

# **OHIO STATE DENTAL BOARD**

## **ANNUAL REPORT**



**FY 18/FY 19 BIENNIUM**

**AUGUST 28, 2019**

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Mike DeWine, Governor   John Husted, Lt. Governor   Kumar Subramanian, President   Harry Kamdar, Executive Director

August 28, 2019

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

Dear Governor DeWine:

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, 2017 through June 30, 2019.

During this time-period, the Dental Board successfully testified in front of finance sub-committees of the Ohio House of Representatives and the Ohio Senate, regarding its biennium budget request for fiscal years 2020 and 2021. The organization is now in stable financial health through continued cost austerity measures, responsible stewardship of resources and relentless pursuit of maximizing the return on investment of taxpayer dollars.

A key focus area of the Dental Board has been the continuous effort to address the opioid epidemic with specific concentration on any abuse of prescription opioids. Administrative rules were passed to ensure that dentists were prescribing opioids for the treatment of acute, subacute and chronic pain as a means of last resort and under very tight parameters with a limited length and dosage for such prescriptions. The Dental Board has continued to partner with the Ohio Dental Association to develop educational tools and guidelines for dentists. Emphasis has been put on considering alternatives to prescribing opioids whenever possible.

The Dental Board has been conducting due diligence regarding a critical national issue whereby state dental boards including our organization are facing a legal challenge aimed at recognizing dental specialties over and beyond those sanctioned by the American Dental Association (ADA). Therefore, the Dental Board has consulted and worked closely with the Attorney General's office in proposing modifications to its rules on specialty designation and advertising.

As we continue with this journey to protect dental consumers, we will embrace the best of yesterday and meld it with the best of today to create the best of tomorrow.

Respectfully,

Kumar Subramanian, DDS  
Board President

Harry Kamdar, MBA  
Executive Director

## **BOARD OVERVIEW**

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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 four (4) Board members, one of whom is appointed by the Board President as the chairperson. The Education Committee generally 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 six (6) members: Four (4) 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 COMMITTEE**

The Policy Committee is comprised of four (4) Board members including a chairperson appointed by the Board President. The 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 Committee makes recommendations to the full Board on policies for review, consideration, and approval.

### **SCOPE OF PRACTICE COMMITTEE**

The Scope of Practice Committee is comprised of four (4) Board members including a chairperson appointed by the Board President. It 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 committee makes recommendations to the full Board with the health, safety and welfare of Ohio's dental consumers as its principal motivation.

### **AD HOC COMMITTEE**

The Ad Hoc Committee is comprised of four (4) Board members including a chairperson appointed by the Board President. The focus of the 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.

### **RESEARCH COMMITTEE**

The Research Committee is comprised of three (3) Board members including a chairperson appointed by the Board President. The focus of the committee is to research any major issues stemming from the other committees that require a deep dive and recommendation on a pathway forward. The Research Committee reports to the respective committee requesting a deep dive and also the full Board.

## 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.

	FY18 (even year)	FY19 (odd year)
<b>REVENUE:</b>		
<b>LICENSURE FEES</b>	<b>\$3,374,809.00</b>	<b>\$797,174.50</b>
<b>EXPENSES:</b>		
<b>PAYROLL</b>	<b>\$1,185,607.81</b>	<b>\$1,144,733.48</b>
<b>PURCHASED PERSONNEL SERVICES</b>	<b>\$65,175.81</b>	<b>\$40,481.73</b>
Administrative	0.00	164.00
Consultants & Experts	34,485.22	28,834.19
State & Vendor offered Training	3,094.00	3,750.00
Survey services	19,750.00	0.00
Membership Dues	7,210.00	7,535.00
Witness Fees	636.59	198.54
<b>SUPPLIES &amp; MAINTENANCE</b>	<b>\$346,698.10</b>	<b>\$341,019.03</b>
Office Supplies, Equipment & Repairs	9,093.08	4,911.76
Copy, Print, Scan Equip<\$1,000	0.00	8,658.00
Medical Licenses & Permits	33.00	188.19
General Travel & Expenses	34,651.46	27,966.43
ISTV/DAS	218,821.74	267,261.29
IT/Software/Equipment/Perpetual License	0.00	3,150.00
Network Communications	12,012.00	11,672.23
Bank Fees for electronic licensing transactions	64,196.51	14,086.43
Books/Subscriptions	1,649.12	1,410.00
Park/Storage/Messenger/Janitorial/Toll/Equip	6,241.19	1,714.70
<b>OFFICE EQUIPMENT SERVICE</b>	<b>\$0.00</b>	<b>\$0.00</b>
IT Equipment/End User	0.00	0.00
<b>REFUNDS</b>	<b>\$512.00</b>	<b>\$0.00</b>
<b>TOTAL REVENUE</b>	<b>\$3,374,809.00</b>	<b>\$797,174.50</b>
<b>TOTAL EXPENSES</b>	<b>\$1,597,993.72</b>	<b>\$1,526,234.24</b>
<b>SURPLUS or (DEFICIT)</b>	<b>\$1,776,815.28</b>	<b>\$(729,059.74)</b>

## LICENSURE

The Board regulates approximately 36,000 licensees, certificate and permit holders. The Board issued 2,784 new licenses, certificates or permits in FY 19 compared to 2,718 in FY 18. The number of dentists licensed to practice in FY 19 was 7,461, a 5% increase compared to FY 18. The number of dental hygienists licensed to practice in FY 19 was 8,728, a 4% increase compared to FY 18.

### LICENSURE STATISTICS

	FY 18	FY 19
Dental licenses issued - examination	261	326
Dental licenses issued - residency	10	16
Dental licenses issued – non-accredited international	18	22
Dental licenses issued - credentials	18	7
Dental Hygiene licenses issued - examination	298	303
Dental Hygiene licenses issued - credentials	2	4
Dental Assistant Radiographer certificates issued (Den. X-ray Mach. Oper.)	1,597	1,552
Coronal Polishing certificates issued	173	160
Expanded Function Dental Auxiliary registrations issued	199	204
Limited Continuing Education licenses issued	18	53
Limited Resident licenses issued	119	134
Limited Teaching licenses issued	5	3
<b>Total:</b>	<b>2,718</b>	<b>2,784</b>

### LICENSEES REGISTERED TO PRACTICE

	FY 18	FY 19
Dentists	7,113	7,461
Dental Hygienists	8,411	8,728
Dental Assistant Radiographers (Dental X-ray Machine Operators)	16,436	14,796
Limited Residents	313	314
Limited Teaching	38	39
Limited Continuing Education	23	57
Coronal Polishing	1,957	2,117
Expanded Function Dental Auxiliaries	2,614	2,778
Oral Health Access Supervision Permit – Hygiene	95	101
Oral Health Access Supervision Permit – Dentist	39	45
<b>Total:</b>	<b>37,039</b>	<b>36,436</b>

## ORAL HEALTH ACCESS SUPERVISION PROGRAM (OHASP)

Compilation of OHASP Services Based on Self-Reported Data FY 13 through FY 19								
OHASP STATISTICS		DENTISTS						
		2013	2014	2015	2016	2017	2018	2019
Number of Applications		21	6	11	11	9	15	7
Number of Permits Issued		21	6	11	11	9	15	6
Number of Permits Renewed		N/A	N/A	26	20	35	24	2
Number of Permits Active		N/A	N/A	37	31	44	39	45
Geographical Location	# of Facilities	120	102	32			N/A	
	# of Counties	17	27	18			N/A	
Number of Clinical Evaluations Conducted By A Dentist		2,354	5,862	980			N/A	
OHASP STATISTICS		DENTAL HYGIENISTS						
		2013	2014	2015	2016	2017	2018	2019
Number of Applications		23	17	16	17	4	5	8
Number of Permits Issued		23	17	16	17	4	4	6
Number of Permits Renewed		N/A	N/A	76	81	101	91	0
Number of Active Permits		N/A	N/A	92	98	105	95	101
Geographical Location	# of Facilities	131	164	64			N/A	
	# of Counties	17	27	18			N/A	
Number of Patients Seen By A Dental Hygienist		4,173	6,507	1,202			N/A	
<p>Disclaimer - This table is presented for general information purposes only. Information was arrived at using historical data that was very limited due to system constraints and through self-reported data. N/A was used in cases where information was not available. Geographical location information and number of patients seen by a dental hygienist for 2019 was not available at time of preparing this table. That information will be available through the license renewal process for dentists and dental hygienists that begins 10/1/19 and concludes 12/31/19 excluding late submissions.</p>								

## COMPLIANCE AND MONITORING

The Board received 427 complaints in FY 18 and 472 complaints in FY 19. These complaints are followed up on by 4 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-Secretary. 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 18 COUNT	FY 19 COUNT
Adverse Occurrence	5	14
Advertising	6	6
Anesthesia/Sedation Violations	1	1
Bootstrap (Adverse Action Taken by Other Agency)	2	4
Commission of Felony Act	0	0
Commission of Misdemeanor Act in Course of Practice	1	1
Failure to Renew	0	0
Felony	9	12
Fraud/Deception in Obtaining a License	3	4
Fraudulent Billing Practices	31	26
Illegitimately Selling/Prescribing/Administering Drugs	11	11
Impairment	11	14
Infection Control Violations	17	13
Jurisdictional Issues	46	90
Lewd/Immoral Conduct in the Course of Practice	3	6
Continuing Education	2	0

Misrepresentation/Deception to Obtain Property	1	3
OARRS Violations	4	6
Permitting	2	7
Practicing Outside Scope	0	0
Standard of Care	228	195
Standard of Care with Significant Patient Injury	2	6
Standard of Care: Excessive/Unnecessary Treatment	14	15
Standard of Care: Informed Consent	3	8
Standard of Care: Patient Records	12	7
Unlicensed Practice	12	18
Violation of Consent Agreement	1	5
<b>Total</b>	<b>427</b>	<b>472</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 18	FY 19
Cases carried over from previous year	95	158
New cases assigned	427	383
Total cases investigated	522	541

CHARGES FILED AND CITATIONS ISSUED	FY 18	FY 19
Administrative Charges Filed	3	8
Evidentiary Reviews	0	0
Hearings Held	3	4
Suspensions	8	10
Revocations	1	2
Consent Agreements	33	24
Hearings Pending	3	2
Warning Letters	17	29
Infection Control Evaluations	9	7
Voluntary Surrender/Retirement	4	0

# BOARD MEMBERS MATRIX

APPOINTMENTS AS OF AUGUST 15, 2019

Board Member Name	Eligible for reappointment?	Expiration of term			
		2020	2021	2022	2023
Ashok Das, DDS - Dentist, <i>Secretary</i>	No	4/6/2020			
Timothy V. Kyger, DDS - Dentist, <i>Vice-secretary</i>	Yes	4/6/2020			
Jamillee Krob, RDH, DHEd - Hygienist	Yes		4/6/2021		
Theodore Bauer, DDS - Dentist	Yes		4/6/2021		
Andrew Zucker, DDS - Dentist - <i>QUIP Coordinator</i>	No			4/6/2022	
Faisal Quereshy, MD, DDS - Specialist	Yes			4/6/2022	
Canise Bean, DMD, MPH - Dentist, <i>Vice-president</i>	Yes			4/6/2022	
Tracy Intihar, Public Member	Yes			4/6/2022	
Mary Kaye Scaramucci, RDH, Hygienist	Yes			4/6/2022	
Kumar Subramanian, DDS - Specialist, <i>President</i>	No				4/6/2023
Michele Carr, RDH, Hygienist	Yes				4/6/2023
Kathy Brisley-Sedon, DDS - Dentist	Yes				4/6/2023
Murali Lakireddy, DDS - Dentist	Yes				4/6/2023

## LEGEND

BLUE - indicates Board seat is vacant.
RED - indicates Board member term will expire in 2020
YELLOW - indicates Board member term will expire in 2021
GREEN - indicates Board member term will expire in 2022
ORANGE - indicates Board member term will expire in 2023

# STRATEGIC MAP

OHIO STATE DENTAL BOARD

## STRATEGIC MAP

FOR CALENDAR YEARS 2018/2019

### OUR VISION

Healthy Ohioans through excellence in dentistry.

### OUR MISSION

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

### OUR CORE VALUES

S.E.R.V.I.C.E. = Stewardship + Excellence + Respect + Virtuousness + Integrity + Communication + Ethics

### OUR MAJOR PRIORITIES AND KEY ACTION ITEMS

There are 15 major priorities & key action items spread across 3 service lines and 2 cross-cutting priorities impacting all 3 service lines (i.e. Licensure; Education; Enforcement)

#### LICENSURE

- 1 – DEFINE CRITERIA FOR DENTAL SPECIALTIES IN THE DENTAL PRACTICE ACT
- 2 – REVIEW & UPDATE SCOPE OF PRACTICE FOR ALL LICENSEES
- 3 – REQUIRE VALID EMAIL ADDRESSES AS IT IS A KEY COMPONENT OF THE NEW E-LICENSING SYSTEM
- 4 – CONSIDER LICENSURE FOR FELLOWSHIPS
- 5 – CONSIDER REQUIRING COMPLETION OF AN ETHICS COURSE FOR LICENSE RENEWALS

#### EDUCATION

- 6 – ESTABLISH ONLINE C.E. TOOL
- 7 – COLLABORATE WITH PARTNERS ON DEVELOPING OPIOID PRESCRIBING TRAINING
- 8 – CONSIDER C.E. REQUIREMENT FOR EFDAs
- 9 – REVIEW & UPDATE BASIC LIFE SUPPORT TRAINING REQUIREMENT FOR DENTAL AUXILIARIES
- 10 – REVIEW AND UPDATE JURISPRUDENCE EXAMINATIONS FOR DENTISTS & DENTAL HYGIENISTS

#### ENFORCEMENT

- 11 – REVIEW & UPDATE INFECTION CONTROL PROTOCOL
- 12 – CLOSELY MONITOR ADHERENCE TO ACUTE PAIN PRESCRIBING PROTOCOL
- 13 – ESTABLISH GUIDELINES FOR SHARPS DISPOSAL
- 14 – STANDARDIZATION OF INVESTIGATIONS PROTOCOL
- 15 – ESTABLISH FINES AS A DISCIPLINARY OPTION FOR LESS EGREGIOUS VIOLATIONS

Shown below are 2 cross-cutting priorities that impact all 3 service lines

16 - REVIEW AND UPDATE STATUTE, RULES AND POLICIES

EXECUTIVE PRIORITY

17 - ELEVATE AWARENESS OF OHIO'S OPIOID EPIDEMIC AND REDUCE OVERPRESCRIBING OF OPIOIDS & BENZODIAZEPINES