

**Ohio State Dental Board
Board Meeting
June 2, 2004**

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**Ohio State Dental Board
Board Meeting
June 2, 2004**

MINUTES

ATTENDANCE

The Ohio State Dental Board (Board) met in room 1952, 19th Floor of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio on Wednesday, June 2, 2004, beginning at 1:00 p.m. Board members present were:

Lynda L. Sabat, R.D.H., President
Paul Vesoulis, D.D.S., Vice-President
Edward R. Hills, D.D.S., Secretary
Mark T. Armstrong, D.D.S.
Phillip J. Beckwith, D.D.S.
Berta I. Howard, D.D.S.
Billie Sue Kyger, D.D.S.
Mark Landes, Esq.
Gregory A. McDonald, D.D.S.
T. Michael Murphy, D.D.S.
Frank A. Wright, D.M.D.
Ann E. Naber, R.D.H.
Sandra L. Wise, R.D.H.
Frank A. Wright, D.D.S.

The following guests were also in attendance: Larry Pratt, Esq., Assistant Attorney General, Keith Kerns, Esq. and Dennis Burns, D.D.S. of the Ohio Dental Association (ODA); Denise Bowers, R.D.H. and Linda Hewetson, R.D.H. of the Ohio Dental Hygienists' Association (ODHA); Lili C. Reitz, Esq., Executive Director, Rebecca Hockenberry, Esq., Assistant Director, Tom Smith, Enforcement Officer, Jayne A. Smith, Licensure Coordinator, and Gail Davis, QUIP Assistant, of the Ohio State Dental Board; and other guests.

CALL TO ORDER

Ms. Sabat extended greetings to everyone and noting that there was a quorum present called the meeting to order at 1:05 p.m.

EXECUTIVE SESSION

Motion by Dr. Vesoulis, 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.

Ms. Sabat invited Ms. Reitz, Ms. Hockenberry, and Mr. Pratt to attend the executive session.

OPEN SESSION

At 2:06 p.m., the Board resumed open session. Ms. Sabat 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

Ms. Sabat took a moment to introduce the Board. She introduced herself as the Board President, a dental hygiene member from Brecksville. She then introduced the other Board members: Dr. Paul Vesoulis, the Board Vice-President, a general dentist from Toledo, Dr. Edward Hills, the Board Secretary, a general dentist from Cleveland, Dr. T. Michael Murphy, an oral and maxillofacial surgeon from Marion, Dr. Gregory McDonald, a general dentist from Springboro, Dr. Mark Armstrong, a general dentist from Troy, Dr. Phillip Beckwith, an orthodontist from Columbus, Dr. Berta Howard, a general dentist from Hamilton, Dr. Billie Sue Kyger, a general dentist from Gallipolis, Dr. Frank Wright, a general dentist from Cincinnati, Mr. Mark Landes, the Board's Public member from Gahanna, Ms. Ann Naber, a dental hygienist from Bellbrook, and Ms. Sandra Wise, a dental hygienist from Fremont.

REVIEW OF THE APRIL BOARD MEETING MINUTES

The Board reviewed the minutes of the April 21st, 2004 Board meeting.

Motion by Dr. Vesoulis, second by Dr. Wright, to approve the April 21st, 2004 Board meeting minutes as presented.

Roll call vote.

Motion carried unanimously.

REVIEW OF LICENSE APPLICATIONS

LICENSURE REPORT

Jayne Smith, Licensure Coordinator, had prepared a report of the licenses issued since the April 2004 meeting, for Board member review. Ms. Sabat then requested the Board's vote of approval for the Licensure Report.

Motion by Ms. Wise, second by Dr. Wright, to approve the licensure report for the following dental and dental hygiene licenses issued by North East Regional Board, Inc. (NERB) examination, 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 and for the following limited teaching licenses issued by acceptable documentation submitted by the applicant and the endorsing dental college:

DENTAL

Johanna Conrad Hanchin, D.D.S.

Lars C. Larsen, D.D.S.

Matthew L. Pingel, D.D.S.

Kevin J. Urbanek, D.D.S.

Syed K. Kamal, D.D.S.

Anne E. Laughlin, D.D.S.

Amy L. Smith, D.D.S.

Ann M. Walcott, D.D.S.

DENTAL HYGIENE

Rachel A. Adkins, R.D.H.
Treena M. Barnhart, R.D.H.
Joy S. Hargrove, R.D.H.
Gary Scott Louderback, R.D.H.
Tamara R. Marshall, R.D.H.
Emily J. Rawson, R.D.H.
Jennifer L. Shankle, R.D.H.
Lori L. Stephens, R.D.H.

Tori R. Amick, R.D.H.
Diana Dilbone, R.D.H.
Jami L. Hoffman, R.D.H.
Jill L. Marmo, R.D.H.
Anna M. Mayle, R.D.H.
Kathleen M. Reed, R.D.H.
Elizabeth M. Shumaker, R.D.H.
Alea D. Waldrup, R.D.H.

DENTAL ASSISTANT RADIOGRAPHER

Denise A. Hall
Debra J. Larkins
Kathryn R. Rennick
Mary E. Szepietowski

Trisha M. Harp
Kathryn A. Miller
Jodi L. Schell
Tracy L. Thompson

Roll call vote.

Motion carried unanimously.

REGIONAL BOARD DENTAL APPLICATION(S)

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

George Hibler Guerrant, D.D.S.
Kirsten Lee Olson, D.D.S.

John Charles Kromhout, D.D.S.
Erin Marie Slattery, D.D.S.

Motion by Dr. McDonald, second by Ms. Naber, to approve these four (4) regional board dental license application.

Roll call vote.

Motion carried unanimously.

REGIONAL BOARD DENTAL HYGIENE APPLICATION(S)

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

Kellie Alice Geyer, R.D.H.
Anne Elizabeth Wright, R.D.H.

Motion by Ms. Naber, second by Dr. Vesoulis, to approve these two (2) regional board dental hygiene license applications.

Roll call vote.

Motion carried unanimously.

GRADUATES OF UNACCREDITED DENTAL COLLEGES LOCATED OUTSIDE THE UNITED STATES

Dr. Igor Kantorovich
Dr. Harpreet Gill

Motion by Dr. Kyger, second by Dr. Howard, to approve these two (2) graduates of unaccredited dental colleges located outside the United States license applications, pending receipt of additional fee and jurisprudence exam.

Roll call vote.

Motion carried unanimously.

LIMITED RESIDENT'S LICENSE APPLICATION(S)

The following individuals have applied for limited resident's licenses for the purpose of participating in residency programs:

Joshua D. Atkin, D.D.S. – University Hospital (Cincinnati), General Practice
Ronald K. Billman, D.D.S. – OSU College of Dentistry, Dental Anesthesiology
James E. Blank, D.D.S. – Medical College of Ohio, General Practice
Philip D. Bomeli, D.D.S. – OSU College of Dentistry, Orthodontics

Toni Chen, D.D.S.–Cincinnati Children’s Hospital Medical Center, Pediatrics
Jackson Cockley, D.D.S. – OSU College of Dentistry, General Practice
Jonathan W. Coyne, D.D.S. – Miami Valley Hospital, General Practice
Sara E. Crouch, D.D.S. – University Hospital (Cincinnati), General Practice
Carolyn J. Demas, D.D.S. – CWRU School of Dental Medicine, General Practice
Anthony J. DeStefano, D.D.S. – OSU College of Dentistry, General Practice
Haithem M. Elhaid Babiker, D.D.S. – U.C. College of Medicine, Oral & Maxillofacial
Jeffrey S. Ellis, D.D.S. – Case Western School of Dental Medicine, Pediatrics
Peggy Fard, D.D.S. – Cincinnati Children’s Hospital Medical Center, Pediatrics
Sarah M. Fox, D.D.S. – OSU College of Dentistry, Pediatrics
Stephen R. Gasparovich, D.D.S. – OSU/Children’s Hospital, Pediatrics
Edward L. Grubaugh, D.D.S. – OSU College of Dentistry, Orthodontics
James L. Harrison, D.D.S. – University Hospital(Cincinnati), General Dentistry
Christopher W. Herzog, D.D.S. – OSU College of Dentistry, Pediatrics
Laura C. Kroner, D.D.S. – Miami Valley Hospital, General Practice
Aric A. Kuehner, D.D.S. – OSU College of Dentistry, General Practice
Tjahjadi Kusumo-Rahardjo, D.D.S. – OSU College of Dentistry, General Practice
Stacey R. Kutsch, D.D.S. – OSU College of Dentistry, Pediatrics
Joseph T. Lee, D.D.S.– Case Western School of Dental Medicine, Endodontics
Venu Maturi, D.D.S. – OSU College of Dentistry, General Practice
Marissa L. Mikolich, D.D.S. – OSU College of Dentistry, Orthodontics
Anna B. Moreau, D.D.S. – OSU College of Dentistry, Pediatrics
Jussara M. Morsani, D.D.S. – Case Western School of Dental Medicine, Endodontics
John N. Odai, D.D.S. – Case Western School of Dental Medicine, Endodontics
Paula A. Ortiz, D.D.S. – Case Western School of Dental Medicine, Periodontics
Hassan S. Oueis, D.D.S. – OSU/Children’s Hospital, Pediatrics
Chieu L. Pham, D.D.S. – Cincinnati Children’s Hospital, Pediatrics
Brittany L. Potts, D.D.S. – OSU College of Dentistry, General Practice
Nisha E. Punjabi, D.D.S. – MetroHealth Medical System, General Practice
Brian S. Shumway, D.D.S. – OSU College of Dentistry, Oral & Maxillofacial
Christopher R. Smith, D.D.S. – Dayton Ohio DVA Medical Center, General Practice
Sung H. Son, D.D.S. – Medical College of Ohio, General Practice
Ketan A. Sukkawala, D.D.S. – Cincinnati Children’s Hospital, Pediatrics
Randy M. Weinshel, D.D.S. – Cincinnati Children’s Hospital, Pediatrics
Sara M. Wolfe, D.D.S. – Miami Valley Hospital, General Practice
Sara E. Wolfson, D.D.S. – Ohio State University, General Practice
Cindy B. Wolt, D.D.S. – Dayton Ohio DVA Medical Center, General Practice
Andrew P. Wright, D.D.S. – Case Western School of Dental Medicine, Endodontics

Motion by Dr. Kyger, second by Dr. Howard, to approve these forty-two (42) applications for limited resident’s licenses.

Roll call vote.

Motion carried unanimously.

LIMITED TEACHING LICENSE APPLICATION(S)

The following individuals have applied for limited teaching licenses:

Dr. Jose Isaac Aruauz-Dutari has been appointed to The Cleveland Clinic in the General Practice Dentistry department.

Dr. Farah N. Khan has been appointed to MetroHealth Medical System, Division of Pediatrics.

Motion by Dr. Wright, second by Dr. Kyger, to approve these two (2) applications for limited teaching licenses.

Roll call vote.

Motion carried unanimously.

LIMITED CONTINUING EDUCATION LICENSE APPLICATION(S)

The following individuals have applied for limited continuing education licenses for the purpose of participating in an I.V. conscious sedation externship offered at the *Miami Valley Hospital* under the direction of Dr. Daniel Becker:

Lesley C. Knox, D.D.S.

Gregory J. Young, D.D.S.

Stephen O. Wright, D.D.S.

Additionally, the following individuals have applied for a limited continuing education license for the purpose of participating in a dental implant externship offered at the *Mid-West Implant Institute* under the direction of Dr. Alfred Heller

Matthew D. Haller, D.D.S.

Kerri L. Millett, D.D.S.

Motion by Dr. Kyger, second by Ms. Naber, to approve these five (5) applications for limited continuing education licenses, pending receipt of any additional fees and/or documentation required.

Roll call vote.

Motion carried unanimously.

DENTAL APPLICATION(S) WITH SPECIALTY DESIGNATION

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

CRITERIA APPROVAL LICENSE APPLICATION(S)

Ms. Sabat noted that there were no criteria approval license applications for review at this time.

REINSTATEMENT LICENSE APPLICATION(S) INTERVIEWS

MARTIN G. LEBOEUF, D.D.S.

The first applicant for reinstatement interview was Martin G. LeBoeuf, D.D.S. whose license was suspended in January 2002 for failure to renew. Dr. LeBoeuf explained to the Board that he retired from dentistry at that time and did not realize that he did not renew his license. He returned to work part-time for the dentist to whom he previously sold his practice. He continued to practice until March 16, 2004 when he called the Board to get a copy of his receipt card. At that time, he found out that his license had been suspended for failure to renew. He immediately stopped practicing.

Upon questioning by the Board, Dr. LeBoeuf stated that he has completed the requisite forty (40) hours of continuing education and he has applied for the FBI background check. Dr. LeBoeuf will be presented with a Consent Agreement to sign.

FELICIA MCGEE, R.D.H.

The next applicant for reinstatement interview was Felicia McGee, R.D.H. whose license was also suspended in January 2002. Ms. McGee has been practicing continuously since her license was suspended. She contacted the Board on April 26, 2004 and at that time found out that her license was suspended. Ms. McGee immediately stopped practicing and has not practiced since. Ms. McGee explained to the Board that during that time period she moved, lost her father and has been involved in a divorce. Ms. McGee stated that she did not realize that she needed to inform the Board of her new address. Ms. McGee acknowledged that she took the jurisprudence exam when she was initially licensed. McGee apologized and said that she wanted to reinstate

her license so she can continue to practice and support her family. Ms. McGee will be presented with a Consent Agreement to sign.

Motion by Dr. Vesoulis, second by Dr. Kyger, to declare executive session pursuant to Ohio Revised Code 121.22 (G) (1) to consider the matters involving the reinstatement of Dr. LeBoeuf's and Ms. McGee's licenses.

Roll call vote.

Motion carried unanimously.

OPEN SESSION

The Board resumed open session.

Motion by Dr. Murphy, second by Dr. Kyger, to approve Dr. LeBoeuf and Ms. McGee's reinstatement applications for licensure in the state of Ohio, pending execution and pursuant to the terms of the approved consent agreements.

Roll call vote.

Motion carried unanimously.

REINSTATEMENT LICENSE APPLICATION(S) NO INTERVIEW

Patricia A. Beruk, R.D.H.

Lisa M. Buzzeo, R.D.H.

Gary W. Coatoam, D.D.S.

Lisa M. Ignarski, R.D.H.

Linda M. Killinger, R.D.H.

Bernard F. Komar, R.D.H.

Jill M. Kordes, R.D.H.

Motion by Ms. Naber, second by Dr. Wright, to approve these seven (7) applications for reinstatement.

Roll call vote.

Motion carried unanimously.

ENFORCEMENT REPORT

REPORT AND RECOMMENDATIONS

REPORT AND RECOMMENDATION IN THE MATTER OF MELVIN E. STICKLE, D.D.S.

Ms. Sabat announced that the Board would now consider the Hearing Officer's Report and Recommendation in the matter of Melvin E. Stickle, D.D.S., that was filed by Paul Stehura, Esq., Hearing Examiner on April 12, 2004.

Ms. Sabat then proceeded by asking whether each member of the Board had read the Hearing Examiner's Report and Recommendation in the matter of Melvin E. Stickle, D.D.S.?

Roll call: Dr. Armstrong – Yes
 Dr. Beckwith – Yes
 Dr. Hills - Yes
 Dr. Howard – Yes
 Dr. Kyger – Yes
 Mr. Landes - Yes
 Dr. McDonald - Yes
 Dr. Murphy - Yes
 Ms. Naber – Yes
 Ms. Sabat - Yes
 Dr. Vesoulis – Yes
 Ms. Wise – Yes
 Dr. Wright - Yes

Ms. Sabat 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. Hills - Yes
 Dr. Howard – Yes
 Dr. Kyger – Yes
 Mr. Landes - Yes
 Dr. McDonald - Yes
 Dr. Murphy - Yes
 Ms. Naber – Yes

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

Ms. Sabat then proceeded by asking whether each member of the Board had read any Objections to the Report and Recommendation in the matter of Melvin E. Stickle, D.D.S.?

Roll call: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Yes
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright - Yes

Ms. Sabat asked if Dr. Stickle was present. Ms. Sabat noted that Dr. Stickle was not in attendance.

Ms. Sabat then stated that there was no court reporter present and that the Board minutes would serve as the official record of the proceedings. She then called for a motion for the Board to go into executive session.

EXECUTIVE SESSION

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

Roll call vote.

Motion carried unanimously.

Dr. Hills did not attend the executive session.

OPEN SESSION

DECISION IN THE MATTER OF MELVIN E. STICKLE, D.D.S.

Motion by Dr. Murphy, second by Dr. Vesoulis, that Counts #1-5 of the charges as contained in the Board's notice of opportunity for hearing are found to be true.

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Abstain
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

Motion by Dr. Wright, second by Dr. Kyger, that the proposed Hearing Examiner's Recommended Order be accepted as follows:

It is hereby ORDERED:

- 1. The license of MELVIN E. STICKLE, DDS, to practice dentistry in the state of Ohio shall be SUSPENDED for a period of three (3) months. DR. STICKLE shall immediately refer all his patients who may need treatment during that time to other practitioners.*
 - 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. Stickle's Office", or the name of the practice, for the sole purpose of answering questions, scheduling/rescheduling appointments, and making referrals.*

- C. *DR. STICKLE may not receive any income either from a legal or a beneficial interest in the dental practice during the period of suspension.*
2. *Upon reinstatement, DR. STICKLE's license shall be subject to the following PROBATIONARY terms, conditions and limitations for a period of not less than one (1) year:*
- A. *DR. STICKLE shall obey all federal, state and local laws, and all rules governing the practice of dentistry in Ohio.*
- B. *DR. STICKLE shall fully cooperate with the Board's inspections and/or evaluations of his dental office, which shall occur as often as necessary to ensure compliance with the Dental Practice Act.*
- C. *DR. STICKLE shall submit to the Board on a quarterly basis, under penalty of Board disciplinary action, documentation that he is in compliance with all infection control rules, including, but not limited to:*
- i. Heat sterilization of all hand pieces, low speed contra angles, prophylaxis angles, nose cones, burs, endodontic files, air/water syringe tips, metal impression trays, and hand instruments between patients;*
 - ii. Changing of disposable gloves when examining and/or performing procedures on another patient;*
 - iii. Wearing a chin length face shield, or mask and eyewear with protective side shields, when spattering of blood or other body fluids is likely; and*
 - iv. Changing plastic wrap used to cover surfaces between patients*
- D. *DR. STICKLE shall, at the request of the Board, appear before the Board to discuss his compliance with any infection control requirement set forth in the Ohio Revised and Administrative Code section 4715, including, but not limited to, those procedures set forth in paragraph 2(B) of this Order.*
- E. *DR. STICKLE shall complete seven (7) hours of continuing education in Infection Control, pre-approved by the Board's Secretary, and submit documentation of such to the BOARD prior to the completion of his suspension.*
- F. *The seven (7) hours of continuing education shall be in addition to the forty (40) hours of continuing education credit required for renewal of DR. STICKLE's license.*

3. *Upon successful completion of probation, DR. STICKLE's license shall be fully restored.*

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

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Abstain
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

PERSONAL APPEARANCE(S)

JAMES BUTLER, D.D.S.

Ms. Sabat began by stating that this was Dr. Butler's third appearance before the Board. He requested to meet with the Board to ask for a modification to his consent agreement. Tom Smith informed the Board that Dr. Butler is doing well and has been in compliance with his consent agreement. Dr. Butler explained to the Board the reason for his appearance.

Dr. Butler stated that he is wanting the Board's approval to begin prescribing Schedule II drugs. Dr. Vesoulis questioned Dr. Butler about how many patients for whom he would need to prescribe Schedule II drugs. Dr. Butler stated about 5-7 patients per week. He also stated that it has not hurt his practice not being able to prescribe them, but it would just be more convenient. Dr. Murphy also questioned Dr. Butler on how he felt he was doing. He stated that he feels he is doing well and has been attending aftercare and complying. Dr. Vesoulis pointed out that he is glad that Dr. Butler is doing well, but he wants to point out that he is getting a second chance and the Medical Board of Ohio would not be as lenient. The Board encouraged Dr. Butler to continue to work towards his recovery.

After discussion with the Board members and reviewing the letter received from Dr. Richard Whitney of Shepherd Hill, the Board felt that Dr. Butler should continue to only prescribe Schedule III-V drugs for at least one (1) additional year.

Motion by Dr. Murphy, second by Dr. McDonald, to deny Dr. Butler's request to prescribe Schedule II drugs for at least one (1) additional year.

Roll call vote.

Motion carried unanimously.

VANESSA STRAYER, R.D.H.

Ms. Sabat then requested Vanessa Strayer, R.D.H. to address the Board regarding her initial appearance after suspension of her dental hygiene license. Tom Smith informed the Board that Ms. Strayer has successfully completed treatment at Cleveland Clinic and is currently receiving her aftercare at St. Rita's in Lima, Ohio. Mr. Smith reported to the Board that he has not received the discharge summary from Dr. Collins yet, but Dr. Collins has reported to Mr. Smith that Ms. Strayer successfully completed treatment and was discharged.

Upon questioning by the Board, Ms. Strayer explained that she feels she is doing well with her aftercare and her continued treatment. Ms. Sabat questioned Ms. Strayer on how she found out about St. Rita's and how she is financially paying for her treatment. Ms. Strayer responded that her family is paying for her treatment and aftercare and that the Cleveland Clinic helped her find the aftercare facility close to her home. Ms. Sabat expressed to Ms. Strayer that the Board is glad she is doing well, but she will not be granted a reinstatement of her license at this time. The Board will see her in July and talk to her again at that time.

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

Ms. Sabat noted that there were no cases wherein notices of opportunity were issued and no hearing was requested for consideration at this time.

REVIEW OF PROPOSED CONSENT AGREEMENT(S)

The Board reviewed five (5) proposed consent agreements.

DAVID R. BECKMAN, D.D.S.

Motion by Dr. Beckwith, second by Dr. Wright, to approve the proposed consent agreement for David R. Beckman, D.D.S., license number 30-01-8940.

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Absent
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

BARRY W. SIMMS, D.D.S.

Motion by Dr. Kyger, second by Ms. Naber, to approve the proposed consent agreement for Barry W. Simms, D.D.S., license number 30-02-0551.

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Absent
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

MICHAEL A. YERIAN, D.D.S.

Motion by Ms. Wise, second by Ms. Naber, to approve the proposed consent agreement for Michael A. Yerian, D.D.S., license number 30-01-5373.

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Absent
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

VANESSA J. STRAYER, R.D.H.

Motion by Ms. Naber, second by Dr. Vesoulis, to approve the proposed consent agreement for Vanessa J. Strayer, R.D.H., license number 31-00-5139.

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Absent
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

Eric W. Warnock, D.D.S.

Motion by Dr. Kyger, second by Dr. Vesoulis, to approve the proposed consent agreement for Eric W. Warnock, D.D.S., license number 30-01-4509.

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Absent
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

REVIEW OF PROPOSED VOLUNTARY RETIREMENT(S)

Ms. Sabat noted that there were no proposed voluntary retirements at this time.

REVIEW OF PROPOSED NOTICE(S) OF OPPORTUNITY FOR HEARING

The Board reviewed two (2) Notices of Opportunity for Hearing. 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.

ROBERT J. PERRY, D.D.S.

Motion by Dr. Vesoulis, second by Ms. Naber, to approve the notice of opportunity for hearing and forward it to Robert J. Perry, D.D.S., license number 30-01-5032, case number 03-57-1339.

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Absent
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Abstain
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

HARRY WOITH, D.D.S.

Motion by Dr. Wright, second by Dr. Vesoulis, to approve the notice of opportunity for hearing and forward it to Harry Woith, D.D.S., license number 30-01-6516, case number 04-23-0162.

Roll call vote: Dr. Armstrong – Yes
Dr. Beckwith – Yes
Dr. Hills - Absent
Dr. Howard – Yes
Dr. Kyger – Yes
Mr. Landes - Yes
Dr. McDonald - Yes
Dr. Murphy - Yes
Ms. Naber – Yes
Ms. Sabat - Yes
Dr. Vesoulis – Yes
Ms. Wise – Yes
Dr. Wright – Yes

Motion carried.

ENFORCEMENT UPDATE

Ms. Hockenberry informed the Board that there were currently seven (7) cases pending hearings, of which four (4) have been scheduled. There were currently five (5) cases under appeal, sixteen (16) licensees currently under suspension, and four (4) cases referred to QUIP. She also stated that there was one (1) Notice of Opportunity sent with no hearing requested. Ms. Hockenberry stated that forty-seven (47) cases have been investigated and reviewed by the Acting Board Secretary and 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. Hockenberry reviewed the cases to be closed with the Board.

The following cases are to be closed:

| | | | |
|------------|------------|------------|------------|
| 03-18-1303 | 04-18-0085 | 04-18-0137 | 04-18-0138 |
| 03-18-1337 | 04-25-0124 | 04-32-0128 | 04-07-0140 |
| 03-35-1496 | 04-25-0121 | 04-25-0145 | 04-83-0146 |
| 04-48-0120 | 01-25-361 | 04-29-0147 | 04-09-0148 |
| 03-18-1325 | 03-71-1439 | 04-57-0153 | 04-87-0165 |
| 03-18-1376 | 04-77-0013 | 04-31-0152 | 04-07-0168 |
| 04-25-0022 | 04-25-0050 | 04-31-0169 | 04-25-0171 |
| 01-50-296 | 04-77-0080 | 04-25-0175 | 04-25-0179 |
| 03-78-1342 | 04-25-0107 | 04-31-0186 | 04-29-0185 |
| 03-52-1441 | 04-25-0127 | 04-83-0183 | 04-47-0204 |
| 04-77-0048 | 04-25-0203 | 04-57-0199 | 04-31-0200 |
| 04-21-0079 | 04-18-0130 | 04-89-0131 | |

Prior to the vote to close the above listed cases, Ms. Sabat 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 vote: Dr. Armstrong – No
Dr. Beckwith – No
Dr. Hills - No
Dr. Howard – No

Dr. Kyger – No
Mr. Landes – No
Dr. McDonald - No
Dr. Murphy - No
Ms. Naber – No
Ms. Sabat - No
Dr. Vesoulis – No
Ms. Wise – No
Dr. Wright - No

Ms. Sabat then called for a motion to close the cases and approve the enforcement report.

Motion by Dr. Murphy, second by Ms. Naber, to approve the enforcement report and close the above forty-seven (47) cases.

Roll call vote.

Motion carried unanimously.

Ms. Sabat thanked Ms. Hockenberry for the Enforcement Report.

ANESTHESIA COMMITTEE REPORT

REVIEW OF PROVISIONAL ANESTHESIA AND CONSCIOUS SEDATION PRIVILEGES

Dr. Murphy reported that the following individual has applied for an Anesthesia permit. He explained that the application was reviewed by the Anesthesia Committee and the applicant is recommended to receive provisional privileges:

Michael Scherer, D.D.S. – Provisional general anesthesia privileges

Motion by Dr. Murphy, second by Ms. Kyger, to approve the provisional privileges for Dr. Scherer for general anesthesia.

Roll call vote.

Motion carried unanimously.

REVIEW OF GENERAL ANESTHESIA PERMIT APPLICATION(S)

Dr. Murphy stated that the following individuals have applied for General Anesthesia permits. He explained that the applications have been reviewed by the Anesthesia Committee, facility evaluations have been performed, and the applicants are recommended for approval:

James P. Ellis, D.D.S.
Haitham Hadeed, D.D.S.
Megann Moses, D.D.S.

Simon Prior, D.D.S.,
Gary R. Schween, D.D.S.

Motion by Dr. Murphy, second by Dr. McDonald, to approve these five (5) anesthesia permit applications.

Roll call vote.

Motion carried unanimously.

REVIEW OF CONSCIOUS SEDATION PERMIT APPLICATION(S)

Dr. Murphy stated that the following individual has applied for a Conscious Sedation permit. He explained that the application has been reviewed by the Anesthesia Committee, a facility evaluation has been performed, and the applicant is recommended for approval:

Anthony A. Shaia, D.D.S. – Parma Heights, Ohio

Motion by Dr. Kyger, second by Dr. Vesoulis, to approve the conscious sedation permit application for Anthony A. Shaia, D.D.S. for all modalities.

Roll call vote.

Motion carried unanimously.

Ms. Sabat thanked Dr. Murphy for the Anesthesia Committee report.

COMMUNICATIONS COMMITTEE REPORT

NEWSLETTER

Ms. Reitz informed the Board members that the Newsletter was mailed out approximately two (2) weeks ago. She informed the Board of the discrepancy regarding the coronal polishing information. She explained the process of how the newsletter has to be submitted several weeks prior to mailing before it is actually printed and subsequently mailed. Therefore, the newsletter contained information based on what occurred at the public rules hearing and was submitted to state printing for bid, etc., prior to the ODA's late decision to object to the rules and force tabling of one (1) of the coronal polishing rules. She also explained that the Board office has not received many calls questioning the information, but will explain what happened when the phone calls are received. Dr. Kyger suggested we look at using some type of disclaimer in case of last minute changes.

Ms. Sabat thanked Ms. Reitz for her report.

EDUCATION COMMITTEE REPORT

Ms. Sabat stated that the committee had met earlier that morning and discussed on-line advanced cardiac life support (ACLS) re-certification through a computer based learning program and determined that it met the ACLS renewal requirement for the permit holders, as long as the course is American Heart Association approved.

She stated that the committee had also discussed issues regarding dental assistant radiographer initial training and the exam. The Board is trying to create a process which is more efficient. Ms. Sabat explained to the Board that the Education Committee agreed to change how Ohio Administrative Code 4715-12-02 reads. Currently the Ohio Revised Code Section 4715.53 states that each applicant wishing to apply for a license as a dental assistant radiographer shall, among other things, pass "the examination administered under section 4715.54 of the Revised Code." Revised Code 4715.54 states that the Board can examine or allow an outside entity to provide the exam. The rule currently limits the examination to the Dental Assisting National Board (DANB). The Education Committee wants to change the language in the rule to allow the Board to pre-approve the initial training sponsors to give the radiology exam (approved by the Board each year). This would provide options, flexibility and convenience for those wishing to obtain a radiology license. This can only be accomplished by changing the language in Ohio Administrative Code 4715-12-02. The committee presented this

proposed language to the Law and Rules Review Committee. It was accepted and the rule change will be filed if approved by the Board.

REVIEW OF BIENNIAL CONTINUING EDUCATION SPONSOR APPLICATION(S)

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

The Great Black Swamp Dental Study Group of Northwest Ohio
Faisal A. Quereshy, MD, DDS, FACS, Inc.

Motion by Dr. Kyger, second by Dr. Howard, to approve these two (2) applications for biennial sponsorship of continuing education for the 2004-2005 biennium.

Roll call vote.

Motion carried unanimously.

REVIEW OF BIENNIAL CONTINUING EDUCATION SPONSOR RENEWAL APPLICATION(S)

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

Central Ohio Academy of Dental Practice Administration
Mouawia Ghiba
Patrick C. Haggerty, DDS
Southwest Study Club

Motion by Dr. Kyger, second by Ms. Naber, to approve these four (4) applications for biennial sponsorship of continuing education for the 2004-2005 biennium.

Roll call vote.

Motion carried unanimously.

REVIEW OF DENTAL ASSISTANT RADIOGRAPHER INITIAL TRAINING COURSE(S)

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

REVIEW OF ANESTHESIA CONTINUING EDUCATION COURSE(S)

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

REVIEW OF CONSCIOUS SEDATION CONTINUING EDUCATION COURSE(S)

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

REVIEW OF SUBSTANCE ABUSE CONTINUING EDUCATION COURSE(S)

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

REVIEW OF DENTAL HYGIENE MEDICAL EMERGENCY COURSE(S)

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

REVIEW OF SPECIAL NEEDS PROGRAM REQUEST(S)

Ms. Sabat noted that there were no special needs program requests for review at this time.

REVIEW OF CONSCIOUS SEDATION COURSE(S)

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

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

LETTER OF CLARIFICATION/INFORMATION

Ms. Sabat informed the Board that the Education Committee was not recommending any letters of clarification of the continuing education requirements at this time.

30-DAY EXTENSION OF THE CONTINUING EDUCATION REQUIREMENT

Ms. Sabat informed the Board that the Education Committee was not recommending any 30-day extensions of the continuing education requirements at this time.

60-DAY EXTENSION OF THE CONTINUING EDUCATION REQUIREMENT

Ms. Sabat informed the Board that the Education Committee was not recommending any 60-day extensions of the continuing education requirements at this time.

90-DAY EXTENSION OF THE CONTINUING EDUCATION REQUIREMENT

Ms. Sabat informed the Board that the Education Committee was not recommending any 90-day extensions of the continuing education requirements at this time.

6 MONTH EXTENSION OF THE CONTINUING EDUCATION REQUIREMENT

Ms. Sabat informed the Board that the Education Committee was not recommending any 6 month extensions of the continuing education requirements at this time.

RECOMMEND APPROVAL OF REQUEST FOR WAIVER OF THE CONTINUING EDUCATION REQUIREMENT

Ms. Sabat informed the Board that the Education Committee was not recommending any 90-day extensions of the continuing education requirements at this time.

LIMITED RESIDENT LICENSURE

Motion by Dr. Vesoulis, second by Dr. Murphy, to move that, for purposes of Ohio Revised Code Section 4715.16(A), the Ohio State Dental Board executive office shall process applications meeting the requirements for licensure as a limited resident in the State of Ohio, for those applicants who furnish the Board satisfactory proof of having been appointed a dental resident at an accredited dental college in this state or at an accredited program of a hospital in this state.

Roll call vote.

Motion carried unanimously.

LAW AND RULES REVIEW COMMITTEE REPORT

Dr. Murphy informed the Board that the Law and Rules Review Committee had met earlier that day and would meet again prior to the Board meeting in July. He stated that based on the earlier discussions during the committee meeting regarding dental assistant radiographer examinations, the Board would need to consider a motion to initial file amended Ohio Administrative Code rule 4715-12-02 with the Joint Committee on Agency Rule Review.

Motion by Dr. Murphy, second by Dr. Vesoulis, to initial file Amended Ohio Administrative Code Rule 4715-12-02.

Roll call vote.

Motion carried unanimously.

CORONAL POLISHING

Dr. Murphy informed the Board that the refiled filing of Ohio Administrative Code rule 4715-11-02, the coronal polishing supervision rule is being tabled until the July meeting. He stated that while unsuccessful thus far, the ODA and ODHA have agreed to meet and try to come to consensus agreement so that the rule can be refiled. Dr. Murphy pointed out that the Board was ready to file these rules, but the ODA decided at the 11th hour that they do not agree with the language presented. Dr. Murphy informed the Board that during the committee meeting the ODA and ODHA were told that if they could not come to agreement, it is likely the coronal polishing rule will be filed after the July Board meeting, since those rules were approved at the Board's Public Rules Hearing in March, 2004.

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

POLICY COMMITTEE REPORT

Ms. Reitz informed the Board members that a draft of the Policy Regarding Accepting Remuneration For Serving As Members Of The North East Regional Board Of Dental Examiners, Inc. (Appendix A) had been provided in the Board notebooks for their review. She stated that this policy was recently approved by the Governor's office so she was now presenting it to the Board for approval. She informed the members that they are still able to get reimbursement from NERB and that they should keep their receipts.

Motion by Dr. Murphy, second by Ms. Naber, to approve the "Policy Regarding Remuneration For Serving As Members Of The North East Regional Board Of Dental Examiners, Inc."

Roll call vote.

Motion carried unanimously.

Ms. Reitz also informed the Board that due to a lawsuit that involves the Board, the Board has agreed, based on the advice of counsel, to rescind a policy regarding the use of Sargenti paste that was effective December 4, 2002. She informed the Board that each incident will be reviewed on a case by case basis.

Motion by Dr. Vesoulis, second by Dr. McDonald, to rescind the "Policy Regarding The Use Of Sargenti Paste And Other Paraformaldehyde-Containing Endodontic Filling Materials And Sealers."

Roll call vote.

Motion carried unanimously.

TREATMENT CENTER APPROVAL COMMITTEE REPORT

Ms. Reitz informed the Board that the Treatment Center Approval Committee had nothing new to report at this time.

Ms. Sabat thanked Ms. Reitz for both reports.

WAIVER COMMITTEE REPORT

Ms. Sabat informed the Board that the Waiver Committee had no waiver applications to report.

SECRETARY'S EXPENSE REPORT

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

Motion by Dr. Kyger, second by Dr. McDonald, 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. Wright, second by Dr. Vesoulis, to approve the expense report and approve payment of the April, 2004 Board bills.

Roll call vote.

Motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

OHIO PHYSICIANS EFFECTIVENESS PROGRAM

Ms. Reitz informed the Board that the Board and Ohio Physicians Effectiveness Program (OPEP) entered into a memorandum of understanding regarding the protocol for chemically dependent dentists in Ohio. Chemically dependent dentists can enter into an agreement with OPEP to help them provide recovery documentation services after they complete their treatment.

While on the subject of treatment and aftercare, Ms. Sabat asked the audience and the Board members if they knew of any place that will help our licensees with funding

for their treatment and aftercare. She said that she knows that the ODA has some funding, but questioned the ODHA representatives if they had any financial assistance. They informed her that they do not. Discussion ensued regarding this issue.

MATERNITY LEAVE

Ms. Reitz informed the Board members that she is planning on beginning her maternity leave on June 28, 2004 and returning on September 13, 2004. She is asking for permission to work on Board matters as necessary during her maternity leave.

Motion by Dr. Kyger, second by Dr. Vesoulis, to approve Ms. Reitz's request to work on Board matters during her maternity leave.

Roll call vote.

Motion carried unanimously.

AUDIT REPORT

Ms. Reitz informed the Board that the report regarding the audit performed in our office should be released soon. A copy will be forwarded when it is received.

Ms. Sabat thanked Ms. Reitz for her report.

CORRESPONDENCE

AMERICAN COLLEGE OF PROSTHODONTISTS

Ms. Reitz informed the Board that The American College of Prosthodontists has issued a new definition for the specialty of Prosthodontics. It is included in the Board notebook for the Board's information.

AMERICAN DENTAL ASSOCIATION

Ms. Reitz brought it to the Board's attention that the ADA is looking for Board members to assist with the administration of the National Board Exam, July 12-13, 2004. She informed the members that if anyone is interested, to get that information to her as soon as is practicable.

AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS AND AMERICAN ASSOCIATION OF DENTAL EXAMINERS

Ms. Reitz expressed that she would be representing the Board at the American Association of Dental Administrators(AADA) and American Association of Dental Examiners (AADE) meetings held September 26-30, 2004.

OHIO DENTAL ASSOCIATION CORRESPONDENCE

Ms. Reitz commented on a correspondence, received by the Board members, from the ODA. This correspondence addresses issues that the ODA would like to discuss with the Board members. Also included in the meeting manual was the response that was sent to the ODA by the Board officers.

ANYTHING FOR THE GOOD OF THE BOARD

FBI FINGERPRINTING

Once again, the issue of dental assistant radiographers being fingerprinted was brought up by Dr. Murphy. He pointed out that he does not know if making radiographers go into the police stations to get fingerprinted is excessive. He feels that it is a scary place for them to be. Once again, Ms. Reitz pointed out that the mission of the Board is to protect the public and that this must be done to allow for consistency among all licensees and to demonstrate that the applicant has shown he/she is of good moral character.

Dr. Kyger pointed out that she also, does not agree with the radiographers getting fingerprinted. She feels that dentists and dental hygienists should, but does not think that radiographers should have to go through this process. She said that if we are doing it for consistency, then we need to look into making the dentists and hygienists complete the same requirements for renewal of license. Dr. Vesoulis agreed and made a point that the Education Committee needs to begin reviewing the possibility of making dentists complete CPR and dental hygienists complete substance abuse and infection control continuing education, therefore more consistency will be present. Dr. Vesoulis told Ms. Sabat that he thinks this issue should be addressed at the next Education Committee report.

ADJOURN

Motion by Dr. Vesoulis, second by Dr. Howard, to adjourn the meeting until Wednesday, July 21st, 2004.

Motion passed by acclamation.

Lynda L. Sabat, R.D.H.
President

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

APPENDIX A

POLICY REGARDING ACCEPTING REMUNERATION FOR
SERVING AS MEMBERS OF THE
NORTH EAST REGIONAL BOARD OF DENTAL EXAMINERS, INC.

Preamble: Members of the Ohio State Dental Board (Board) are also members of the North East Regional Board of Dental Examiners, Inc. (NERB). Board members serve as examiners for fifteen NERB states. They may also serve in consultant capacities on committees, etc. The purpose of this policy is to set forth parameters regarding remuneration to be adhered to by current Board members serving as members of NERB.

The Ohio State Dental Board (Board) has always been supportive of its testing agency, the North East Regional Board of Dental Examiners (NERB). As a member state, the Board has direct input into all aspects of the examination from questions, clinical procedures to be performed, grading protocols, scoring format, etc. This bilateral relationship offers the best opportunity for candidates attempting to obtain licensure to practice dentistry or dental hygiene in the state of Ohio or in other NERB jurisdictions.

It is important for Ohio to maintain its relationship with NERB, and it must do so being mindful to avoid any appearance of impropriety in this regard. Therefore, after extensive discussion and consultation with other governmental entities, the Board members have agreed to not accept any compensation in the form of an honorarium, per diem or stipend from NERB. Board members may accept reimbursement for actual expenses, including travel, hotel, meals and miscellaneous expenses, directly from NERB.

(June 2, 2004)