

OHIO STATE DENTAL BOARD
BOARD MEETING MINUTES
DECEMBER 9, 2015

ATTENDANCE	1
CALL TO ORDER.....	1
INTRODUCTION OF BOARD MEMBERS	1
NEW DEPUTY DIRECTOR	2
REVIEW OF OCTOBER 2015 BOARD MEETING MINUTES.....	2
October 21, 2015.....	2
STATE AUDITOR’S OFFICE PRESENTATION – LAURA SWANK, SENIOR AUDIT MANAGER.....	2
“START TALKING” PRESENTATION – SARAH SMITH, DIRECTOR OF “START TALKING”	3
ORAL AND MAXILLOFACIAL SURGERY PRACTICE AND THE DENTAL ASSISTANT – MANRAJ	
BATH, D.M.D.....	3
AMERICAN BOARD OF DENTAL EXAMINERS REPORT – MARY ELLEN WYNN, D.D.S.	4
PERSONAL APPEARANCE(S)	4
Timothy J. Backiewicz, D.D.S.	4
Timothy J. Backiewicz, D.D.S.....	5
James Randy Franklin, D.D.S.....	5
James Randy Franklin, D.D.S.	5
Scott D. Schumann, D.D.S.	5
Scott D. Schuman, D.D.S.....	6
EXECUTIVE SESSION	6
OPEN SESSION	6
DECISION IN THE MATTER OF TIMOTHY J. BACKIEWICZ, D.D.S.	6
DECISION IN THE MATTER OF JAMES RANDY FRANKLIN, D.D.S.	7
DECISION IN THE MATTER OF SCOTT D. SCHUMANN, D.D.S.	7
ELECTION OF OFFICERS.....	7
ENFORCEMENT REPORT	7
Review of Proposed Consent Agreement(s)	7
Disciplinary.....	7
Scott D. Schumann, D.D.S.	7
Rajiv Taneja, D.D.S.....	8
Corey A. Young, D.D.S.....	8
Notices of Opportunity for Hearing.....	8
Mark G. Benedict, D.D.S.	8
Enforcement Update	8
90-Day Report.....	8
Closed Cases	9
LICENSURE REPORT	10
Licensure/Certification/Registration Report (Approved by the Executive Office)	10
Dentists	10

Dental Hygienists	11
Dental Assistant Radiographers	11
Limited Resident's	1
Limited Continuing Education	1
Limited Teaching	1
Coronal Polishing Certificates	1
Expanded Function Dental Auxiliary Registrations	1
Conscious Sedation Permits	17
Anesthesia Permits	17
Anesthesia Permits	17
Reinstatement Application(s)	17
Dental Hygienist	17
COMMITTEE REPORTS	17
Education Committee	17
Review of Application(s)	17
Biennial Continuing Education Sponsor(s) 2014-2015	17
Biennial Continuing Education Sponsor Renewal(s) 2014-2015	17
Biennial Continuing Education Sponsor Renewal(s) 2016-2017	17
Law and Rules Review Committee	18
Operations Committee	18
Policy Committee	20
SUPERVISORY INVESTIGATIVE PANEL REPORT	20
PRESIDENT'S REPORT	20
Commission on Dental Competency Assessments Meeting	20
Board Member Retreat – February 4, 2016.....	21
American Board of Dental Examiners, Inc. Representative.....	21
EXECUTIVE DIRECTOR'S REPORT	21
“Start Talking” Initiative	21
State Auditors Report	21
E-Licensing	21
Deputy Director – New Reporting Structure	22
Website Improvements	22
Board Meeting Material Packages.....	22
ANYTHING FOR THE GOOD OF THE BOARD	22
American Association of Dental Boards Report – Susan Johnston, R.D.H.	22
ADJOURN	23
APPENDIX A	24
APPENDIX B	26
APPENDIX C.....	39

OHIO STATE DENTAL BOARD
BOARD MEETING MINUTES
DECEMBER 9, 2015

ATTENDANCE

The Ohio State Dental Board (Board) met in Room 1960 of The Vern Riffe Center for Government and the Arts, 77 South High Street, 19th Floor, Columbus, Ohio on December 9, 2015, beginning at 1:00 p.m. Board members present were:

Marybeth Shaffer, D.M.D., President	Patricia Guttman, D.D.S.
Constance Clark, R.D.H., Vice President	Chris Hanners, D.D.S.
Ashok Das, D.D.S., Secretary	Jeanne Huber, R.D.H.
Martin Chambers, D.D.S., Vice Secretary	Susan Johnston, R.D.H.
Ann Aquillo	Charles Smith, D.D.S.

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Attorney General's Office; David Owsiany, Esq., Executive Director, David Owsiany, Esq., Executive Director, Nathan DeLong, Esq. and Henry Fields, D.D.S. of the Ohio Dental Association (ODA); Mark Wenzel, D.D.S. of the ODA's Dentists Concerned for Dentists Program; Nelson Heise, M.A., M.S., P.C.C-S., L.I.C.D.C.-C.S., Senior Case Manager of the Ohio Physicians Health Program (OPHP); Laura Swank, Senior Audit Manager of the Auditor of States Office; Sarah Smith, Director of "Start Talking"; Manraj Bath, D.M.D., Pickerington Manor Jaw and Facial Surgery; Mary Ellen Wynn, D.D.S. of the American Board of Dental Examiners; Harry Kamdar, M.B.A., Executive Director, Kathy Carson and Barb Yehnert, Dental Board Enforcement Officers, Jayne Smith, Licensure Coordinator, and Malynda Franks, Administrative Professional, of the Ohio State Dental Board.

CALL TO ORDER

Dr. Marybeth Shaffer introduced herself as the Board President, a general dentist from Columbiana. After extending greetings to everyone, President Shaffer noted that there was a quorum present and called the meeting to order at approximately 1:00 p.m.

INTRODUCTION OF BOARD MEMBERS

President Shaffer then introduced the rest of the Board members. She introduced Ms. Connie Clark, the Board's Vice President and a dental hygienist from Columbus, Dr. Ashok Das, the Board's Secretary, a general dentist from Mason, Dr. Martin Chambers, the Board's Vice Secretary, a general dentist from Cleveland, Dr. Patricia Guttman, a general dentist from Columbus, Dr. Chris Hanners, a general dentist from Chillicothe, Dr. Charles Smith, a general dentist from Tipp City, Ms. Susan

Johnston, a dental hygienist from Columbus, Ms. Jeanne Huber, a dental hygienist from Dayton, and Ms. Ann Aquillo, the Board's Public member from Powell.

NEW DEPUTY DIRECTOR

Executive Director Harry Kamdar introduced the Board's new Deputy Director, Lyndsay Nash, Esq., as the new Deputy Director and Chief Legal Counsel for the Board. Ms. Nash informed the members that she had started with the Board on Monday, November 30, 2015. She stated that her official title is Deputy Director and that she will be working with the enforcement staff on the investigations and the quality and the content of the investigations, on the rules, and on public records requests. Ms. Nash expressed that she was very happy to be with the Board. President Shaffer welcomed Ms. Nash on behalf of the Board members.

REVIEW OF OCTOBER 2015 BOARD MEETING MINUTES

OCTOBER 21, 2015

Motion by Ms. Johnston, second by Ms. Aquillo, to approve the October 21, 2015 Board meeting minutes as presented.

Motion carried unanimously.

STATE AUDITOR'S OFFICE PRESENTATION – LAURA SWANK, SENIOR AUDIT MANAGER

President Shaffer welcomed Laura Swank, Senior Audit Manager of the State Auditor's Office. Ms. Swank began by distributing copies of the December 9, 2015 Management Letter from Dave Yost, Auditor of State. She explained that she was the Senior Audit Manager in charge of the Board audit that was performed for the period of July 1, 2013 to June 30, 2015.

Ms. Swank informed the members that the premise of the audit is to determine if there are any internal control deficiencies, fraud, illegal acts, etc. that could affect the determination of the State of Ohio's financial statement amounts. She informed the Board that there were five (5) recommendations detailed in the Management Letter that represent matters that they believe will improve compliance or internal controls or operational efficiencies might be achieved. She stated that the comments regarding the recommendations are to assist the Board but they do not reflect matters that require inclusion in the report *Government Auditing Standards*. Ms. Swank then briefly explained the recommendation for each of the five (5) areas of improvement:

1. Confidential Personal Information;
2. Revenue – Incorrect Account Code;
3. Payroll Reconciliations;
4. Policies and Procedures; and
5. Continuing Education.

President Shaffer thanked Ms. Swank for her presentation and recognized Director Kamdar for comment. Director Kamdar first thanked Ms. Swank and her staff for their professionalism in this audit. Secondly, he requested that the record reflect that this audit covered the period from July 1, 2013 to June 30, 2015. Director Kamdar stated that even though these findings occurred prior to his directorship, the Board was taking these findings seriously and is confident that in working with the new Fiscal Officer for the Board, Pamela Cartwright, we will be able to move forward with improvements as reflected in the Management Letter.

“START TALKING” PRESENTATION – SARAH SMITH, DIRECTOR OF “START TALKING”

President Shaffer welcomed Sarah Smith the Director of “Start Talking”. Ms. Smith thanked President Shaffer for the invitation to present to the Board and to share information about “Start Talking”. She explained that this was an effort to discuss ideas on how they can work with the Board to share this information. She explained that “Start Talking” was the youth drug prevention program created to help address the rising prescription drug and heroine problem in Ohio. Ms. Smith stated that the premise was to educate parents and adults and to provide tools that would lead to conversations and to talk about ideas wherein they can work together with the Board in this initiative.

Ms. Smith then distributed copies of the flier, “START Talking! Building a Drug-Free FUTURE” [Appendix A] and then detailed three (3) initiatives under the Start Talking umbrella:

1. Parents 360° Rx – geared towards educating adults on monitoring prescriptions;
2. Free bi-weekly e-mail messages (sign-up sheet); and
3. High School Ambassadors - Geared to High School age youth.

A brief discussion followed regarding various ways that the Dental Board could assist in this initiative and in getting the message out regarding prescription drug abuse by Ohio youth.

President Shaffer and Director Kamdar thanked Ms. Smith for sharing her information.

ORAL AND MAXILLOFACIAL SURGERY PRACTICE AND THE DENTAL ASSISTANT – MANRAJ BATH, D.M.D.

President Shaffer welcomed Manraj Bath, D.M.D. Dr. Bath thanked the Board for the opportunity to speak with them regarding increasing access to care by increasing the functions of dental assistants to their fullest potential and by better utilization of dentists trained outside the U.S. Within his presentation to the Board, Dr. Bath suggested “multiple tract dental assisting” which would be used to train assistants within dental specialties.

Continuing, Dr. Bath asked the Board to consider allowing foreign-trained dentists, who are in the process of completing the advanced training requirement leading to licensure, to be sponsored to practice under an Ohio-licensed dentist that is willing to sponsor/mentor them.

President Shaffer explained to Dr. Bath that both of the suggestions regarding the dental assistants and foreign-trained dentists would require a legislative change to the Dental Practice Act.

Concluding, Dr. Bath stated that Ohio is fortunate that dental teams have the opportunity to increase access to care by correctly utilizing basic qualified personnel, radiographers, certified dental assistants, expanded function dental auxiliary, and dental hygienists by working together.

President Shaffer thanked Dr. Bath for his presentation.

AMERICAN BOARD OF DENTAL EXAMINERS REPORT – MARY ELLEN WYNN, D.D.S.

President Shaffer welcomed former Board member, Mary Ellen Wynn, D.D.S. She explained that Dr. Wynn was before them today to provide a report as liaison to the American Board of Dental Examiners, Inc. (ADEX) House of Representatives meeting that was held November 15, 2015.

Dr. Wynn presented a detailed report from the meeting [Appendix B] but provided the following key points:

- Many states have several members as representatives, however, in moving forward there will now only be one (1) representative from Ohio.
- The examination is now moving forward with the patient-centered curriculum integrated format and is attempting to go to a pass/fail grading process by changing the point system.
- The changes will take place beginning with the examinations in 2017.

President Shaffer thanked Dr. Wynn for her detailed presentation and for her representing Ohio at ADEX.

PERSONAL APPEARANCE(S)

TIMOTHY J. BACKIEWICZ, D.D.S.

Ms. Yehnert introduced Dr. Timothy Backiewicz to the Board and indicated that this is his fourth appearance before them. She informed the members that Dr. Backiewicz entering into a Standard Impairment Consent (Agreement) in February 2014, has submitted all required documentation, and is in full compliance with the terms of his Agreement with the Board. She stated that Dr. Backiewicz's first appeared before the Board in March 2014 wherein he was asked to return for a second appearance in April 2014. Ms. Yehnert explained that Dr. Backiewicz's license to practice was reinstated for up to twenty (20) hours by the Board at that time. She explained that at Dr. Backiewicz's third appearance before the Board in May 2015, the members increased his practice hours to 32 and directed him to appear before them for any additional requested hours. Ms. Yehnert explained that Dr. Backiewicz was before the Board today to request full work privileges

TIMOTHY J. BACKIEWICZ, D.D.S.

Upon questioning by the Board, Dr. Backiewicz thanked the Board for the opportunity to appear before them. He informed the members that he will be celebrating two (2) years of sobriety on January 1, 2016. Dr. Backiewicz explained that the associate in his practice wanted to relocate back to the Warren area and he was before them today to request full-time privileges in order to continue to serve his patients since he will now be a sole practitioner.

President Shaffer thanked Dr. Backiewicz and explained that the Board would discuss this matter during the Executive Session.

JAMES RANDY FRANKLIN, D.D.S.

Ms. Yehnert stated that Dr. Randy Franklin is making his second appearance before the Board since entering into a Standard Impairment Consent (Agreement) in July 2015. She stated that Dr. Franklin appeared before them in October wherein they reinstated his license to practice dentistry up to twenty (20) hours per week. Ms. Yehnert stated that Dr. Franklin is compliant with the terms of his Agreement with the Board and is before them today to request an increase in working privileges.

JAMES RANDY FRANKLIN, D.D.S.

Upon questioning by the Board, Dr. Franklin stated that he felt everything was going well and that he is fully engaged in his recovery and balancing his lifestyle. He stated that he is experiencing improvement spiritually and that he is in a good, healthy relationship.

Dr. Franklin said that he is before them to request additional working privileges due to financial challenges.

President Shaffer stated that the Board would take the information he provided under advisement when they discussed this matter during Executive Session.

SCOTT D. SCHUMANN, D.D.S.

Ms. Yehnert introduced Scott D. Schumann, D.D.S. to the Board and stated that this was his first appearance under his current Standard Impairment Consent (Agreement) which he entered into in October 2015. She explained to the members that Dr. Schumann entered into his first impairment consent agreement in July 2002, that his license was suspended, he entered into treatment, and that his license to practice was reinstated in December 2002. Ms. Yehnert stated that Dr. Schumann's Conscious Sedation Permit was not reinstated at that time and that he was placed on probation for five (5) years.

Continuing on, Ms. Yehnert informed the Board that under the terms of his current Agreement, Dr. Schumann entered into treatment at The Woods on October 30, 2015 and was discharged from treatment the previous Friday, December 4, 2015. She stated that she had previously provided the

members with Dr. Schumann's discharge summary, his return to work release, and that Dr. Schumann was appearing before them to request practice privileges.

SCOTT D. SCHUMAN, D.D.S.

Upon questioning by the Board, Dr. Schumann stated that he feels he is doing all right. He stated that he had remained sober for six (6) years with his prior consent agreement but began drinking again in 2008. He denied practicing on patients while he was drinking.

President Shaffer thanked Dr. Schumann for coming before them and stated that the Board would take this matter under advisement when they discussed this matter during Executive Session.

EXECUTIVE SESSION

Motion by Ms. Aquillo, second by Ms. Johnston, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the investigation of charges or complaints against a public employee, official, licensee, or regulated individual and pursuant to Ohio Revised Code Section 121.22(G)(3) to consult with the board counsel on matters that are subject of, pending, or imminent court action.

Roll call vote: Ms. Aquillo - Yes
Dr. Chambers – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Guttman – Yes
Dr. Hanners – Yes
Ms. Huber – Yes
Ms. Johnston – Yes
Dr. Shaffer – Yes
Dr. Smith – Yes

Motion carried unanimously.

President Shaffer requested Director Kamdar, Ms. Nash, and Ms. Bockbrader return to attend the Executive Session during the matters that were the subject of pending or imminent court action.

OPEN SESSION

The Board returned to open session at 2:55 p.m.

DECISION IN THE MATTER OF TIMOTHY J. BACKIEWICZ, D.D.S.

Motion by Ms. Johnston, second by Dr. Das, to reinstate the license of Timothy J. Backiewicz, D.D.S. to practice dentistry to full working privileges subject to the terms of his consent agreement with the Board.

Motion carried unanimously.

DECISION IN THE MATTER OF JAMES RANDY FRANKLIN, D.D.S.

Motion by Ms. Aquillo, second by Ms. Johnston, to deny the request for additional work hours to practice dentistry from James Randy Franklin, D.D.S. at this time and for Dr. Franklin to appear before the Board for a subsequent interview at the next regularly scheduled meeting in February 2016.

Motion carried unanimously.

DECISION IN THE MATTER OF SCOTT D. SCHUMANN, D.D.S.

Motion by Ms. Huber, second by Ms. Johnston, to deny the request to return to the practice of dentistry from Scott D. Schumann, D.D.S. at this time and for Dr. Schumann to appear before the Board for a subsequent interview at the next regularly scheduled meeting in February 2016.

Motion carried unanimously.

ELECTION OF OFFICERS

President Shaffer moved on to the next item on the agenda, Election of Officers. She asked if any of the Board members had a motion in this regard.

Motion by Ms. Johnston, second by Ms. Aquillo, to nominate all current Dental Board Officers to continue to serve in their current positions for 2016.

President Shaffer asked if there were any other additional nominations. Hearing none, she considered the motion for all officers.

Motion carried unanimously.

ENFORCEMENT REPORT

Dental Board Enforcement Officer, Kathy Carson, provided the background summary for the enforcement documents before the Board for consideration.

REVIEW OF PROPOSED CONSENT AGREEMENT(S)

The Board reviewed three (3) proposed Consent Agreements. The names of the individuals/licenses were not included in the documents reviewed by the Board. The names of the individuals/licenses have been added to the minutes for public notice purposes.

DISCIPLINARY

SCOTT D. SCHUMANN, D.D.S.

Motion by Ms. Johnston, second by Ms. Clark, to approve the proposed consent agreement for Scott D. Schumann, D.D.S., license number 30.019001, case number 15-25-0435.

Motion carried unanimously.

RAJIV TANEJA, D.D.S.

Motion by Ms. Johnston, second by Ms. Clark, to approve the proposed consent agreement for Rajiv Taneja, D.D.S., license number 30.020790, case number 15-50-0034.

Motion carried unanimously.

COREY A. YOUNG, D.D.S.

Motion by Ms. Johnston, second by Ms. Clark, to approve the proposed consent agreement for Corey A. Young, D.D.S., license number 30.020599, case number 14-17-0322.

Motion carried unanimously.

NOTICES OF OPPORTUNITY FOR HEARING

The Board reviewed one (1) proposed notice of opportunity for hearing. The name of the individual/licensee was not included in the documents reviewed by the Board. The name of the individual/licensee has been added to the minutes for public notice purposes.

MARK G. BENEDICT, D.D.S.

Motion by Ms. Johnston, second by Ms. Clark, to approve the proposed notice of opportunity for hearing and forward it to Mark G. Benedict, D.D.S., license number 30.015262, case numbers 15-48-0019 and 15-48-0261.

Motion carried unanimously.

ENFORCEMENT UPDATE

Director Kamdar requested Ms. Carson to provide the Enforcement Update. Ms. Carson began the report by informing the Board that there were still three (3) cases pending hearings and that there were no cases pending a hearing examiners Report and Recommendation at this time. She indicated that there were currently forty-six (46) licensees and/or certificate holders under suspension, forty-six (46) licensees and/or certificate holders probation, and informed the Board members that there were two hundred and fifty-three (253) active cases. Ms. Carson said that there was one (1) licensee actively participating in QUIP and two (2) referrals to QUIP. She informed the members that there were one hundred and three (103) cases which have been investigated and reviewed by the Board Secretaries and were recommended to be closed since the last Board meeting with six (6) warning letters being issued. Ms. Carson indicated that they had prepared a 90-day report for the Board members review and turned the meeting over to Director Kamdar.

90-DAY REPORT

Director Kamdar thanked Ms. Carson for providing the review of proposed consent agreements, notices of opportunity for hearing, and the Enforcement Update. He then informed the members that the two (2) pie charts regarding the active cases over 90-days old were an ongoing effort to provide them with a more detailed visual explanation of the cases with the intent to whittle down the largest amount of

cases, those over 180 days, to less than five (5) cases. Director Kamdar explained that the twenty-five percent (25%) of cases “Ready for SIP Review” as shown on the second pie chart were due to the fact that the cutoff for Supervisory Investigative Panel (SIP) review was a week prior to the meeting.

CLOSED CASES

Due to the requirement in Chapter 4715.03(B) of the Ohio Revised Code, that “A concurrence of a majority of the members of the board shall be required to... .(6) Dismiss any complaint filed with the board.”, President Shaffer reviewed the cases to be closed with the Board.

The following cases are to be closed:

15-83-0396	15-43-0408	15-43-0393
15-18-0384	15-25-0329	15-46-0381
15-09-0291	15-72-0367	15-43-0421
15-78-0376	15-18-0420	15-57-0391
15-57-0395	15-87-0447-WARNING	15-75-0378
15-25-0238	15-25-0419	15-18-0436
15-31-0349	15-11-0386	15-25-0319
15-84-0299	15-70-0375	15-00-0165
15-18-0397	15-18-0373	15-00-0153
15-21-0440	15-31-0294	14-25-0318
15-72-0369	14-47-0495	15-57-0336
15-25-0361	15-45-0400	15-21-0387
15-52-0383	15-77-0366-WARNING	15-50-0405
15-53-0191	15-52-0370	15-51-0446
15-57-0309-WARNING	13-87-0318	15-09-0218
15-75-0352	15-25-0306	15-33-0325
15-18-0385	15-18-0409	15-60-0398
15-06-0469-WARNING	15-09-0350	15-18-0388
15-70-0345	15-69-0331	15-25-0389
15-31-0372	15-31-0295	15-18-0394
15-52-0382	15-18-0493-WARNING	15-57-0317
15-25-0380	15-18-0407-WARNING	15-02-0204
15-78-0432	15-35-0399	15-09-0348
15-18-0418	15-77-0031	15-05-0134
15-57-0371	15-50-0357	15-37-0360
15-25-0365	15-57-0328	

Prior to the vote to close the above listed cases, President Shaffer inquired as to whether any of the Board members had any personal knowledge that the cases being voted on today involve either themselves or a personal friend.

Roll call: Ms. Aquillo - No
Dr. Chambers – No
Ms. Clark – No
Dr. Das – No
Dr. Guttman – No
Dr. Hanners – No
Ms. Huber – No
Ms. Johnston – No
Dr. Shaffer – No
Dr. Smith - No

President Shaffer then called for a motion to close the cases.

Motion by Ms. Clark, second by Ms. Johnston, to close the above one hundred and three (103) cases.

Roll call vote: Ms. Aquillo - Yes
Dr. Chambers – Yes
Ms. Clark – Yes
Dr. Das – Yes
Dr. Guttman – Yes
Dr. Hanners – Yes
Ms. Huber – Yes
Ms. Johnston – Yes
Dr. Shaffer – Yes
Dr. Smith – Yes

Motion carried unanimously.

LICENSURE REPORT

LICENSURE/CERTIFICATION/REGISTRATION REPORT (APPROVED BY THE EXECUTIVE OFFICE)

Jayne Smith, Licensure Coordinator, prepared a report of the licenses, certificates, and registrations issued since the previous Board meeting.

DENTISTS

Motion by Ms. Clark, second by Ms. Johnston, to approve the licensure report for the following dental licenses issued by a regional board examination:

Faith Hayden
Jaclyn A. Radefeld
Michael L. Scott, Jr.

Somonkul A. Tum
Anton F. Wensauer
Golnaz Kavand

Motion carried unanimously.

DENTAL HYGIENISTS

Motion by Ms. Clark, second by Ms. Johnston, to approve the licensure report for the following dental hygiene license issued by a regional board examination:

Amanda L. Rigo

Motion carried unanimously.

DENTAL ASSISTANT RADIOGRAPHERS

Motion by Ms. Clark, second by Ms. Johnston, to approve the licensure report for the following dental assistant radiographer certificates issued by: acceptable certification or licensure in another state, certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC), or successful completion of the Board-approved radiography course:

Shelby Adkins

Kristina Akhmametyeva

Charity Atkins

Victoria Banks

Alexis Barcus

Lakken Barnes

Dallas Becton

Nicole Bell

Christeen Besada

Angel Blocker

Emilee Bobo

Kaylen Bolser

Heather Booth

Haylee Boyd

Taylor Boyle

Vickie Burg

Emily Clary

Amber Clayton

Brittany Claytor

Carol Coble

Caylyn Collins

Chiquita Cooper

Alexis Cornely

Jennifer Cosgrove

Brenna Cox

Moriah Crawford

Abigail Crosby

Kelsey Crowe

Haley Davis

Renee Depoy

Amy Dixon

Jessica Drake

Regina Eddy

Emily Elder

Ena Eminovich

Rita Evans

Ericka Fernandes

Emiley Ferrara

Sharon Foster

Rebecca Frajia

Sarah Fulton

Brittni Gardner

Renee Geiger

Anne Geiler

Casey Gibbs

Jennifer Glowacki

Marnesia Golden

Tesia Grabski

Leah Greene	Brooke Parsons
Faith Gregory	Asia Pendergrass
Vance Gulley	Maria Polk
Maha Hadid	Leanda Poole
Amy Halko	Angela Portis
Miranda Hambley	Taylor Potter
Anisa Hartson	Paxton Prather
Lori Herb	Kenyatta Railey
Colleen Hines	Allison Randall
Aaron Holloway	Mary Roberts
Marilyn Holmes	Haley Robinson
Jodi Holtsberry	Kimberly Robinson
Allison Hoover	Logan Rowe
Logan Huffman	Claire Sawmiller
Kachelle Jacobs	Joseph Schnettler
Caitlin Janik	Mallory Shawver
Hemalatha Jayaraman	Amanda Shock
Le'eddra Jones	Emily Smith
Savannah Jordan	Josalynn Smith
Angela Kessler	Haley Stephens
Darion Kiger	Alexa Stewart
Nicole Kollar	Amy Stock
Tanya Latham	Vivian Suggs
Susan Lawhun	Crystal Taylor
Cristine Lengerich	Emily Thomas
Alexis Lowe	Ashley Treon
Melissa Luermann	Cynthia Trutt
Leigha Mackey	Michayla Walker
Kianna Marshall	Kaitlyn Walter
Cortney Martz	Amber Wells
Jessica McCashen	Alexis Williams
Cameill McCullough	Erika Wilson
Lauren Miller	Riley Wilson
Amber Mills	Britney Wonders
Kimberly Moore	Jameeka Wood
Tiffany Moore	Ashlee Woodrow
Alejandro Moreno Martinez	Leslie Yoder
Shannon Moultry	Cierra Young
Rebecca Needham-Mortimer	Kaylee Zimmet
Tiffany Ochs	

Motion carried unanimously.

LIMITED RESIDENT'S

Motion by Ms. Clark, second by Ms. Johnston, to approve the licensure report for the following limited resident's license:

Christeen Besada

Motion carried unanimously.

LIMITED CONTINUING EDUCATION

Motion by Ms. Clark, second by Ms. Johnston, to approve the licensure report for the following limited continuing education license:

Kurt Gossweiler

Motion carried unanimously.

LIMITED TEACHING

Motion by Ms. Clark, second by Ms. Johnston, to approve the licensure report for the following limited teaching licenses:

Namkeer Al-Hashmi

Pada Saponaro

Ragia Arif

Motion carried unanimously.

CORONAL POLISHING CERTIFICATES

Motion by Ms. Clark, second by Dr. Chambers, to approve the licensure report for the following coronal polishing certificates issued by: certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain certification:

Mariah Hughes

Rebecca Ross

Breanna Johnson

Jennifer Schriener

Jenna Overbeck

Roderick Stewart

July Perez-Lopez

Lydia Wyant

Patricia Rehl

Motion carried unanimously.

EXPANDED FUNCTION DENTAL AUXILIARY REGISTRATIONS

Motion by Ms. Clark, second by Ms. Johnston, to approve the licensure report for the following expanded function dental auxiliary registrations issued by: certification by the Dental

Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain registration:

Nahed Abdelhamid
Taylor Christopherson
Jennifer Howard
Katy Kellar
Jodie Koster

Thily Long
Christina Smith
Laci Spiker-Thomas
Jeanie Wilson

Motion carried unanimously.

CONSCIOUS SEDATION PERMITS

President Shaffer stated that Doug Wallace, D.D.S., the Board's Anesthesia Consultant, had vetted the following individual who applied for a Conscious Sedation permit, an evaluation had been conducted, and the applicant was recommended to receive a permit for the specified modality.

Tyler Scott, D.D.S.- Intravenous Sedation

Motion by Ms. Clark, second by Ms. Johnston, to accept the Anesthesia Consultants report and approve this applicant to receive a conscious sedation permit for the specified modality.

Motion carried unanimously.

ANESTHESIA PERMITS

President Shaffer stated that the Board's Anesthesia Consultant, had vetted the following individuals who have applied for Anesthesia permits, evaluations have been conducted, and the applicants are recommended to receive Anesthesia Permits.

ANESTHESIA PERMITS

Elliot Haybarger, D.D.S. – Boardman
Khurram Khan, D.D.S. - Dayton
Juan Trocouis, D.D.S. - Cleveland
Trent Tucker, D.D.S. - Dayton

Motion by Ms. Clark, second by Ms. Huber, to accept the Anesthesia Consultants report and approve these applicants to receive anesthesia permits.

Motion carried unanimously.

REINSTATEMENT APPLICATION(S)

Motion by Ms. Johnston, second by Ms. Clark, to approve the following reinstatement application for dental hygiene licensure in Ohio:

DENTAL HYGIENIST

Gayle Bacquet, R.D.H.

Motion carried unanimously.

COMMITTEE REPORTS**EDUCATION COMMITTEE**

Ms. Johnston informed the Board members that the Education Committee had met earlier that morning at 9:00 a.m. in room 1960 and that all members were in attendance. She stated that the Committee had begun the meeting with discussions regarding the parameters for approval of remedial education providers. She stated that the members felt that the three (3) main qualities required for remedial educators should include:

1. Experts in their field/ academic background;
2. Dedication to the purpose of remediating the licensee (not just teaching the concept); and
3. Ability to conduct an assessment of the licensee.

Continuing on, Ms. Johnston stated that the members had reviewed the following applications for Biennial Sponsorship as listed and was recommending approval of all sponsors as having met the requirements set forth in the Dental Practice Act.

REVIEW OF APPLICATION(S)*BIENNIAL CONTINUING EDUCATION SPONSOR(S) 2014-2015*

Hutta and Cook Orthodontics

Lemmerman Periodontics, L.L.C.

BIENNIAL CONTINUING EDUCATION SPONSOR RENEWAL(S) 2014-2015

Dr. James I. Matia

BIENNIAL CONTINUING EDUCATION SPONSOR RENEWAL(S) 2016-2017

Stephen B. Burke, D.D.S., M.S.

Central Ohio Dental Forum

German Orthodontics

Heath Dental Laboratory

James Homon, D.D.S., M.S.

David B. Krill, D.M.D.

Fernando Martinez, D.D.S., Inc.

National Provider Compliance Corporation

North Coast Dental Study Club

North Coast Jaw Center

Imad Nouneh, D.D.S., M.S.

Fred Sakamoto, D.D.S.
Toledo Periodontics
Tri-State Dental Medical Meeting
Underwood Orthodontics
Western Reserve Periodontics
Gary Woznicki, D.D.S.

Motion by Ms. Aquillo, second by Ms. Clark, to accept the Education Committee report and to approve the applications as presented.

Motion carried unanimously.

LAW AND RULES REVIEW COMMITTEE

Dr. Chambers informed the Board that the Law and Rules Review Committee had met briefly that morning to provide a status update on reviewed rules. He stated that as of yesterday, all of the rules that were reviewed this year, along with the rules that missed their 5-year review, had been submitted to the Lt. Governor's Office of the Common Sense Initiative (CSI) along with their respective Business Impact Analysis (BIA) documents. Dr. Chambers informed the members that the rules and the BIA's had been posted to the Board's website for review and public comment and that the comment period would close on Monday, January 4, 2016. He stated that there are a total of eighty-three (83) rules: one (1) to be rescinded, seven (7) new, thirty-three (33) amended, and forty-four (44) to be filed as "no change". Along with those rules, Dr. Chambers said that there are nineteen (19) respective BIA documents for each Section of the rules and that this was the first step to the actual rule filing process.

Continuing on, Dr. Chambers informed the Board that once CSI has completed their review of the rules and the BIA's, they will issue their recommendations to the Board and the Board will then be required to file a response to those recommendations to CSI. He stated that upon completion of the CSI process, the Board may then proceed with the initial filing of the rules with the Joint Committee on Agency Rule Review (JACRR). Dr. Chambers indicated that it was our hope that the CSI process will be completed in a timely manner and that the Board would then be able to hold its Public Rules Hearing at a regularly scheduled meeting in either March or May of 2016.

Motion by Ms. Clark, second by Dr. Das, to approve the Law and Rules Review Committee report.

Motion carried with Dr. Hanners and Dr. Smith absent.

OPERATIONS COMMITTEE

Ms. Aquillo informed the members that the Operations Committee met at 10:00 a.m. in room 1960 and that all members except Dr. Hanners were present. She stated that the Committee agreed upon language for a new Vision Statement for the Board.

Motion by Ms. Aquillo, second by Ms. Johnston, to approve “Helping Ohioans to better health through excellence in dentistry” as the new Board Vision Statement.

Discussion followed wherein revisions were considered.

Motion by Ms. Huber, second by Ms. Johnston, to amend the language of the proposed Vision Statement as follows: “Healthy Ohioans through excellence in dentistry.”

Further discussion ensued wherein Ms. Huber suggested a further revision to the language of the Vision Statement.

Motion by Ms. Huber to amend the amended language of the proposed Vision Statement to “Healthy Ohioans through excellence in oral healthcare.”

Motion died for lack of second.

President Shaffer called the question on the motion to amend the proposed Vision Statement for the Board.

Motion carried unanimously.

President Shaffer then called the question on the original motion for the Boards Vision Statement.

Motion carried unanimously.

Motion by Ms. Johnston, second by Ms. Clark, to approve the Vision Statement for the Board as amended.

Motion carried unanimously.

Continuing on, Ms. Aquillo stated that the next step would be to develop a Mission Statement for the Board based on the newly approved Vision Statement. She stated that the Committee had discussed holding a retreat for all Board members to attend immediately following the next Board meeting in February 2016.

Motion by Ms. Aquillo, second by Ms. Clark, to convene a strategic planning retreat from 9:00 a.m. to 4:00 p.m. on February 4, 2016, in Columbus, Ohio and invite representatives from LEANOhio to attend and assist in the discussions.

Motion carried unanimously.

Ms. Aquillo distributed copies of a SWOT analysis worksheet to assist in identifying Board Strengths, Weaknesses, Opportunities, and Threats (SWOT) along the three (3) main service lines for the Board: Enforcement, Licensure, and Education. She stated that in order for the strategic planning to be successful she was requesting each Board member to provide a proposed Mission Statement to Director Kamdar by January 20, 2016. She stated that the Director would then collate the information to then be provided at the February meeting.

Motion by Ms. Aquillo, second by Ms. Clark, to direct all members of the Board to complete a proposed Mission Statement and to consider development of core values and to submit their suggested responses to Director Kamdar.

Motion carried unanimously.

Motion by Ms. Aquillo, second by Ms. Clark, to approve the Operations Committee report.

Motion carried unanimously.

POLICY COMMITTEE

Ms. Johnston stated that the Policy Committee had met briefly that morning at 11:00 a.m. to distribute a template for revision of the Board policies. She stated that Director Kamdar had supplied a template but would be meeting with representatives from the State Medical Board of Ohio to discuss their policies and possibly bring samples of their policies and policy manual to the next committee meeting in February.

Ms. Johnston made the motion from the committee to approve the Policy Committee report.

Motion carried unanimously.

SUPERVISORY INVESTIGATIVE PANEL REPORT

Dr. Das, as Secretary, attested that he had spent in excess of twenty (20) hours per week attending to Board business. Dr. Chambers, the Board's Vice Secretary, attested that he had spent in excess of twenty (20) hours attending to Board business.

Motion by Ms. Clark, second by Ms. Johnston, to approve the Supervisory Investigative Panel report.

Motion carried unanimously.

PRESIDENT'S REPORT

President Shaffer began her report by thanking all of the Board members for their hard work and assistance during this time of transition for the Board. She stated that she recognized that this was a difficult time for the Board and truly appreciated all of their efforts along with the efforts from the Board staff.

COMMISSION ON DENTAL COMPETENCY ASSESSMENTS MEETING

Dr. Shaffer mentioned that the next meeting for the Commission on Dental Competency Assessments would be held in January as a reminder to any of the Board members who wished to attend.

BOARD MEMBER RETREAT – FEBRUARY 4, 2016

Dr. Shaffer commented that the members had just voted to hold a strategic planning retreat on February 4, 2016, the Thursday after the next Board meeting. She requested the members to put this date in their calendars for next year and stressed to them that this retreat was not an “option”. She reiterated that participation by all members of the Board was required in order for the retreat to be successful.

AMERICAN BOARD OF DENTAL EXAMINERS, INC. REPRESENTATIVE

President Shaffer briefly reiterated the information provided by former Board member, Mary Ellen Wynn, D.D.S. in her ADEX report to the Board. She commented that there will now be only one (1) representative appointed to ADEX from Ohio. President Shaffer explained that the Board did not need to make a decision at this time and could wait until their meeting in February to make a decision.

Concluding, President Shaffer informed everyone that she had to leave the meeting to catch a flight and then expressed to everyone to have a wonderful holiday. She then turned the meeting over to Vice President Clark.

Motion by Dr. Hanners, second by Ms. Johnston, to nominate Mary Ellen Wynn, D.D.S. to continue as the Board liaison to ADEX as the House of Representatives to ADEX.

Motion carried with President Shaffer absent.

EXECUTIVE DIRECTOR’S REPORT

“START TALKING” INITIATIVE

Director Kamdar indicated that he would be skipping the first topic under his report as he felt it was clear from Ms. Smith’s presentation that the idea is to assist in any way possible to get this message out to our licensees and the public.

STATE AUDITORS REPORT

Director Kamdar stated that he had requested Ms. Swank of the State Auditor’s Office to provide her presentation as an effort to transparency. He stated that the Board is one hundred percent (100%) funded through licensure fees and that the members and the public need to know that these monies are collected and deposited appropriately.

E-LICENSING

Continuing on, Director Kamdar informed the members that as a result of a state resolution, the Board would be migrating to a new E-Licensing system sometime after the first of the next year. He stated that there would be a LEANOhio event at the beginning of the year to assist in improving the on-line experience.

DEPUTY DIRECTOR – NEW REPORTING STRUCTURE

Director Kamdar explained to the members that Ms. Nash, as the new Deputy Director, would also be the Board's chief legal counsel. He stated that the Board investigators and Ms. Massaro would be reporting directly to her as the head of enforcement. Also, he indicated that she would be the second in command in regard to staff structure.

WEBSITE IMPROVEMENTS

Director Kamdar stated that he is continuing to work on improvements to the Board website. However, he stated that this project is proving somewhat difficult in that the Board does not have any IT staff and working with the Department of Administrative Services (DAS) in this endeavor is not free. Director Kamdar informed the members that he is also working on developing a new logo for the Board that is more in line with other state agencies' logos.

BOARD MEETING MATERIAL PACKAGES

Director Kamdar said that members of the Board had expressed that a Board Meeting materials package be forwarded to them prior to their meetings. He requested that they inform him as to whether they would like a hard copy or digital copy of all required materials. Director Kamdar explained to the members that in order for these packages to be forwarded to them by the Friday before the Board meeting would require the information to be approved by the President and Vice President by Wednesday, one week prior to the meeting. He stated that in order for them to review and approve one week prior to the meeting would require him to review and approve the materials by Tuesday and have Ms. Nash's approval by Monday – ten (10) days preceding the Board meeting. He stated that he is currently developing a better structure to facilitate this request along with others and asked the Board members to continue submitting their suggestions.

Vice President Clark thanked Director Kamdar for updating the Board on these matters.

ANYTHING FOR THE GOOD OF THE BOARD

AMERICAN ASSOCIATION OF DENTAL BOARDS REPORT – SUSAN JOHNSTON, R.D.H.

Ms. Johnston provided a detailed report to the members of the Board on her attendance to the American Association of Dental Board meeting on November 3-4, 2015 [Appendix C]. Ms. Johnston covered the following key points in her presentation:

- President's Address – AADB's current primary focus on the portability of licensure and a universal examination
- James Tarrant, Executive Director AADB – Assessment Services Program, D-Prep
- ADA President Maxine Feinberg – Rising cost of dental education
- Speaker David Preble – Dental Service Organizations affecting the delivery of care in dentistry

- Baucus Grassley Report on Corporate Dentistry
- Speakers Congressman Paul Gosar, D.D.S. and Congressman Brian Babin, D.D.S.
- Michael Graham, ADA Legislative Update
- Federal Trade Commission, Ms. Marina Lao
- Attorney Roundtable Case Developments
- Licensure Portability – David Owsiany, Executive Director of the Ohio Dental Association – “State Licensing inhibits professional mobility, hurting the licensee and the public by limiting access.” and “Now is the opportunity to move on licensure portability. If we don’t act, the Federal Government will act for us.”
- Snapshot of Dental Education

Vice President Clark thanked Ms. Johnston for her comprehensive report of the meeting.

ADJOURN

Motion by Ms. Aquillo, second Ms. Johnston, to adjourn the meeting.

Motion carried unanimously.

Vice President Clark adjourned the meeting and reminded the Board members that their next meeting would be February 3, 2016.



Marybeth Shaffer, D.M.D.
President



Constance Clark, R.D.H.
Vice President

APPENDIX A

APPENDIX A

TALKING TO YOUR KIDS ABOUT DRUGS
what parents need to know

- 1 Talk frequently
- 2 Show interest
- 3 Be careful what you say
- 4 Be careful how you say it
- 5 Know the facts about drugs/alcohol/tobacco
- 6 Be respectful & genuine
- 7 They talk, you listen
- 8 Scare tactics don't work
- 9 Control your emotions
- 10 Take advantage of teachable moments

Learn more about these 10 tips to help you Start Talking today at starttalking.ohio.gov

Start Talking! 
Building a Drug-Free Future

2:00AM

APPENDIX A

START TALKING!
BUILDING A DRUG-FREE FUTURE

Visit starttalking.ohio.gov to get the conversation going!

Parents, mentors and peers make a difference just by talking to the young people in their lives about drug abuse.

know! Know! provides emails twice a month with tips and current facts about alcohol, tobacco and other drugs, as well as action steps to help children resist peer pressure to use. Subscribe for free at <https://www.drugfreeactionalliance.org/know>

info@starttalking.ohio.gov /StartTalkingOhio @StartTalkingOH

DFAA Drug Free Action Alliance

Ohio MHAS Promoting wellness and recovery

OHIO DEPARTMENT OF PUBLIC SAFETY EDUCATION • SERVICE • PROTECTION

STATE HIGHWAY PATROL OHIO

APPENDIX B

APPENDIX B**ADEX****AMERICAN BOARD OF DENTAL EXAMINERS, INC.****Stanwood Kanna, D.D.S., President**
William Pappas, D.D.S., Vice-President
Jeffery Hartsog, D.M.D., Secretary
Conrad McVea, D.D.S., Treasurer
Bruce Barrette, D.D.S., Past President

Highlights of the American Board of Dental Examiners, Inc. (ADEX)
11th House of Representatives
November 15, 2015
Rosemont, IL

The following are highlights of the 11th ADEX House of Representatives:

There were 52 out of 59 Jurisdictions, District Hygiene and District Consumer Representatives present.

2015 – 2016 Officers were elected: Dr. Stanwood Kanna, HI, President; Dr. William Pappas, NV, Vice-President; Dr. Jeffery Hartsog, MS, Secretary; Dr. Conrad "Chip" McVea, LA, Treasurer, and Dr. Bruce Barrette, WI remains as Immediate Past President.

District 2 re-elected Dr. Patricia Parker, OR to the ADEX Board of Directors.

District 3 elected Dr. Bryan Chapman, MO to the ADEX Board of Directors.

District 4 re-elected Dr. Keith Clemence, WI to the ADEX Board of Directors.

District 6 elected Dr. John Douglass, TN to the ADEX Board of Directors.

District 7 re-elected Dr. John Reitz, PA to the ADEX Board of Directors.

District 11 elected Dr. Millard "Buddy" Wester, NC to the ADEX Board of Directors.

District 13 elected Dr. Irving McKenzie, Jamaica to the ADEX Board of Directors.

Ms. Mary Johnston, RDH, MI was re-elected as one of the Dental Hygiene Members to the ADEX Board of Directors.

Ms. Nan Kosydar Dreves, RDH, MBA, WI was elected as one of the Dental Hygiene Members to the ADEX Board of Directors.

Ms. Clance LaTurner, IN was re-elected as one of the Consumer Members to the ADEX Board of Directors.

Mr. Alton Harvey, Sr., OR was elected as one of the Consumer Members to the ADEX Board of Directors.

P.O. Box 50718 • Mesa, AZ 85208
Telephone (503) 724-1104
ADEXOFFICE@aol.com
www.adex.org

APPENDIX B

ADEX Board of Directors

- Adopted a new ADEX Mission Statement.

“Develop clinical licensure examinations for dental professionals”

- Appointed Ms. Pat Connolly-Atkins, RDH, MA as the new Dental Hygiene Examination Chair.

Changes to the ADEX Dental Examination:

- Made changes which allow the "Buffalo Model" CIF format to be delivered this year at schools who request it. This will be at CDCA sites this year with CITA's future use to be determined after further study of the logistics.
- Developed a procedure by which a candidate can perform an "Indirect Pulp Cap", where indicated, starting with the 2017 Examination.

Changes to the ADEX Dental Hygiene Examination:

- Extended the Examination time from 90 minutes to 120 minutes
- Manual revisions in multiple area to improve the clarity of information to candidates.
- Definition of calculus in the detection exercise redefined.
- Changes to the scoring rubric and point values for the 2017 Examination Cycle.
- No major changes in the content or criteria of the examination.

ADEX House of Representatives:

- Approved Bylaw changes that will change the membership of the House of Representatives and developed bylaws concerning a conflict of interest.
- Approved the Dental and Dental Hygiene Examinations as recommended by the Examination Committees and the Board of Directors.

Presentations to the House of Representatives from the following:

Dr. Guy Champaine, "Patient Centered Curriculum Integrated Format Examination."

Dr. William Pappas, "ADEX Quality Assurance Site Visits."

Mr. Alex Vandiver, CEO, CDCA, Mr. Michael Zeder, CDCA and Dr. Chip McVea, President of CITA "ADEX Dental Examination Score Portal."

2016 ADEX House of Representatives: The 12th ADEX House of Representatives Meeting is scheduled for Sunday, August 7, 2016, at the Doubletree Hotel, Rosemont, IL.

APPENDIX B



AMERICAN BOARD OF DENTAL EXAMINERS, INC.

Stanwood Kanna, D.D.S., President
William Pappas, D.D.S., Vice-President
Vacant, Secretary
Jeffery D. Hartsog, D.M.D., Treasurer
Bruce Barrette, D.D.S., Past President

Dear ADEX House of Representatives Member;

The ADEX board of directors and bylaws committee are recommending several bylaws changes this year to improve the examination development process, increase the knowledge of the members of the House of Representatives, as well as to increase our fiscal efficiency and responsibility.

The first bylaws change recommends that the appointed member to the dental and dental hygiene examination committees also be the representative to the ADEX House of Representatives. The primary rationale for this recommendation is that the House of Representatives are the individuals who are charged with voting on the examination acceptance. The background knowledge of the discussion which took place at the examination committee, as well as the understanding of the Evolution of the recommendations should be known and well understood by the members of the House of Representatives. In recommending that the house of representative member also be on the examination committee helps to ensure that professionals who have participated in and understood the examination development discussion will be the individuals voting on the adoption of the examination.

This bylaws change does not in any way affect the composition of the ADEX House of Representatives, nor the composition of the examination committees, this just affects the total number of individuals filling those positions.

In addition, this will reduce the ADEX budget significantly by eliminating duplication of representatives from our member dental boards.

The second bylaws change is a clarification of the original intent in the formation of ADEX. Member states were always allowed to join ADEX and accept both examinations or if they preferred only the dental or dental hygiene examinations. However, it was always understood that if a state accepted only one of the examinations, for example the dental examination, they would not have input into the dental hygiene examination, an examination they did not recognize for licensure. This was always perceived as an issue of fairness; a state, which does not recognize an examination for licensure, should not shape its content and scoring and impose that on the state that does accept examination. The bylaws change clearly states what has been in our operating policy since our inception.

The final bylaw recommendation is an issue required of good corporate governance of a nonprofit corporation, adopting a well-defined "Conflict of Interest" statement. In any competitive environment, a non-profit business should have a clear conflict of interest policy in place; this bylaw change is a concise and minimally restrictive conflict of interest policy.

P.O. Box 50718 • Mesa, Arizona 85208
Telephone (503) 724-1104
ADEXOFFICE@aol.com
www.adex.org

APPENDIX B

ADEX Representatives – November 2015 HOR			
District	Current Board Members/ State Representatives	District Hygiene Representative	District Consumer Representative
District 2 CO HI NM NV OR WY	✓ Dr. Patricia Parker, OR - Dir. Dr. Lisa Fox Dr. Candance Wada Dr. Robert Gherardi Dr. Byron Blasco Dr. Jonna Hongo Dr. Scott Houfek	Mary Davidson, RDH, OR	Mr. Alton Harvey, Sr., OR
District 3 MO	Vacant - Dir Dr. Chapman	Deborah Polc, RDH, MO	No Representative
District 4 WI	✓ Dr. Keith Clemence, WI - Dir. Dr. Leo Huck	Nan Dreves, RDH, WI	Ms. Judith Ficks, WI
District 5 IL IN MI OH	- Dr. Dennis Manning, IL - Dir Dr. Rand Harlow Dr. Matthew Miller Dr. Rhonda Hennessy Dr. Mary Ellen Wynn	Lynda Sabat, RDH, OH	Ms. Ciance LaTurner, IN
District 6 TN SC VA WV	- Vacant - Dir. Dr. Charles Holt, Jr. Dr. Vance Morgan Dr. Al Rizkalla Dr. Stan Kaczowski	Sherie Williams Barbare, RDH, SC	Bettye Richert, TN
District 7 MD PA	✓ Dr. John Reitz, PA - Dir. Dr. Ron Moser Dr. Jack Earnhard	Mary Ellen Brickley-Raab, RDH, MD	Mr. Allan Horowitz, Esq, PA
District 8 CT DC VI	- Dr. David Perkins, CT - Dir. Dr. Lance Banwell Dr. Jezelle Sonnier Dr. Olutayo Delano	Sibyl Gant, RDH, DC	Ms. Diane Smith, DC
District 9 NH NJ RI NY*	- Dr. Arthur McKibbin, NH - Dir. Dr. Arthur McKibbin Dr. Joseph Battiglia Dr. Russell Chin Dr. Bruce Seidberg	Susan Perlini, RDH, RI	Ms. Lynn Joslyn, NH
District 10 ME MA VT	- Dr. Richard Dickinson, VT - Dir Dr. David Moyer Dr. Stephen DuLong Dr. John Lavoie	Carol Williams, RDH, ME	Ms. Diane Denk, ME
District 11 AL LA MS NC PR	- Dr. Sam Trinca, LA - Dir Dr. William Chesser Dr. Conrad McVea Dr. Roy Irons Dr. Clifford Feingold Dr. A. Cesar Garcia-Aquirre	Laura Richoux, RDH MS	Jim Hemby, NC
District 12 FL	Dr. Wade Winker, FL - Dir Dr. Wade Winker	Irene Stavros, RDH, FL	Ms. Vicki Campbell, FL
District 13 JA	✓ Dr. Irving F. McKenzie - Dir Dr. Weston Grey	Salli-Jo Walker, RDH, JA	Michael Williams, JA

RED DENOTES NOT ATTENDING *NY only accepts ADEX RDH Exam

APPENDIX B

2014 – 2015 ADEX BOARD/COMMITTEES (11/01/2015)

Name	State	Position	Term
Stanwood Kanna, DDS	HI	ADEX Board of Directors President	2015 HOR
William Pappas, DDS	NV	Vice-President	2015 HOR
Vacant		Secretary	2015 HOR
Jeffery Hartsog, DDS	MS	Treasurer	2015 HOR
Bruce Barrette, DDS	WI	Immediate Past President	2015 HOR
Patricia Parker, DMD	OR	District 2 Director	2015 HOR
Vacant	MO	District 3 Director	
Keith Clemence, DDS	WI	District 4 Director	2015 HOR
Dennis Manning, DDS	IL	District 5 Director	2016 HOR
Vacant		District 6 Director	2017 HOR
John Reitz, DDS	PA	District 7 Director	2015 HOR
David Perkins, DDS	CT	District 8 Director	2017 HOR
Arthur "Andy" McKibbin, Jr., DMD	NH	District 9 Director	2016 HOR
Richard Dickinson, DDS	VT	District 10 Director	2017 HOR
Samuel Trinca, DDS	LA	District 11 Director	2015 HOR
Wade Winker, DDS	FL	District 12 Director	2017 HOR
Irving F. McKenzie, MD, DMD	JS	District 13 Director	2017 HOR
Clance LaTurner	IN	Consumer Member	2015 HOR
Lisa Wark	NV	Consumer Member	2016 HOR
Mary Johnston, RDH	MI	RDH Member	2015 HOR
Vacant		RDH Member	2014 HOR
John Dixon, DDS	WV	Dental Exam Chair	2017 HOR
Nan Kosydar Dreves, RDH, MBA	WI	RDH Exam Chair	2015 HOR
		Dental Exam Committee	
John Dixon DDS	WV	Chair	2017 HOR
		District 2	
Lisa Fox, DDS	CO	Member	2016 HOR
Mark Baird, DDS	HI	Member	2017 HOR
Byron Blasco, DMD	NV	Member	2017 HOR
Jonna Hongo, DMD	OR	Member	2015 HOR
Scott Houfek, DDS	WY	Member	2017 HOR
Robert Gherardi, DDS	NM	Member	2015 HOR
Rick Thiriot, DDS	NV	Educator	2016 HOR

Red denotes that appointments or reappointments are pending from ADEX Member State Boards.

APPENDIX B

2014 – 2015 ADEX BOARD/COMMITTEES (11/01/2015)

Name	State	Position	Term
		District 3	
Bryan Chapman, DMD	MO	Member	2018 HOR
Vacant	MO	Educator	2017 HOR
		District 4	
Keith Clemence, DDS	WI	Member	2016 HOR
Leo Huck, DDS	WI	Educator	2016 HOR
		District 5	
Nicholas Panomitros, DDS	IL	Member	2017 HOR
Matthew Miller, DDS	IN	Member	2017 HOR
Rhonda Hennessy, DDS	MI	Member	2017 HOR
Eleanore Awadalla, DDS	OH	Member	2017 HOR
Peter Yaman, DDS	MI	Educator	2017 HOR
		District 6	
Z. Vance Morgan, IV, DMD	SC	Member	2016 HOR
Stan W. Kaczowski, DDS	WV	Member	2017 HOR
Al Rizkalla, DDS	VA	Member	2016 HOR
Charles Holt, Jr, DDS	TN	Member	2017 HOR
Rick Archer, DDS	VA	Educator	2016 HOR
		District 7	
Guy Shampaine, DDS	MD	Member	2017 HOR
John Erhard, III DDS	PA	Member	2017 HOR
Gregory Schneider, DDS	PA	Educator	2017 HOR
		District 8	
David Perkins, DMD	CT	Member	2017 HOR
Renee McCoy – Collins, DDS	DC	Member	2016 HOR
Olutayo Delano, BDS	USVI	Member	2018 HOR
R. L. MacNeil, DDS	CT	Educator	
		District 9	
Joseph Battaglia, DMD	NJ	Member	2016 HOR
Arthur “Andy” McKibbin, Jr., DMD	NH	Member	2016 HOR
Russell Chin, DMD	RI	Member	2017 HOR
Marc Rosenblum, DMD	NJ	Educator	2014 HOR
		District 10	
Mina Paul, DMD	MA	Member	2016 HOR
LeeAnn Podruch, DDS	VT	Member	2016 HOR

Red denotes that appointments or reappointments are pending from ADEX Member State Boards.

APPENDIX B

2014 – 2015 ADEX BOARD/COMMITTEES (11/01/2015)

Name	State	Position	Term
David Moyer, DDS	ME	Member	2016 HOR
Stephen DuLong, DMD	MA	Educator	2016 HOR
District 11			
Jeffery D. Hartsog, DMD	MS	Member	2017 HOR
Thomas Willis, Jr., DMD	AL	Member	2016 HOR
Agusto Cesar Garcia-Aquirre, DMD	PR	Member	2016 HOR
Milliard "Buddy" Wester, III, DDS	NC	Member	2016 HOR
Conrad "Chip" McVea, DDS	LA	Member	2017 HOR
Scott M. Phillips, DMD	MS	Educator	2015 HOR
District 12			
Leonard Britten DDS	FL	Member	2016 HOR
Richard Kelowitz, DDS	FL	Educator	2016 HOR
District 13			
Eugenia Hines, DMD	JA	Member	2017 HOR
???	JA	Educator	2017 HOR
Alan Horwitz, Esq	PA	Consumer	2017 HOR
Chad Buckendahl, PhD	NV	Testing Specialist	N/A
Ellis Hall, DDS	MD	NERB Administrative Liaison	N/A
Conrad "Chip" McVea, DDS	LA	CITA Administrative Liaison	N/A
Hal Haering, DMD	AZ	Q & A Committee Chair	2015 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
Dental Exam Subcommittee on Restorative Dentistry			
Scott Houfek, DDS	WY	Chair	2015 HOR
Jonna Hongo, DMD	OR	Member	2015 HOR
Nicholas Panomitros, DDS	IL	Member	2015 HOR
Peter Yaman, DDS	MI	Educator	2015 HOR
R. L. MacNeil, DDS	CT	Educator	2015 HOR
Millard "Buddy" Wester, III, DDS	NC	Member	2015 HOR
David Perkins, DMD	CT	Member	2015 HOR
Mark Baird, DDS	HI	Member	2015 HOR
Rhonda Hennessy, DDS	MI	Member	2015 HOR
Bryan Chapman, DMD	MO	Member	2018 HOR
John Erhard, III, DDS	PA	Member	
Marc Rosenblum, DMD	NJ	Educator	2015 HOR
Richard Kelowitz, DDS	FL	Educator	2015 HOR
John Dixon, DDS	WV	Chair Dental Exam Committee Ex-Officio	2017 HOR

Red denotes that appointments or reappointments are pending from ADEX Member State Boards.

APPENDIX B

2014 – 2015 ADEX BOARD/COMMITTEES (11/01/2015)

Name	State	Position	Term
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		Dental Exam Subcommittee on Prosthodontics	
Jeffery D. Hartsog, DMD	MS	Chair	2015 HOR
Lisa Fox, DDS	CO	Member	2015 HOR
Scott M. Phillips, DMD	MS	Educator	2015 HOR
Rick Thiriot, DDS	NV	Member	2015 HOR
Z. Vance Morgan, IV, DMD	SC	Member	2015 HOR
Byron Blasco, DMD	NV	Member	2015 HOR
Thomas Willis, Jr., DMD	LA	Member	2015 HOR
John Dixon, DDS	WV	Chair Dental Exam Committee Ex-Officio	2017 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		Dental Exam Subcommittee on Periodontics	
Agusto Cesar Garcia-Aquirre, DMD	PR	Chair	2015 HOR
Al Rizkalla, DDS	VA	Member	2015 HOR
Renee McCoy – Collins, DDS	DC	Member	2015 HOR
Arthur "Andy" McKibbin, Jr., DMD	NH	Member	2015 HOR
Stephen DuLong, DMD	MA	Educator	2015 HOR
John Dixon, DDS	WV	Chair Dental Exam Committee Ex-Officio	2017 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		Dental Exam Subcommittee on Endodontics	
LeeAnn Podruch, DDS	VT	Chair	2015 HOR
Robert Gherardi, DDS	NM	Member	2015 HOR
Keith Clemence, DDS	WI	Member	2015 HOR
Eleanore Awadalla, DDS	OH	Member	2015 HOR
Rick Archer, DDS	VA	Educator	2015 HOR
Russell Chin, DMD	RI	Member	2015 HOR
Joseph Battaglia, DMD	NJ	Member	2015 HOR
Charles Holt, Jr, DDS	TN	Member	2015 HOR
Stan W. Kaczowski, DDS	WV	Member	2015 HOR
John Dixon, DDS	WV	Chair Dental Exam Committee Ex-Officio	2017 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR

Red denotes that appointments or reappointments are pending from ADEX Member State Boards.

APPENDIX B

2014 – 2015 ADEX BOARD/COMMITTEES (11/01/2015)

Name	State	Position	Term
		Dental Exam Subcommittee on Scoring	
Guy Shampaine, DDS	MD	Chair	2015 HOR
Matthew Miller, DDS	IN	Member	2015 HOR
Leo Huck, DDS	WI	Educator	2015 HOR
Mina Paul, DMD	MA	Member	2015 HOR
David Moyer, DDS	ME	Member	2015 HOR
Leonard Britten DDS	FL	Member	2015 HOR
Gregory Schneider, DDS	PA	Educator	2015 HOR
Winston Grey, DDS	JA	Member	2015 HOR
Conrad "Chip" McVea, DDS	LA	Member	2015 HOR
John Dixon, DDS	WV	Chair Dental Exam Committee Ex-Officio	2017 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		Dental Hygiene Exam Committee	
Nan Kosydar Dreves, RDH, MBA	WI	Chair	2015 HOR
Janet Primiano, RDH	HI	District 2 Member	2016 HOR
Deborah Polc, RDH	MO	District 3 Member	2018 HOR
Beth Jacko Clemence, RDH	WI	District 4 Member	2015 HOR
Laverne Whitmore, RDH	IN	District 5 Member	2016 HOR
Vacant		District 6 Member	2016 HOR
Cheryl Bruce, RDH	MD	District 7 Member	2017 HOR
Lynn Martell, RDH	CT	District 8 Member	2016 HOR
Susan Perlini, RDH	NJ	District 9 Member	2014 HOR
Carol Williams, RDH	ME	District 10 Member	2017 HOR
Janet Brice McMurphy, RDH	MS	District 11 Member	2015 HOR
Catherine Cabanzon, RDH	FL	District 12 Member	2017 HOR
Salli-Jo Walker, RDH	JA	District 13 Member	2017 HOR
Patricia Parker, DMD	OR	Dentist Member	2017 HOR
Kathleen J. Gazzola, RDH	RI	Educator	2016 HOR
Zeno St. Cyr II	MD	Consumer Member	2016 HOR
Pat Connolly-Atkins, RDH	MA	NERB Administrative Liaison	N/A
Chad Buckendahl, PhD	NV	Testing Specialist	N/A
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR

Red denotes that appointments or reappointments are pending from ADEX Member State Boards.

APPENDIX B

2014 – 2015 ADEX BOARD/COMMITTEES (11/01/2015)

Name	State	Position	Term
Jeffery D. Hartsog, DMD	MS	Budget Committee Chair	2015 HOR
Bruce Barrette, DDS	WI	ADEX Member	2015 HOR
Mary Johnston, RDH	MI	ADEX Member	2015 HOR
Charles Ross, DDS	FL	ADEX Member	2015 HOR
David Perkins, DDS	CT	NERB Testing Agency	2015 HOR
Millard "Buddy" Wester, III, DDS	NC	CITA Testing Agency	2015 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		Bylaws Committee	
Jonna Hongo, DMD	OR	Chair	2015 HOR
Robert Ray, DMD	DC	Member	2015 HOR
John Reitz, DDS	PA	Member	2015 HOR
Samuel Trinca, DDS	LA	Member	2015 HOR
Alan Horowitz, Esq.	PA	Member	2015 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		Communications Committee	
Clance LaTurner	IN	Chair	2015 HOR
Richard Dickinson, DDS	VE	Member	2015 HOR
Mary Johnston, RDH	MI	Member	2015 HOR
Irving McKenzie, DDS	JA	Member	2015 HOR
Lisa Wark	NV	Member	2015 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		Quality Assurance Committee	
Hal Haering, DDS	AZ	Chair	2015 HOR
Matthew Miller, DDS	IN	Member	2015 HOR
Patricia Parker, DMD	OR	Member	2015 HOR
Robert Sherman, DDS	HI	Member	2015 HOR
Barbara Rich, DMD	NJ	Member	2015 HOR
Richard Kelowitz, DDS	FL	Member	2015 HOR
Guy Shampaine, DDS	MD	Member	2015 HOR
J. Gordon Kinard, DDS	NV	Member	2015 HOR
Bruce Barrette, DDS	WI	Member	2015 HOR
A Roddy Scarbrough, DDS	NV	Member	2015 HOR
John Dixon, DDS	WV	Dental Examination Chair	2017 HOR
Nan Kosydar Dreves, RDH, MBA	WI	Dental Hygiene Examination Chair	2015 HOR
Ellis Hall, DDS	MD	NERB Administrative Liaison	N/A

Red denotes that appointments or reappointments are pending from ADEX Member State Boards.

APPENDIX B

2014 – 2015 ADEX BOARD/COMMITTEES (11/01/2015)

Name	State	Position	Term
Conrad "Chip" McVea, DDS	LA	CITA Administrative Liaison	N/A
Chad Buckendahl, PhD	NV	Testing Specialist	N/A
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		Calibration Committee	
William Pappas, DDS	NV	Chair	2015 HOR
Scott Houfek, DDS	WY	Member	2015 HOR
Bruce Barrette, DDS	WI	Member	2015 HOR
Millard "Buddy" Wester, III, DDS	NC	Member	2015 HOR
Kathy King, DDS	KY	Member	2015 HOR
Harold Strassler, DMD	MD	Member & Photographer	2015 HOR
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR
		ADHOC Perio Committee	
Wade Winker, DDS	FL	Chair	2015 HOR
John Dixon, DDS	WV	Member	2015 HOR
David Perkins, DMD	CT	Member	2015 HOR
Tony Guillen, DDS	NV	Member	2015 HOR
Guy Shampaine, DDS	MD	Member	2015 HOR
Peter Robinson, DDS	IL	Member	2015 HOR
David W. Jones, DMD	SC	Member	2015 HOR
Robert Faiella, DMD	MA	Member	2015 HOR
Agusto Cesar Garcia-Aquirre, DMD	PR	Member	2015 HOR
Patrick Braatz	OR	Member	2015 HOR
Chad Buckendahl, PhD	NV	Testing Specialist	N/A
Stanwood Kanna, DDS	HI	ADEX President Ex-Officio	2015 HOR

Red denotes that appointments or reappointments are pending from ADEX Member State Boards.

APPENDIX B

BYLAWS
OF
AMERICAN BOARD OF DENTAL EXAMINERS, INC.

ARTICLE ONE. MEMBERS

SECTION 1. General. The membership of this Corporation shall include Member Boards and Associate Members as provided below.

A. The membership of this Corporation shall include the Boards of Dental Examiners of each Jurisdiction which by statute, regulation, resolution, order, or written agreement, agreed to accept the results of the dental and/or the dental hygiene examination(s) conducted on forms and by methods developed by this Corporation.

"Jurisdiction" shall mean a country or the state, province, or other political subdivision thereof.

The term "Board of Dental Examiners" shall be construed to mean the governmental body in each jurisdiction granted the authority to examine candidates for, or advice with respect to, licensure of dentists, dental hygienists, or other dental health care providers under the jurisdictions law in effect at the time the determination is made. (Boards of Dental Examiners which are members of this Corporation are hereinafter referred to as "Member Boards.") Additional Boards of Dental Examiners may be admitted as Member Boards by a majority vote of the Board of Directors of this Corporation, subject to compliance with these Bylaws.

Each Member Board shall have one vote to cast on all matters submitted for a vote of the Members. The vote shall be cast by a dentist representative ~~or the Executive Director or equivalent thereof~~ designated by each Member Board. Each dentist representative shall (i) be the member of the Dental Examination Committee representing his or her Board; and (ii) provided that the dentist representative designated by a Member Board shall be or has been an active member of that Member Board. Member Boards will be entitled to vote on matters related to the examination(s) that they accept.

B. Dental Hygiene/Consumer Representation. In addition to each Member Board having a vote, each Dental Hygiene District Representative and District Consumer Representative are each entitled to one vote in the ADEX House of Representatives. As provided in Section 2, below, the membership of this Corporation is divided into thirteen (13) districts. Member Boards from the United States jurisdictions shall comprise twelve of the district "Domestic Districts", and jurisdiction from outside of the United States shall comprise the International District. ~~Each Domestic District shall elect one (1) dental hygiene representative and one (1) consumer board member representative who are or have been members of a Member Board to attend and~~

APPENDIX B

~~participate in annual meetings of Members of this Corporation with vote. Each International District may send two (2) representatives of its choice, whether or not the representative is a dental hygienist, consumer board member, or another individual appointed by the International District.~~

The members of each District who accept the ADEX Dental Hygiene Exam shall elect one (1) dental hygiene representative who shall also be elected as a member of the Dental Hygiene Examination Committee. All members of each District shall also elect one (1) consumer board member representative who is or has been a member of a Member Board to attend and participate in annual meetings of Member of this Corporation. Dental Hygiene representatives who are elected by their district must be from a state that accepts the ADEX Dental Hygiene Examination.

The term "Voting Member" shall refer to those Members described in subsections A and B, above.

SECTION 5. Conflict of Interest. No Officer, Member Representative, Director, or member of any committee of the Corporation may be an officer, director, or member of an operational, governance, or policy-making committee of an organization that:

- (a) Develops and administers licensure examinations which are substantially the same as those developed by the Corporation; and
- (b) Is not authorized to administer examinations developed by the Corporation

APPENDIX C

APPENDIX C

Report of the AADB Meeting,
November 3-4, 2015
Susan Johnston, OSDB AADB Rep

President's Address:

AADB has contracted with Crossroads Consulting to create a new AADB website. The AADB is holding a contest for a new logo, closing date January 8, 2016

The AADB's ASP (Assessment Services Program) is growing robustly, helping to achieve the first year "in the black" for the AADB.

The AADB considers its current primary focus to be portability of licensure and a universal exam

The Council and Commission Appointments are made at the mid-year meeting. The President urged members to go online to see what appointments are available. Deadline for applications is January 22, 2016. The AADB will also send out an email blast to members calling for applicants.

Voting for the only contested race (Treasurer) takes place Wednesday morning, November 4, at 7:00 a.m. – 8:30 a.m.

James Tarrant, Executive Director AADB

Sees AADB's role as including giving advice to legislators, uniformity of practice acts, outlining ethics standards for Board members, defining an AADB clearinghouse.

Mr. Tarrant also showed the assembly a bound document which is a composite of state dental board licensure requirements; a document widely used by dental and dental hygiene students

Mr. Tarrant explained in further detail the Assessment Services Program, D-Prep (which refers respondent to one of three dental schools who work with AADB). D-Prep schools and consultants perform a 4 day assessment of the respondent and provides a 40 page document to the referring board of dentistry. ERA is expert review assessment. Mr. Tarrant offered to have a member of the AADB ASP board to present, in detail, the assessment and remediation services that AADB provides.

Mr. Tarrant is forming an advocacy committee, and would like to have a liaison from each state dental board who would let the AADB know of important happenings in their state, and to also let AADB know of any changes in the State Practice Act, so that they can keep their database updated.

Mr. Tarrant said that the mid-year meeting will take place on April 10-11, 2016 in Chicago, and the AADB Annual Meeting will take place in Denver on October 19-20, 2016.

ADA President Maxine Feinberg:

APPENDIX C

Served ten years on the NJ state dental board. She considers educating students and practitioners on what “we” do (Boards of Dentistry) to be our most important mission.

Dr. Feinberg said that the rising cost of dental education poses a real threat to the profession. Dental spending is flat. The return on investment must allow students to repay loans in a timely fashion. She said that debt is clearly impacting dental career decisions. She pointed out that the ADA has a financial planning service. She said that the ADA is working on lowering student loan interest rates, which now are in the 7.6% - 8.2% range. The ADA has initiated a program to consolidate loans (September 2015) and provide dentists with a lower rate. Dr. Feinberg said that the ADA will not make money on this program.

Speaker David Preble:

Topic: Dental Service Organization Principles

Trends affecting paradigm shift in the delivery of dentistry:

- Dental Care for children is rising, largely due to Medicaid expansion
- Dental Care for the elderly is rising
- Dental Care among working aged adults is rapidly declining
- ER use is on the rise
- FAQH use is HUGELY on the rise
- Dental earnings still dropping rapidly, even before the recession and even after the economic recovery
- Dentists in large group practices are the least stressed, but also the most dissatisfied
- The larger the practice is, the less the perceived value of ADA products and Services
- Large group practice dentists report lower satisfaction with work/life balance
 - Less ability to influence the organization
 - Less likely to be satisfied with the care delivered in their practice

The FTC said that Dental Boards must be actively supervised by the State. The State Attorney General’s office is not enough. There must be specific guidelines as to how that supervision works. (Not a rubber stamp), and detailed reports must be provided by the AAG, if the action proposed by the BOARD might be perceived as a restriction of trade.

Careful attention must be made to any actions that exclude or restrict actual or potential competitors. Be wary of any anti-competitive acts.

According to Mr. Preble, the ADA and the DSOs have agreed to the following:

- DSOs cannot employ dentists
- DSOs can employ all non-dentist personnel
- Patient records are the custody of the owner dentist

The ADA wants and the DSOs HAVE NOT agreed to:

APPENDIX C

Dentists can hire DSOs for a fixed fee only (not commission or percentage). Mr. Preble also referred us to the Nevada Practice Act regarding DSOs.

In Texas, DSOs must register with the Secretary of State, and the Secretary of State CANNOT issue a business license to a DSO without Dental Board Approval.

BAUCUS GRASSLEY REPORT ON CORPORATE DENTISTRY

Dr. Rodney Whitlock, Health Policy Advisor for Senator Chuck Grassley

Dr. Whitlock is a dentist by training, and heads up a health advisory committee for the Senators Grassley and Baucus.

Dr. Whitlock says that Congress legislates to the lowest common denominator. He cited "Small Smiles" as an example. When Small Smiles, a DSO run corporate agency, was found to be engaging in Medicaid fraud, (and since kicked out of the Medicaid program), Congress is legislating as though all large providers could be doing the same.

Dr. Whitlock says that Congress does not expect dentists to make money on Medicaid. He said that the Federal Government built a payment policy based on dentists making less than cost and assuming that the dentists will make up their losses elsewhere. Therefore, the Federal Government looks suspiciously upon large Medicaid Practices who turn a profit. He said that the system is based on creating an environment based on VOLUME, and that the Federal Government has no plans to increase fees.

He said that state medical boards are seen as fiefdoms and labor protection organizations.

Dr. Whitlock suggested that State Boards ask the State Medicaid agencies "Who are the top ten dental Medicaid Providers/processors," and that the state boards should investigate them...by asking for records, sending in RACs (Recovery Audit Contractors – agents who work on commission to find ways to get state Medicaid money back from providers).

Wednesday November 4, 2015

Voting for AADB Treasurer took place between 7:00 a.m. and 8:30 p.m. Dr. Robert Zena from Kentucky defeated Dr. Wade Winkler of Florida. Running unopposed were and elected by affirmation: President, Jill Burns; Vice President, Dr. Norman Magnuson, OR; Secretary, Luis Fujimoto, NY; Dental Hygiene Member at Large, Mary Davidson, OR; Public Member Issie Jenkins, JD, MD.

Congressman Paul Gosar DDS, and Congressman Brian Babin, DDS, Speakers

REP Gosar: Medicare wants to force dentists to enroll as Medicare Providers by June 1, 2016, or no prescription will be filled for any state insurance patient. REP Gosar wants to keep dentists out of the "Medicaid Quagmire".

APPENDIX C

HR1185 removes bureaucratic burden on FSAs. (Flexible Spending Accounts). FSA contribution caps went from \$5,000 to \$2500 with the Affordable Healthcare Act. HR1185 restores limit to \$5,000 and allows an additional \$500 per dependent.

HR 3762 repeals the most unpopular and costly parts of the AFA through the budget reconciliation process. It would repeal the "Cadillac tax", the Auto-enrollment mandate and the Medical Device tax.

REPRESENTATIVE Babin

Working on repeal of McGaren/Ferguson Act, which grants anti-trust exemption to insurance companies. Rep. Babin says that we need insurance companies to compete. He said that it would also lower healthcare costs because it forces insurance companies to compete. He further says that the insurance industry, the pharmaceutical industry, hospitals and tort lawyers are all exempt from anti-trust legislation.

Dental Insurance Fairness Act: Requires secondary and tertiary insurance companies to provide benefits when premiums have been paid.

Michael Graham, ADA Legislative Update

Mr. Graham's legislative focus has been on preventing the implementation of mid-level providers. He said that he and his committee have been working on an alternate plan which has eight components. The components are as follows;

1. ER Referral
2. CDHC New member of the dental healthcare team
3. Long-term care
4. Give Kids a Smile
5. FSA
6. Fluoridation
7. Physician Referral
8. Fixing Medicaid and Increasing reimbursement rate

He explained the AFA "Obamacare" requires RAC audits (Recovery Audit Contractors), and the ADA is working on targeting specific entities for RAC audits. (Mr. Graham said that the ADA is working with the Federal Government on this.)

HB 649 Allows former students to refinance their debt to lower interest rates

Mr. Graham shared an exciting ADA Members only program which allows former students to refinance their student debt through DRB (contracts with the ADA) to lower student loan debt to 3%.

He said that the ADA is working on repealing the medical device tax. He said that this is a long process. Mr. Graham also said that the ADA is supporting Federal Legislation to do away with the non-covered services clause.

APPENDIX C

Mr. Graham concluded his address by telling AADB members that the ADA has bought a house on Capital Hill, address 137 C Street SE, Washington D.C. The ADA will hold dentist events, and host fundraisers for congress members. Any ADA member is a member of this house.

Federal Trade Commission, Ms. Marina Lao

Ms. Lao's goal was to explain the FTC ruling in the FTC vs. The North Carolina Board of Dentistry, and what the implications of the Supreme Court Ruling means to the FTC, and to State Dental Boards.

The FTC evaluates laws that prohibit unreasonable restraints on trade. She said that State Action anti-trust rulings must evaluate the interplay of promoting competition while regulating professions. Competition is good. Licensure is a barrier to competition, but has consumer benefits by protecting the public. BUT professional regulation can be excessive.

When the skills of the fully licensed professional is not necessary, then placing unnecessary restraints is restriction of trade.

When a state legislature passes a law, then the state is exempt from anti-trust laws on that particular law. (The State has sovereignty.) State Boards are NOT sovereign entities, simply because they are vested with regulatory power. State action immunity is disfavored, so all actions can be scrutinized.

With any ruling that could possibly be seen as restriction of trade in any form, Active Supervision is necessary. This Active Supervision must include:

1. A clear articulation of state policy
 - a. Cite law
 - b. Detailed documentation as to why this is NOT restriction of trade
2. No "rubber stamp" by the AAG. AAGs rulings and support documentation will be evaluated.
 - a. Must obtain ALL information (Fact Specific Inquiry)
 - b. Must evaluate the substantive portion of findings and submit written report

Practicing dentists have an interest in preventing competition by non-dentists, and dental boards are NOT entitled to anti-trust immunity.

Ms. Lao kept emphasizing "clear articulation". She said that the FTC looks at the controlling number of decision makers, and that this is not just numerical. For example, if 3 out of 7 members are dentists, but those three licensed dentists have veto power, make all the decisions, control either overtly or covertly, then they are not exempt from the State Action Defense. The FTC will look at minutes to see how members voted historically on all issues, and will look at comments made that may show a pattern of anti-competition. If other board members just "glance at documents and approve, the FTC will deem that that even just one or two market participants have CONTROL, and are not exempt from the State Antitrust exemption.

Ms. Lao said that no supervision is needed if the decision made by the board does not affect anti-trust competition. "Anything that restricts, or potentially restricts competition, must have active supervision".

APPENDIX C

If the state AAG does not have time for this lengthy process, then the AAG must contact the FTC to ask for guidance on whom to appoint as the Active Supervisor.

State Action Protection

This a new threat, a new exposure, that the FTC has opened up. Plaintiffs wielding the FTC ruling may want to provide services that the dental board says are "dental services only". Before ruling as a board, you must:

- Look at the organizational structure of the Board
- Make sure that it is CLEAR in the STATUTE (whatever enforcement that you are looking at)
- Refer to another official, like the AAG
- Have a specific set of procedures, written by an executive or other non-dentist, for regulating any action that may be perceived as anti-competitive, and make sure you have the statutory authority to do so.

Board Members are not entities of the state when it comes to competitive practices. Board members can, and likely will be, named as individuals in lawsuits, citing the FTC ruling.

**ATTORNEY ROUND TABLE
TOP CASES AND DEVELOPMENTS****Oklahoma:**

AG offered an opinion that all regulatory boards are in violation of anti-trust laws. The Governor said, OK, AG, you handle it... Now ALL decisions must go through the AG

There is a bill introduced that would change structure of the board to 5 non-licensees and 4 licensees. An Administrative Oversight Court will review actions made by the board.

Wyoming:

The Attorney speaking for the Wyoming Board of Dentistry said that the FTC ruling is vague, and that in order to qualify for state action supervision, they must have a disciplinary court and written decision.

West Virginia:

New policy that a letter must be sent to licensee following a complaint, within six months, then one year from the date on the return receipt, the final ruling must be complete (unless the complainant and the Board agree to a different time frame).

Mississippi:

Corporate Practice Regulation: "It is the policy of this board not to concern itself with the form or type of business arrangements entered into by a licensee, provided certain prerequisites are met:

APPENDIX C

- The dentist employed or associated with the entity is licensed by the MS Board. We are not concerned about how you structure your practice
- ALL patient decisions are made by the dentist exclusively. The Board will not go after the corporation, but will go after the dentist if there is a violation of any kind.
- Sound dental treatment
- No money for referrals
- Dentist controls all communication
- Dentist controls all advertising

Tennessee:

TN Board of Dentistry successfully ordered a cease and desist order to "Half Dental", where the corporation had total control of the practice, and were found to be engaging in the unlicensed practice of dentistry by providing implants and dentures. The Dentist associated with the practice rendered his rights to the corporation and the TN BOD successfully prosecuted the dentist for "aiding and abetting the unlicensed practice of dentistry".

Suggestion: Dentists should monitor their prescription profile monthly. There have been cases where people are stealing drugs or writing RXs without dentist knowing and that is no longer accepted as an excuse. It is assumed that the dentist is abusing.

Licensure Portability- David Oswiany

It has been a major focus of the ADA to achieve licensure portability in the US, but the tenth amendment of the Constitution was designed to separate powers and give the States power. Licensing should be left to the states, but, as a result of the FTC ruling, there have been numerous op ed articles questioning the licensure of professionals in the US; editors and others asking if licensing protects the public, or does it protect licensees within state borders? Is it government regulation to protect licensees from competition by raising barriers to entry, in the guise of protecting the public/consumer? The US department of Treasury, Federal Economic Advisors, and the Department of Labor opined in a report that:

"State Licensing inhibits professional mobility, hurting the licensee and the public by limiting access".

"Now is the opportunity to move on licensure portability. If we don't act, the Federal Government will act for us."

The ADA and the ODA support licensure by credential.

APPENDIX C

Snapshot of Dental Education

www.adea.org/snapshot

There are currently 65 dental schools in the US. #66 will be opening in NY. Half of the dental schools are part of a university with a large investment in research. The Mission of the Dental School may vary depending on where the dental school is located; institutions devoted to research cause the cost of education to be very high.

Suggestion: To reduce the cost of dental education, consider schools that focus on the clinical aspect of dentistry, and less emphasis on research institutions.

There was a lot of talk about student debt. There has been:

- Cuts in state funding of schools
- Increasing central university taxes (or Dean's tax). It is the Dean's obligation to pay administrative costs back to the University
- Rising costs for the investment in clinical technology

APPENDIX C
