing agencies". The candidates are being tested for minimal competency, not proficiency or mastership. The Board stated that the licensure and examination of candidates is the business of the state regulatory agencies, not of any associations.

Sincerely,

John M. Douglass, Jr., D.D.S., President
Tennessee Board of Dentistry

CC: All State Boards of Dentistry

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Senior Assistant Attorney General

January 19, 2012

Dr. William R. Calnon, President
American Dental Association
211 E. Chicago Avenue
Chicago, IL 60611-2678

Dear Dr. Calnon:

The members of the West Virginia Board of Dental Examiners, at their meeting of January 6, 2012, reviewed the October 25, 2011, American Dental Association's Request for Proposals (RFP) to develop a portfolio-style examination for initial license purposes, along with the Oregon Board of Dentistry's response.

The Board agrees with the Oregon Board of Dentistry unanimously in that it is the responsibility and privilege of the different states to regulate the practice of dentistry and dental hygiene, which includes the responsibility of administering clinical license examinations. It is not the responsibility of the American Dental Association. All of the licensed members of our agency participate with some or all of the regional examination organizations. As a matter of fact our Board recognizes all regional and state clinical examinations as part of the requirements for license. The Board does not recognize licenses obtained through PGY-1 or other non-clinical means.

West Virginia Code, Chapter 30, Article 1, Section 1a, states in part as follows: "The Legislature finds and declares as a matter of public policy the practice of the professions... is a privilege and is not a natural right of individuals. The fundamental purpose of licensure and registration is to protect the public..." By statutory authority, the Board requires candidates for licensure graduate from a CODA approved school of dentistry or dental hygiene and must satisfactorily pass the National Boards as administered by the Joint Commission. However, the West Virginia Board will not abrogate its responsibility to ensure the public, its only master, that minimally competent dentists and dental hygienists are licensed. The license process includes an independent, third-party, clinical examination. To imply clinical examinations are onerous, or

unfair, or just a snapshot is utter nonsense. After all, the candidates are not being tested for proficiency or mastership, only minimal competency. With due respect to ASDA, ADEA, and the American Dental Association, licensure of candidates is the business of the state regulatory agencies.

Very truly yours,

A handwritten signature in black ink, appearing to read "George D. Conard, Jr.", written in a cursive style.

George D. Conard, Jr., D.D.S., President
West Virginia Board of Dental Examiners

CC: All State Boards of Dentistry

Subject: ADA's portfolio style exam

Dr. William R. Calnon, President
American Dental Association
211 E. Chicago Avenue
Chicago, IL 60611-2678

Dear Dr. Calnon:

The members of the Wyoming Board of Dental Examiners, at their meeting of February 24, 2012, reviewed the ADA's proposal to develop a portfolio-style of exam for initial licensure.

The Wyoming Dental Board agrees with the Oregon, West Virginia, and Tennessee Dental Boards in that it is the responsibility and privilege of each state to regulate and license the practice of dentistry and dental hygiene. Every Board member is experienced and cognitive about the profession.

The licensure process includes an independent, fair, third party, clinical examination. The Wyoming Board has evaluated the clinical examinations in great detail and recognizes the value of an independent third party clinical examining entity. To imply the clinical examinations are onerous or unfair is ridiculous.

The Wyoming Board of Dental Examiners does not support the portfolio-style examination nor the ADA's involvement in their pursuit. The Wyoming board urges the ADA to stop this invasion upon the the rights of each state to decide its licensing process.

Respectfully,

Nick A. Bouzis D.D.S.
President Wyoming Board of Dental Examiners

cc: All State Boards of Dentistry