

THE OHIO STATE DENTAL BOARD

ANNUAL REPORT

FY 2011



JOHN KASICH, GOVERNOR

Prepared by:

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

September 12, 2011

Governor John Kasich
77 South High Street, 30th Floor
Columbus, Ohio 43215

Dear Governor Kasich:

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 2011.

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 adopting rules to implement our charge with the passing of House Bill 190.

HB 190 provides for the creation of an Oral Health Access Supervision Program (OHASP). Any qualifying dentist or 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.

HB 93 was also passed. This bill requires the Board to write rules setting forth requirements for reviewing an Ohio Automated Rx Reporting System (OARRS) report when dentist prescribers prescribe or furnish controlled substances to patients. The legislation also requires dentist prescribers to report certain prescribing/furnishing information to OARRS. Those who are noncompliant will be reported to the Board for further action.

The Board is working with the Ohio Dental Association on rules to implement the provisions of HB 93.

In the past year the Board has created an Operations Manual. It will soon be available on the Board's 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.

The Board could benefit from enhanced software that would allow it to more efficiently monitor compliance with continuing education requirements, monitoring of employees working in dental offices, etc. Our efforts in these areas are limited based on manpower and lack of better computer systems. Ideally in the near future those services can be improved when resources permit the Board to pursue these endeavors.

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

LILI C. REITZ, Esq.
Executive Director

DOUGLAS W. WALLACE, DDS
Acting President

Ohio State Dental Board Annual Report - FY 2011

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.

BOARD PERSONNEL

Current members of the Board include¹:

Douglas W. Wallace, D.D.S., Vice President	Fairfield
Ketki B. Desai, D.D.S., Acting Secretary	Columbus
Marybeth D. Shaffer, D.D.S., Acting Vice-Secretary	Leetonia
Jacinto W. Beard, D.D.S	Columbus
Constance L. Clark, R.D.H.	Columbus
W. Chris Hanners, D.D.S.	Chillicothe

¹ At this time, the Board is awaiting the appointment of three dentist Board members

Clifford Jones, R.D.H.	Cincinnati
James Lawrence	Akron
Linda R. Staley, R.D.H.	Lima
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:

Quentin L. Holmes	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, 2010, and in April and May of 2011. 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 9-10, 2010 and May 13-14, 2011.

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

April 7, 2011:

Owens Community College, Toledo

April 12-13, 2011:

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

April 15, 2011:

Youngstown State University, Youngstown

April 28 – 29, 2011:

Cuyahoga Community College, Cleveland
Lakeland Community College, Kirtland

April 29, 2011

Shawnee State University, Portsmouth

May 14, 2011:

Ohio State University, Columbus
Columbus State Community College, Columbus

May 18, 2011:

Rhodes State College, Lima

May 19, 2011:

Sinclair Community College, Dayton

May 20, 2011:

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.

Applicants 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 2011

Dental licensed issued by examination	223
Dental Hygiene licensed issued by examination	234
Dental licenses issued by credentials	6
Dental Hygiene licenses issued by credentials	2
Dental Assistant Radiographers certificates issued	1425
Coronal Polishing certificates issued	113
Expanded Function Dental Auxiliaries registered	173

LICENSEES REGISTERED TO PRACTICE AS OF JUNE 30, 2011

Dentists	7,188
Dental Hygienists	8,032
Dental Assistant Radiographers	12,194
Limited Resident's	323
Limited Teaching	27
Limited Continuing Education	45
Coronal Polishing	983
Expanded Function Dental Auxiliary	1511

ENFORCEMENT STATISTICS FY 2011**Complaints and Investigations**

Cases carried over from previous year	61
New cases assigned	517
Total cases investigated	578

Classification of Cases

Standard of Care	291
Infection Control	27
Unlicensed practice	3
Misrepresentation	34
Drugs (selling, prescribing, giving away)	12
Permitting Unlicensed Person to Practice	6
Practicing w/o License	50
Advertising	19
Impairment	13
Adverse Occurrence	16
Continuing Education	1
Renewal	3
Licensing	2

Charges Filed and Citations Issued

Administrative Charges Filed	14
Evidentiary Reviews	0
Hearings Held	0
Suspensions	46
Revocations	0
Consent Agreements	67
Hearings Pending	5
Warning Letters	31
Infection Control Evaluations	697
Voluntary Surrender/Retirement	8

INCOME AND EXPENSE STATEMENT FY 2011**INCOME**

Renewal Fees	\$ 349,252.00
All other fees	\$ 168,243.60
Total fees collected	\$ 517,495.60

EXPENSES**PAYROLL 591 ACCOUNT**

Payroll	\$ 1,158,379.15
Seminar Registration	\$ 1,110.00
13 Purchases Personal Services	\$ 16,332.40
Settlement	\$ 11,106.69
Total 591 Account	\$ 1,186,928.24

MAINTENANCE 592 ACCOUNT

Supplies and Materials	\$ 6,944.58
Car Rental/Lease/Park	\$ 3,025.00
Travel	\$ 50,099.42
Communications	\$ 5,116.15
Office Equipment/Service	\$ 4,606.26
Bank Fees	\$ 7,786.87
Printing	\$ 1,869.25
General/Inter-agency/Rent	\$ 223,429.67
Total 592 Account	\$ 302,877.20

EQUIPMENT 593 ACCOUNT

Equipment	\$ 0.00
Total Expenses	\$ 1,489,805.44
Total Income	\$ 517,495.60
Difference Between Income & Expenses	\$ -972,309.84