

Ohio State Dental Board

Spring 2002

77 South High Street, 18th Floor • Columbus, Ohio 43215-6135
614/466-2580 • FAX 614/752-8995 • www.state.oh.us/den

The Official Newsletter for the Dentists, Dental Hygienists, and Dental Assistant Radiographers of Ohio

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

Eleanore Awadalla, D.D.S., Secretary
Toledo, Ohio

William J. Lightfoot, D.D.S.
Dublin, Ohio

Scott Borgemenke
Columbus, Ohio

T. Michael Murphy, D.D.S.
Marion, Ohio

Lynda L. Sabat, R.D.H.
Brecksville, Ohio

Paul Vesoulis, D.D.S.
Toledo, Ohio

From the Executive Director
Lili C. Reitz, Esq.

The Board is pleased to present you with the first Spring issue of our newsletter! Thanks to some additional funding, the Board can now communicate with you via the newsletter two (2) times per year. Our Fall issue will continue to have the Enforcement Report. The Spring issue will have additional, up-to-date information.

As you can see in this issue, we have included a pull-out chart that is designed to assist you in your practice regarding scope of practice issues for dental auxiliary. We recommend that you post this chart in your dental offices. The Board plans to keep this chart updated and we will keep you apprised of any changes.

Additionally, in this issue you will find information on the latest policies adopted by the Board, as well as recent changes in the rules.

The Board is in the process of auditing the new continuing education logs. If there are questions or concerns regarding your log, you will receive a letter from the Board. You are urged to promptly respond to any such letter and inquiry.

The Board is hopeful that more frequent communication to you in this format will be beneficial. If there is information you believe might be good to include in the newsletter, please e-mail me at lilireitz@mail.peps.state.oh.us.

Meet Our New Assistant Director
Michael R. Everhart

The Ohio State Dental Board (Board) has hired Michael R. Everhart to serve as its new Assistant Director, effective April 8, 2002. Mr. Everhart, a native of Greenfield, Ohio, brings to the Board thirty-one years of experience with the Ohio State Highway Patrol (OSHP), most recently serving as Assistant Superintendent to Col. Kenneth L. Morckel. As Lieutenant Colonel, Mr. Everhart was responsible for assisting the Superintendent in planning, directing and coordinating all operational functions of the OSHP, including development of policies

(continued on page 5)

INSIDE THIS ISSUE!

Permissible Duties of Auxiliary Personnel Poster for your office

**Photo
not
available**

Lili C. Reitz, Esq.

From the Board President Edward R. Hills, II, D.D.S.

Photo
not
available

Edward R. Hills, II, D.D.S.

The Board has been addressing some interesting issues in the last several months, including topics involving anesthesia, prescribing, access to care and other important issues as they relate to dental care and the welfare of the citizens of this state.

With respect to anesthesia, the Board has adopted a policy regarding the use of oral conscious sedation for those dentists who do not hold an anesthesia/sedation permit. This policy is set forth in this issue. In addition, the Board amended the definitions section of its rules, specifically rule 4715-3-01, to define the term “enteral/oral conscious sedation”.

On the prescribing front, the Dental Board and the State Board of Pharmacy met to discuss the prescribing of diflucan by dentists. The Pharmacy Board had questions as to why a dentist would prescribe this drug since it does not appear to be a drug that is prescribed by dentists for dental therapeutic reasons (which a dentist’s prescribing authority is limited to). However, representatives of the Board explained that dentists prescribe this medication for patients who have a documented history of yeast infections when antibiotics are administered by the dentist. Therefore, it was explained that the dentist will prescribe diflucan as a preventative measure. It was agreed by both boards that since yeast infections are not a dental condition, dentists will not treat this problem, but will take efforts to prevent it from occurring, when there is a documented history in the patient record. The Pharmacy Board was appreciative of the Dental Board’s assistance in this matter, and the Dental Board asked that lines of communication remain open so that questions like this can be resolved efficiently and amicably.

Access to care is an issue that plagues the state. Dental care is the number one unmet healthcare need in the state of Ohio. At the request of the Ohio Department of Health, a task force was established, and the purpose of the task force was to consider ideas for improving access to care for the indigent population in our state. Representatives from the Board, public

health, both at the state and local levels, and the Ohio Dental Association participated. The task force discussed numerous options suggested by the public health officials, and as a result, the Board is pursuing several solutions, and hopes to work with the professional associations to address this very important issue.

Finally, I would like to take a moment to again address the issue of continuing education and why the Board believes that a course in substance abuse education is critical and beneficial to the licensees. Substance abuse can be present in any profession, as noted by the increase in such professions as lawyers who are now required to obtain substance abuse education to maintain their licenses. The Board regularly receives complaints and investigates allegations of substance abuse by dental practitioners. The focus of the Board has always been to work with the impaired practitioner, get him/her into treatment, and rehabilitate the person so he or she can re-enter the profession and no longer pose a threat to the health, welfare and safety of Ohio’s citizens. Some are successful, however, some are not, and the Board must ensure that those who are treating the citizens of Ohio are competent, both mentally and physically.

Having solid information in this area, dentists become aware of the problem, and are better prepared to be proactive in seeking help, and/or identifying the problem in others: be it staff, patients, and even friends and family members. The Board hopes that this requirements is viewed from a positive standpoint, and that you are open and willing to obtain the information and use it however it may be of most benefit to you in your everyday lives and your roles as health care providers, family members and friends.

Access to Dental Care

Dental care is the number one (1) unmet healthcare need in Ohio today. The Ohio State Dental Board is concerned. We encourage you to volunteer your time and services. For information regarding a clinic near you, please contact Dr. Mark Siegal, Ohio Department of Health, at 614/466-4180. The Board is considering other ideas to address this need. If you have suggestions with regards to this issue, we welcome your ideas. Please forward them to Lili Reitz, Esq., Executive Director at lilireitz@mail.peps.state.oh.us.

NEW BOARD POLICY

Policy On Acceptable Substance Abuse Continuing Education Courses For Licensure Renewal

Preamble: The purpose of this policy is to address the minimum acceptable curriculum requirements and instructor qualifications for the substance abuse continuing education hours for licensure renewal during a biennium.

Beginning in the 2002-2003 biennium, any dentist who intends to renew his/her license at the end of a biennium must obtain forty (40) continuing education hours. A minimum of two (2), maximum of seven (7) hours must be in substance abuse education from a Board-approved Permanent or Biennial Continuing Education Sponsor, or an *American Dental Association* CERP Sponsor. As set forth in Section 4715-8-01(B) of the Ohio Administrative Code, the education experience must be provided in a directly interactive presentation format and cover causes, prevention, detection and treatment alternatives.

The purpose of the substance abuse continuing education is to provide an overall awareness and fundamental education for the dentist, as well as to assist the dentist in identifying problems in fellow dental professionals, patients, staff, and family members.

Therefore, the Board recommends the following guidelines with respect to course construction:

- 1) Course Content
 - a) Causes (the genetic, biochemical and physiological aspects of the effects of alcohol or drugs on living systems and on chemical/substance abusers and their families)
 - i) Biogenetics
 - ii) Environmental factors
 - iii) Psychosocial components
 - iv) Theories of addiction
 - v) Genetic vulnerability
 - b) Prevention (planned process of approaches and activities designed to preclude the onset of alcohol and other drug problems and/or addiction)
 - i) Education and training
 - ii) Moderation
 - iii) Lifestyle changes
 - iv) Reduction of supply and demand
 - v) Professional growth and responsibility
 - c) Detection (an opportunity to recognize, identify, and intervene in cases of chemical dependency/substance abuse problems and related disorders)

- i) Stages of drug/alcohol use
 - ii) Observation of behavior patterns and symptoms
 - iii) Effects on behavior and performance
 - iv) Assessment, diagnosis and evaluation
 - d) Treatment Alternatives (planned, intentional intervention in the health, behavior, personal and/or family life of an individual suffering from alcoholism or from another drug dependency designed to enable the affected individual to achieve and maintain sobriety, physical and mental health, and a maximum functional ability)
 - i) Intervention
 - ii) Resources
 - a) Ohio Physicians Effectiveness Program (OPEP)
 - b) Alcoholics Anonymous (AA)
 - c) Narcotics Anonymous (NA)
 - d) Cocaine Anonymous (CA)
 - e) Marijuana Anonymous (MA)
 - f) Caduceus
 - iii) Referral
 - iv) Recovery
 - v) Medical and/or behavioral therapies
 - vi) Factors affecting relapse

Course topic content may also include instruction in the following areas:

- Codependency
- Relationship counseling
- Pathophysiology of addiction
- Impact of abuse
- Genetic/educational/occupational risk factors for dentists
- Pharmacology
- Prescribing controlled substances
- Office dispensing
- Chronic pain issues as they relate to chemical dependency or recovery
- Post-Op pain management for the addicted/recovering patient
- Legal and ethical issues pertaining to chemical dependency/substance abuse

In order for the continuing education hours in substance abuse education to be effective and meaningful, the presentations must be given by qualified instructors with a background or knowledge of chemical dependency/substance abuse.

Therefore, the Board recommends the following with respect to course instructor qualifications (any **one** may apply):

(continued on page 4)

(continued from page 3)

- 1) Dentist or Physician with training/background in chemical dependency/substance abuse
- 2) Licensed Psychologist with training/background in chemical dependency/substance abuse
- 3) Licensed Counselor or Social Worker with training/background in chemical dependency/substance abuse
- 4) Certified Chemical Dependency Counselor (CCDC I/CCDC II/ CCDC III/ CCDC III-E)
- 5) Certified Clinical Supervisor (Certified through the Ohio Department of Alcohol and Drug Addiction Services)
- 6) Certified Prevention Specialist (Certified through the Ohio Department of Alcohol and Drug Addiction Services)
- 7) Certified Addiction Nurse

If you have an individual that has similar qualifications and experience but does not specifically fit into one of these categories, please contact the Board in advance for approval.

The above recommendations are an effort to ensure that the continuing education in substance abuse is a quality experience. Therefore, the following types of programs will not be considered acceptable towards the renewal requirement:

- Drug Abuse Resistance Education (DARE) programs
- Just Say No programs
- Pharmacology courses
- Attendance at AA, NA, CA , or MA meetings
- Programs leading to a high school diploma or equivalency certificate

Chemical dependency is a significant health problem and is a chronic, progressive illness that can be treated effectively. As with all chronic illnesses, early identification and treatment, should result in a positive prognosis.

ADA Policy Statement on Chemical Dependency (1986:519)

RESOLVED, that the following ADA Policy Statement on Chemical Dependency be adopted:

- 1) The ADA recognizes that chemical dependency is a disease entity that affects all of society.
- 2) The ADA is committed to assisting the chemically dependent member of the dental family toward recovery from the disease by education, information and referral. The establishment of constituent and component society chemical dependency programs is essential to this effort.
- 3) The ADA encourages those institutions responsible for dental education to allocate adequate curriculum

on substance use, misuse and addiction.

- 4) In meeting the needs of the public and profession, the ADA also encourages ongoing liaison between constituent society chemical dependency committees and their state boards of registration.
- 5) The ADA recognizes the need for research in the area of chemical dependency in dentistry.

The Ohio State Dental Board needs your help!

If you find a substance abuse continuing education course which you believe may fulfill the requirements as outlined in Board Policy, please submit the course outline, instructor, and sponsor information to the Board executive office for consideration:

Attn: Lynda Sabat, RDH, MA
Chair, Education Committee
Ohio State Dental Board
77 South High Street, 18th Floor
Columbus, Ohio 43215-6135
or FAX to: 614/752-8995

Policy To Clarify Requirements for Corporate Names

Preamble: The purpose of this policy is to clarify the Board's position regarding corporate names of dental practices in light of the language set forth in Ohio R.C. 4715.18 and Ohio Admin. Code 4715-13-01 and 4715-13-02.

Based on the language of the statute and rule, it is the Board's position that the corporate name must include at least the last name of the owner dentist (i.e. Smith Dental Associates, Inc., or Happy Dental Practices Inc., John Smith, DDS).

Further, not all signs need to include the names of all the practicing dentists, however, the first and last names of all practicing dentists shall be prominently displayed at the front or main entrance of the office.

All names of owner dentists of the practice must be on file with the Secretary of State's Office, and the corporate name filed with the Secretary of State's Office must include the names of all owner dentists. Further, it is not necessary that the corporate name include the letters "D.D.S." or "D.M.D."

Finally, all advertising statements in print, broadcast, and/or internet form must include the first and last name of the owner of the dental practice, even though the first name might not be included in the name of the practice itself.

This policy is based on the language contained in Chapter 4715 of the Ohio Revised Code and Ohio Administrative Code only. This policy does not take into account any requirements contained in Title 17 of the Ohio Revised Code.

Policy Regarding The Winding Down of a Dental Practice When the Owner Dentist Passes Away

(continued from page 1)

Preamble: The Board understands the difficulties presented upon the death of an owner dentist, and therefore sets forth its position regarding the enforcement of Ohio Revised Code section 4715.01 in these unique situations.

The Ohio Revised Code states that only a dentist can be an owner, operator or manager of a place for performing dental operations (dental practice). As such, when the situation arises where the sole owner of a dental practice dies, the practice must wind down and prepare itself to close or be sold. Technically, a dental office cannot operate once the owner dentist is deceased.

The Ohio State Dental Board (Board), cognizant of the difficulties that arise in these situations, sets forth the following guidelines with respect to the enforcement of R.C. 4715.01 in these situations.

First and foremost is the fact that the practice cannot operate unless a dentist is present. Therefore, if patient care is to continue, a temporary dentist should be brought on board, if none currently are employed. The dentist shall then have the responsibility of providing patient care, managing the patients and supervising the dental hygienists and other dental personnel.

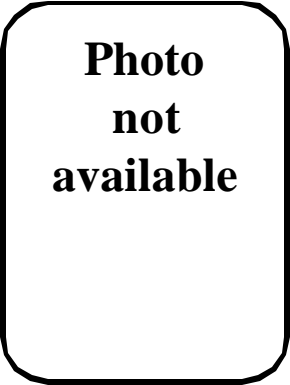
Typically, when an owner/dentist dies, the practice is left to the surviving spouse or family, or the estate. Initially the Board will not pursue these non-dentist owners, unless the situation persists after 90 days and the practice is not sold or closed.

The goal should be to ensure that patient care is maintained by having a dentist present in the dental practice. Then, efforts should be taken to sell the practice. If the practice is to close, efforts must be taken to notify patients, refer patients if necessary, and take care of the records that currently exist in the dental office.

After 90 days have elapsed, the Board will begin its inquiry into any practice where the owner dentist has passed away, and the practice is being maintained by the family or the estate.

and general administration. As Assistant Superintendent, Lt. Col. Everhart was directly responsible for overseeing the OSHP's Offices of Investigative Services, Human Resource Management, Field Operations and Licensing and Commercial Standards.

The Board's Assistant Director is second in command to the Executive Director, and has the direct responsibility to oversee the Board's Enforcement Division. Additionally, the Assistant Director serves as the Board's office manager. "We believe Mr. Everhart will be an excellent asset to the Board in light of his experience and his reputation for professionalism," said Lili C. Reitz, Esq., Executive Director.



Michael R. Everhart

NUMBER OF LICENSEES	
AS OF	
APRIL 15 th , 2002	
Dentists	6861
Dental Hygienists	6316
Dental Assistant Radiographers	7666

Permissible Duties for Dental Hygienists and Dental Assistants

Included in this issue of the Ohio State Dental Board's Official Newsletter is a poster detailing the permissible duties of dental auxiliary personnel. This poster is a viewer-friendly version of the permissible tasks and/or procedures as outlined in Ohio Administrative Code Sections 4715-3-01, 4715-9-01, 4715-9-05, and 4715-11-03. We hope that this poster will assist you in determining scope of practice issues for dental auxiliary.

The Board executive office has received numerous telephone and written inquiries regarding coronal polishing by dental assistants. It is important to note that while Ohio Revised Code (ORC) Section 4715.39 regarding **Duties and procedures qualified personnel may and may not perform**, became effective in March 1999, dental assistants still **MAY NOT** perform this duty. ORC 4715.39 (A) states in pertinent part that "...The board's **rules may** allow a dental assistant to polish the clinical crowns of teeth..." (emphasis added). To date, the Board has not promulgated rules that define the minimum criteria acceptable to allow dental assistants to perform coronal polishing duties.

NOTE: If the task and/or procedure does not appear on the poster for Permissible Duties for Dental Hygienists and Dental Assistants then the duty **may not** be performed by a dental auxiliary.

Election of Officers

In April of this year, the Board voted to elect Dr. Edward R. Hills to a second term as President of the Board. Additionally, Dr. Eleanore Awadalla was elected as the new Board Secretary succeeding Dr. William J. Lightfoot's 5 consecutive years in this office.

NEW RULES UPDATE

Chapter 4715 Ohio Administrative Code Changes - Effective April, 2002

4715-3-01 Definitions - The Board amended this rule to include the definition of enteral/oral conscious sedation. This definition addresses the use of drugs in oral conscious sedation for those dentists who do not hold a sedation permit.

4715-7-01 Limited resident's license - Two key issues were addressed with amendments and additions to this rule. Section (B) now includes the Accreditation Council for Graduate Medical Education (ACGME) programs as acceptable residencies and length of license to be equal to the length of the residency program. A limited resident's license application must be submitted for each intended residency under the new paragraph (D) of this rule.

4715-7-02 Limited teaching license - No substantive changes were made to this rule. Changes were grammatical in nature.

4715-7-03 Limited resident's license, limited teaching license, limited continuing education license display - The Board amended this rule to permit the limited resident's license and limited continuing education license to be kept on file at the school, institution or facility where the license holder practices. Also, the rule allows for the limited teaching license to be displayed in a conspicuous place in the school, institution or facility wherein the person is authorized to teach.

4715-8-03 Standards for approval of biennial sponsors - Changes were made to reflect appropriate fee increases.

4715-9-05 Practice when the dentist is not physically present - Amendments were made to clarify those procedures that may not be performed by a dental hygienist when the supervising dentist is not physically present.

4715-12-01 Permissible practices of a dental assistant radiographer; supervision required; license to be displayed - The rule now allows for the license to

be kept on file at the teaching institution where the licensee practices and to be made immediately available upon request by a Board representative.

4715-12-02 Application for license; requirements; exceptions - Language for the Conditional Dental Assistant Radiographer license was deleted since the license is no longer available.

4715-12-03 License renewal - Paragraph (B) of this rule was amended to include provisions for reinstatement of the dental assistant radiographer license subsequent to automatic suspension.

4715-12-04 Accreditation of education programs; application; fee; suspension; revocation. - This new rule sets forth the guidelines for the dental assistant radiographer training programs and eligibility and requirements for sponsors.

4715-12-05 Continuing education requirements - This new rule sets forth the guidelines for the continuing education requirements for the dental assistant radiographer.

4715-13-01 Name under which practice may be conducted - Amendments were made to include the individual's name under which the dentist may practice.

4715-17-01 Notice of regular and special meetings of the Ohio state dental board - Non-substantive changes were made to this rule to include the correct address of the Board executive offices.

4715-19-01 Personal information systems - Non-substantive changes were made to this rule.

4715-22-01 Volunteer's certificate issued to retired dentist or dental hygienist to provide free services to indigent and uninsured persons; immunity - This new rule was promulgated to provide for Volunteer's certificates to be issued to retired dentists and dental hygienists providing services to indigent persons in a not-for-profit practice setting. The rule also sets forth the parameters for immunity for dentists and dental hygienists holding a Volunteer's certificate issued by the Board.

4715-30-01 Exemption for physicians and surgeons - This new rule outlines the law and rule exemption for physicians and surgeons licensed in the state of Ohio, and under which circumstances it becomes applicable.

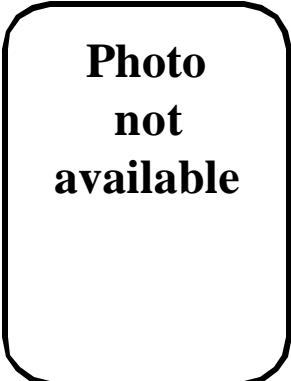
Ohio State Dental Board

Law and Rules

You may obtain a current copy of the Ohio State Dental Board Law and Rules booklet by submitting your name and address along with \$4.00 to cover postage and printing to:

Ohio State Dental Board
77 South High Street, 18th Floor
Columbus, Ohio 43215-6135

**Dr. Lightfoot's Last Term
As Board Secretary**



William J. Lightfoot, D.D.S.

The Ohio State Dental Board would like to take this opportunity to extend its appreciation to Board Member William J. Lightfoot, DDS. Dr. Lightfoot has served as Board Secretary for the past five years. Since Dr. Lightfoot's second term on the Board ends in April of 2003, he did

not seek re-election to this very important position.

The Secretary of the Board oversees the Enforcement Division of the Board, and is significantly involved in the complaint and investigative process. Dr. Lightfoot has spent Mondays at the Dental Board offices reviewing complaints with the Enforcement Staff and Assistant Attorneys General, and has been responsible for making recommendations regarding the cases that came before the Board during this time. His commitment to the position and his willingness to dedicate the time he did to the Board and the citizens of the state of Ohio is commendable. "He has been a tremendous contributor to the Board as Secretary, and the Board would like thank Dr. Lightfoot and acknowledge his services in this regard," said Board President, Edward R. Hills, DDS.

Dr. Lightfoot will make every effort to wrap up the cases he is currently working on with the Board staff and AAG's in his final year on the Board. All cases not resolved will transfer to the current Secretary upon Dr. Lightfoot's departure.

**OHIO STATE DENTAL BOARD
Approved Substance Abuse
Continuing Education**

Beginning this biennium, 2002-2003, Ohio licensed dentists are required to obtain a minimum of two (2) and a maximum of seven (7) hours in substance abuse continuing education (CE) through a Board-approved sponsor. The educational experience must be obtained in a directly interactive presentation format, pursuant to Ohio Administrative Code Section 4715-8-01(B). In February of this year, the Board approved Policy (see Policy on page 6) that clarifies this new CE requirement.

The following organizations/individuals have courses that are approved by the Ohio State Dental Board that fulfill the substance abuse renewal requirement.

- Alpha Omega Dental Fraternity** 440/449-0040
Gary F. Rosenthal, DDS
- Central Ohio Dental Society** 419/756-1110
Michael Leech, DDS
- Healthcare Educators, Inc.** 740/334-7982
Don P. Bowermaster, DDS
- Hillcrest Study Club** 440/449-0040
Gary F. Rosenthal, DDS
- Infection Control Services, Inc.** 614/876-7918
Sam Rosen, PhD
- Keely Dental Society** 513/829-8080
Douglas W. Wallace, DDS
- Garrett D. Kenney, D.D.S.** 513/569-3703
- Medical Education Collaborative
(CorText Mind Matters Seminars)** 888/390-5686 ext. 1
Robb Hunt
- Neil Kennedy Recovery Clinic** 330/743-6671
Janet A. Valenta
- Palm Beach Community College** 561/868-3548
Rachel McClanahan
- Rehwinkel Dental Society** 740/446-3191
David K. Smith, DDS
- Stark County Dental Society** 330/493-1123
Barb Weigand, Exec. Dir.
- Sullivan-Schein Dental** 800/686-4200
Michele Penrose
- Sunbury Seminars, Inc.** 800/746-6615
Carl R. Fleser, DDS
- Toledo Dental Society** 614/486-2700
Kathy Koehn
- The United States Air Force** 202/767-4402
Shannon Mills, Col. USAF, DC

Welcome! Our Newest Board Member

The Ohio State Dental Board has a new Board member appointed by Governor Taft. Paul Vesoulis, DDS, was appointed to the Board on January 11, 2002 and reappointed for a five (5) year term on April 8, 2002. He was originally appointed to serve the remainder of the term left vacant by Stuart Silverman, D.D.S. who resigned in August 2001.

Dr. Vesoulis is a general dentist with a practice in Toledo, Ohio. He is a native of Cincinnati, having graduated from Anderson High School and the University of Cincinnati. Dr. Vesoulis obtained his dental education at the Case Western Reserve University School of Dentistry, and he has been in active practice since 1986.

**Photo
not
available**

Paul Vesoulis, D.D.S.

Dr. Vesoulis served as President of the Toledo Dental Society in 1996 and is currently a member of that Society. In addition, he is a member of both the Ohio Dental Association and the American Dental Association.

Dr. Vesoulis has been appointed to serve as a member of the Board's Education and Law and Rules Review Committees. He is in the process of becoming a member of the American Association of Dental Examiners, and he will begin examination duties as a member of the North East Regional Board in 2003.

"It is a privilege to be appointed as a member of the Ohio State Dental Board, and I look forward to serving the citizens of this state and ensuring the highest standards of care from our profession," Dr. Vesoulis said.



Printed on recycled paper



OHIO STATE DENTAL BOARD
77 South High Street, 18th Floor
Columbus, Ohio 43266-0306

PRSR STD
U.S. Postage
PAID
Permit No. 1366
Columbus, OH