

**Ohio State Dental Board  
Board Meeting  
September 27, 2006**

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**Ohio State Dental Board  
Board Meeting  
September 27, 2006**

**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 Wednesday, September 27, 2006, beginning at 1:00 p.m. Board members present were:

Paul Vesoulis, D.D.S., President  
Gregory A. McDonald, D.D.S., Vice-President  
Mark T. Armstrong, D.D.S.  
Phillip J. Beckwith, D.D.S.  
Berta I. Howard, D.D.S.  
Billie Sue Kyger, D.D.S.  
Linda Leshner, R.D.H.  
Ann Naber, R.D.H.  
Chad A. Readler, Esq.  
Douglas W. Wallace, D.D.S.  
Sandra L. Wise, R.D.H.  
Frank A. Wright, D.M.D.

Edward R. Hills, D.D.S., Secretary, was not in attendance to the meeting.

The following guests were also in attendance: Jonathan Fulkerson, Esq., Deputy Attorney General and Todd Newkirk, Esq., Assistant Attorney General; William L. Hills, Director of the Joint Committee on Agency Rule Review (JCARR); Michele Carr, R.D.H., M.A. of the Ohio State University Department of Dental Hygiene; Keith Kerns, Esq., Stacy Wendt, 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 Reitz, Esq., Executive Director, Gail Davis, Investigator Assistant, and Malynda Franks, Executive Secretary of the Ohio State Dental Board; and other guests.

## **CALL TO ORDER**

Dr. Vesoulis extended greetings to everyone and noting that there was a quorum present called the meeting to order at 1:12 p.m. He requested all members and guests sign the attendance roster.

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

The Board reviewed the minutes of the August 23, 2006 Board meeting. Ms. Naber noted that she would like the minutes amended to reflect that there had been discussion during the Education Committee Report regarding the tabling of Sinclair Community College course on local anesthesia for the dental hygienist and requested that the record reflect that the consideration of this course was tabled until the Board rules become effective.

*Motion by Dr. Wallace, second by Dr. Kyger, to approve the August 23, 2006 Board meeting minutes as amended.*

Roll call vote.

Motion carried unanimously.

## **INTRODUCTION OF BOARD MEMBERS**

Dr. Vesoulis took a moment to introduce the Board. He introduced himself as the Board President, a general dentist from Toledo. He then introduced the other Board members: Dr. Gregory McDonald, the Board Vice-President, a general dentist from Springboro, Dr. Phillip Beckwith, an orthodontist from Columbus, Dr. Greg Wallace, an oral and maxillofacial surgeon from Fairfield, Dr. Billie Sue Kyger, a general dentist from Gallipolis, Mr. Chad Readler, an attorney and the Board's public member from Columbus, Dr. Franklin D. Wright, a general dentist from Cincinnati, Ms. Sandra Wise, a dental hygienist from Fremont, Dr. Mark Armstrong, a general dentist from Troy, Ms. Ann Naber, a dental hygienist from Cincinnati, Ms. Linda Leshner, a dental hygienist from Lima, and Dr. Berta Howard, a general dentist from Hamilton.

## **PUBLIC ADMINISTRATIVE RULES HEARING**

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

4715-11-02      Certified dental assistant; functions (Rescission)

4715-11-02 Certified dental assistant; functions (New)

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.

**Exhibit A** - Ohio Dental Association, Keith R. Kerns, Esq., Director of Legal and Legislative Services

Upon conclusion of the testimony, the Board discussed any recommended changes to these rules.

*Motion by Dr. Kyger, second by Ms. Wise, to amend paragraph (B)(2) of the newly proposed Ohio Administrative Code 4715-11-02 to state:*

*"...Nothing in paragraph (B)(2) of this rule authorizes the mechanical removal of calculus or ..."*

Roll call vote.

Motion carried unanimously.

*Motion by Dr. McDonald, second by Dr. Kyger, to revise file Ohio Administrative Code 4715-11-02 as amended.*

Roll call vote.

Motion carried unanimously.

*Motion by Dr. McDonald, second by Dr. Kyger, to final file Ohio Administrative Code rules 4715-11-02 (rescinded) and 4715-11-02 (new) with the Joint Committee on Agency Rule Review (JCARR).*

Roll call vote.

Motion carried unanimously.

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

## **EXECUTIVE SESSION**

*Motion by Dr. McDonald, second by Ms. Naber, 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.*

Roll call vote.

Motion carried unanimously.

Dr. Vesoulis invited Ms. Reitz, Mr. Fulkerson, and Mr. Newkirk to attend the executive session.

## **OPEN SESSION**

The Board resumed open session. Dr. Vesoulis 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 LICENSE APPLICATIONS**

### **LICENSURE REPORT**

Jayne Smith, Licensure Coordinator, had prepared a report of the licenses issued since the August 2006 meeting, for Board member review.

### **DENTAL**

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

Zeshan M. Ali  
Vasudha Basava  
Jamie L. Beten  
Scott G. Cale  
Jared H. Condie  
Gary W. Machiko  
Brittany S. McCarthy

Austin W. Meyer  
Michael P. Nedley  
Ryan J. Niemic  
Keyna L. Peterson  
Rollin Prasad  
Gillian A. Robinson Warner  
Leah R. Tate

Roll call vote: Dr. Armstrong – Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Absent

Motion carried.

DENTAL HYGIENE

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

Tahani M. Abedeljaber  
Jessica D. Baker  
Amber E. Bates  
Candice C. Bell  
Samantha M. Bell  
Amy J. Bensinger  
Tina M. Blake  
Tammy M. Buser  
Amanda G. Buttars  
Jeannie E. Clements  
Sherry L. Doney  
September L. Donley  
Meagan N. DuBois  
Debra L. Evans  
Gloria P. Hawkins  
Allison N. Herrmann  
Candice L. Hoepf

Vanessa L. Horne  
Kirby L. Hornoff  
Amy L. Karabaic  
Stephanie Kemper  
Lanette A. Miller  
Julie M. Muro  
Amanda L. Nellis  
Gwen Niese  
Misty A. Scalf  
Stacey J. Sevacko  
Jennifer G. Sieracki  
Shannon E. Staeger  
Tanja Sunjevaric  
Jennifer Woodruff  
Mariah Woodward  
Rebecca J. Yaross  
Emmalee S. Young

Roll call vote: Dr. Armstrong – Yes  
Dr. Beckwith – Yes

Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Absent

Motion carried.

**DENTAL ASSISTANT RADIOGRAPHER**

***Motion by Dr. McDonald, second by Dr. Kyger, 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 DANB Radiation, Health and Safety examination or other Board-approved Radiography examination:***

Maegan N Adams	Stacy C Catalan
Jessica L Agin	Heather A Cauffield
Tammy M Alam	Rachelle N Charles
Stephanie A Arnett	Christina M Childers
Cassandra L Banks	Srey Chin
Stephanie L Bell	Irene A Cioban
Danielle K Benien	Kim Cox
Bogdan Y Bilskiy	Andrea L Daniel
Karen M Bird	Jenny L Davis
Stacey Bowshier	Adrienne F Dembecki
Lisa D Brooks	Carol A Denman
Natalie M Brown	Andrea R Dolence
Sonja J Burton	Jessica E Dooley
Riley L Butcher	Nadia K Dorise
Amber L Buterbaugh	Ashley Downs
Hallie J Calabrese	Linda "Tracy" Dunsdon
Cynthia A Carnahan	Amanda J Ebersole
Sarah G Carpenter	Carla R Eby
Carmen Castaneda	Shaleen B Elkins
Miriam Castillo	Allyssa R Entrikin

Lori A Esborn  
Patricia L Fairchild  
Teresa R Fannin  
Alana L Foster  
Heather L Franko  
Alia F Frates  
Michelle M Friedrich  
Kimberly M Frostic  
Dena R Geesaman  
Karen L Gibson  
Amy Gladen  
Sharon Goff  
Margaret M Gostich  
Colleen Grantonic  
Lori J Gregoire  
Nicole R Grifa  
Crystal R Harper  
Leslie L Harris  
Jessica N Havens  
Sandra J Hawthorne  
Gloria Hernandez  
Regina M Hinkle  
Natalie Horger  
Heather R Janson  
Caren Jillian U Jaramillo  
Neliya A Kalka  
Allison L Keller  
Tonya S Kelley  
Yvonne D Kelley  
Monique Kerrigan  
Stephanie B Ketterman  
Sarah L Kunkel  
Ragan Lacy  
Lindsay M Leonhard  
Sarah A Males  
Marsha J Mangin  
Elizabeth Martinez  
Megan McClure  
Tara B McCollum  
Danielle B McCormick  
Gladys McDowell  
Kelley E McGruder  
Courtney B McNeil

Timothy J McPhillips  
Ashley R Miller  
Perette Miller  
Donald E Miller Iii  
Natalie J Mize  
Rachel D Morgan  
Mellissa S Morrison  
Jacquelyn V Myers  
Vicki L Okamoto  
Miriam E Osborn  
Starlynn M Patton  
Keyona R Paul  
Danielle R Payne  
Cynthia R Perry-Knittel  
Stephanie M Peters  
Tracy L Philabaun  
Lindsey N Pittman  
Candyce L Pollard  
Renee A Pondillo  
Tonya M Porteus  
Shana Proctor  
Kristen M Ramsey  
Lorri A Reed  
Michelle L Reese  
Carrie Reeve  
Jillian Richert  
Amber Riddle  
Heather Rogers  
Kiley Schaffner  
Lisa A Shadwick  
Dawn D Shafer  
Stephanie J Sherwood  
Davida P Sibert  
Megan L Sours-Bradford  
Sara W Spacek  
Jessica Sterpka  
Charlette L Strickland  
Natasha Suber  
Stephanie R Sutter  
Sherry M Swigart  
Brandy M Szakacs  
Amy L Taylor  
Amber M Toth

Holly A Waddell  
Kati E Wallace  
Nikita L Wallace  
Rhea A Wallace  
Amber M Ward  
Trisha K Watton  
Tristan M Wayne  
Jennifer L Weatherhead

Lindsay R Wheeler  
Dalandrea S Whiteside  
Tamra D Williams  
Trista R Winkle  
Julie Wolfe  
Tara N Wright  
Diana Zwadlo

Roll call vote: Dr. Armstrong – Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Absent

Motion carried.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the licensure report for the following limited resident licenses issued to participate in residency programs:*

**LIMITED RESIDENT**

Dr. Karine Castillo  
Dr. Dergham Dergham

Dr. Ahmed R. El-Halaby  
Dr. Shirley S. Ferreira

Roll call vote: Dr. Armstrong – Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes

Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Absent

Motion carried.

**CORONAL POLISHING**

*Motion by Dr. McDonald, 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:*

Stephanie D. Beeson  
James H. Bennett  
Melissa K. Blythe  
Dana E. Cox  
Melissa S. Gimbus  
Theresa D. Griffin  
Shawna M. Hammons  
Stephanie M. Howells

Joann M. Johnson  
Leighann R. Jones  
Parris A. Milton  
Roxanne M. Patterson  
Christina M. Powell  
Jennette I. Williams  
Crystal D. Williams

Roll call vote: Dr. Armstrong – Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Absent

Motion carried.

**REINSTATEMENT LICENSE APPLICATION(S) – NO INTERVIEW**

**JOSEPH M. DAGATI, D.D.S.**

The Board reviewed and considered the licensure information for Joseph M. Dagati, D.D.S. that was prepared by Ms. Smith.

***Motion by Dr. McDonald, second by Dr. Kyger, to approve Dr. Dagati's reinstatement application for dental licensure in the state of Ohio pending receipt of successful completion of the jurisprudence examination.***

Roll call vote: Dr. Armstrong – Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Absent

Motion carried.

**MICHAEL J. HOCHBERG, D.D.S.**

The Board reviewed and considered the licensure information for Michael J. Hochberg, D.D.S. that was prepared by Ms. Smith.

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

Roll call vote: Dr. Armstrong – Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Absent

Motion carried.

## **ENFORCEMENT REPORT**

### **REPORT AND RECOMMENDATIONS**

#### **REPORT AND RECOMMENDATION IN THE MATTER OF MARY C. LAUER, D.D.S.**

Dr. Vesoulis announced that the Board would now consider the Hearing Officer's Report and Recommendation in the matter of Mary C. Lauer, D.D.S. that was filed by Hearing Examiner, Christopher B. McNeil, Esq., on August 21, 2006.

Dr. Vesoulis then proceeded by asking whether each member of the Board had read the Hearing Examiner's Report and Recommendation in the matter of Mary C. Lauer, D.D.S.

Roll call:           Dr. Armstrong – Yes  
                          Dr. Beckwith – Yes  
                          Dr. Howard – Yes  
                          Dr. Kyger - Yes  
                          Ms. Leshner - Yes  
                          Dr. McDonald - Yes  
                          Ms. Naber – Yes  
                          Mr. Readler – Yes  
                          Dr. Vesoulis – Yes  
                          Dr. Wallace - Yes  
                          Ms. Wise – Yes  
                          Dr. Wright - Yes

Dr. Vesoulis 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. Beckwith – Yes  
                          Dr. Howard – Yes  
                          Dr. Kyger - Yes  
                          Ms. Leshner - Yes  
                          Dr. McDonald - Yes  
                          Ms. Naber – Yes  
                          Mr. Readler – Yes

Dr. Vesoulis – Yes  
Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Yes

Dr. Vesoulis then asked whether each member of the Board had read any Objections to the Report and Recommendation in the matter of Mary C. Lauer, D.D.S.?

Roll call:           Dr. Armstrong – Yes  
                          Dr. Beckwith – Yes  
                          Dr. Howard – Yes  
                          Dr. Kyger - Yes  
                          Ms. Leshner - Yes  
                          Dr. McDonald - Yes  
                          Ms. Naber – Yes  
                          Mr. Readler – Yes  
                          Dr. Vesoulis – Yes  
                          Dr. Wallace - Yes  
                          Ms. Wise – Yes  
                          Dr. Wright - Yes

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

Dr. Vesoulis then stated that the Board's minutes would serve as the official record of the proceedings. He then asked if Dr. Lauer and/or her attorney were present. Dr. Lauer informed the Board that she was in attendance and would be representing herself in regards to this matter.

*MARY C. LAUER, D.D.S.*

Dr. Lauer began by stating that originally there were problems in locating ethics coursework in 2001. She stated that she felt that she had communicated these difficulties fully with the Board at that time. She stated that regarding the quarterly reports to the Board, she was only required to report the continuing education credit work that, as previously stated, she felt she was communicating. Dr. Lauer stated that in 2006 she was shocked and saddened by the determination in the Report and Recommendation of the Hearing Examiner. She concluded by stating that she felt that she had been doing her part regarding the terms of her Adjudication Order with the Board

*TODD NEWKIRK, ESQ., ASSISTANT ATTORNEY GENERAL*

Todd Newkirk, Esq., Assistant Attorney General representing the Board in this case, began by stating that Dr. Lauer's Adjudication Order with the Board had been the result of a 2001 conviction for theft. He briefly stated that Dr. Lauer had claimed to have been working when in reality she was at home much of the time. He stated that as terms of her Adjudication Order, Dr. Lauer had been required to serve a thirty (30) day suspension, three (3) years probation, and complete twenty (20) hours of continuing education in ethics pre-approved by the Board. Mr. Newkirk stated the Dr. Lauer simply did not comply with the terms of the order.

Mr. Newkirk stated that Dr. Lauer did not obtain any pre-approved continuing education in ethics and now claims that she was unable to obtain them within the three (3) month timeframe allowed. He stated that the Board had provided Dr. Lauer with a listing of approved ethics continuing education providers; Dr. Donna Homenko and Dr. John Odom, both of which she needed only to contact and schedule the coursework as they were pre-approved providers.

Continuing on, Mr. Newkirk indicated that the Board's order required quarterly reports of compliance to which Dr. Lauer now states that she contacted the Board executive office and was told, verbally, that once a year was sufficient. He reiterated that there is no documentation of these conversations and that the face of the order specifically states quarterly reporting to the Board.

Mr. Newkirk said that the facts at the hearing clearly showed that Dr. Lauer ignored the requirements set forth in the Board order and in addition, Dr. Lauer failed to appear at either of the two (2) administrative hearings held by the Board. Mr. Newkirk commented that even giving Dr. Lauer the benefit of the doubt, she has only completed three (3) of the required twenty(20) hours of continuing education in ethics to date. He further highlighted that of the three (3) hours completed, none were pre-approved by the Board.

Concluding, Mr. Newkirk stated that neglect of the Board's order does not serve the public well and urged the Board members to adopt the Hearing Examiner's Report and Recommendation in this matter as written.

### **EXECUTIVE SESSION**

*Motion by Dr. Wright, second by Dr. McDonald, 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 Mary C. Lauer, D.D.S.*

Roll call vote.

Motion carried unanimously.

### ***OPEN SESSION***

The Board resumed open session at 2:51 p.m.

### ***DECISION IN THE MATTER OF MARY C. LAUER, D.D.S.***

Dr. Vesoulis questioned, “Is there a motion concerning the Hearing Examiner’s Report and Recommendation?”

*Motion by Mr. Readler, second by Dr. McDonald, to find all Counts of the Notice of Opportunity to be true.*

Roll call vote:

Motion carried unanimously.

*Motion by Mr. Readler, second by Ms. Naber, to accept the Hearing Examiner’s Recommended Order as follows:*

*It is hereby ORDERED:*

- 1. The license of MARY C. LAUER, DDS to practice dentistry in the state of Ohio is INDEFINITELY SUSPENDED for a period of not less than six (6) months.*
  - a. DR. LAUER may not perform dentistry or dental hygiene duties or otherwise treat patients during the period of suspension.*
  - b. A receptionist may answer the phones with “Dr. Lauer’s office”, or the name of the of the practice, for the sole purpose of answering questions, scheduling/rescheduling appointments, and making referrals.*
  - c. DR. LAUER may not receive any income either from a legal or a beneficial interest in the dental practice during the period of suspension.*

2. *The Ohio State Dental Board shall not consider reinstatement of DR. LAUER's license to practice unless and until all the following requirements are met:*
  - a. *DR. LAUER shall make a written request to the Board Secretary for reinstatement.*
  - b. *DR. LAUER shall obtain twenty (20) hours of continuing education in dental ethics and treatment planning approved in advance by the Board Secretary.*

*DR. LAUER shall notify the Board of completion of these hours within three (3) months of the effective date of this Order. These hours shall be in addition to the forty (40) hours of continuing education necessary for renewal.*

3. *Upon reinstatement pursuant to paragraph 2A of this Order, DR. LAUER's certificate shall be subject to the following PROBATIONARY terms, conditions and limitations for a period of three (3) years:*
  - a. *DR. LAUER shall obey all federal, state and local laws, and all rules governing the practice of dentistry in Ohio.*
  - b. *DR. LAUER shall submit quarterly declarations under penalty of BOARD disciplinary action stating whether there has been compliance with all the conditions of this ORDER.*
  - c. *In the event that DR. LAUER should leave Ohio for three (3) continuous months, or reside or practice outside the State, DR. LAUER must notify the BOARD in writing of the dates of departure and return.*

*Periods of time spent outside Ohio will not apply to the reduction of this period under the ORDER, unless otherwise determined by motion of the BOARD in instances where the BOARD can be assured that probationary monitoring is otherwise being performed.*

- d. *In the event DR. LAUER is found by the Secretary of the BOARD to have failed to comply with any provision of this ORDER, and is so notified of that deficiency in writing, such periods of noncompliance will not apply to the reduction of the probationary period under this ORDER.*
- e. *Upon successful completion of probation, DR. LAUER's license will be fully restored.*

*This ORDER shall become effective thirty (30) days from the date of mailing of the Order.*

Roll call vote: Dr. Armstrong – Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber – Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace - Yes  
Ms. Wise – Yes  
Dr. Wright - Yes

Motion carried.

## PERSONAL APPEARANCE(S)

### DOUGLAS W. SULLIVAN, R.D.H.

Ms. Davis informed the Board members that this is Mr. Sullivan's second appearance before the Board. She stated that Mr. Sullivan had appeared before the Board at its previous meeting and briefly explained his history with the Board.

Upon questioning by the Board, Mr. Sullivan stated that he felt nervous again but glad to be before the Board. He stated that he was still working as a dental assistant for Klermont for Kids and feels that this employment has been a blessing in providing an income during these times.

*Motion by Dr. Kyger, second by Ms. Wise, to reinstate the license of Douglas W. Sullivan, R.D.H., to practice dental hygiene in the State of Ohio, pursuant to the terms of his consent agreement with the Board.*

Roll call vote.

Motion carried unanimously.

## PERSONAL APPEARANCE(S) WITH PROPOSED CONSENT AGREEMENT(S)

### NON-RENEWAL OF LICENSURE – DENTIST

The Board was scheduled to interview one (1) dentist. The individual was found to have been practicing dentistry since January 1, 2006, has applied for reinstatement, and agreed to the terms defined in their individual proposed consent agreement.

*KEVERT O. BEAN, D.D.S.*

Ms. Davis informed the Board that Dr. Bean's consent agreement had been approved in June but that a request for waiver of the Board appearance had been denied. She stated that Dr. Bean had served a one (1) week suspension as per the terms of his consent agreement with the Board.

Upon questioning by the Board, Dr. Bean explained that he had requested a waiver for the personal appearance as he felt it was a large distance to come to Columbus and it would take a day out of his office. Dr. Vesoulis informed him that the purpose of the personal appearance was to allow the Board the opportunity to impress upon him the seriousness of not renewing his dental license in a timely manner. Dr. Wright asked Dr. Bean if he had problems with renewing his license in the past, to which Dr. Bean responded that he had not. Dr. Bean stated that he could not explain and did not know why he had not renewed his license but also did not remember receiving notification of renewal either. Dr. Wright asked Dr. Bean if he would be aware at the next renewal to remember to which Dr. Bean stated he would be sure to renew timely.

*CERTIFICATE – DENTAL ASSISTANT RADIOGRAPHER(S)*

The Board interviewed one (1) dental assistant radiographer who was found to have been practicing dental radiography without a license and agreed to the terms defined in their individual proposed consent agreement.

*HOLLY ANN WADDELL, DENTAL ASSISTANT RADIOGRAPHER*

Ms. Davis explained to the Board that Ms. Waddell had been practicing as a dental assistant radiographer without having applied for a license/certificate to take radiographs. She believed once she finished her training she was permitted to practice. She stated that her certificate application has been received and is pending determination by the Board. Ms. Davis further explained that Ms. Waddell will immediately serve a two (2) week suspension, if approved.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the application for a certificate to practice as a dental assistant radiographer for Holly Ann Waddell,*

*certificate number 51-014810, case number 06-44-0218 pending approval of her consent agreement with the Board.*

Roll call vote.

Motion carried unanimously.

**NON-RENEWAL OF CERTIFICATE – DENTAL ASSISTANT RADIOGRAPHER(S)**

The Board interviewed three (3) dental assistant radiographers. The individuals were found to have been practicing dental radiography since January 1, 2005, have applied for reinstatement, and agreed to the terms defined in their individual proposed consent agreements.

***JILL R. KINNEY, DENTAL ASSISTANT RADIOGRAPHER***

*Motion by Dr. Wright, second by Dr. McDonald, to reinstate the certificate to practice dental assistant radiography for Jill R. Kinney, certificate number 51-004743, case number 06-57-0585 pending approval of her consent agreement with the Board.*

Roll call vote: Dr. Armstrong - Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner – No  
Dr. McDonald – Yes  
Ms. Naber - Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace – Yes  
Ms. Wise – Yes  
Dr. Wright - Yes

Motion carried.

***CATHY L. MILLER, DENTAL ASSISTANT RADIOGRAPHER***

*Motion by Dr. McDonald, second by Dr. Wallace, to reinstate the certificate to practice dental assistant radiography for Cathy L. Miller, certificate number 51-*

*004859, case number 06-57-0586 pending approval of her consent agreement with the Board.*

Roll call vote: Dr. Armstrong - Yes  
Dr. Beckwith – Yes  
Dr. Howard – Yes  
Dr. Kyger - Yes  
Ms. Leshner – No  
Dr. McDonald – Yes  
Ms. Naber - Absent  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace – Yes  
Ms. Wise – Yes  
Dr. Wright - Yes

Motion carried.

*TRISHA M. HARP, DENTAL ASSISTANT RADIOGRAPHER*

*Motion by Dr. McDonald, second by Dr. Wright, to approve the proposed consent agreement for Trisha M. Harp, Dental Assistant Radiographer, certificate number 51-012327, case number 05-76-1555.*

Roll call vote.

Motion carried unanimously.

## **REVIEW OF PROPOSED DISMISSAL(S)**

The Board reviewed fourteen (14) proposed dismissals of automatic suspensions issued with regards to the ongoing continuing education audits. 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.

*Motion by Dr. McDonald, second by Dr. Howard, to approve proposed dismissals of automatic suspensions for the following individuals:*

<i>ADA H. ALPERN</i>	<i>Case number 06-89-0369</i>	<i>License number 31-002966</i>
<i>DORIS J. BEEMAN</i>	<i>Case number 06-55-0368</i>	<i>License number 31-008570</i>
<i>CATHERINE K. BLOOMBERG</i>	<i>Case number 06-21-0367</i>	<i>License number 31-002182</i>
<i>NILDA I. BOLLING</i>	<i>Case number 06-31-0345</i>	<i>License number 31-004882</i>
<i>SUSAN L. BRENNAN</i>	<i>Case number 06-13-0366</i>	<i>License number 31-010577</i>
<i>PENNY W. BUSER</i>	<i>Case number 06-36-0364</i>	<i>License number 31-009940</i>
<i>AMY CAREY</i>	<i>Case number 06-45-0363</i>	<i>License number 31-008747</i>
<i>BARBARA J. CASTNER</i>	<i>Case number 06-42-0362</i>	<i>License number 31-008093</i>
<i>LAURA L. CHUBB</i>	<i>Case number 06-25-0380</i>	<i>License number 31-006525</i>
<i>DIANE M. CLEMENS</i>	<i>Case number 06-89-0361</i>	<i>License number 31-003645</i>
<i>LAURENE L. FULTON</i>	<i>Case number 06-32-0347</i>	<i>License number 31-005646</i>
<i>JULIANNE H. GOURE</i>	<i>Case number 06-31-0349</i>	<i>License number 31-005315</i>
<i>PATRICIA N. HART</i>	<i>Case number 06-25-0379</i>	<i>License number 31-011064</i>
<i>BRENDA J. HENSLER</i>	<i>Case number 06-57-0350</i>	<i>License number 31-002055</i>

Roll call vote.

Motion carried unanimously.

The Board reviewed two (2) proposals to rescind Notices of Opportunity for Hearing issued with regards to the ongoing continuing education audits. The names of the individuals/licensees were not included in the documents reviewed by the Board. The names of the individuals/licensees have been added to the minutes for public notice purposes.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve rescission of the Notice of Opportunity for Hearing issued to Susan D. Bradley-Martin, R.D.H., Case number 06-47-0357, License number 31-00-7200.*

Roll call vote.

Motion carried unanimously.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve rescission of the Notice of Opportunity for Hearing issued to Julie Keehner-Abell, R.D.H., Case number 06-89-0354, License number 31-00-5899.*

Roll call vote.

Motion carried unanimously.

## REVIEW OF PROPOSED CONSENT AGREEMENT(S)

The Board reviewed twenty-one (21) 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.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed consent agreements for the following individuals:*

<i>DORIS J. BEEMAN</i>	<i>Case number 06-55-0368</i>	<i>License number 31-008570</i>
<i>AMY BOLLINGER</i>	<i>Case number 06-09-0356</i>	<i>License number 31-008664</i>
<i>SUSAN L. BRENNAN</i>	<i>Case number 06-13-0366</i>	<i>License number 31-010577</i>
<i>PENNY W. BUSER</i>	<i>Case number 06-36-0364</i>	<i>License number 31-009940</i>
<i>AMY CAREY</i>	<i>Case number 06-45-0363</i>	<i>License number 31-008747</i>
<i>BARBARA J. CASTNER</i>	<i>Case number 06-42-0362</i>	<i>License number 31-008093</i>
<i>LAURA L. CHUBB</i>	<i>Case number 06-25-0380</i>	<i>License number 31-006525</i>

Roll call vote.

Motion carried unanimously.

*CONNIE J. DARNELL, R.D.H.*

*Motion by Dr. McDonald, second by Ms. Wise, to approve the proposed consent agreement for Connie J. Darnell, R.D.H., license number 31-001515, case number 06-48-0447.*

Roll call vote.

Motion carried unanimously.

*JONETTE L. EMERY, R.D.H.*

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed consent agreement for Jonette L. Emery, R.D.H., license number 31-008211, case number 06-25-0378.*

Roll call vote.

Motion carried unanimously.

*MICHELLE MARIE FELDMAN, R.D.H.*

*Motion by Dr. McDonald, second by Ms. Naber, to approve the proposed consent agreement for Michelle Marie Feldman, R.D.H., license number 31-007240, case number 06-31-0430.*

Roll call vote.

Motion carried unanimously.

*LAURENE L. FULTON, R.D.H.*

*Motion by Ms. Wise, second by Ms. Naber, to approve the proposed consent agreement for Laurene L. Fulton, R.D.H., license number 31-05646, case number 06-32-0347.*

Roll call vote.

Motion carried unanimously.

*JULIANNE H. GOURE, R.D.H.*

*Motion by Dr. Wallace, second by Ms. Naber, to approve the proposed consent agreement for Julianne H. Goure, R.D.H., license number 31-005315, case number 06-31-0349.*

Roll call vote.

Motion carried unanimously.

TRISHA M. HARP, DENTAL ASSISTANT RADIOGRAPHER

*Motion by Dr. McDonald, second by Ms. Naber, to approve the proposed consent agreement for Trisha M. Harp, dental assistant radiographer, certificate number 51-012327, case number 05-76-1555.*

Roll call vote.

Motion carried unanimously.

PATRICIA N. HART, R.D.H.

*Motion by Dr. McDonald, second by Mr. Readler, to approve the proposed consent agreement for Patricia N. Hart, R.D.H., license number 31011064, case number 06-25-0379.*

Roll call vote.

Motion carried unanimously.

BRENDA J. HENSLER, R.D.H.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed consent agreement for Brenda J. Hensler, R.D.H., license number 31-002055, case number 06-57-0350.*

Roll call vote.

Motion carried unanimously.

ANN L. KIDSTON, R.D.H.

*Motion by Dr. Wallace, second by Dr. Kyger, to approve the proposed consent agreement for Ann L. Kidston, R.D.H., license number 31-004336, case number 06-86-0435.*

Roll call vote.

Motion carried unanimously.

JILL R. KINNEY, DENTAL ASSISTANT RADIOGRAPHER

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed consent agreement for Jill R. Kinney, R.D.H., license number 51-004743, case number 06-57-0585.*

Roll call vote.

Motion carried unanimously.

DONNA J. LIBBY, R.D.H.

*Motion by Dr. Wallace, second by Ms. Naber, to approve the proposed consent agreement for Donna J. Libby, R.D.H., license number 31-007888, case number 06-56-0438.*

Roll call vote.

Motion carried unanimously.

CATHY L. MILLER, R.D.H.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed consent agreement for Cathy L. Miller, R.D.H., license number 31-004859, case number 06-57-0586.*

Roll call vote.

Motion carried unanimously.

HOLLY WADDELL, DENTAL ASSISTANT RADIOGRAPHER

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed consent agreement for Holly Waddell, dental assistant radiographer, certificate number 51-014810, case number 06-44-0218.*

Roll call vote.

Motion carried unanimously.

*JOHN A. CHEEK, D.D.S.*

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed consent agreement for John A. Cheek, D.D.S., license number 30-014928, case number 04-25-0627.*

Roll call vote.

Motion carried unanimously.

*CONNIE J. DARNELL, R.D.H. - REVISITED*

*Motion by Ms. Leshner, second by Ms. Naber, to reconsider the proposed consent agreement for Connie J. Darnell, R.D.H.*

Roll call vote: Dr. Armstrong - Yes  
Dr. Beckwith – Yes  
Dr. Howard – No  
Dr. Kyger - No  
Ms. Leshner – Yes  
Dr. McDonald – Yes  
Ms. Naber - Yes  
Mr. Readler – Yes  
Dr. Vesoulis – Yes  
Dr. Wallace – Yes  
Ms. Wise – Yes  
Dr. Wright - Yes

Motion carried.

Ms. Leshner stated that she was requesting that the Board reconsider its motion regarding the consent agreement for Connie J. Darnell, R.D.H. based upon further

review of the original proposed consent agreement. She stated that she felt additional continuing education (CE) in ethics should be included in this case. She argued that several other consent agreements included ethics CE wherein the Board executive offices determined deception in obtaining licensure renewal. Ms. Leshner argued that the facts, as listed in the consent agreement, indicated that Ms. Darnell knowingly reinstated her license without holding current American Red Cross or American Heart Association Cardiopulmonary Resuscitation (CPR) and therefore, ethics CE should be added to the terms of her consent agreement.

*Motion by Dr. McDonald, second by Ms. Leshner, to rescind Board's original motion and amend Connie J. Darnell's proposed consent agreement and add paragraph (2)(c) which states "Ms. Darnell shall, within thirty (30) days of executing this consent agreement, successfully complete seven (7) hours of continuing education in dental ethics. These hours must be pre-approved by the Board Secretary and are in addition to the twelve (12) hours of continuing education required for renewal of Ms. Darnell's license pursuant to R.C. 4715.25."*

Roll call vote.

Motion carried unanimously.

*Motion by Dr. McDonald, second by Dr. Armstrong, to approve the proposed amended consent agreement for Connie J. Darnell, R.D.H.*

Roll call vote.

Motion carried unanimously.

## **REVIEW OF PROPOSED NOTICE(S) OF OPPORTUNITY FOR HEARING**

The Board reviewed twenty-seven (27) Notices of Opportunity for Hearing. 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.

*AMY L. DAVIS, R.D.H.*

*Motion by Dr. McDonald, second by Ms. Lesher, to approve the proposed notice of opportunity for hearing and forward it to Amy L. Davis, R.D.H., license number 31-009667, and case number 06-40-0424.*

Roll call vote.

Motion carried.

*ANNE M. COWENS, R.D.H.*

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Anne M. Cowens, R.D.H., license number 31-008150, and case number 06-87-0423.*

Roll call vote.

Motion carried.

*BOBBI J. FRONTINO, R.D.H.*

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Bobbi J. Frontino, R.D.H., license number 31-005355, case number 06-89-0478.*

Roll call vote.

Motion carried.

*BRENDA R. SCHUMACHER, R.D.H.*

*Motion by Dr. McDonald, second by Ms. Lesher, to approve the proposed notice of opportunity for hearing and forward it to Brenda R. Schumacher, R.D.H. license number 31-006345, case number 06-23-0418.*

Roll call vote.

Motion carried.

*CATHY A. GREEN, R.D.H.*

*Motion by Dr. McDonald, second by Ms. Lesher, to approve the proposed notice of opportunity for hearing and forward it to Cathy A. Green, R.D.H., license number 31-005289, and case number 06-31-0431.*

Roll call vote.

Motion carried.

*CYNTHIA D. MOSLEY, R.D.H.*

*CAROL L. LUBECKY, R.D.H.*

*Motion by Dr. McDonald, second by Ms. Lesher, to approve the proposed notices of opportunity for hearing and forward them to Cynthia D. Mosley, R.D.H., license number 31-010164, case number 06-65-0456 and Carol L. Lubecky, R.D.H., license number 31-010530, case number 06-43-0453.*

Roll call vote.

Motion carried.

*DOROTHY DICAPUA, R.D.H.*

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Dorothy Dicapua, R.D.H., license number 31-006910, case number 06-47-0427.*

Roll call vote.

Motion carried.

*ELAINE M. OLIVER, R.D.H.*

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Elaine M. Oliver, R.D.H., license number 31-006719, case number 06-76-0459.*

Roll call vote.

Motion carried.

JAN A. AMSTUTZ, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Jan A. Amstutz, R.D.H., license number 31-007223, case number 06-29-0417.*

Roll call vote.

Motion carried.

JENNIFER EVICH, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Jennifer Evich, R.D.H., license number 31-008265, case number 06-89-0429.*

Roll call vote.

Motion carried.

JACQUELINE L. BOHANNON, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Jacqueline L. Bohannon, R.D.H., license number 31-004310, case number 06-18-0420.*

Roll call vote.

Motion carried.

KAREN M. LARJ, R.D.H.

LEE A. KEEL, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notices of opportunity for hearing and forward them to Karen M. Larj, R.D.H., license number 31-008790, case number 06-52-0451 and Lee A. Keel, R.D.H., license number 31-009202, case number 06-78-0434.*

Roll call vote.

Motion carried.

LORI E. GIBSON, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Lori E. Gibson, R.D.H., license number 31-008875, case numbers 06-07-0461.*

Roll call vote.

Motion carried.

LORI L. COOPER-BENTLEY, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Lori L. Cooper-Bentley, R.D.H., license number 31-008705, case numbers 06—89-0422.*

Roll call vote.

Motion carried.

LIESEL M. LAND, R.D.H.

MERRI B. MATHIE, R.D.H.

MARGARET K. MCCONNELL, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notices of opportunity for hearing and forward them to Liesel M. Land, R.D.H., license number 31-005042, case number 06-89-0450. to Merri B. Mathie, R.D.H., license number 31-007631, case number 06-76-0454, and to Margaret K. McConnell, R.D.H., license number 31-001170, case number 06-57-0455.*

Roll call vote.

Motion carried.

MINDA L. DILLON, R.D.H.

*Motion by Dr. Wallace, second by Dr. Kyger, to approve the proposed notice of opportunity for hearing and forward it to Minda L. Dillon, R.D.H., license number 31-007824, case number 06-67-0428.*

Roll call vote.

Motion carried.

PEISUNG HSU, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Peisung Hsu, R.D.H., license number 31-011772, case numbers 06-25-0433.*

Roll call vote.

Motion carried.

PAMELA SUE BINKLEY, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Pamela Sue Binkley, R.D.H., license number 31-007848, case numbers 06-46-0419.*

Roll call vote.

Motion carried.

RHONDA S. DAVIS, R.D.H.

STEPHANIE E. RAMER, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notices of opportunity for hearing and forward them to Rhonda S. Davis, R.D.H., license number 31-005526, case number 06-53-0425, and to Stephanie E. Ramer, R.D.H., license number 31-006353, case numbers 06-78-0439.*

Roll call vote.

Motion carried.

TINA DAVIS, R.D.H.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Tina Davis, R.D.H., license number 31-005657, case numbers 06-50-0426.*

Roll call vote.

Motion carried.

VELVET A. NEES, R.D.H.

WENDY JO LASSNICK, R.D.H.

*Motion by Ms. Wise, second by Ms. Naber, to approve the proposed notices of opportunity for hearing and forward them to Velvet A. Nees, R.D.H., license number 31-008197, case number 06-55-0457, and to Wendy Jo Lassnick, R.D.H., license number 31-009858, case number 06-43-0452.*

Roll call vote.

Motion carried.

RICK A. BARSTOW, D.D.S.

*Motion by Dr. McDonald, second by Ms. Naber, to approve the proposed notice of opportunity for hearing and forward it to Rick A. Barstow, D.D.S., license number 30-014644, case numbers 06-60-0019.*

Roll call vote.

Motion carried.

JEFFREY A. KURTZ, D.D.S.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed notice of opportunity for hearing and forward it to Jeffrey A. Kurtz, D.D.S., license number 30-013520, case number 04-25-0012.*

Roll call vote.

Motion carried.

*PATRICK J. HUNTER, D.D.S.*

*Motion by Dr. McDonald, second by Ms. Naber, to approve the proposed notice of opportunity for hearing and forward it to Patrick J. Hunter, D.D.S., license number 30-020873, case number 06-57-0044.*

Roll call vote.

Motion carried.

*IGOR J. SKALSKY, D.D.S.*

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed notice of opportunity for hearing and forward it to Igor J. Skalsky, D.D.S., license number 30-016564, case numbers 02-52-0618, 03-52-0005, and 04-52-0318.*

Roll call vote.

Motion carried.

Mr. Fulkerson stated that he was requesting that the Board reconsider its motion regarding the notice of opportunity for Igor J. Skalsky, D.D.S. He noted there was a typographical error in Count 4. He stated that second paragraph in Count 4 referenced the wrong paragraph in Section 4715.30 of the Revised Code and clarified that 4715.30(A)(2)(7) does not exist. Mr. Fulkerson stated that the correct referencing statute should be ORC 4715.30(A)(7).

*Motion by Dr. McDonald, second by Dr. Kyger, to rescind the Board's original motion and amend Igor J. Skalsky's proposed notice of opportunity for hearing to reference "Section 4715.30(A)(7) of the Ohio Revised Code" in Count 4.*

Roll call vote.

Motion carried.

*Motion by Dr. McDonald, second by Dr. Kyger, to approve the proposed amended notice of opportunity for hearing and forward it to Igor J. Skalsky, D.D.S., license number 30-016564, case numbers 02-52-0618, 03-52-0005, and 04-52-0318.*

Roll call vote.

Motion carried unanimously.

**KIMBERLY S. STIVER, DENTAL ASSISTANT RADIOGRAPHER**

*Motion by Dr. McDonald, second by Ms. Leshner, to approve the proposed notice of opportunity for hearing and forward it to Kimberly S. Stiver, dental assistant radiographer, certificate number 51-011070, case numbers 06-83-0127.*

Roll call vote.

Motion carried unanimously.

**JOHN A. CHEEK, D.D.S.**

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to John A. Cheek, D.D.S., license number 30-014928, case numbers 04-25-0627.*

Roll call vote: Dr. Armstrong - Yes  
Dr. Beckwith - Yes  
Dr. Howard - Yes  
Dr. Kyger - Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Ms. Naber - Yes  
Mr. Readler - Yes  
Dr. Vesoulis - Yes  
Dr. Wallace - Yes  
Ms. Wise - Yes  
Dr. Wright - Yes

Motion carried.

STUART L. DUCHON, D.D.S.

*Motion by Dr. McDonald, second by Dr. Wallace, to approve the proposed notice of opportunity for hearing and forward it to Stuart L. Duchon, D.D.S., license number 0-014597, case numbers 06-48-0595.*

Roll call vote.

Motion carried unanimously.

## REVIEW OF PROPOSED VOLUNTARY SURRENDER(S)

The Board reviewed one (1) proposed voluntary surrender. The name of the individual/licensee was not included in the documents reviewed by the Board. The name of the individual/licensee has been added to the minutes for public notice purposes.

DONALD CHIONCHIO, D.D.S.

*Motion by Dr. McDonald, second by Ms. Leshner, to approve the proposed voluntary surrender of License for Donald Chionchio, D.D.S., license number 30-010190, case number 06-78-0077.*

Roll call vote.

Motion carried unanimously.

## ENFORCEMENT UPDATE

Ms. Reitz informed the Board that there were four (4) cases pending hearings, of which all have been scheduled. She stated that we currently have five (5) cases under appeal, one (1) case pending the Hearing Officer's Report and Recommendation, and one (1) case which just received the Board's determination. Ms. Reitz stated that there are currently twenty-five (25) licensees under suspension. She informed the Board members that no new cases have been referred to the Quality Intervention Program (QUIP) since the last Board meeting and we currently have five (5) cases pending QUIP.

Ms. Reitz informed the Board that one hundred and fifty (150) 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,..." Ms. Reitz reviewed the cases to be closed with the Board.

The following cases are recommended to be closed:

02-25-688	Standard Of Care	05-50-1293	Rad Renewal
03-31-1269	Standard Of Care	05-15-0773	Rad Renewal
05-17-0227	Failure To Diagnose	05-04-0664	Rad Renewal
05-63-0274	Standard Of Care	05-04-0665	Rad Renewal
05-18-0328	Abandonment	05-04-0667	Rad Renewal
05-77-0419	Permitting	05-04-0668	Rad Renewal
05-18-0575	Standard Of Care	05-04-0669	Rad Renewal
05-48-0577	Standard Of Care	05-10-0720	Rad Renewal
05-77-0573	Standard Of Care	05-10-0721	Rad Renewal
05-18-0579	Misrepresentation	05-10-0722	Rad Renewal
05-25-0615	Standard Of Care	05-15-0768	Rad Renewal
05-47-0642	Infection Control	05-28-1051	Rad Renewal
05-43-1176	Rad Renewal	05-15-0772	Rad Renewal
05-43-1160	Rad Renewal	05-41-1155	Rad Renewal
05-43-1161	Rad Renewal	05-15-0774	Rad Renewal
05-43-1164	Rad Renewal	05-15-0776	Rad Renewal
05-50-1295	Rad Renewal	05-15-0779	Rad Renewal
05-43-1167	Rad Renewal	05-28-1047	Rad Renewal
05-78-1645	Rad Renewal	05-43-1168	Rad Renewal
05-43-1169	Rad Renewal	05-28-1049	Rad Renewal
05-43-1174	Rad Renewal	05-50-1303	Rad Renewal
05-43-1157	Rad Renewal	05-28-1562	Rad Renewal
05-43-1177	Rad Renewal	05-41-1150	Rad Renewal
05-43-1178	Rad Renewal	05-41-1151	Rad Renewal
05-50-1284	Rad Renewal	05-15-0770	Rad Renewal
05-50-1292	Rad Renewal	05-77-1618	Rad Renewal
05-41-1156	Rad Renewal	05-77-1605	Rad Renewal
05-50-1294	Rad Renewal	05-77-1606	Rad Renewal
05-28-1048	Rad Renewal	05-77-1607	Rad Renewal
05-50-1297	Rad Renewal	05-77-1609	Rad Renewal
05-50-1298	Rad Renewal	05-77-1610	Rad Renewal
05-50-1300	Rad Renewal	05-77-1611	Rad Renewal
05-50-1301	Rad Renewal	05-77-1612	Rad Renewal

05-77-1613	Rad Renewal	05-77-1602	Rad Renewal
05-77-1614	Rad Renewal	05-77-1595	Rad Renewal
05-77-1616	Rad Renewal	05-77-1601	Rad Renewal
05-78-1631	Rad Renewal	05-77-1593	Rad Renewal
05-78-1641	Rad Renewal	05-77-1588	Rad Renewal
05-77-1604	Rad Renewal	05-77-1598	Rad Renewal
05-77-1617	Rad Renewal	05-77-1587	Rad Renewal
05-77-1615	Rad Renewal	05-50-1756	Abandonment
05-77-1619	Rad Renewal	06-23-0005	Standard Of Care
05-77-1621	Rad Renewal	06-48-0041	Consent Agreement
05-77-1622	Rad Renewal	06-25-0094	Standard Of Care
05-78-1639	Rad Renewal	06-25-0104	Standard Of Care
05-77-1623	Rad Renewal	06-52-0140	Standard Of Care
05-77-1624	Rad Renewal	06-89-0550	Renewal
05-77-1625	Rad Renewal	06-89-0590	Renewal
05-78-1626	Rad Renewal	06-15-0172	Renewal
05-78-1627	Rad Renewal	06-04-0171	Infection Control
05-78-1629	Rad Renewal	06-25-0181	Fraud
05-78-1630	Rad Renewal	06-11-0172	Standard Of Care
05-78-1635	Rad Renewal	06-50-0233	Standard/Dentures
05-43-1166	Rad Renewal	06-48-0235	Standard/Dentures
05-67-1487	Rad Renewal	06-18-0244	Failure/Records
05-77-1582	Rad Renewal	06-86-0245	Standard Of Care
05-77-1580	Rad Renewal	06-23-0247	Standard Of Care
05-77-1603	Rad Renewal	06-23-0251	Standard/Dentures
05-77-1578	Rad Renewal	06-23-0262	Standard Of Care
05-50-1305	Rad Renewal	06-18-0260	Standard Of Care
05-77-1583	Rad Renewal	06-18-0271	Informed Consent
05-67-1490	Rad Renewal	06-48-0272	Standard Of Care
05-77-1579	Rad Renewal	06-47-0277	Standard/Permitting
05-67-1486	Rad Renewal	06-51-0307	Standard Of Care
05-67-1485	Rad Renewal	06-02-0303	Standard/Dentures
05-67-1484	Rad Renewal	06-25-0387	Standard/Fraud
05-50-1309	Rad Renewal	06-45-0389	Standard Of Care
05-50-1308	Rad Renewal	06-72-0403	Advertising
05-50-1306	Rad Renewal	06-43-0436	CPR/CE
05-67-1491	Rad Renewal	06-48-0483	Informed Consent/ Standard/Excessive & Unnecessary
05-77-1591	Rad Renewal		
05-77-1575	Rad Renewal		
05-77-1586	Rad Renewal	06-25-0487	Standard/Dentures
05-77-1599	Rad Renewal	06-57-0584	Permitting
05-77-1600	Rad Renewal	06-25-0326	Permitting/Warning
05-77-1597	Rad Renewal	06-52-0312	Abandonment/

### Warning

Prior to the vote to close the above listed cases, Dr. Vesoulis 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. Beckwith – No  
                          Dr. Howard – No  
                          Dr. Kyger - No  
                          Ms. Leshner - No  
                          Dr. McDonald - No  
                          Ms. Naber – No  
                          Mr. Readler – No  
                          Dr. Vesoulis - No  
                          Dr. Wallace – No  
                          Ms. Wise – No  
                          Dr. Wright - No

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

*Motion by Ms. Naber, second by Ms. Leshner, to close the above one hundred and fifty (150) cases.*

Roll call vote.

Motion carried unanimously.

## ANESTHESIA COMMITTEE REPORT

### 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, are awaiting evaluations and the applicants are recommended to receive provisional privileges:

Dr. Jeffery J. Becker – Norwalk, Ohio  
*Intravenous*

Dr. Anthony J. Caruso, Jr. – Cortland, Ohio  
(pending receipt of additional information)

*Intravenous*

Dr. Phillip D. Katz – Pickerington, Ohio

*Intravenous*

*Motion by Dr. Kyger, second by Ms. Naber, to accept the Anesthesia Committee recommendations and approve the above applicants to receive provisional Conscious Sedation privileges.*

Roll call vote.

Motion carried unanimously.

## 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. Paige Prather Boone

*Intravenous*

*Motion by Dr. McDonald, second by Dr. Kyger, to accept the Anesthesia Committee recommendations and approve the above applicant to receive a Conscious Sedation permit.*

Roll call vote.

Motion carried unanimously.

## EDUCATION COMMITTEE REPORT

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

Dr. Howard stated that the following individual/organization has applied for approval as a biennial sponsor of continuing education for the years 2006-2007 and has been recommended for approval by the Education Committee:

Harris Periodontics & Implant Dentistry

## 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 2006-2007 and have been recommended for approval by the Education Committee:

Nelson R. Diers, D.D.S., Inc.  
Eagle Clinical Dental Seminars

## REVIEW OF REQUIRED EDUCATION COURSE(S)

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

Dr. Howard stated that the following organization has submitted a request for approval of a training course for the Dental Hygienist Local Anesthesia Course. Dr. Howard stated that the following course has been reviewed and is recommended for approval by the Education Committee pending the effective date of Board rules:

Sinclair Community College, Department of Dental Hygiene -  
“Local Anesthesia for Dental Hygienists” by Stephen R. Holliday, D.D.S.

“Local Anesthesia for Dental Hygienists” Continuing Education Course by Bonita Kipling, D.D.S., R.D.H. and Lisa Marshall, D.D.S.

## REVIEW OF SPECIAL REQUEST(S)

### CONTINUING EDUCATION COURSE CONSIDERATION REQUEST(S)

Dr. Howard informed the Board that the Education Committee had received requests from licensees for review and consideration for dental and/or dental hygiene continuing education of the following courses:

Cincinnati Dental Hygienists’ Association  
“Things to Know and Understand About Breast Cancer”

Cleveland Comprehensive Care Study Group  
“Comprehensive Treatment Planning Synthesis of Clinical Treatment and Practice Management”  
“The Exceptional Person, The Exceptional Practice”

Delta College

“Understanding The Communication Styles of Individuals”

Discus Dental Seminars

“Provide the ‘WOW’, Factor Service for Your Patients”

Dynamic Dental Educators

“Stress Management for Health Care Professionals”

Forum Health – Western Reserve Care System

“Art Whittaker and Jake Turner Cardiovascular Symposium”

Harbor Light Oral Surgeons

“Utilizing the Entire Dental Team”

Institute for Natural Resources

“Aging Body; Aging Mind”

“His Brain/Her Brain”

“Alzheimer’s Dementia, & Parkinson’s”

Dental Education 1405 – “Weight Loss: What Works-What Doesn’t”

Dental Education 1410 – “Fibromyalgia”

Dental Education 1415 – “Brain Injury: Stroke, Alzheimer’s & Head Trauma”

Dental Education 1435 – “Low Carb Frenzy”

Dental Education 1455 – “Women’s Health: Obesity, Menopause, & Diabetes”

Dental Education 1465 – “Stress, Depression, & Pain”

Dental Education 1475 – “Addicted Brain

Dental Education 1485 – “Fat Cells& Inflammation: Heart Disease, Alzheimer’s  
& Diabetes”

Course # 1620 – “Food Cravings and Appetite Control”

Course # 1630 – “High Fat/High Protein Diets”

Course # 1650 – “Can You Type?: Type 1 vs. Type 2 Diabetes”

Course # 1680 - “Poles Apart: Unipolar vs. Bipolar Depression”

Course # 1710 - “Eating Disorders: Anorexia, Bulimia, Binge Eating &  
‘Orthorexia’”

Course # 1770 – “Snacking: An Opportunity for Better Health”

Course # 1790 – “Vitamin C, E & Folic Acid: Three Efficacious Vitamins”

Course # 1960 – “Low Carb Diets”

Course # 1970 - “Obesity and Low Fat Diets”

Course # 7100 - “Food Smart”

Course # 7800 – “Wine, Beer, & Spirits: Do They Have a Role in Preventative  
Medicine”

Course # 8100 – “Preventing Dementia: Complementary Approaches”

Mount Carmel

“Doctors and Their Families: Evolving in Times of Change”

Ohio Dental Hygienists’ Association

“A, B, C...Ethics: Where Dental Hygienists Fit In”

Southern Ohio Medical Center

“Lung Cancer Symposium”

University of Louisville

“Overview of Biological Pathogen Use in Terrorism”

“Overview of Weapons of Mass Destruction”

“Rapidly & Effectively Alerting the Public Health System to a Bioterrorism”

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

***Motion by Dr. McDonald, second by Dr. Wallace, to accept the Education Committee’s recommendations.***

Roll call vote.

Motion carried unanimously.

Dr. Howard continued her report by stating that the Committee had again discussed the ongoing audit and computerized reporting of continuing education for licensees. She stated that it was the consensus of the Committee that while this might be cost prohibitive, the Board executive office should research ways to electronically monitor continuing education for all licensees.

Law and Rules Review Committee Report

Dr. McDonald stated that the Law and Rules Review Committee had met earlier in the day to discuss the recently implemented advertising rules. He stated that as the newly appointed Chair of the Committee he was unaware that any votes taken by the Committee constituted a quorum of the Board and therefore was requesting the Board revisit a vote taken during the Committee meeting.

***Motion by Dr. McDonald, second by Dr. Howard, to rescind the motion made during the Law and Rules Review Committee regarding the Board initiating a survey for advertising.***

Roll call vote.

Motion carried unanimously.

Dr. McDonald concluded his report by stating that the Committee had determined to table any action until further discussion in November. He stated that the Committee could have possible recommendations to report to the Board at that time.

### **POLICY COMMITTEE REPORT**

Dr. Beckwith stated that the Policy Committee has continued its review of the Boards' Disciplinary Guidelines and questioned whether the Board had considered implementing fines for violations of the Dental Practice Act. Ms. Reitz informed the Board that there was no statutory authority permitting them to discipline via monetary fines.

### **TREATMENT CENTER APPROVAL COMMITTEE REPORT**

Ms. Reitz informed the Board that the Treatment Center Approval Committee had not met this month. However, she stated that the Committee Chair, Dr. Hills, had requested that the Board consider removing Laurelwood Hospital from the list of approved treatment providers. She stated that Dr. Hills had informed her that Laurelwood Hospital has been recommending and providing short, out-patient care which is in conflict with the Board's recommended twenty-eight (28) day in-patient treatment.

*Motion by Dr. Kyger, second by Dr. McDonald, to remove Laurelwood Hospital from the list of acceptable treatment providers for impaired licensees.*

Roll call vote.

Motion carried unanimously.

### **WAIVER COMMITTEE REPORT**

Dr. McDonald informed the Board that the Waiver Committee had reviewed a Hepatitis B Waiver Request application and was recommending further information be requested. He indicated that the applicant had supplied a letter from her physician which references an undocumented reaction to the first inoculation when the applicant

was approximately five (5) years old. He indicated that the letter is not from the original treating physician. The Board agreed that additional informal was needed.

## **SECRETARY'S EXPENSE REPORT**

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

*Motion by Dr. McDonald, second by Dr. Kyger, 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 Dr. McDonald, second by Dr. Wright, to approve the expense report and approve payment of the August, 2006 Board bills.*

Roll call vote.

Motion carried unanimously.

## **EXECUTIVE DIRECTOR'S REPORT**

### **ON-LINE RENEWAL**

Ms. Reitz began her report by stating that the dental assistant radiographer renewal would be available on-line this year. She stated that the executive office would be mailing letters to all current dental assistant radiographer certificate holders availing them of the option to renew their certificate on-line. She stated that the letter would indicate their name and a unique password that allows them to access the renewal menu in addition to giving them the ability to make resident and employment address changes. Ms. Reitz stated that the Board would be using this renewal as a test to work out any problems prior to making on-line renewal available for dental and dental hygiene licensees in 2007.

## **BUDGET APPEAL REQUEST - UPDATE**

Ms. Reitz updated the members on the Budget Appeal request to the Office of Budget and Management (OBM). She stated that included in the appeal was a request for funding for positions for an Enforcement Supervisor and an Administrative Assistant, as well as for additional office space. She indicated that she shared this request with Keith Kerns, Esq. of the ODA in the hope of having their support. She informed the Board that OBM approved their appeal request, allowing us to request the additional funding for Fiscal Year 2008-2009.

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

### **MEMORANDUM: DISCIPLINE FOR LICENSEES WHO DELIBERATELY EVADE OHIO STATE DENTAL BOARD INVESTIGATIONS**

Mr. Fulkerson distributed copies of a memorandum requesting the Board to seek legislative changes to the Dental Practice Act to assist investigative and enforcement efforts to protect the public. He stated that there have been occurrences wherein licensees and their counsel have deliberately frustrated the Board's investigations by refusing access to records when subpoenaed, refusing to attend investigatory depositions and refusing inspection of premises, to name a few of the problems.

Mr. Fulkerson recommended that the Board consider adding language to the statute to permit the imposition of discipline on licensees who: (1) fail to promptly and fully comply with an investigatory subpoena; (2) fail to appear at investigatory depositions; and (3) fail to allow infection control inspections at reasonable times. Mr. Fulkerson stated that in this way, failure to obey and cooperate with the Board would become a substantive offense which can be charged independent of the underlying reason for the investigation.

Concluding, Mr. Fulkerson indicated that the back of the memorandum references sections of Ohio Revised Code relevant to other regulatory boards which gives the regulating agency the authority/power to charge licensees for failure to cooperate in the investigative process. He urged the Board to consider this request.

## **2007 BOARD MEETING SCHEDULE**

Ms. Reitz indicated that a 2007 calendar had been included in the Board meeting notebooks. She stated that at the previous meeting the Board members were asked to consider their schedules for 2007 and to be prepared to discuss next years Board meeting schedule at this meeting.

Board members discussed possible meeting dates for the year 2007 and decided on the following tentative schedule:

January 10	July 11
February 7	September 12
March 14	November 7
April 18	December 5
May 16	

All meetings will begin at 1:00 p.m.

## **FIRST RESPONDER – BACKGROUND STATEMENT**

Dr. Wright distributed copies of a background statement regarding dentistry's role as first responders in emergency/disaster situations. He described within the document are dentistry's response; experience, knowledge and training as integral partners in addressing acute needs of those affected by the emergency, and dentistry's role; surveillance and notification, diagnosis and monitoring, referral, immunizations, medications, triage, medical care augmentation, decontamination and infection control.

Continuing on, Dr. Wright delineated a curriculum and credentialing program for Ohio-licensed dentists to be developed by the dental schools in Ohio in conjunction with the Ohio Dental Association and approved by the Ohio State Dental Board. He urged the Board members to work with the ODA in discussions with the Medical Board and to support this initiative. Dr. Wright asked for a vocal response in support of this initiative and received no negative responses.

## **ADJOURN**

Dr. Vesoulis adjourned the meeting at 4:40 p.m.

The next meeting will be on November 8, 2006 beginning at 1:00 p.m.

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Paul Vesoulis, D.D.S.  
*President*

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