

# OHIO STATE DENTAL BOARD

## BOARD MEETING

### FEBRUARY 27, 2008

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**OHIO STATE DENTAL BOARD  
BOARD MEETING  
FEBRUARY 27, 2008**

**MINUTES**

**ATTENDANCE**

The Ohio State Dental Board (Board) met in Room 1960, 19<sup>th</sup> Floor of The Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio on February 27, 2008, beginning at 1:00 p.m. Board members present were:

Gregory A. McDonald, D.D.S., President  
Mark T. Armstrong, D.D.S., Vice-President  
Edward R. Hills, D.D.S., Secretary  
Clifford Jones, R.D.H.  
Berta I. Howard, D.D.S.  
Lawrence B. Kaye, D.D.S.  
Billie Sue Kyger, D.D.S.  
William G. Leffler, D.D.S.  
Ann Naber, R.D.H.  
Chad A. Readler, Esq.  
Linda Staley, R.D.H.  
Frank A. Wright, D.M.D.

Douglas W. Wallace, D.D.S. was not in attendance.

The following guests were also in attendance: P.R. Casey, Esq., Jennifer Adair, Esq. and Katherine Bockbrader, Esq., of the Ohio Attorney General's Office; Michele Carr, R.D.H., M.A., Chair of the Ohio State University Department of Dental Hygiene; David Owsiany, Executive Director, Keith Kerns, Esq. and Dennis Burns, D.D.S. of the Ohio Dental Association (ODA); Denise Bowers, R.D.H. of the Ohio Dental Hygienists' Association (ODHA); Lindsey Seavert of WBNS Channel 10 News; Lili Reitz, Esq., Executive Director, Gail Davis, Dental Board Enforcement Officer, Jayne Smith, Licensure Coordinator, and Malynda Franks, Executive Secretary of the Ohio State Dental Board; and other guests.

## **CALL TO ORDER**

Dr. McDonald extended greetings to everyone and noting that there was a quorum present called the meeting to order at 1:08 p.m. He requested all members and guests sign the attendance roster.

## **PUBLIC ADMINISTRATIVE RULES HEARING**

An administrative rules hearing was held on the following proposed new, rescinded, and amended rules:

- 4715-5-08 Denture identification (amend)
- 4715-8-01 Continuing education requirements (rescind)
- 4715-8-01 Continuing education requirements (new)
- 4715-13-02 Name under which practice may be conducted (amend)
- 4715-13-04 Statements tending to deceive or mislead the public (amend)
- 4715-13-05 Advertising specialty services (amend)

A court reporter was present to take down and transcribe the details of the testimony and discussions of the Board.

The Board heard testimony and received evidence, State's Exhibits 1 through 5, from Lili C. Reitz, Esq., Executive Director, Ohio State Dental Board.

The Board then received into evidence written testimony Exhibits A and B from Mark S. Wenzel, D.D.S., and Keith R. Kerns, Esq., Director of Legal and Legislative Services of the Ohio Dental Association, respectively.

Upon conclusion of the oral testimony, the Board discussed any proposed changes to these rules as filed and any motions regarding potential changes to these rules. All discussions and motions are documented in the official transcripts from the hearing maintained in the exhibits section of this journal.

Dr. McDonald stated that the Board would resume its regular meeting agenda.

## **REVIEW OF THE JANUARY BOARD MEETING MINUTES**

The Board reviewed the minutes of the January 9, 2008 Board meeting.

*Motion by Ms. Staley, second by Dr. Kaye, to approve the January 9, 2008 Board meeting minutes as presented.*

Motion carried unanimously.

### **EXECUTIVE SESSION**

*Motion by Dr. Armstrong, second by Dr. Wright, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22(G)(3) to confer with counsel on matters that are the subject of pending or imminent court action.*

Motion carried unanimously.

Dr. McDonald invited Ms. Reitz, Mr. Yonadi, Mr. Casey, Ms. Adair and Ms. Bockbrader to attend the executive session.

### **OPEN SESSION**

The Board resumed open session. Dr. McDonald 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.

### **INTRODUCTION OF BOARD MEMBERS**

Dr. McDonald took a moment to introduce the Board. He introduced himself as the Board President, a general dentist from Springboro. He then introduced the other Board members: Dr. Mark Armstrong, the Board Vice-President, a general dentist from Troy, Dr. Edward Hills, the Board Secretary, a general dentist from Cleveland, Dr. Berta Howard, a general dentist from Hamilton, Dr. Larry Kaye, a periodontist from Akron, Dr. Billie Sue Kyger, a general dentist from Gallipolis, Dr. William Leffler, a general dentist from Massillon Ohio, Dr. Franklin D. Wright, a general dentist from Cincinnati, Mr. Clifford Jones, a dental hygienist from Cincinnati, Ms. Linda Staley, a dental hygienist from Lima, Ms. Ann Naber, a dental hygienist from Cincinnati, and Mr. Chad Readler, an attorney from Columbus.

## ENFORCEMENT REPORT

### REPORT AND RECOMMENDATIONS

#### REPORT AND RECOMMENDATION IN THE MATTER OF RICK A. BARSTOW, D.D.S.

Dr. Hills announced that the Board would now consider the Hearing Officer's Report and Recommendation in the matter of Rick A. Barstow, D.D.S. that was filed by Hearing Examiner, Paul Stehura, Esq., on December 24, 2007.

Dr. Hills then proceeded by asking whether each member of the Board had read the Hearing Examiner's Report and Recommendation in the matter of Rick A. Barstow, D.D.S.

Roll call:           Dr. Armstrong – Yes  
                          Dr. Hills – Yes  
                          Dr. Howard – Yes  
                          Mr. Jones – Yes  
                          Dr. Kaye – Yes  
                          Dr. Kyger - Yes  
                          Dr. Leffler – Yes  
                          Dr. McDonald - Yes  
                          Ms. Naber – Yes  
                          Mr. Readler – Yes  
                          Ms. Staley - Yes  
                          Dr. Wright - Yes

Dr. Hills then proceeded by asking whether each member of the Board had the record, including the transcript, available to refer to when necessary in reviewing this matter?

Roll call:           Dr. Armstrong – Yes  
                          Dr. Hills – Yes  
                          Dr. Howard – Yes  
                          Mr. Jones – Yes  
                          Dr. Kaye – Yes  
                          Dr. Kyger - Yes  
                          Dr. Leffler – Yes  
                          Dr. McDonald - Yes  
                          Ms. Naber – Yes  
                          Mr. Readler – Yes  
                          Ms. Staley - Yes

Dr. Wright - Yes

Dr. Hills then asked if each member of the Board had read any Objections to the Report and Recommendation that had been filed in reviewing this matter.

Roll call:           Dr. Armstrong – Yes  
                          Dr. Hills – Yes  
                          Dr. Howard – Yes  
                          Mr. Jones – Yes  
                          Dr. Kaye – Yes  
                          Dr. Kyger - Yes  
                          Dr. Leffler – Yes  
                          Dr. McDonald - Yes  
                          Ms. Naber – Yes  
                          Mr. Readler – Yes  
                          Ms. Staley - Yes  
                          Dr. Wright - Yes

The original Order, Report and Recommendation and any objections shall be maintained in the exhibits section of this journal.

Dr. Hills then stated that the Board's minutes would serve as the official record of the proceedings. He then asked if Dr. Bruner and/or his attorney were present.

***RICK A. BARSTOW, D.D.S.***

Dr. Barstow introduced himself and apologized by stating that he was not very good at speaking in front of a group. He began by thanking the Board for allowing him to speak, as it was his reputation on the line. Dr. Barstow stated that he respects his profession and feels that he has done his best for his patients for the past thirty-two (32) years. He stated that he has always practiced under the terms where the patients needs always come first, but with regards to this patient he felt his hands were tied. Dr. Barstow stated that on many occasions he had recommended a reline. He stated that he had originally recommended that the patient wait until the healing from the extractions was completed prior to returning for a reline. Dr. Barstow stated that he had no reason to believe the patient had a problem, but that ultimately the patient had chosen to go elsewhere and had not allowed him to perform the reline.

***BOB ANGEL, ESQ.***

Mr. Angel stated that he was not going to belabor the issues regarding the Board's jurisdiction in this case. He stated that when all was said and done, at the end of the

day there was a set of dentures that did not work and that the patient had rejected the recommendation of a relin during the early phase. He stated that in July the patient had complained due to a resorption of tissue and again there was the recommendation of a relin to alleviate the problem. Mr. Angel stated that retention is a natural part of the healing process, that there was a preponderance of evidence indicating the Dr. Barstow had attempted to work with the patient in this regard, and that the Board has not carried through in determining its burden in this case.

***JENNIFER ADAIR, ESQ.***

Ms. Adair began by stating that with regards to the jurisdictional issues in this matter as the respondent attempted to make this matter into a fee dispute. She stated that two (2) teeth had been removed and it was found that the healing time was not a big issue in this matter, however, she stated that the dispute in this matter was not standard, that there were several complaints of a “teeter-totter” effect. Ms. Adair stated that in regards to esthetics, the Board may not have jurisdiction, however, the Board does have jurisdiction regarding the function. She encouraged the Board members to consider the Hearing Examiner’s Report and Recommendation in this matter and adopt it as their own.

**EXECUTIVE SESSION**

***Motion by Dr. Howard, second by Dr. Kyger, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(1) to deliberate and consider the charges and report and recommendation filed in the matter of Rick A. Barstow, D.D.S.***

Roll call vote.

Motion carried unanimously.

***OPEN SESSION***

The Board resumed open session.

Dr. Hills stated, “Let the record reflect that I, Dr. Edward R. Hills, was the Secretary in this matter and therefore I will abstain from final vote. Let the record further reflect that I was not present during executive session and did not participate in the deliberations in this matter.”

**DECISION IN THE MATTER OF RICK A BARSTOW, D.D.S.**

***Motion by Dr. Kyger, second by Dr. Kaye, to find that Count 1 of the Notice of Opportunity to be true.***

Roll call vote: Dr. Armstrong – Yes  
Dr. Hills – Abstain  
Dr. Howard – Yes  
Mr. Jones – Yes  
Dr. Kaye – Yes  
Dr. Kyger - Yes  
Dr. Leffler – Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Ms. Staley - Yes  
Dr. Wright - Yes

***Motion by Dr. Kyger, second by Kaye to amend the Hearing Examiner's recommended Order as follows:***

***It is hereby ORDERED that the case involving Dr. Barstow be dismissed.***

Discussion followed wherein Dr. Kyger stated that the Board understands why there were substantial concerns regarding this case. She stated that while the Board finds Count 1 to be true, the Board does not believe that it rises to the level that warrants disciplinary action. Therefore, the matter should be dismissed.

Roll call vote: Dr. Armstrong – No  
Dr. Hills – Abstain  
Dr. Howard – Yes  
Mr. Jones – Yes  
Dr. Kaye – Yes  
Dr. Kyger - Yes  
Dr. Leffler – Yes  
Dr. McDonald - Yes  
Ms. Naber – No  
Mr. Readler – Yes  
Ms. Staley - Yes  
Dr. Wright - No

Motion carried.

**REPORT AND RECOMMENDATION IN THE MATTER OF RICHARD E. BRUNER, D.D.S.**

Dr. Hills announced that the Board would now consider the Hearing Officer's Report and Recommendation in the matter of Richard E. Bruner, D.D.S. that was filed by Hearing Examiner, Paul Stehura, Esq., on January 24, 2008.

Dr. Hills then proceeded by asking whether each member of the Board had read the Hearing Examiner's Report and Recommendation in the matter of Richard E. Bruner, D.D.S.

Roll call:           Dr. Armstrong – Yes  
                          Dr. Hills – Yes  
                          Dr. Howard – Yes  
                          Mr. Jones – Yes  
                          Dr. Kaye – Yes  
                          Dr. Kyger - Yes  
                          Dr. Leffler – Yes  
                          Dr. McDonald - Yes  
                          Ms. Naber – Yes  
                          Mr. Readler – Yes  
                          Ms. Staley - Yes  
                          Dr. Wright - Yes

Dr. Hills then proceeded by asking whether each member of the Board had the record, including the transcript, available to refer to when necessary in reviewing this matter?

Roll call:           Dr. Armstrong – Yes  
                          Dr. Hills – Yes  
                          Dr. Howard – Yes  
                          Mr. Jones – Yes  
                          Dr. Kaye – Yes  
                          Dr. Kyger - Yes  
                          Dr. Leffler – Yes  
                          Dr. McDonald - Yes  
                          Ms. Naber – Yes  
                          Mr. Readler – Yes  
                          Ms. Staley - Yes  
                          Dr. Wright - Yes

Dr. Hills then asked if each member of the Board had read any Objections to the Report and Recommendation that had been filed in reviewing this matter.

Roll call: Dr. Armstrong – Yes  
Dr. Hills – Yes  
Dr. Howard – Yes  
Mr. Jones – Yes  
Dr. Kaye – Yes  
Dr. Kyger - Yes  
Dr. Leffler – Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Ms. Staley - Yes  
Dr. Wright - Yes

The original Order, Report and Recommendation and any objections shall be maintained in the exhibits section of this journal.

Dr. Hills then stated that the Board's minutes would serve as the official record of the proceedings. He then asked if Dr. Bruner and/or his attorney were present.

***DOUGLAS E. GRAFF, ESQ.***

Mr. Graff introduced himself to the Board and claimed that he was appearing on behalf of Dr. Bruner, who was not in attendance to the meeting due to not being able to get a flight out on short notice. Mr. Graff stated that in addition to his argument over the Board's jurisdiction in this matter, counts one through five of the Board's Notice of Opportunity for hearing were citing violations of continuing education requirements for Dr. Bruner's licensure renewal. He stated that Dr. Bruner had taken coursework to fulfill the requirements for renewal, however, 37.75 hours had been denied due to dispute over quarter hour credits, approval status of continuing education sponsors, and lack of timely response of additional information. Mr. Graff stated that many dentists licenses to practice dentistry would be in jeopardy if the Board sought to treat them all in this manner.

Mr. Graff concluded by stating that Dr. Bruner had been cited over a year ago and that it had been six (6) months since the hearing in regards to this matter. He stated that Dr. Bruner's time out of practice should be considered as time served when they review this matter and that he should be allowed to go back to practice immediately.

***JENNIFER ADAIR, ESQ., ASSISTANT ATTORNEY GENERAL***

The Board's attorney representative, Assistant Attorney General Jennifer Adair, began by stating that the first five (5) counts in the Notice of Opportunity for Hearing

(Notice) in this matter dealt with violations of the continuing education requirements for dental licensure renewal. She stated that Count 6 of the Notice cited a violation of paragraph 5(c) of a 2004 Consent Agreement between Dr. Bruner and the Board. Ms. Adair stated that paragraph 5(c) specifically states that Dr. Bruner was to "obey all federal, state and local laws and rules governing the practice of dentistry in Ohio". She stated that Dr. Bruner had plead guilty to a misdemeanor of the 1<sup>st</sup> degree.

Ms. Adair stated that Dr. Bruner had been audited for compliance with the continuing education for dental licensure renewal. She stated that during the review of Dr. Bruner's materials, Dr. Bruner had been contacted regarding clarification of information submitted. Ms. Adair stated that it is the individual licensee's responsibility to provide any and all information available in regard to continuing education and that Dr. Bruner did not provide the information requested. She stated that of the required forty (40) hours of continuing education submitted, only twenty-four (24) hours were acceptable under the statute and rules set forth in the Dental Practice Act.

Continuing on, Ms. Adair stated that Mr. Graff mentioned his objections to the Board's jurisdiction as regards to improperly invoking the Notice as it did not comply with the procedural requirements of Ohio Revised Code Section 119. She stated that this matter has been reviewed by the Attorney General's Office and they are confident that the Board has complied with the requirements.

Concluding. Ms. Adair stated that Dr. Bruner was found to be non-compliant with the continuing education requirements for licensure renewal and that he had been convicted of telephone harassment, a misdemeanor in violation of his consent agreement. She then encouraged the Board members to accept the Hearing Examiner's Report and Recommendation as submitted based on the evidence supporting the cites enumerated in the Board's Notice.

### **EXECUTIVE SESSION**

*Motion by Dr. Howard, second by Dr. Armstrong, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(1) to deliberate and consider the charges and report and recommendation filed in the matter of Richard E. Bruner, D.D.S.*

Roll call vote.

Motion carried unanimously.

### **OPEN SESSION**

The Board resumed open session at 3:55 p.m.

Dr. McDonald stated, "Let the record reflect that Dr. Hills was not present during executive session and did not participate in the deliberations in this matter."

**DECISION IN THE MATTER OF RICHARD E. BRUNER, D.D.S.**

*Motion by Dr. Kyger, second by Dr. Wright, to find all Counts of the Notice of Opportunity to be true.*

Roll call vote: Dr. Armstrong – Yes  
Dr. Hills – Abstain  
Dr. Howard – Yes  
Mr. Jones – Yes  
Dr. Kaye – Yes  
Dr. Kyger - Yes  
Dr. Leffler – Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Ms. Staley - Yes  
Dr. Wright - Yes

*Motion by Dr. Kyger, second by Ms. Staley to amend the Hearing Examiner's recommended Order as follows:*

*It is hereby ORDERED:*

- 1. The license of Richard E. Bruner D.D.S. to practice dentistry in the state of Ohio, including all permits issued by the Ohio State Dental Board, shall be SUSPENDED INDEFINITELY for a minimum period of time of at least three (3) years, in accordance with ORC Sections 4715.30 (C), 4715.14 and 4715.141 due to said licensee's violations of Counts 1 through 6 as set forth in the Board's Notice of Automatic Suspension and Opportunity for Hearing dated February 7, 2007. Dr. Bruner shall immediately refer all his patients who may need treatment within that time period to other practitioners. This suspension shall commence at the conclusion of any current suspension or discipline of Dr. Bruner's licenses or permits in place on the effective date of this Order.*

- a. *No one in the dental office may perform dentistry or dental hygiene duties or otherwise treat patients during the period of suspension.*
  - b. *A receptionist may answer the phones with "Dr. Bruner's Office", or the name of the practice, or the sole purpose of answering questions, scheduling/rescheduling appointments, and making referrals.*
  - c. *Dr. Bruner may not receive any income either from a legal or a beneficial interest in the dental practice during the period of suspension, however, he may be present in the office to update records, and do other duties as necessary to bring his office into compliance with the Dental Practice Act and to establish procedures to ensure continued compliance.*
2. *The Ohio State Dental Board shall not consider REINSTATEMENT of Dr. Bruner's license to practice dentistry and all permits issued by the Board unless all of the following minimum requirements have been met:*
- a. *Dr. Bruner shall submit an application for reinstatement, accompanied by appropriate fees. Dr. Bruner shall not make application until his suspension has been completed.*
  - b. *Dr. Bruner has provided documentation that he has successfully completed or satisfied each of the following:*
    - i. *all conditions, terms and requirements of the 2004 Consent Agreement between Dr. Bruner and the Ohio State Dental Board, including but not limited to, all required continuing education hours for the noted periods;*
    - ii. *all continuing education hours required of dentists licensed by the Ohio State Dental Board for each biennium until Dr. Bruner's license is reinstated;*
    - iii. *all conditions, terms and requirements, including but not limited to, probationary terms, of any previous Order of the Ohio State Dental Board pertaining to Dr. Bruner's license; and*
    - iv. *Dr. Bruner shall complete remediation in clinical diagnosis and treatment planning approved in advance by the Board Secretary.*

3. *Upon completion of the suspension set forth in paragraph 1 of this Order and proper reinstatement of his dental license by the Board, Dr. Bruner may resume the practice of dentistry in the state of Ohio subject to any probationary terms, requirements or limitations on Dr. Bruner's license or practice previously put in place by Order of the Ohio State Dental Board.*
4. *Upon completion of the suspension set forth in paragraph 1 of the Order and proper reinstatement of his dental license by the Board, Dr. Bruner may resume the practice of dentistry in the state of Ohio subject to the provisions of paragraph 3 of this Order, but his license shall be subjected to the following additional PROBATIONARY conditions for a period of no less than three (3) years:*
  - a. *Dr. Bruner shall fully cooperate with the Board in any investigation and/or evaluation of his license, dental office or compliance with this or previous Orders of the Ohio State Dental Board, which shall occur as often as the Board deems necessary to ensure compliance with this and previous Orders of the Board and/or the Dental Practice Act, Chapter 4715 of the Ohio Revised Code.*
  - b. *Dr. Bruner shall appear before the Board or its designee as requested by the Board.*
  - c. *Dr. Bruner shall obey all federal, state and local laws and rules governing the practice of dentistry in Ohio.*
5. *Upon successful completion of his probation, Dr. Bruner's license and permits shall be fully RESTORED and Dr. Bruner's practice may resume subject only to any limitations placed upon them by paragraph 3 of this Order.*

*This ORDER shall take effect thirty (30) days from the mailing date of this Order.*

Roll call vote: Dr. Armstrong – Yes  
Dr. Hills – Abstain  
Dr. Howard – Yes  
Mr. Jones – Yes  
Dr. Kaye – Yes  
Dr. Kyger - Yes  
Dr. Leffler – Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes

Ms. Staley - Yes  
Dr. Wright - No

Motion carried.

*Motion by Dr. Wright, second by Ms. Naber, to approve the proposed order as amended.*

Roll call vote: Dr. Armstrong – Yes  
Dr. Hills – Abstain  
Dr. Howard – Yes  
Mr. Jones – Yes  
Dr. Kaye – Yes  
Dr. Kyger - Yes  
Dr. Leffler – Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Ms. Staley - Yes  
Dr. Wright - No

Motion carried.

## PERSONAL APPEARANCE(S)

### CHRISTOPHER M. ASHBY, D.D.S.

Ms. Davis introduced Dr. Christopher M. Ashby, who was appearing before the Board for his second appearance after signing a consent agreement that was approved by the Board in December 2007.

Upon questioning by the Board, Dr. Ashby stated that he felt things were going pretty well. He stated that he has lost a lot of weight due to meeting with sober friends and working out every day. He stated that he is performing a lot of service work with the Alcoholics Anonymous (AA) group at the local hospitals. He stated that once he obtains six (6) months of sobriety he then can work with the AA in the local jail. He stated that the first time around he had slowly gotten away from the program, but now he feels he is back on the road to recovery.

*Motion by Dr. Hills, second by Dr. Wright, to reinstate the license of Christopher B. Ashby, D.D.S., to practice dentistry in the State of Ohio subject to the terms of his consent agreement with the Board.*

Roll call vote.

Motion carried unanimously.

**JEFFERY B. STOLLER, D.D.S.**

Ms. Davis introduced Dr. Richard B. Stoller, who was appearing before the Board for his second appearance after completing inpatient treatment at GlenBeigh Hospital (GlenBeigh) on December 10, 2007. She stated that Dr. Stoller had some issues initially with meeting attendance, however, he has been doing much better the past three (3) weeks.

Upon questioning by the Board, Dr. Stoller could offer no explanation as to why he had not been in compliance. When asked about his particular situation around other drugs, Dr. Stoller stated that there is no one else at home to monitor the medication that that his wife has been prescribed for a brain tumor. He stated that he felt there was not much he could do in this regard. As to his recovery, he stated that he has been spending much of his time with his elderly neighbors.

Dr. Hills stated that Dr. Stoller had signed his consent agreement with the Board in December but did not fulfill the terms until January by beginning to attend three (3) AA meetings per week at that time. Dr. Hills stated that by not being in compliance he has taken a step backwards. Dr. Stoller commented that he had not been in compliance due to the snow.

Board members inquired whether Dr. Stoller had been able to address the issue regarding the availability of narcotics within his office. Dr. Stoller explained that he had taken steps with regards to the Boards concerns regarding his access to the controlled substances in his office. He stated that he had taken all the narcotics to the Woods at Parkside and that they were no longer available in his office. Dr. Wright stated that the Board is not inclined to give Dr. Stoller his license back based on his lack of attendance to meetings and still present availability of controlled substances. He asked if Dr. Stoller had inquired as to whether any other attendees at his meetings were in a similar predicament regarding the availability of narcotics. Dr. Stoller indicated that he seemed to be the only one.

Dr. McDonald concluded the interview by explaining to Dr. Stoller that it is not the Boards objective to keep him out of practice, and as such they would like to see him come up with a plan to address the availability of narcotics within his home by the next meeting. He then requested Dr. Stoller to return for a subsequent interview with the Board at it's April meeting.

**NATHAN J. LLOYD, D.D.S.**

Ms. Reitz began by stating that at Dr. Hills request, Nathan J. Lloyd, D.D.S. was here to speak with the Board. He stated that Dr. Lloyd has applied for a Limited Resident's license and that during a review of his application it was found that Dr. Lloyd has an extensive criminal history. She explained that Dr. Hills felt that the Board should have the opportunity to discuss these issues with Dr. Lloyd prior to making a determination regarding his application.

Upon questioning by the Board, Dr. Lloyd stated that his while his criminal history was extensive, it was neither violent, nor drug related and that it was fifteen (15) years ago. He stated that initially he had initially applied to attend the University of North Carolina, Chapel Hill intending to get into the medical field. However, he stated that while every medical school had denied his application, every dental school had accepted him. Dr. Lloyd stated that he had been dismissed from an internship in Louisiana due to his background during hurricane Katrina because they had twenty (20) applicants and only two (2) chairs and they did not need/want him once they found out about his background.

When asked as to whether Case Western Reserve University School of Dental Medicine had been aware of his criminal background when he applied, Dr. Lloyd indicated that they had not. He indicated that the two (2) oral and maxillofacial surgery residency programs to which he had applied were not aware of his history either. He stated that he had not been forthcoming in that respect because it is highly competitive and easy for them to deny based on his criminal history. He said simply that he wanted a chance to prove himself based on what he is today.

Board members inquired as to the nature of his crimes. Dr. Lloyd explained that he was 18-19 years old when it occurred. He stated that he was at an age/place in his life where he was being rebellious, got in with the wrong people and into the wrong places. He stated that at the time he perceived it as fun and did not recognize it as harm to anyone. He stated that he was truly sorry for what he had done.

When questioned as to what motivated him to attend college, Dr. Lloyd stated that he had been incarcerated for a while which allowed him plenty of time to think, and that knowledge had given him the desire to learn even when he was in trouble. He stated that since his release from the oral and maxillofacial program in Louisiana, he has been volunteering everywhere, in a free clinic, for the Red Cross helping with Katrina victims, with a rescue recovery service, and currently as an EMT.

When asked why he had repeatedly lied on his applications, he stated that he knew he would not be accepted anywhere with his history. Dr. Lloyd stated that it has only been through the encouragement of Dr. Lavigna that he chose to come forth. He stated that Dr. Lavigna has e-mailed him indicating that he is still holding the position at St.

Vincent's Charity Hospital/St. Luke's Medical Center should the Board approve his limited resident's license.

Board members indicated that on the cover Dr. Lloyd's situation is somewhat moving, however, they do not condone Dr. Lloyd's multiple misrepresentations. Dr. Lloyd stated that coming before the Board in this manner was his first step in working within the boundaries. He stated that his long-term goals were to have his own practice, own patients, and eventually retire.

*Motion by Dr. Wright, second by Dr. Kyger, to approve the application for a limited resident's license for Nathan J. Lloyd, D.D.S.*

Roll call vote: Dr. Armstrong – Yes  
Dr. Hills – Yes  
Dr. Howard – Yes  
Mr. Jones – Yes  
Dr. Kaye – Yes  
Dr. Kyger - Yes  
Dr. Leffler – Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – No  
Ms. Staley - Yes  
Dr. Wright - Yes

Motion carried.

## REVIEW OF PROPOSED CONSENT AGREEMENT(S)

The Board reviewed nine (9) proposed consent agreements. The names of the individuals/licenses were not included in the documents reviewed by the Board. The names of the individuals/licenses have been added to the minutes for public notice purposes.

### DISCIPLINARY

*ROBERT H. DOTY, D.D.S.*

*Motion by Ms. Staley, second by Dr. Armstrong, to approve the proposed consent agreement for Robert H. Doty, D.D.S., license number 30-014831, case number 05-52-0483.*

Motion carried.

*CHRISTINE N. FISCHER, DENTAL ASSISTANT RADIOGRAPHER*

*Motion by Dr. Kyger, second by Dr. Leffler, to approve the proposed consent agreement for Christine N. Fischer, Dental Assistant Radiographer, license number 51-008700, case number 08-42-0030.*

Motion carried.

*STEPHEN GILMORE, D.D.S.*

*Motion by Dr. Kaye, second by Dr. Armstrong, to approve the proposed consent agreement for Stephen Gilmore, D.D.S., license number 30-015047, case number 07-31-0293.*

Motion carried.

*LUTHER I. IKE, D.D.S.*

*Motion by Dr. Armstrong, second by Dr. Kyger, to approve the proposed consent agreement for Luther I. Ike, D.D.S., license number 30-012886, case numbers 07-25-0225 and 07-25-0435.*

Motion carried.

*DONALD J. KILBANE, D.D.S.*

*Motion by Dr. Kyger, second by Dr. Wright, to approve the proposed consent agreement for Donald J. Kilbane, D.D.S., license number 30-018634, case number 08-18-0063.*

Motion carried.

*RUTA KLAVINS, D.M.D.*

*Motion by Dr. Wright, second by Ms. Naber, to approve the proposed consent agreement for Ruta Klavins, D.M.D., license number 30-011731, case number 08-48-0065.*

Motion carried.

***GORDON T. NOAKES, D.D.S.***

*Motion by Dr. Armstrong, second by Dr. Kyger, to approve the proposed consent agreement for Gordon T. Noakes, D.D.S., license number 30-020366, case numbers 06-78-0132 and 06-78-0640.*

Motion carried.

***RAMON A. PEREZ, D.D.S.***

*Motion by Dr. Kyger, second by Ms. Naber, to approve the proposed consent agreement for Ramon A. Perez, D.D.S., license number 30-019156, case number 07-25-0413.*

Motion carried.

***AICO WATANABE, D.D.S.***

*Motion by Dr. Kyger, second by Ms. Staley, to approve the proposed consent agreement for Aico Watanabe, D.D.S., license number 30-019899, case number 05-18-0265.*

Motion carried.

**REVIEW OF PROPOSED MOTIONS**

*Motion by Dr. Kyger, second by Ms. Staley, to rescind the proposed notice of opportunity for hearing for A. Luciano Stroia, D.D.S., license number 30-020518, and case number 07-31-0393.*

Motion carried.

**ENFORCEMENT UPDATE**

Mr. Yonadi informed the Board that there were fourteen (14) cases pending hearings, of which all have been assigned for hearing. He stated that we still have eight (8) cases

under appeal and four (4) cases pending the Hearing Officer's Report and Recommendation of which two (2) had been reviewed today. Mr. Yonadi stated that there are currently eighteen (18) licensees under suspension. He informed the Board members that we have three (3) cases pending QUIP.

Mr. Yonadi informed the Board that fifty-seven (57) cases have been investigated and reviewed by the Board Secretary and are 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. Yonadi reviewed the cases to be closed with the Board.

The following cases are recommended to be closed:

02-25-0643	07-14-0575	07-39-0560
03-18-1388	07-18-0238	07-43-0274
04-18-0208	07-18-0365	07-45-0590
04-18-0341	07-18-0376	07-48-0082
05-17-0782	07-18-0390	07-48-0353
05-18-0268	07-18-0444	07-55-0587
05-18-0845	07-18-0600	07-57-0549
05-25-0630	07-23-0446	07-57-0584
05-25-0973	07-25-0332	07-57-0586
05-32-1130	07-25-0535	07-76-0532
05-77-0614	07-25-0596	07-77-0510
06-18-0049	07-30-0304	07-77-0535
06-18-0060	07-31-0393	07-77-0570
06-18-0498	07-31-0476	07-77-0574
06-25-0289	07-31-0573	07-83-0248
06-86-0280	07-31-0580	07-83-0542
07-02-0401	07-31-0581	07-87-0470
07-12-0558	07-31-0582	08-25-0036
07-13-0565	07-31-0588	

Prior to the vote to close the above listed cases, Dr. McDonald 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. Armstrong – No  
Dr. Hills – No  
Dr. Howard – No  
Mr. Jones – No

Dr. Kaye – No  
Dr. Kyger - No  
Dr. Leffler – No  
Dr. McDonald - No  
Ms. Naber – No  
Mr. Readler – No  
Ms. Staley - No  
Dr. Wright - No

Dr. McDonald then called for a motion to close the cases.

*Motion by Dr. Kyger, second by Ms. Naber, to close the above fifty-seven (57) cases.*

Roll call vote: Dr. Armstrong – Yes  
Dr. Hills – Abstain  
Dr. Howard – Abstain  
Mr. Jones – Yes  
Dr. Kaye – Yes  
Dr. Kyger - Yes  
Dr. Leffler – Yes  
Dr. McDonald - Abstain  
Ms. Naber – Yes  
Mr. Readler – Yes  
Ms. Staley - Yes  
Dr. Wright - Yes

Motion carried.

## **REVIEW OF LICENSE APPLICATIONS**

### **LICENSURE REPORT**

Jayne Smith, Licensure Coordinator, had prepared a report of the licenses issued since the January 2008 meeting, for Board member review.

### **DENTAL**

*Motion by Dr. Wright, second by Ms. Staley, to approve the licensure report for the following dental licenses issued by North East Regional Board, Inc. (NERB) examination:*

Gajender Ahlawat  
Aaron D. Aue  
Inessa Bertman-Zats  
Sharon Freudenberger  
William B. Gardiner  
Nidhi Jain

Patrick G. Latcham  
Nithin K. Nirmal  
Aboulkawi M. Omar  
Sarat Chandra Ummethala  
Abelardo H. Valdes  
Valerie N. Watson

Motion carried unanimously.

### **DENTAL HYGIENE**

*Motion by Dr. Kaye, second by Ms. Naber, to approve the licensure report for the following dental hygiene licenses issued by North East Regional Board, Inc. (NERB) examination:*

Hadeer A. Agamy  
Arjeta A. Bilali  
Amy N. Cunningham  
Donna M. Daniels  
Cory R. Danison  
Krista L. Henry  
Jessica H. Hornick  
Claudette K. Moore

Angela M. Scenna  
Fouzia Shahabzada  
Holly A. Triplett  
Dolores M. Tumino  
Debroah S. Turnbaugh  
Kimberly E. Weisel  
Stephanie M. Yensho  
Sandra A. Zombory

Motion carried unanimously.

### **DENTAL ASSISTANT RADIOGRAPHER**

*Motion by Dr. Kyger, second by Ms. Staley, to approve the licensure report 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 Board-approved Radiography course:*

Felicia Adams  
Brandan Adkins  
Vickie Ailstock  
Karly Alcorn  
Jessica Anderson  
Rebecca Anderson  
Kristi Archer

Sabrina Arrington  
Elvira Bakiaj  
Melissa Barnard  
Kimberly Bartley  
Shannon Baus  
Airika Beardsley  
Danielle Beech

Renee Bennington  
Kelsey Bergen  
Tracy Bicknell  
Billiejo Blair  
Shanise Bonnell  
Connie Borelli  
Bernadette Bradford  
Jennifer Brannan  
Adrienne Briscoe  
Clara Brown  
Lisa Brown  
Amber Caiazza  
April Campbell  
Tashena Campbell  
Christina Carlson  
Josette Carroll  
Jennifer Cason  
Kelly Christman  
Karol Church-Kash  
Virginia Closson  
Stacie Combs  
Jacqueline Corwin  
Angela Cottrill  
Lindsey Crookshanks  
Sarah Daft  
Christine Dasilva  
Lee Davis  
Melanie Davis  
Jessica Dell'anno  
Katherine Devore  
Amber Doll  
Virginia Douthat  
Kimberly Dumas  
Antonia Earley  
Amanda Ebert  
Kathy Edmonds  
Megan Elias  
Nanette Elliott  
Melissa Emmert  
Veronika Fikejzova  
Erica Flack  
Mary Floyd  
Lacyann Franks

Crystal Frasure  
Angela Garrabrant  
Tennele Geissinger  
Kelly Goodstein  
Kimberly Gray  
Laura Halcomb  
Patricia Hamilton  
Leann Hartman  
Mindy Hartman  
Alexis Harwedel  
Marisa Hathaway  
Nicole Haveman  
Danielle Hemp  
Ashley Hershberger  
Jillian Hickman  
Kay Hill  
Elizabeth Hines  
Amanda Hughes  
Daphne Hughes  
Amanda Hutcheson  
Shannon Ingram  
Diana Iseli  
Jessica Iuston  
Crystal Jeschelnic  
Evelina Jimenez  
Virginia John  
Jennifer Johnson  
Amber Jones  
Karen Juergens  
Danette Kahrl  
Jamie Kaselak  
Jennifer Kearfott  
Debra Keener  
Amanda Ketcham  
Melissa Kidd  
Kristen Kirsch  
Aimee Leblanc  
Dale Legg, Jr  
Natasia Lennon  
Megan Lewis  
Jennifer Liberatore  
Jennifer Lovsey  
Otilia Martynyuk

Lisa Mascaro  
Tiffany Mason  
Amanda Massie  
Trisha Miller  
Robyn Mills  
Regina Minor-Underwood  
Amanda Moore  
Jessica Moore  
Michele Moore  
Jacqueline Mullens  
Nicole Murfello  
Christina Nelson  
Dagmar Nicholas  
Heather Noonan  
Marsha Owca  
Valerie Owens  
Christina Palavin  
Christine Paysen  
Antoinette Phillips  
Crystal Pool  
Giavonna Pozzi  
Breanna Price  
Felicia Quillen  
Lori Ramey  
Lindsey Rizzo  
Laurie Rodgers  
Erica Rodriguez  
Michelle Romey  
Jennifer Ruen  
Angela Schoenlein  
Jody Schray  
Amanda Sciacca  
Dusanka Sekulic  
Chelsea Sieg  
Tina Simo  
Joann Skelton  
Jean Skidmore

Michael Slabodnick  
Lisa Slanco  
Amy Slevin  
Shana Smith  
Tanya Sommers  
Narelle Stead  
Amy Sweeney  
Martha Taylor  
Brooke Thorpe  
Jessica Tingley  
Chiante Turpeau  
Laura Twaddle  
Jamie Vannostran  
Nichol Vanscyoc  
Lauren Vazquez  
Jennifer Vierling  
Julianna Volpi  
Candice Wailes  
Nichol Wandling  
Alexis Washick  
Daniella Watkins  
Jacquelyn Welch  
Lashae Wells  
Ashley Wheeldin  
Aryel Whitley  
Sharrie Whitt  
Rachel Wilburn  
Angela Williams  
Jennifer Williams  
Kristie Willimack  
Sandra Winkel  
Brittany Wortham  
Susan Wright  
Pamela Wyatt  
Laura Young  
Elizabeth Zilke  
Lisa Zindash

Motion carried unanimously.

**LIMITED RESIDENT'S LICENSE APPLICATION(S)**

*Motion by Dr. Kyger, second by Ms. Staley, to approve the licensure report for the following limited resident's licenses:*

Tasneem Ahmad

Jose Carlos Suarez

Motion carried unanimously.

**LIMITED CONTINUING EDUCATION LICENSE APPLICATION(S)**

*Motion by Ms. Staley, second by Ms. Naber, to approve the licensure report for the following limited continuing education licenses:*

Robert L. Schroering

Leland C. Wilhoite

Motion carried unanimously.

**CORONAL POLISHING**

*Motion by Dr. Kaye, second by Dr. Kyger, to approve the licensure report for the following coronal polishing certificates issued by: certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain certification:*

Christine A. Burlock

Christina M. Nichols

Robin L. Davidson

Shannon E. North

Kathleen Davis

Sheryl D. Ray

Carolyn Domanek

Lateena T. Robinson

Pamela Judd

Jennifer I. Schweitzer

Vanessa A. Keller

Shannon A. Toon

Leah A. Lambros

Christine L. Villarreal

Tina Little

Reida L. Wilson

Jamey L. Mockbee

Motion carried unanimously.

**EXPANDED FUNCTION DENTAL AUXILIARY**

*Motion by Dr. Kyger, second by Ms. Naber, to approve the licensure report for the following expanded function dental auxiliary registrations issued by:*

*certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain registration:*

Jan A Amstutz	Betsy A King
Cynthia A Barber	Heidi E Kocinski
Carol L Bender	Alicia A Kolesar
Irina A Benedick	Charridy Kovacs
Theresa M Bowles	Judith L Leblanc
Bobbie J Braley	Tina Little
Christine A Burlock	Erin M Marcho
Vonda K Chaney	Annamarie B Mazarik
Cynthia M Copas	Elaine L McGreal
Barbara J Cunningham	Rachel Nelson
Lori S Cvijovic	Joan K Qvick-Huber
Elizabeth Finnicum	Billie Jo Rhoads
Jenny L Foster	Dondee M Richards
Karen S Fraley	Tracey A Rush
Sachiyo N Fry	Vicki A Ryan
Teah M Geiger	Deanna Saba
Tiffany R Glass	Shelley Spiers
Kimberly S Greene	Valerie B Strunk
Chelsie Hubbard	Mary T Sweigart
Kathleen H Husek	Dawn M Szantay
Angela M Janson	Luanne F Thomas
Tammy Jeffers	Shana A Trussel
Jennifer K Jenkins	Melinda S Walker
Patricia S Jodrey	Kasey L Wayt
Lisa L Kaydo	Kathy T West
Suzanne M Kays	Angela A Williams
Holly L Kemper	Staci R Wise
Barbara A Kimball	

Motion carried unanimously.

**GRADUATE OF UNACCREDITED DENTAL COLLEGE LOCATED OUTSIDE  
THE UNITED STATES LICENSE APPLICATION(S)**

*Motion by Dr. Kyger, second by Dr. Wright, to approve the licensure report for the following dental license issued by graduation from an unaccredited dental college located outside the United States:*

Kishore V. Shetty, D.D.S.

Motion carried.

## REINSTATEMENT LICENSE APPLICATION(S) – NO INTERVIEW

### CHRISTINE A. BRACE, R.D.H.

The Board reviewed and considered the licensure information for Christine A. Brace, R.D.H. that was prepared by Ms. Smith.

*Motion by Dr. Kyger, second by Dr. Wright, to approve Ms. Brace's reinstatement application for dental hygiene licensure in the state of Ohio.*

Motion carried unanimously.

### SONDRA M. SAMSEN, R.D.H.

The Board reviewed and considered the licensure information for Sondra M. Samsen, R.D.H., which was prepared by Ms. Smith.

*Motion by Ms. Staley, second by Dr. Kaye, to approve Ms. Samsen's reinstatement application for dental hygiene licensure in the state of Ohio.*

Motion carried unanimously.

### LINDA I. SHELL, R.D.H.

The Board reviewed and considered the licensure information for Linda I. Shell, R.D.H., which was prepared by Ms. Smith.

*Motion by Ms. Staley, second by Ms. Naber, to approve Ms. Shell's reinstatement application for dental hygiene licensure in the state of Ohio.*

Motion carried unanimously.

### CRAIG C. WALTON, D.D.S.

The Board reviewed and considered the licensure information for Craig C. Walton, D.D.S., which was prepared by Ms. Smith.

*Motion by Dr. Kaye, second by Dr. Kyger, to approve Dr. Walton's reinstatement application for dental licensure in the state of Ohio.*

Motion carried unanimously.

## **ANESTHESIA COMMITTEE REPORT**

### **REVIEW OF PROVISIONAL ANESTHESIA PRIVILEGES**

Dr. Wallace stated that the following individuals have applied for Anesthesia permits. He explained that the Anesthesia Committee has reviewed the applications and the applicants are recommended to receive provisional privileges:

Dr. Eleni Pappas

### **REVIEW OF PROVISIONAL CONSCIOUS SEDATION PRIVILEGES**

Dr. Wallace stated that the following individuals have applied for Conscious Sedation permits. He explained that the Anesthesia Committee has reviewed the applications and the applicants are recommended to receive provisional privileges:

Dr. Michael P. Nedley- *Non-intravenous Parenteral*

### **REVIEW OF ANESTHESIA PERMIT APPLICATION(S)**

Dr. Wallace stated that the following individuals have applied for Anesthesia permits. He explained that the Anesthesia Committee has reviewed the applications, evaluations have been completed and the applicants are recommended to receive permits:

Dr. Jack McEwan

Dr. Babak Emami

Dr. Dale A. Baur

### **REVIEW OF CONSCIOUS SEDATION PERMIT APPLICATION(S)**

Dr. Wallace stated that the following individual has applied for a Conscious Sedation permit. He explained that the Anesthesia Committee has reviewed the application, an evaluation was completed and the applicant is recommended to receive a permit:

Dr. Joshua Atkin - *Intravenous*

Dr. Chad Belongea - *Intravenous*

Dr. Eeman Dajani - *Oral for children 12 years or younger*

Dr. Russell Kiser - *Intravenous*

Dr. Sareth Thikkurissy - *Oral for children 12 years or younger*

*Motion by Dr. Kaye, second by Dr. Wright, to accept the Anesthesia Committee recommendations and approve the above applicants to receive privileges and permits.*

Motion carried.

## EDUCATION COMMITTEE REPORT

### REVIEW OF BIENNIAL CONTINUING EDUCATION SPONSOR APPLICATION(S)

Dr. Howard stated that the following individuals/organizations have applied for approval as biennial sponsors of continuing education for the years 2008-2009 and have been recommended for approval by the Education Committee:

The Conference Center at Dublin Dental Care  
Robert C. McElhinney, DMD

### REVIEW OF BIENNIAL CONTINUING EDUCATION SPONSOR RENEWAL APPLICATION(S)

Dr. Howard stated that the following individuals/organizations have applied for renewal as biennial sponsors of continuing education for the years 2008-2009 and have been recommended for approval by the Education Committee:

Contemporary Dental Care of Columbus  
Frank E. Cordray, DDS, MS  
Mouawia Ghiba, DMD  
Greater Columbus Society of Contemporary Dentistry  
J. Lawrence Hutta, DDS & Associates, Inc.  
The Institute for Advanced Dental Education/  
Dental Implant Institute of Northern Ohio  
Oral & Facial Surgery Associates, Inc.  
Roe Dental Laboratory  
David M. Sorboro, D.D.S., M.S.  
Stateline Oral & Maxillofacial Surgery, P.C.

## REVIEW OF REQUIRED TRAINING COURSE(S)

### DENTAL HYGIENIST LOCAL ANESTHESIA TRAINING COURSE(S)

Dr. Howard stated that the following organizations have submitted requests for approval of training curriculums for the Dental Hygienist Local Anesthesia Course. Dr. Howard stated that the following courses have been reviewed and are recommended for approval by the Education Committee:

### *PROVIDED AS A CONTINUING EDUCATION COURSE(S)*

Rhodes State College

“Local Anesthesia for the Dental Hygienist in Ohio”

### DENTAL ASSISTANT RADIOGRAPHER INITIAL TRAINING COURSE(S)

Dr. Howard informed the Board that the following sponsor has submitted an application for the dental assistant radiographer initial training course. She stated that the Education Committee has reviewed the course, determined that it fulfills all the necessary requirements, and has recommended the following for approval:

Clark State Community College

“Radiography for the Dental Assistant”

## REVIEW OF SPECIAL REQUEST(S)

### CONTINUING EDUCATION COURSE CONSIDERATION REQUEST(S)

Dr. Howard informed the Board that the Education Committee had received a request from a licensee for review and consideration for dental and/or dental hygiene continuing education of the following courses offered by the Chicago Dental Society:

“Beauty and Beauty Surgery: The Complete Scoop on Cosmetic Surgery”

Dr. Howard informed the Board that the Committee had the opportunity to review these courses and their content and recommends that this course be denied based on the guidelines set forth in Board statute, rule and policy.

## REVIEW OF SPECIAL REQUEST(S)

### CONTINUING EDUCATION WAIVER/EXTENSION REQUEST(S)

Dr. Howard informed the Board that the Education Committee had reviewed one (1) request for waiver of the continuing education requirement based on unusual circumstance, emergency or special hardship and were recommending the following individual to receive a waivers/extension:

John A. Morgan, D.D.S. – grant 3 Month extension

*Motion by Mr. Jones, second by Ms. Naber, to accept the Education Committees recommendations and approve all the above applications and requests.*

Motion carried.

## POLICY COMMITTEE REPORT

Dr. Armstrong stated that the Committee had met earlier that day and Dr. Hills had chaired the meeting in his absence. He stated that the Committee had drafted two (2) policies for the Board's consideration; Policy Regarding the Use of Cone Beam Computerized Tomography Units (CBCT) By Licensed Qualified Dental Personnel and the Policy Regarding Bleaching Services Offered in Mall Kiosks and Salons by Non-Licensed Dental Personnel. Dr. Armstrong gave the members an opportunity to review and consider the draft policies.

*Motion by Dr. Wright, second by Dr. Armstrong, to approve the Policy Regarding the Use of Cone Beam Computerized Tomography Units (CBCT) By Licensed Qualified Dental Personnel as presented.*

Roll call vote.

Motion carried unanimously.

It was suggested that the term "customer" be changed to "consumer" in the policy on bleaching.

*Motion by Dr. Wright, second by Dr. McDonald, to approve the Policy Regarding Bleaching Services Offered in Mall Kiosks and Salons by Non-Licensed Dental Personnel as amended.*

Roll call vote.

Motion carried unanimously.

### **SECRETARY'S EXPENSE REPORT**

Dr. Hills attested to the Board that he had spent in excess of twenty (20) hours per week attending to Board business.

*Motion by Dr. McDonald, second by Dr. Wright, to approve the Secretary's expense report.*

Motion carried.

### **EXECUTIVE DIRECTOR'S REPORT**

#### **LABORATORY PRESCRIPTION FORM**

Ms. Reitz informed the Board members that she had been interviewed by Channel 10 News regarding the Board's position on dental labs outsourcing work overseas. She stated that the basis of the story was that lead had been found in appliances that had been manufactured by offshore dental labs. Ms. Reitz indicated that she had explained in the interview that the Board does not have the authority to regulate dental labs but would consider involvement if there was patient harm as the dentist is the one ultimately responsible for the care given to his patients.

Continuing on, Ms. Reitz stated that as a result of the interview, she has drafted a Laboratory Prescription Form for use by the dentist, based on a form currently used in another state. She stated that this new form does not affect the position between the dentist and the lab, but rather clarifies the patient information, type of restoration, materials, and lab information. She stated that in this manner the Board was doing its job to protect the public, by requiring the dentist to ask the right questions.

The form was revised to include a point of origin of the restoration. Ms. Reitz stated that she would post the updated form to the Boards website.

#### **BUDGET ISSUES**

Ms. Reitz informed the Board members that there have been recent mandates with respect to spending, travel restrictions, and in-office coverage from 9:00 a.m to 5:00 p.m. to assist customers. She stated that while the budgets are constricted, the Board has already taken steps to curtail spending. She indicated that curtailing travel has been

suggested, however, she feels that travel to the national meetings to keep the Board involved in dentistry on the national level is key.

## **ANYTHING FOR THE GOOD OF THE BOARD**

### **PRESENTATION ON FORENSICS**

Dr. McDonald informed the Board that he, along with Dr. Wright and Dr. Armstrong, would be providing a presentation at the next Board meeting on dental forensics for the staff and any Board members wishing to attend.

### **LATE RENEWAL PROCEDURES**

Ms. Reitz reminded the Board members of the e-mail that she had sent regarding the procedures for late renewals. She reiterated that the renewal notices went to the licensees in October 2007 explaining the new on-line renewal process and explaining how the licensee needed to proceed in order to file a paper renewal application. She stated that of the over 14,600 licensees, 12,800 had applied on-line and approximately 1,200 applied via paper application. Ms. Reitz indicated that the Board office closed renewal as of January 30, 2008 and sent those that had not renewed their licenses (620) a letter indicating that their license had been suspended for non-renewal, along with information on how to proceed to renew or retire their license.

Continuing on, Ms. Reitz informed the Board that the licensees had been instructed to respond by February 15, 2008 and that they would be reviewed on a first come-first served basis. She stated that if it was determined that the licensee had not completed the required continuing education to renew their license they would be required to complete the CE for the 2006-2007 biennium prior to being permitted to renew. Additionally, she stated that they would be receiving a warning letter indicating that they must obtain either eight (8) or sixteen (16) hours of CE in dental ethics based on the number of hours deficient, timely response, etc. She stated that if it was determined that the licensee had completed less than fifty percent (50%) of the required CE, they were informed of their suspension and offered a consent agreement, which did not include any probationary terms as they have in the past as the Board felt this was too time consuming for this type of violation and rather, they would be requested to submit CE information for the next biennium at the time of renewal. Ms. Reitz concluded by stating that this revised process is more conscious of the renewal process and keeps continued patient care in the forefront.

**ADJOURN**

Dr. McDonald adjourned the meeting at 5:15 p.m. He stated that the next meeting would be on April 23, 2008.

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Gregory A. McDonald, D.D.S.  
*President*

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Edward R. Hills, D.D.S.  
*Secretary*