

# **THE OHIO STATE DENTAL BOARD**

## **ANNUAL REPORT**

**FY 2010**



**TED STRICKLAND, GOVERNOR**

**Prepared by:**

**Lili C. Reitz, Esq.  
Executive Director  
Ohio State Dental Board**





November 15, 2010

Governor Ted Strickland  
77 South High Street, 30th Floor  
Columbus, Ohio 43215

Dear Governor Strickland:

We are pleased to provide you with the Annual Report of the Ohio State Dental Board (Board). This report summarizes the Board's licensing, enforcement and financial activities for fiscal year 2010.

As appointed public servants, the Board members are charged with protecting Ohio's consumers by ensuring that those who are licensed by the Board meet certain minimum education and training criteria to safely practice in Ohio. The Board must then monitor those licensees to ensure compliance with the laws and rules governing the profession.

The Board has been effective in its job to protect the public through licensing, enforcement and regulation. Further, we are making improvements proactively and as necessary, with patient safety as our primary concern.

The mission of the Ohio State Dental Board, as set forth by the Ohio State Legislature, is to protect the public through licensure, regulation and enforcement. We as state Board members have concerns for the welfare of the citizens of Ohio, who are our patients. We practice under the same rules and regulations that govern all licensees. The Board will continue to evaluate the challenges affecting dentistry with an eye on protection of the public, and respond accordingly.

This past year we have had a number of licensure, regulatory, and enforcement issues come before us.

One matter involved the passing of House Bill 215. House Bill 215 makes changes to how the Board conducts investigations and administrative hearings.

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Executive Director

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Billie Sue Kyger, D.D.S.  
President

Lawrence B. Kaye, D.D.S.  
Vice President

William G. Leffler, D.D.S.  
Secretary

Ketki B. Desai, D.D.S.  
Vice Secretary

Jacinto W. Beard, D.D.S.

W. Chris Hanners, D.D.S.

MaryBeth D. Shaffer, D.D.S.

Douglas W. Wallace, D.D.S.

Mary Ellen Wynn, D.D.S.

Clifford Jones, R.D.H.

Linda L. Staley, R.D.H.

Constance F. Clark, R.D.H.

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It also allows dentists to renew their licenses ninety (90) days beyond the expiration date with simply a late fee being assessed. During that 90 day period, the license is deemed in good standing. After that time, the Board may impose discipline.

Also, House Bill 190 passed. This bill provides for the creation of an Oral Health Supervision Program (OHASP). Any dentist or qualifying dental hygienist wishing to participate in the Program will have to apply to the Board for an OHASP permit, which includes a nominal fee.

Under HB 190, permitted dentists may delegate to those permitted hygienists the ability to perform dental hygiene services when the dentist is not present in facilities such as a health care facility, a comprehensive child development program, a residential facility, a public school, a shelter for victims of domestic violence, a foster home, a nonprofit clinic, etc. The dentist must ensure that the dental hygienist has met certain requirements, and that conditions must be met before such services can be delegated. After the patient is treated under the program, the dental hygienist is required to make every effort to schedule the patient to be seen by a dentist within 90 days.

The Board has written rules to implement these two pieces of legislation which are currently before the Board and the Joint Committee on Agency Rule Review (JCARR).

In the past year the Board has created an Operations Manual that is available on our website. While most of the information in the manual was located in the office or on the website, we took the time to gather it, organize it, update it, add to it where necessary, and compile it into one living document. The manual addresses everything from Board Governance Guidelines to Guidelines for committees, to processes which involve investigations and complaints, and leadership principles for Board members.

It has been a busy and challenging year for the Board, and it will continue as we write rules and develop policies to address the ever changing field for which we are privileged to be members.

The goal of the Board is to provide efficient services to our population of licensees as well as to address the needs of Ohio's dental consumers. The Board wants to ensure that only qualified, competent, and ethical practitioners are treating the dental needs of the public. This ultimately results in an obvious benefit to the citizens of Ohio, and further, this promotes the integrity of the profession, for which we should all be proud to contribute in our respective capacities. The Board is constantly moving forward and it anticipates another exciting and complex year ahead.

Respectfully submitted,

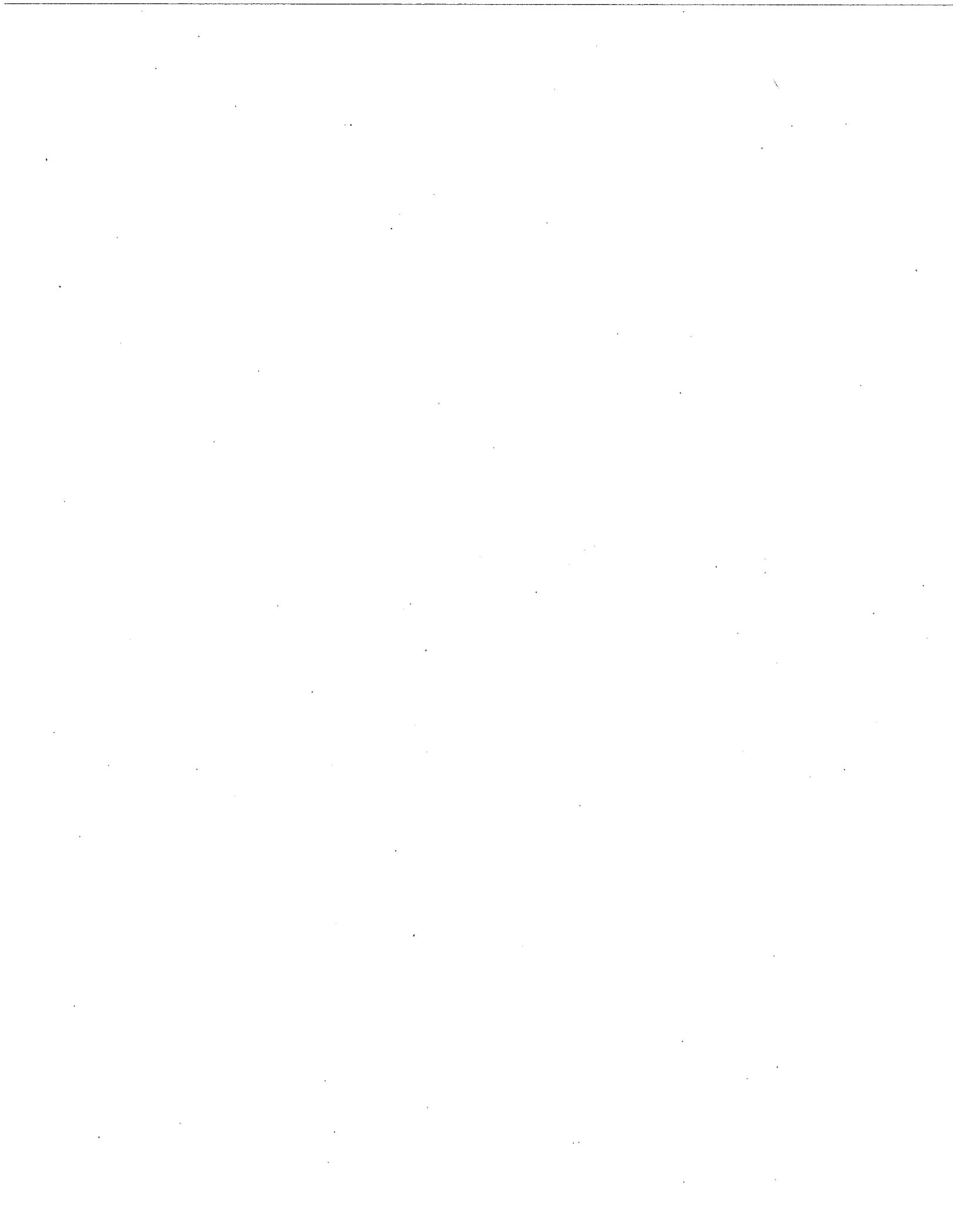
THE OHIO STATE DENTAL BOARD

A handwritten signature in black ink, appearing to read "Lili C. Reitz". The signature is fluid and cursive, with a large loop at the end.

LILI C. REITZ, Esq.  
Executive Director

A handwritten signature in black ink, appearing to read "Billie Sue Kyger, D.D.S.". The signature is cursive and includes the initials "D.D.S." at the end.

BILLIE SUE KYGER, DDS  
President



## Ohio State Dental Board Annual Report - FY 2010

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The Ohio State Dental Board (Board) is the agency responsible for examining and licensing dentists, dental hygienists, and dental assistant radiographers for practice in Ohio. In addition, the Board administers and enforces Chapter 4715. of the Ohio Revised Code and Chapter 4715. of the Ohio Administrative Code and adopts rules establishing standards for the safe practice of dentistry and dental hygiene. The Board is responsible for acting on complaints through investigations, inquiries and inspections, and holding adjudication hearings pursuant to Ohio Revised Code Chapter 119. The Board is also responsible for monitoring continuing education compliance of its licensees. The Board keeps a register of all licensees and all disciplinary action taken against licensees

The Board is self-sustaining through means of fees derived from applications for initial licensure, renewal fees, late fines and other miscellaneous sources. The Board is fully funded through 4K9 operating fund for professional licensing boards. Fees generated in excess of the Board's budget remain part of this fund. The State Controlling Board must approve any adjustments in spending authority or funding allotments.

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### BOARD PERSONNEL

Current members of the Board include:

Billie Sue Kyger, D.D.S., President	Gallipolis
Lawrence B. Kaye, D.D.S., Vice President	Akron
William G. Leffler, D.D.S., Secretary	Massillon
Ketki B. Desai, D.D.S., Vice-Secretary	Columbus
Jacinto W. Beard, D.D.S	Columbus
Constance L. Clark, R.D.H.	Columbus
W. Chris Hanners, D.D.S.	Chillicothe

Clifford Jones, R.D.H.	Cincinnati
James Lawrence	Akron
Marybeth D. Shaffer, D.D.S.	Leetonia
Linda R. Staley, R.D.H.,	Lima
Douglas W. Wallace, D.D.S.	Fairfield
Mary Ellen Wynn, D.D.S.	Cincinnati

## BOARD PERSONNEL

Present members of the Board office staff include:

Lili C. Reitz, Esq.	Executive Director
Jayne A. Smith	Licensing Coordinator
Linda A. Daubenmire	Administrative Assistant
Malynda K. Franks	Executive Secretary
Heidi Massaro	Executive Secretary
Evelyn Fyffe	Secretary

Present members of the Board investigative staff include:

Joseph P. Yonadi	Enforcement Supervisor
Kathy Carson	Enforcement Officer
Gail Davis	Enforcement Officer
Mike Flugge	Enforcement Officer
Harry Pasku	Enforcement Officer
Larry Powell	Enforcement Officer
Barbara Yehnert	Investigative Assistant

## CLINICAL EXAMINATIONS

The Ohio State Dental Board (Board) participated in the North East Regional Board, Inc. (NERB) examinations in December, 2009, and in April and May of 2010. The dental simulated clinical exam portion of the NERB is now administered for both dentists and dental hygienists at the Prometric Centers on an ongoing basis. The clinical portion of the NERB examination was conducted at The Ohio State University College of Dentistry on December 10-11, 2009 and May 14-15, 2010.

The clinical examination for dental hygienists was held at the following sites on the following dates:

April 8, 2010:

Owens Community College, Toledo

April 15-16, 2010:

Stark State College of Technology, North Canton  
Lorain County Community College, Elyria

April 23, 2010:

Shawnee State University, Portsmouth

April 29 – 30, 2010:

Cuyahoga Community College, Cleveland  
Lakeland Community College, Kirtland

May 15, 2010:

Ohio State University, Columbus  
Columbus State Community College, Columbus

May 19, 2010:

Rhodes State College, Lima

May 20, 2010:

Sinclair Community College, Dayton

May 21, 2010:

University of Cincinnati, Cincinnati

## NATIONAL BOARD EXAMINATIONS

The National Board Examination, a written theory examination required for dental school graduation, is now administered for dentists at the Prometric Centers on an ongoing basis. Applicant must apply for the exam with the ADA and receive an eligibility letter prior to scheduling a testing appointment with Prometric.

The National Board Dental Hygiene Examination is also administered as a computer-based examination.

## LICENSURE STATISTICS FY 2010

Dental licensed issued by examination.....	257
Dental Hygiene licensed issued by examination .....	391
Dental licenses issued by credentials.....	11
Dental Hygiene licenses issued by credentials .....	1
Dental Assistant Radiographers certificates issued .....	1498
Coronal Polishing certificates issued .....	148
Expanded Function Dental Auxiliaries registered .....	296

## LICENSEES REGISTERED TO PRACTICE AS OF JUNE 30, 2010

Dentists .....	6,963
Dental Hygienists.....	7,779
Dental Assistant Radiographers.....	12,804
Limited Resident's .....	281
Limited Teaching.....	31
Limited Continuing Education.....	34
Coronal Polishing.....	860
Expanded Function Dental Auxiliary .....	1342

## ENFORCEMENT STATISTICS FY 2010

### Complaints and Investigations

Cases carried over from previous year.....	54
New cases assigned.....	449
Total cases investigated.....	503

### Classification of Cases

Standard of Care .....	326
Infection Control.....	15
Unlicensed practice .....	4
Misrepresentation.....	31
Drugs (selling, prescribing, giving away).....	4
Permitting Unlicensed Person to Practice .....	7
Practicing w/o License .....	12
Advertising.....	17
Impairment.....	10
Immoral Conduct .....	20
Adverse Occurrence.....	5
Continuing Education .....	2
Renewal .....	4
Licensing.....	2

### Charges Filed and Citations Issued

Administrative Charges Filed.....	6
Evidentiary Reviews .....	2
Hearings Held.....	0
Suspensions .....	12
Revocations .....	0
Consent Agreements .....	25
Hearings Pending .....	3
Warning Letters .....	42
Infection Control Evaluations.....	617
Voluntary Surrender/Retirement .....	1

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## INCOME AND EXPENSE STATEMENT FY 2010

### INCOME

Renewal Fees	\$ 2,370,813.00
All other fees	\$ 234,996.36
Total fees collected	\$ 2,605,809.36

### EXPENSES

#### PAYROLL 591 ACCOUNT

Payroll	\$ 1,172,180.00
Seminar Registration	\$ 1,648.00
13 Purchases Personal Services	\$ 63,016.50
Total 591 Account	\$ 1,236,844.50

#### MAINTENANCE 592 ACCOUNT

Supplies and Materials	\$ 5,315.32
Car Rental/Lease/Park	\$ 3,970.00
Travel	\$ 62,933.84
Communications	\$ 6,572.50
Office Equipment/Service	\$ 15,803.47
Retention/Postage Machine	\$ 571.70
Printing	\$ 3,049.65
General/Inter-agency/Rent	\$ 280,070.72
Total 592 Account	\$ 378,287.20

#### EQUIPMENT 593 ACCOUNT

Equipment	\$ 825.15
Total 593 Account	\$ 825.15

Total Expenses	\$ 1,615,956.85
Total Income	\$ 2,605,809.36
Difference Between Income & Expenses	\$ 989,852.51