

**Ohio State Dental Board
Board Meeting
December 3, 2003**

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**Ohio State Dental Board
Board Meeting
December 3, 2003**

MINUTES

ATTENDANCE

The Ohio State Dental Board (Board) met in room 1932, 19th Floor of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio on Wednesday, December 3rd, 2003, beginning at 1:00 p.m. Board members present were:

Edward R. Hills, D.D.S., President
Eleanore Awadalla, D.D.S., Secretary
Mark Landes, Esq.
Gregory A. McDonald, D.D.S.
T. Michael Murphy, D.D.S.
Lynda L. Sabat, R.D.H.
Paul Vesoulis, D.D.S.

The following guests were also in attendance: Mary Crawford, Esq. and Rebecca Hockenberry, Esq., Assistant Attorneys General; Keith Kerns, Esq. and Dennis Burns, D.D.S. of the Ohio Dental Association (ODA); Denise Bowers, R.D.H. and Linda Hewetson, R.D.H. of the Ohio Dental Hygienists' Association (ODHA); Lili C. Reitz, Esq., Executive Director, Michael R. Everhart, Assistant Director, Jayne A. Rasmussen, Licensure Coordinator, Thomas Smith, Dental Board Enforcement Officer, and Malynda Franks, Executive Secretary of the Ohio State Dental Board; and other guests.

CALL TO ORDER

Dr. Hills extended greetings to everyone and noting that there was a quorum present called the meeting to order at 1:10 p.m.

EXECUTIVE SESSION

Motion by Dr. Vesoulis, second by Ms. Sabat, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(1) and (G)(3) to

discuss issues involving personnel and to confer with counsel on matters that are the subject of pending or imminent court action.

Roll call vote.

Motion carried unanimously.

Dr. Hills invited Ms. Reitz, Mr. Everhart, Ms. Crawford, and Ms. Hockenberry to attend the executive session.

OPEN SESSION

At 2:22 p.m., the Board resumed open session. Dr. Hills approved the agenda for the afternoon as presented with the notation that the Chair may modify the agenda due to timing constraints or extenuating circumstances.

REVIEW OF THE NOVEMBER 2003 BOARD MEETING MINUTES

The Board reviewed the minutes of the November 5-6, 2003 Board meeting.

Motion by Dr. McDonald, second by Dr. Murphy, to approve the November 5-6, 2003 Board meeting minutes as presented.

Roll call vote.

Motion carried unanimously.

REVIEW OF LICENSE APPLICATIONS

LICENSURE REPORT

Jayne Rasmussen, Licensure Coordinator, had prepared a report of the licenses issued since the November 2003 meeting, for Board member review. Dr. Hills then requested the Board's vote of approval for the Licensure Report.

Motion by Dr. Vesoulis, second by Dr. Murphy, to approve the licensure report for the following dental and dental hygiene licenses issued by North East Regional

Board, Inc. (NERB) examination, and for the following dental assistant radiographer licenses issued by; acceptable certification or licensure in another state, certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC), or successful completion of the DANB Radiation, Health and Safety examination:

DENTAL

*Jonathan K. Davis, D.D.S.
Christine M. Mikhail, D.D.S.*

Nomith T. Ramdev, D.D.S.

DENTAL HYGIENE

*Tanya L. Bricking, R.D.H.
Cynthia R. Polasky, R.D.H.
Lisa R. Snouffer, R.D.H.
Casey L. Spears, R.D.H.*

*Billie P. Stephens, R.D.H.
Patricia M. Pyles, R.D.H.*

DENTAL ASSISTANT RADIOGRAPHER

*Renee L. Anthony
Traci A. Bartoe
Angel E. Becknell
Donna L. Calloway
Lisa M. Clark
Teresa L. Cruse
Elizabeth A. Dorizas
Jacqueline D. Eckert
Allison N. Farrell
Jennifer M. Green
Roby S. Haigh
Shannon L. Hall
Jennifer E. Helms
Lislie A. Hilditch
Janet A. holt
Trian A. Hurst
Sheila D. Mobley
Michele R. Moore
Jennifer D. Mullins
Susan L. Noland*

*Jennifer L. Patrone
Santina Percun
Eileen V. Piscitello
Cynthia A. Quintus
Sarah J. Ream
Patti A. Reaver
Marilyn D. Sanchez-Crowder
Malinda D. Semones
Sarah A. Steward
Jessie A. Young
Wendy J. Allen
Paula S. Baird
Pamela J. Baughman
Jessica E. Boggio
Alisa C. Braun
Raemonique Carlisle
Lisa K. Conttongim
Bonnie S. Covell
Yalanda I. Dolly
Heather M. Freeman*

Jennifer K. Garrity
Shari L. Griffin
Melissa A. Henson
Athena R. Kinney
Akino Kishagawa
Rebecca S. Mahoney
Erin E. Miller
Elizabeth A. Murph
Angela M. O'Brien
Colleena M. Patterson

Angela Paule
Lindsay J. Quinata
Christina M. Ramos
Mary E. Robinson
Melanie L. Shea
Kimberly E. Stewart
Deborah L. Thornhill
Karen M. Weaver
Stephanie C. Weeks
Danyal L. Zimmerman

Roll call vote.

Motion carried unanimously.

REGIONAL BOARD DENTAL APPLICATION(S)

The following persons applied for dental licenses, based on successful completion of a regional board examination and NERB Dental Simulated Clinical Examination (DSCE), National Board examination, and the Ohio examination on the statute and regulations:

Richard W. Linn, D.D.S.

Motion by Ms. Sabat, second by Dr. Vesoulis, to approve Dr. Linn's regional board dental license application.

Roll call vote.

Motion carried unanimously.

REGIONAL BOARD DENTAL HYGIENE APPLICATION(S)

The following persons applied for dental hygiene licenses, based on successful completion of a regional board examination, National Board examination, and the Ohio examination on the statute and regulations:

Melissa F. Dickenson, R.D.H.

Motion by Ms. Sabat, second by Dr. McDonald, to approve Ms. Dickenson's regional board dental hygiene license application.

Roll call vote.

Motion carried unanimously.

GRADUATES OF UNACCREDITED DENTAL COLLEGES LOCATED OUTSIDE THE UNITED STATES

The Board reviewed the license application of Dr. Sang Yoon Lee a 1993 graduate of Seoul National University Dental College, in Korea. Dr. Lee has completed a periodontics residency from the Indian University and has taken and passed the National Board examination, Western Regional Examining Board (WREB) examination, and the Ohio examination on statute and regulations.

Motion by Dr. Murphy, second by Ms. Sabat, to grant Dr. Lee a license to practice dentistry in the state of Ohio as a graduate of an unaccredited dental college located outside the United States.

Roll call vote.

Motion carried unanimously.

LIMITED RESIDENT'S LICENSE APPLICATION(S)

Dr. Hills noted that there were no limited resident's license applications for review at this time.

LIMITED TEACHING LICENSE APPLICATION(S)

Dr. Hills noted that there were no limited teaching license applications for review at this time.

LIMITED CONTINUING EDUCATION LICENSE APPLICATION(S)

Dr. Hills noted that there were no limited continuing education license applications for review at this time.

DENTAL APPLICATION(S) WITH SPECIALTY DESIGNATION

Dr. Hills noted that there were no license applications for dentists with a specialty designation for review at this time.

DENTAL ASSISTANT RADIOGRAPHER LICENSE APPLICATION(S)

Dr. Hills noted that there were no dental assistant radiographer license applications for review at this time.

INTRODUCTION OF BOARD MEMBERS

Dr. Hills took a moment to introduce the Board. He introduced himself as the Board President, a general dentist from Cleveland. He then introduced the other Board members: Dr. Eleanore Awadalla, the Board Secretary, a general dentist from Toledo, Dr. T. Michael Murphy, an oral and maxillofacial surgeon from Marion, Dr. Paul Vesoulis, a general dentist from Toledo, Dr. McDonald, a general dentist from Springboro, Ms. Lynda Sabat, the Board's dental hygiene member from Brecksville, and Mr. Mark Landes, an attorney and the Board's public member from Gahanna.

CRITERIA APPROVAL LICENSE APPLICATION(S)

Dr. Hills noted that there were no criteria approval license applications for review at this time.

REINSTATEMENT LICENSE APPLICATION(S)

MARCIA L. DABREO, R.D.H.

Marcia L. DaBreo, R.D.H. was the only applicant for reinstatement interview. Ms. DaBreo retired her license in December 1993. Ms. DaBreo explained that she holds current licensure in the states of Washington and California and wishes to reinstate her dental hygiene license in Ohio in order to practice in the Dayton area. She informed the Board that her husband is in the U.S. Air Force and has recently been stationed at Wright Patterson Air Force Base. Ms. Dabreo stated

that she is currently certified in CPR and has obtained the required twelve (12) hours of continuing education for reinstatement.

Upon questioning by the Board, Ms. DaBreo explained that she had learned and performed local anesthesia in both Washington and California. She stated that as with every new technique she had been nervous at first. However, Ms. DaBreo explained that she could not imagine performing dental hygiene without the ability to perform local anesthesia, although she is aware that this duty is illegal for dental hygienist in Ohio. She went on to explain that the use of local anesthesia by the dental hygienist was on a case-by-case basis for comfort for each patient. She stated that in all cases wherein there was a health concern the patient was referred to the dentist first.

Motion by Ms. Sabat, second by Dr. Vesoulis, to approve Ms. DaBreo's reinstatement application for licensure as a dental hygienist in the state of Ohio.

Roll call vote.

Motion carried unanimously.

ENFORCEMENT REPORT

REPORT AND RECOMMENDATION(S)

Dr. Hills noted that there were no Report and Recommendations for consideration at this time.

PERSONAL APPEARANCE(S)

DANIEL A. GLICK, D.D.S.

Dr. Hills began by stating that this was Dr. Glick's first appearance before the Board subsequent to treatment at Laurelwood Hospital. He then asked Dr. Glick to discuss with the Board how he felt his treatment and aftercare were proceeding.

Dr. Glick informed the Board that he was in a "good place" considering the situation that had occurred in September. He stated that in the three (3) months since that time he has gone through the ramifications and consequences of his actions. Dr. Glick informed the Board that he had been doing everything that the

Board had asked of him since September and was here to request his license be reinstated.

Dr. Hills noted that Dr. Glick had not practiced dentistry since November 4th, 2003 and inquired as to what Dr. Glick has been doing since that time. Dr. Glick stated that he has been spending more time with his family at home, attending Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) meetings, and checking in periodically on his business. He stated that the aftercare is ongoing and helpful. He stated that he now has a different level of philosophy and is not socializing with the same group of people as in the past.

Upon further questioning, Dr. Glick explained that the weekend of his arrest by the City of Cleveland significantly altered his life. He stated that spending two (2) full nights in a prison cell on the sixth floor of the Justice Center in Cleveland scared him straight.

Dr. Awadalla explained that it was the Board's policy to not reinstate licenses of impaired licensees at their first interview with the Board subsequent to treatment. She stated that the Board would like to see Dr. Glick return for an interview with the Board in January.

Dr. Glick stated that the thought the Board might consider his request based on his unique circumstances and that it has been three (3) months since the incident in Cleveland and that he has basically served a thirty (30) day suspension.

Dr. Awadalla further explained the Board's reasons for not reinstating licenses for impaired licensees. She stated that there was a high percentage of licensee who never make it to the second appearance before the Board without relapse. Therefore, she stated that the Board felt more comfortable considering reinstatement after a second interview with the impaired licensee.

Ms. Sabat commented that one (1) of the reasons for the substance abuse continuing education requirement was because of the high incidence of recurrent offenses that the Board reviews.

Dr. Hills encouraged him to continue in his aftercare treatment and stated that the Board would like to see him again for another interview in January.

MELISSA A. HIGH, R.D.H.

Dr. Hills noted that Melissa High, R.D.H. was not in attendance at this time. He then moved on to the next personal appearance scheduled, Yuri Y. Pushkin, D.D.S.

YURI Y. PUSHKIN, D.D.S.

Ms. Reitz explained that Dr. Pushkin was appearing before the Board pursuant to the terms the consent agreement signed in May, 2002. Ms. Reitz stated that subject to the terms set forth in the consent agreement, Dr. Pushkin's license was permanently revoked, said revocation was stayed and his license to practice dentistry was suspended for a period of four (4) years commencing on July 1, 2002. Continuing on, Ms. Reitz stated that paragraph three (3) of the consent agreement stipulates that Dr. Pushkin's license can be reinstated by the Board after a period of one (1) year for the sole purpose of providing pro bono dental services to underserved populations. Paragraph two (2) of the consent agreement states that Dr. Pushkin is to provide two thousand (2000) hours of pro bono service that must be completed prior to full reinstatement of his dental license.

Upon questioning by the Board, Dr. Pushkin explained that his front desk person had been found guilty in the Franklin County Court of Common Pleas of billing the Ohio Department of Job and Family Services (ODJFS) for services that were not performed from December 2000 to February 2001. He stated that he has refunded all of the monies received as a result of those billings and signed the current consent agreement with the Board.

When asked what advantage the front desk person had in billing ODJFS for those procedures which had not been performed, Dr. Pushkin stated that he was responsible for the actions of his employees and that she claimed to have billed the services in an effort to help out the practice. He stated that he has served the first year of his suspension and is requesting reinstatement of his license in order to begin performing pro bono services at a Board approved Special Needs clinic in Caldwell Ohio in Noble County. He stated that he has contacted the clinic and plans to work one to two (1-2) days per week. Dr. Pushkin indicated that he would like to perform additional pro bono services at another clinic in Appalachia once the details are worked out. Dr. Awadalla reminded Dr. Pushkin that he must first obtain Board approval in order to receive credit for the pro bono service hours and that all hours must be properly documented and submitted to the Board executive office.

Further questioning by the Board resulted in Dr. Pushkin explaining that he has not been practicing dentistry nor has received any income from his practice during the past year but he has maintained his continuing education as required.

Motion by Ms. Sabat, second by Dr. Awadalla, to reinstate the license of Yuri Y. Pushkin, D.D.S. for the sole purpose of performing pro bono services to underserved populations at the clinic in Caldwell Ohio.

Roll call vote.

Motion carried unanimously.

REVIEW OF CASES WHEREIN NOTICE(S) OF OPPORTUNITY WERE ISSUED AND NO HEARING WAS REQUESTED

Dr. Hills noted that there were no cases wherein Notices of Opportunity were issued and no hearing was requested for consideration by the Board at this time.

REVIEW OF PROPOSED CONSENT AGREEMENT(S)

The Board reviewed five (5) proposed consent agreements.

MARK D. LEVENSON, D.D.S.

Motion by Ms. Sabat, second by Dr. McDonald, to approve the proposed consent agreement for Mark D. Levenson, D.D.S., license number 30-01-7502.

Roll call vote: Dr. Awadalla - Yes
 Dr. Hills - Yes
 Mr. Landes - Yes
 Dr. McDonald - Yes
 Dr. Murphy - Yes
 Ms. Sabat - Yes
 Dr. Vesoulis - Yes

Motion carried unanimously.

JENNIFER G. PIKE, R.D.H.

Motion by Dr. McDonald, second by Dr. Murphy, to approve the proposed consent agreement for Jennifer G. Pike, R.D.H., license number 31-01-1462.

Roll call vote: Dr. Awadalla - Yes
Dr. Hills - Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Sabat - Yes
Dr. Vesoulis - Yes

Motion carried unanimously.

ALLISON J. SAMS, R.D.H.

Motion by Dr. Murphy, second by Dr. McDonald, to approve the proposed consent agreement for Allison J. Sams, R.D.H., license number 31-00-7276.

Roll call vote: Dr. Awadalla - Yes
Dr. Hills - Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Sabat - Yes
Dr. Vesoulis - Yes

Motion carried unanimously.

MARK L. TURNER, D.D.S.

Motion by Ms. Sabat, second by Dr. Murphy, to approve the proposed consent agreement for Mark L. Turner, D.D.S., license number 30-01-2134.

Roll call vote: Dr. Awadalla - Abstain
Dr. Hills - Yes
Mr. Landes - Yes
Dr. McDonald - Yes

Dr. Murphy - Yes
Ms. Sabat - Yes
Dr. Vesoulis - Yes

Motion carried.

WILLIAM F. WADSWORTH, D.D.S.

Motion by Ms. Sabat, second by Dr. Murphy, to approve the proposed consent agreement for William F. Wadsworth, D.D.S., license number 30-01-2361.

Roll call vote: Dr. Awadalla - Abstain
Dr. Hills - Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Sabat - Yes
Dr. Vesoulis - Yes

Motion carried.

REVIEW OF PROPOSED VOLUNTARY RETIREMENT(S)

Dr. Hills noted that there were no proposed voluntary retirements for review at this time.

REVIEW OF PROPOSED NOTICE(S) OF OPPORTUNITY FOR HEARING

Dr. Hills noted that there were no notices of opportunity for hearing for review at this time.

ENFORCEMENT UPDATE

Mr. Everhart informed the Board that there were currently fourteen (14) cases listed as pending hearings of which one (1) has been settled and nine (9) have been scheduled for hearings. He stated that there were currently five (5) cases under appeal and indicated that there were sixteen (16) licensees currently under suspension. Mr. Everhart stated that there had been sixty-five (65) cases that had

been investigated and reviewed by the Board Secretary and recommended to be closed.

Due to the requirement in Chapter 4715.03(D) of the Ohio Revised Code, that "The board shall not dismiss any complaint or terminate any investigation except by a majority vote of its members,..." Mr. Everhart reviewed the cases to be closed with the Board.

The following cases are to be closed:

01-50-212	03-77-160	03-12-1459
01-50-211	03-77-162	03-25-1471
02-18-211	03-76-1078	03-31-1475
03-18-019	03-76-1040	03-43-1487
03-18-051	03-76-1041	03-13-1482
03-18-066	03-76-1043	03-31-1308
03-77-126	03-76-1056	03-77-1315
03-04-161	03-76-1046	03-47-1345
03-76-1047	03-18-1231	03-43-1348
03-25-567	03-28-1286	03-70-1377
03-60-976	03-18-1307	03-36-1403
03-76-1042	03-18-1306	03-46-1411
03-76-1044	03-78-1344	03-31-1431
03-25-565	03-77-1341	03-25-1438
03-76-1048	03-18-1362	03-71-1434
03-46-1244	03-18-1378	03-25-1453
01-50-213	03-18-1396	03-83-1458
02-52-045	03-67-1419	03-09-1468
02-79-605	03-18-1452	03-57-1472
03-50-023	03-25-1437	03-31-1479
03-76-053	03-71-1435	03-12-1481
03-76-124	03-57-1454	

Prior to the vote to close the above listed cases, Dr. Hills inquired as to whether any of the Board members had any personal knowledge that the cases that were being voted on today involve either themselves or a personal friend.

Roll call: Dr. Awadalla - No
 Dr. Hills - No
 Mr. Landes - No
 Dr. McDonald - No
 Dr. Murphy - No

Ms. Sabat - No
Dr. Vesoulis - No

Dr. Hills then called for a motion to close the cases and approve the enforcement report.

Motion by Ms. Sabat, second by Dr. Murphy, to approve the enforcement report and close the above sixty-five (65) cases.

Roll call vote.

Motion carried unanimously.

Dr. Hills thanked Mr. Everhart for the Enforcement Report.

ANESTHESIA COMMITTEE REPORT

REVIEW OF PROVISIONAL ANESTHESIA AND CONSCIOUS SEDATION PRIVILEGES

Dr. Murphy stated that the following individual have applied for Anesthesia or Conscious Sedation permits. He explained that the applications were reviewed by the Anesthesia Committee and are recommended to receive provisional privileges:

Matthew K. Holdship, D.D.S. – Toledo, Ohio (Anesthesia permit)

Bradd C. Testerman, D.D.S. – Lebanon, Ohio (Conscious Sedation permit for all modalities)

REVIEW OF GENERAL ANESTHESIA PERMIT APPLICATION(S)

Continuing on, Dr. Murphy stated that there were no applications for review for Anesthesia permits

REVIEW OF CONSCIOUS SEDATION PERMIT APPLICATION(S)

Dr. Murphy stated that the following individual has applied for a Conscious Sedation permit. He explained that the application was reviewed by the Anesthesia Committee and is recommended to receive privileges for the appropriate modality:

Thomas A. Birong, D.D.S. – Carrolton, Ohio
All modalities

Motion by Dr. Murphy, second by Ms. Sabat, to approve Matthew K. Holdship, D.D.S. and Bradd C. Testerman, D.D.S. for receipt of provisional anesthesia and conscious sedation permit privileges and to approve Thomas J. Birong, D.D.S. a conscious sedation permit for all modalities.

Roll call vote.

Motion carried unanimously.

Dr. Hills thanked Dr. Murphy for the Anesthesia Committee report.

COMMUNICATIONS COMMITTEE REPORT

Ms. Reitz informed the Board members that there was nothing new to report at this time.

Dr. Hills thanked Ms. Reitz for her report.

EDUCATION COMMITTEE REPORT

REVIEW OF BIENNIAL CONTINUING EDUCATION SPONSOR APPLICATION(S)

Ms. Sabat stated that the following individual has applied for approval as a biennial sponsor of continuing education for the years 2004-2005 and has been recommended for approval by the Education Committee:

William E. Bart, D.D.S.

Motion by Ms. Sabat, second by Dr. Murphy, to approve Dr. Bart's application for biennial sponsorship of continuing education for the 2004-2005 biennium.

Roll call vote.

Motion carried unanimously.

REVIEW OF BIENNIAL CONTINUING EDUCATION SPONSOR RENEWAL APPLICATION(S)

Ms. Sabat stated that the following individuals/organizations have applied for approval as biennial sponsors of continuing education for the years 2004-2005 and have been recommended for approval by the Education Committee:

Carl O. Boucher Prosthodontic Conference
Butler County Dental Care Program
Cedar Study Club
Cleveland Academy for Dental Studies
Frank E. Cordray, D.D.S., M.S.
Dental Seminars & Symposia
Greater Cincinnati Dental Study Club
Roger A. Hess, D.D.S., M.A., M.P.A.
Home Study Educators, Inc.
M. William Rose, D.D.S.

Motion by Dr. McDonald, second by Dr. Murphy, to approve these ten (10) applications for biennial sponsorship of continuing education for the 2004-2005 biennium.

Roll call vote.

Motion carried unanimously.

REVIEW OF DENTAL ASSISTANT RADIOGRAPHER INITIAL TRAINING COURSE(S)

Ms. Sabat noted that there were no dental assistant radiographer initial training courses for review at this time.

REVIEW OF ANESTHESIA CONTINUING EDUCATION COURSE(S)

Ms. Sabat noted that there were no anesthesia continuing education courses for review at this time.

REVIEW OF CONSCIOUS SEDATION CONTINUING EDUCATION COURSE(S)

Ms. Sabat noted that there were no conscious sedation continuing education courses for review at this time.

REVIEW OF SUBSTANCE ABUSE CONTINUING EDUCATION COURSE(S)

Ms. Sabat informed the Board that the following sponsors have submitted applications for the substance abuse continuing education courses. She stated that the Education Committee has reviewed the courses, determined that they fulfill all the necessary requirements, and have recommended the following courses for approval:

William E. Bart, D.D.S. – “Substance Abuse – “2 Hours Well Spent”

Corydon Palmer Dental Society – “Everything You Wanted to Know About Street Drugs But Were Afraid to Ask” Presented by Harold E. Crossley, D.D.S., Ph.D.

Ohio Dental Association - "Street Drugs: Their Impact on You, Your Family, and Your Dental Practice" Presented by Harold E. Crossley, D.D.S., Ph.D.

Motion by Ms. Sabat, second by Dr. Murphy, to approve these three (3) applications for substance abuse continuing education courses.

Roll call vote.

Motion carried unanimously.

REVIEW OF DENTAL HYGIENE MEDICAL EMERGENCY COURSE(S)

Ms. Sabat noted that there were no dental hygiene medical emergency courses for review at this time.

REVIEW OF SPECIAL NEEDS PROGRAM REQUEST(S)

Ms. Sabat stated that the Youngstown Community Health Center and Warren West Community Health Center has requested special needs approval for their dental clinic. She stated that the Committee is requesting clarification and wishes to table their request at this time.

REVIEW OF REQUEST FOR WAIVER(S) OF THE CONTINUING EDUCATION REQUIREMENT

Ms. Sabat informed the Board that the Education Committee had reviewed two (2) applications for Request for Waiver of the Continuing Education Requirement. She stated that the Committee recommends approval of an extension of time to obtain the required continuing education for the 2002-2003 biennium for the following individuals:

Robert J. Pond, D.D.S.
David W. Tripp, D.D.S.

Motion by Ms. Sabat, second by Dr. Murphy, to approve these two (2) individual requests for waiver of the continuing education requirement to receive extensions for the 2002-2003 biennium.

Roll call vote.

Motion carried unanimously.

Dr. Hills thanked Ms. Sabat for her report.

LAW AND RULES REVIEW COMMITTEE REPORT

Dr. Murphy informed the Board that the Law and Rules Review Committee had met earlier in the day and accomplished their agenda. He stated that at the previous meeting the Committee had requested that language with regards to hand hygiene be revisited. Dr. Murphy explained that the issue had been researched and that any new draft language was to be tabled since the Centers for Disease Control (CDC) guidelines were still in draft form.

Dr. Hills thanked Dr. Murphy for the Law and Rules Review Committee report.

POLICY COMMITTEE REPORT

Dr. Awadalla noted that there were no new or revised policies for review at this time.

Dr. Hills thanked Dr. Awadalla for her report.

TREATMENT CENTER APPROVAL COMMITTEE REPORT

Dr. Awadalla noted that there was nothing to report for the Treatment Center Approval Committee at this time.

Dr. Hills thanked Dr. Awadalla for her report.

WAIVER COMMITTEE REPORT

Ms. Sabat noted that there were no Requests for Waiver of the Hepatitis B Inoculations for review at this time.

Dr. Hills thanked Ms. Sabat for the Waiver Committee report.

SECRETARY'S EXPENSE REPORT

Dr. Awadalla reported by stating that she had spent in excess of twenty (20) hours per week attending to Board business.

Motion by Ms. Sabat, second by Dr. Murphy, to approve the Secretary's expense report.

Roll call vote.

Motion carried unanimously.

OFFICE EXPENSE REPORT

The report of the Board expenditures was reviewed.

Motion by Ms. Sabat, second by Dr. Vesoulis, to approve the expense report and approve payment of the October 2003 Board bills.

Roll call vote.

Motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS ANNUAL MEETING – REPORT

Ms. Reitz informed the Board that she had attended and presented at the American Association of Dental Administrators meeting in October. She stated that copies of her report were included in the Board notebooks for their review. She stated that the Attorney Roundtable discussions were very interesting and that the topics reviewed had been included in her report.

QUALITY INTERVENTION PROGRAM NEW EMPLOYEE – GAIL DAVIS

Ms. Reitz informed the Board that the executive office had hired Gail Davis as the support person for the Quality Intervention Program (QUIP). She reminded the members that Ms. Davis previously worked for the Board and was returning to work in this part-time capacity.

Dr. Hills thanked Ms. Reitz for her report.

CORRESPONDENCE

Dr. Hills noted that there was no correspondence for review at this time.

ANYTHING FOR THE GOOD OF THE BOARD

BOARD MEETING SCHEDULE

Ms. Reitz indicated that she was seeking a confirmation of the proposed Board meeting schedule. She stated that there had been some discussion regarding changing the meeting format to one (1) day instead of two (2). Ms. Reitz indicated that this could not only save the Board money but it would also allow the members to return to their business in a more timely manner.

In addition, Ms. Reitz stated that she would be providing a new Board member orientation in January prior to the meeting in February.

Motion by Dr. Murphy, second by Dr. McDonald, that the meetings from this point forward be scheduled for one (1) day.

Motion passed by acclamation.

Ms. Reitz then noted that the Law and Rules Review Committee would not have to meet in February as the new and amended rules would be filed shortly after the January meeting. The Board members approved.

ADMINISTRATIVE HEARING IN THE MATTER OF ROBERT SCOTT BACON, D.D.S.

An administrative hearing in the matter of Robert Scott Bacon, D.D.S. was held on December 3, 2003, at 3:00 p.m., pursuant to Chapter 119 of the Ohio Revised Code, in *The Vern Riffe Center for Government and the Arts*, in room 1932, 19th floor, 77 South High Street, Columbus, Ohio, 43215.

The original Order, Transcripts and any objections are maintained in the exhibits section of this journal.

EXECUTIVE SESSION

Motion by Dr. Vesoulis, second by Dr. Awadalla, to move the Board into executive session pursuant to Ohio Revised Code section 121.22(G)(1) to deliberate and consider the matter of licensee Robert Scott Bacon, D.D.S.

Roll call vote

Motion carried unanimously.

OPEN SESSION

The Board resumed open session at 3:47 p.m. Dr. Hills stated:

“Let the record reflect that Dr. Eleanore Awadalla was the secretary in this matter and therefore will abstain from final vote. Furthermore, Dr. Awadalla was not present during executive session and did not participate in the deliberations in this matter.”

DECISION IN THE MATTER OF ROBERT SCOTT BACON, D.D.S.

Motion by Mr. Landes, second by Dr. Vesoulis, that both Counts in the Notice of Opportunity for Hearing are found to be true, that the license of Robert Scott Bacon, D.D.S., to practice dentistry in the state of Ohio is hereby REVOKED, and that the ORDER shall become effective thirty (30) days from the date of mailing of this order.

Mr. Landes questioned the reasoning as to why the Order was not to be effective immediately. Discussion ensued wherein it was determined that the Order should become effective upon the date of mailing.

Motion by Mr. Landes, second by Dr. Vesoulis, to amend the Order to become effective immediately upon the date of mailing of the Order.

Roll call vote: Dr. Awadalla - Abstain
 Dr. Hills - Yes
 Mr. Landes - Yes
 Dr. McDonald - Yes
 Dr. Murphy - Yes

Ms. Sabat - Yes
Dr. Vesoulis - Yes

Motion carried.

Motion by Dr. Vesoulis, second by Ms. Sabat, to accept the Order as amended.

Roll call vote: Dr. Awadalla - Abstain
Dr. Hills - Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Sabat - Yes
Dr. Vesoulis - Yes

Motion carried.

ADJOURN

Motion by Dr. Murphy, second by Dr. McDonald, to adjourn the meeting until Wednesday, January 7th, 2004.

Motion passed by acclamation.

Edward R. Hills, D.D.S.
President

Eleanore Awadalla, D.D.S.
Secretary