

# **OHIO STATE DENTAL BOARD**

## **ANNUAL REPORT**



**FY 15/FY 16 BIENNIUM**

**AUGUST 18, 2016**

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Ohio State Dental Board  
77 S. High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215-6135

(614) 466-2580 Tel  
(614) 752-8995 Fax  
Dental.Ohio.Gov

Marybeth D. Shaffer, DMD, President

Harry N. Kamdar, MBA, Executive Director

August 18, 2016

The Honorable John Kasich  
Governor, State of Ohio  
77 South High Street, 30th Floor  
Columbus, Ohio 43215

Dear Governor Kasich:

On behalf of the Ohio State Dental Board, we are pleased to submit a biennial-format Annual Report that encompasses two fiscal years covering the period July 1, 2014 through June 30, 2016.

There has been a change in the Executive Director position in the last 10 months resulting in new direction, elevated accountability, systems reform and a common-sense approach to rules and regulations. A new culture that puts added emphasis on integrity, fairness and collaboration has been established. At the center of this change is a fervent drive for excellence in customer service for licensed professionals in dentistry and conscientiously protecting the interests of consumers all across the great state of Ohio.

The primary vehicle to achieve this transformational change has been the Board's inaugural strategic plan developed in February, 2016. It acts as a corporate compass and roadmap for the Board with clearly identified direction arrived at through input and feedback from stakeholders, partners and Board members. Along with developing vision, mission and core values, the esteemed members of the Board were able to identify 10 key priorities for the next two years.

After listening to the "voice of the customers" in his first 90 days on the job, it was abundantly clear to the Executive Director that the Board's website was outdated and not user-friendly. The Board was able to successfully partner with the Department of Administrative Services in developing a new value-added website that was launched recently.

As we march forward, we will embrace the best of yesterday and meld it with the best of today to create the best of tomorrow.

Respectfully,

A handwritten signature in blue ink that reads "Marybeth D. Shaffer, DMD".

Dr. Marybeth D. Shaffer, DMD  
Board President

A handwritten signature in blue ink that reads "Harry N. Kamdar, MBA".

Harry N. Kamdar, MBA  
Executive Director

## **BOARD OVERVIEW**

The Board is comprised of 13 members: nine dentists (two of which are designated as specialists), three dental hygienists and one public member. All of the Board members are appointed by the Governor and serve four year terms. Two board members are selected by their peers to serve as the Secretary and Vice Secretary and oversee the Board's Supervisory Investigative Panel.

The Board meets at least eight times per year. Meeting agendas and minutes are available on the Board's website.

## **COMMITTEES**

The Board addresses a variety of policy issues through its standing committees. Committees formulate reports and recommendations to take to the full Board for approval. Committee meetings typically are held on the same day as the Board meetings. Board actions on committee recommendations are included in the Board meeting minutes. Additionally, each committee is assigned to champion one or more key priorities from the Board's strategic plan.

### **EDUCATION COMMITTEE**

The Education Committee is a committee comprised of six (6) Board members, one of whom is appointed by the Board President as the chairperson and one of the members is an educator at Columbus State Community College. The Education Committee meets immediately prior to regularly scheduled Board meetings. Primary directives of the Education Committee are to review and make recommendations to the Board regarding continuing education providers, specific educational courses that lead to Board-issued certificates or permitted duties of dental auxiliary, and continuing education audits of minimum requirements for licensure renewal. Recommendations from the Education Committee are forwarded to the full Board for further consideration, review and approval.

### **LAW AND RULES REVIEW COMMITTEE**

The Law and Rules Review Committee is comprised of eight (8) members: Six (6) are current Board members, one (1) representative from the Ohio Dental Association and one (1) representative from the Ohio Dental Hygienists' Association. Also, other regular attendees include the Board's Assistant Attorney General, Executive Director and Deputy Director. The primary purpose of the Law and Rules Review Committee is the five-year review of the administrative rules governing the licensing and regulation of the profession of dentistry and to make changes as deemed necessary by the Board, subject to legislative approval. The Law and Rules Review Committee submits recommendations regarding rule revisions to the full Board for

review, consideration, and approval for filing with the Common Sense Initiative and the Joint Committee on Agency Rule Review.

#### **POLICY/SCOPE OF PRACTICE COMMITTEE**

The Policy/Scope of Practice Committee is comprised of six (6) Board members appointed by the Board President. There is a chairperson and a co-chairperson appointed by the President.

The Policy sub-committee considers, drafts, and develops policies which clarify the law and rules governing the practice of dentistry, dental hygiene and dental assisting which allow the Board to operate more effectively and efficiently. The Policy sub-committee makes recommendations to the full Board on policies for review, consideration, and approval.

The Scope of Practice sub-committee considers inquiries and develops position statements which clarify the scope of practice for the profession since the field of dentistry is constantly evolving and changing with emerging technologies that offer better solutions to oral health problems. The Scope of Practice sub-committee makes recommendations to the Board with the health, safety and welfare of Ohio's dental consumers as its principal motivation

#### **OPERATIONS COMMITTEE**

The Operations Committee is comprised of five (5) Board members appointed by and including the Board President, one of whom is the chairperson. This committee meets on an as-needed basis. The primary focus of the Operations Committee is to review the requirements, responsibilities, processes and procedures for the establishment, operation and management of Board protocols. The Operations Committee reports to the full Board for review, consideration and approval.

#### **AD HOC COMMITTEE**

The Ad Hoc Committee is comprised of six (6) Board members appointed by and including the Board President, one of whom is the chairperson. The focus of the Ad Hoc Committee is to review and approve expert witnesses, create disciplinary guidelines and other tasks as assigned by the Board. The Ad Hoc Committee reports to the full Board for review, consideration and approval.

## STATEMENT OF REVENUE AND EXPENSES

In odd years, less revenue is collected resulting in a deficit. However, this deficit is offset by a surplus in even years when more revenue is collected. This anomaly is due to the revenue pattern of lower cost license renewals (e.g. EFDAs & Radiographers) occurring in odd years and higher cost license renewals (e.g. Dentists & Dental Hygienists) occurring in even years.

	FY15 (odd year)	FY16 (even year)
<b>REVENUE:</b>		
<b>LICENSURE FEES</b>	<b>\$565,919.17</b>	<b>\$2,779,297.50</b>
<b>EXPENSES:</b>		
<b>PAYROLL</b>	<b>\$982,983.01</b>	<b>\$1,077,173.18</b>
<b>PURCHASED PERSONNEL SERVICES</b>	<b>\$80,184.37</b>	<b>\$55,527.45</b>
Administrative & Management Services	35,878.88	0.00
Medical Services	29,394.00	34,219.70
State Planned Training	2,285.00	0.00
Vendor Offered Training	4,448.50	1,400.00
Membership Dues	7,916.00	6,230.00
Witness Fees	261.99	182.17
Unemployment Compensation	0.00	13,495.58
<b>SUPPLIES &amp; MAINTENANCE</b>	<b>\$365,018.89</b>	<b>\$419,303.56</b>
Office Supplies, Equipment & Repairs	10,784.94	14,147.36
Copy, Print, Scan Equip<\$1,000	0	7,306.14
Medical Licenses & Permits	233.00	99.00
General Travel & Expenses	69,710.71	39,543.76
Interstate Transfer Goods & Services	238,820.20	286,738.91
IT/Software/Equipment/Perpetual License	23,075.22	778.00
Network Communications	12,903.64	14,685.35
Bank Fees/Petty Cash/Refunds	6,054.03	48,155.45
Books/Subscriptions	1,109.95	1,276.00
Park/Storage/Messenger/Janitorial/Toll/Equip	2,327.20	6,298.82
Security & Safety	0	274.77
<b>OFFICE EQUIPMENT SERVICE</b>	<b>\$2,163.00</b>	<b>\$0.00</b>
IT Equipment/End User	2,163.00	\$0.00
<b>REFUNDS</b>	<b>\$0.00</b>	<b>\$235.00</b>
<b>TOTAL REVENUE</b>	<b>\$565,919.17</b>	<b>\$2,779,297.50</b>
<b>TOTAL EXPENSES</b>	<b>\$1,430,349.27</b>	<b>\$1,552,239.19</b>
<b>SURPLUS or (DEFICIT)</b>	<b>\$(864,430.10)</b>	<b>\$1,227,058.31</b>

## LICENSURE

The Board regulates approximately 35,000 licensees, certificate and permit holders. The Board issued 2,926 new licenses, certificates or permits in FY 15 and 3,004 of the same in FY 16.

### LICENSURE STATISTICS

	FY 15	FY 16
Dental licenses issued by examination	245	280
Dental Hygiene licenses issued by examination	267	332
Dental licenses issued by credentials	9	18
Dental Hygiene licenses issued by credentials	11	3
Dental Assistant Radiographer certificates issued	1,957	1,806
Coronal Polishing certificates issued	130	145
Expanded Function Dental Auxiliary registrations issued	150	259
Limited Continuing Education licenses issued	12	7
Limited Resident licenses issued	141	122
Limited Teaching licenses issued	4	5

### LICENSEES REGISTERED TO PRACTICE

	FY 15	FY 16
Dentists	7,351	7,088
Dental Hygienists	8,471	8,377
Dental Assistant Radiographers	13,767	16,031
Limited Residents	233	353
Limited Teaching	34	37
Limited Continuing Education	12	18
Coronal Polishing	1,459	1,609
Expanded Function Dental Auxiliaries	1,956	2,221
Oral Health Access Supervision Permit – Hygiene	92	98
Oral Health Access Supervision Permit – Dentist	37	31
<b>Total:</b>	<b>33,412</b>	<b>35,863</b>

## COMPLIANCE AND MONITORING

The Board received 579 complaints in FY 15 and 511 complaints in FY 16. These complaints are followed up on by 6 investigators who travel across the state of Ohio to conduct investigations. Investigative reports are then reviewed by the Supervisory Investigative Panel (“SIP”) consisting of the Board’s Secretary and Vice-SecretaryS. They make a determination as to whether a case should be presented to the Board for disciplinary action or to close it with no further action. Board members vote on the appropriate action to be taken.

CASE TYPE	FY 15 COUNT	FY 16 COUNT
Adverse Occurrence	17	11
Advertising	9	8
Anesthesia/Sedation Violations	2	0
Bootstrap (Adverse Action Taken by Other Agency)	2	1
Commission of Felony Act	1	0
Commission of Misdemeanor Act in Course of Practice	2	0
Failure to Renew	22	0
Felony	1	2
Fraud/Deception in Obtaining a License	3	3
Fraudulent Billing Practices	27	15
Illegitimately Selling/Prescribing/Administering Drugs	14	18
Impairment	11	19
Infection Control Violations	40	28
Jurisdictional Issues	23	45
Lewd/Immoral Conduct in the Course of Practice	0	2
Manager/Owner Aware of Ongoing Violations by Employee	2	0

Misrepresentation/Deception to Obtain Property	13	9
OARRS Violations	0	1
Permitting	16	9
Practicing Outside Scope	1	6
Standard of Care	323	297
Standard of Care with Significant Patient Injury	7	7
Standard of Care: Excessive/Unnecessary Treatment	12	11
Standard of Care: Informed Consent	1	5
Standard of Care: Patient Records	5	5
Unlicensed Practice	25	8
Violation of Consent Agreement	0	1
<b>Total</b>	<b>579</b>	<b>511</b>

## DISCIPLINARY ACTIONS

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The Board is authorized to revoke and suspend licenses, certificates and permits, impose probationary requirements, issue suspensions and practice restrictions. The Board is also authorized to deny initial applications or renewal applications.

COMPLAINTS AND INVESTIGATIONS	FY 15	FY 16
Cases carried over from previous year	192	152
New cases assigned	550	466
Total cases investigated	742	618

CHARGES FILED AND CITATIONS ISSUED	FY 15	FY 16
Administrative Charges Filed	14	5
Evidentiary Reviews	2	0
Hearings Held	0	0
Suspensions	11	11
Revocations	0	0
Consent Agreements	37	20
Hearings Pending	4	0
Warning Letters	79	16
Infection Control Evaluations	226	138
Voluntary Surrender/Retirement	6	2

# BOARD MEMBER MATRIX

Board member name	Eligible for reappointment?	Term Expiration Date			
		Apr-17	Apr-18	Apr-19	Apr-20
Charles C. Smith, DDS - Dentist	Yes	4/6/17			
Jeanne Huber, RDH - Hygienist	Yes	4/6/17			
Ann Aquillo, Public member	Yes	4/6/17			
Martin J. Chambers, DDS - Dentist, <i>Vice-secretary</i>	Yes		4/6/18		
Marybeth Shaffer, DDS - Dentist, <i>President</i>	No		4/6/18		
Constance Clark, RDH - Hygienist, <i>Vice-president</i>	No		4/6/18		
Burton Job, DDS - Dentist (Oral Surgeon)	Yes		4/6/18		
Susan Johnston, RDH - Hygienist	No			4/6/19	
Patricia Guttman, DDS - Dentist, <i>QUIP Coordinator</i>	Yes			4/6/19	
Bill Anderson, DDS - Dentist	Yes			4/6/19	
Kumar Subramanian, DDS - Dentist (Endodontist)	Yes			4/6/19	
Michael Ginder, DDS - Dentist	Yes				4/6/20
Ashok Das, DDS - Dentist, <i>Secretary</i>	No				4/6/20

**LEGEND**

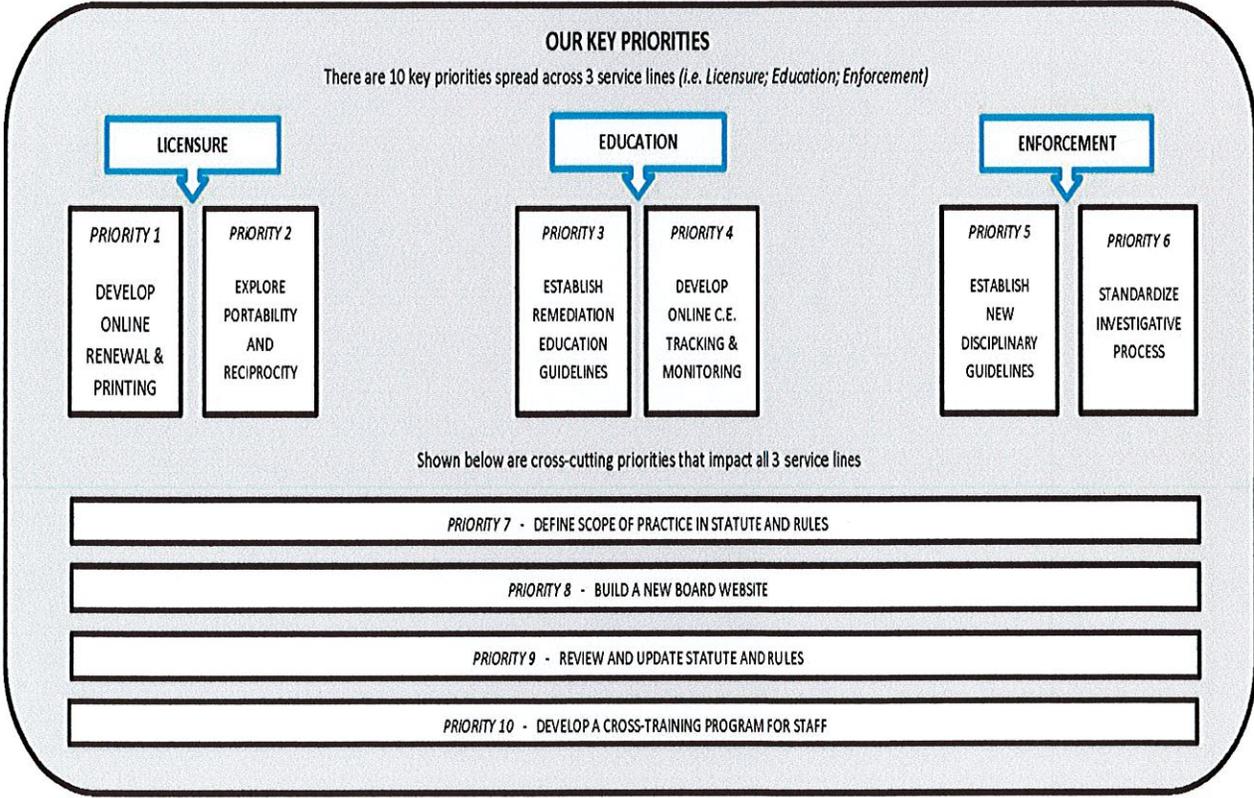
BLUE - indicates that term will expire within 1 year	
RED - indicates that the term will expire within 2 years	
YELLOW - indicates that the term will expire within 3 years	
GREEN - indicates that the term will expire in 4 years	

**OHIO STATE DENTAL BOARD**  
**STRATEGIC MAP**  
 FOR CALENDAR YEARS 2016 AND 2017

**OUR VISION**  
 Healthy Ohioans through excellence in dentistry.

**OUR MISSION**  
 The State Dental Board is entrusted to promote service excellence in dentistry and to protect the public through licensure, education and enforcement of standards with fairness and integrity.

**OUR CORE VALUES**  
 S.E.R.V.I.C.E. = Stewardship + Excellence + Respect + Virtuoussness + Integrity + Communication + Ethics



**The Board did not have a strategic plan prior to the creation of its inaugural plan in February, 2016.**