

OHIO STATE DENTAL BOARD  
 BOARD MEETING  
 November 8, 2017

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OHIO STATE DENTAL BOARD  
BOARD MEETING

November 8, 2017

### 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 November 8, 2017. Board members present were:

Constance Clark, R.D.H., President	Michael Ginder, D.D.S.
Ashok Das, D.D.S., Vice President	Burton Job, D.D.S.
Patricia Guttman, D.D.S., Secretary	Susan Johnston, R.D.H.
Kumar Subramanian, D.D.S., Vice Secretary	Jamillee Krob, R.D.H.
Theodore Bauer, D.D.S.	Andrew Zucker, D.D.S.

Bill Anderson, D.D.S. and Ms. Ann Aquillo, the Board's Public Member was not in attendance to the meeting.

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Ohio Attorney General's Office; Nathan DeLong, Esq. of the Ohio Dental Association (ODA); Mark Wenzel, D.D.S. of the ODA Dentists Concerned for Dentists Program; Harry Kamdar, M.B.A., Executive Director, Steve Kochheiser, Esq., Deputy Director, Zachary Russell, Legislative and Communications Coordinator, Barb Yehnert, and Kathy Carson, Dental Board Enforcement Officers, and Malynda Franks, Administrative Professional, of the Ohio State Dental Board and other guests.

### Call to Order

Constance Clark, R.D.H. introduced herself as the Board President and a dental hygienist from Dublin. After extending greetings to everyone, President Clark noted that there was a quorum present and called the meeting to order at approximately 1:34 p.m.

### Board Business

#### Welcome New Board Member

President Clark took a moment and welcomed the newest member of the Board, Theodore Bauer, D.D.S. and informed those in attendance that Dr. Bauer is a general dentist from Upper Arlington.

#### Introduction of Board Members

President Clark then introduced the rest of the Board members. She introduced Dr. Ashok Das, the Board's Vice President and a general dentist from Mason, Dr. Patricia Guttman, the Board's Secretary and a general dentist from Columbus, Dr. Kumar Subramanian, the Vice Secretary and an Endodontist from Upper Arlington, Dr. Michael Ginder, a general dentist from Athens, Dr. Burton Job, an Oral and Maxillofacial Surgeon from Akron, Ms. Susan Johnston, a dental hygienist from Columbus, Dr. Jamillee Krob, a dental hygienist from Canton, and Dr. Andrew Zucker, a general dentist from Sandusky.

President Clark stated that Dr. Bill Anderson, a general dentist from Findlay and Ms. Ann Aquillo, the Board's Public member from Powell, were unable to attend the meeting.

## Approval of Agenda

President Clark stated that she had previously reviewed the agenda for the day and asked if there was a motion to approve the agenda with the caveat to amend the agenda due to any extenuating circumstances.

*Motion by Dr. Subramanian, second by Dr. Ginder, to approve the November 8, 2017 Board meeting agenda as presented.*

Motion carried unanimously.

## Review of Board Meeting Minutes

### September 13, 2017 Meeting

President Clark informed everyone that the draft Minutes from the September 13, 2017 meeting had been forwarded to the Board members for review prior to the meeting and asked if there was a motion in regards to the Minutes from the September 13, 2017 meeting.

*Motion by Ms. Johnston, second by Dr. Subramanian, to approve the September 13, 2017 Board meeting minutes as presented.*

Motion carried unanimously.

## Public Comment/Presentations/Correspondence

### Correspondence – Holland & Hart on behalf of the American Association of Orthodontists

President Clark indicated that the Board members, as well as the executive office had all received copies of a letter from Holland & Hart [Appendix A] requesting the Board to respond to a complaint against SmileDirectClub that was filed in April 2017. Discussion followed wherein concern was expressed that mail order orthodontics could be perceived as a danger to the public. However, the Board may only act based on complaints about specific patients or dentists and could be considered guilty of overreaching its authority to take action based on the letter that was sent by the American Association of Orthodontists.

Director Kamdar informed the members that this matter has been placed under the review of the Boards legal counsel and once due diligence has been completed the Board will act accordingly.

## Action Items

### Supervisory Investigative Panel Expense Report

President Clark asked if Dr. Guttman and Dr. Subramanian, the Board's Secretary and Vice Secretary, attested to having each spent at least twenty (20) hours per week attending to Board business. Both Secretaries affirmed they had spent the hours attending to Board business.

*Motion by Ms. Johnston, second by Dr. Das, to approve the Supervisory Investigative Panel Expense report.*

Motion carried with Dr. Guttman and Dr. Subramanian abstaining.

## Enforcement

### Personal Appearances

Jonathan J. Runion, D.D.S.

Ms. Yehnert stated that this was Dr. Runion's second appearance before them on his first consent agreement with the Board. She reviewed his history with the Board members and stated he remains in compliance with the terms

of his Consent to date. She stated that Dr. Runion was before them to request reinstatement of his license with work privileges.

Upon questioning by the Board, Dr. Runion thanked the Board members for allowing him to appear before them for consideration of reinstatement of his license to practice dentistry. He explained that this has taught him to face the consequences of his decisions but that it has made him a better professional, husband, and father. He commented that the program has caused him to grow in his thinking, actions, and behavior in all aspects of his life.

When asked by Director Kamdar what was his specific request of the Board that day, Dr. Runion stated that he would like to transition back into practicing two to three (2-3) day per week which will allow for him to also keep working with the program on his recovery.

President Clark stated that they appreciated Dr. Runion's sharing with the Board and then asked Dr. Runion to remain as they would be discussing his request during the Executive Session immediately following the next Personal Appearance interview.

Rudyard C. Whipps, D.D.S.

Ms. Yehnert stated that this was Dr. Whipps second appearance before them on his third consent agreement with the Board and then summarized his history with the Board adding that he recently voluntarily surrendered his DEA License. She stated Dr. Whipps continues to comply with the terms of his Consent Agreement and he was before them today to request reinstatement of his license with work privileges.

Upon questioning by the Board, Dr. Whipps thanked the Board members for taking the time to speak with them and stated that the past five (5) months in sobriety have been going very well and has provided him the opportunity to reevaluate and reprioritize what is important in his life. He has been meeting with his sponsor, attending five (5) meetings per week and chairs the meeting for his home group.

When asked, Dr. Whipps stated that he had relapsed about two (2) months after he completed the probationary terms from his previous Consent Agreement with the Board. He stated that he had tapered off from the program, had somehow thought in his mind that it would be ok to use occasionally, which had quickly escalated to daily usage.

When asked by Director Kamdar what was his specific request of the Board that day, Dr. Whipps stated that he was asking for working privileges of two to three (2-3) day per week, but not more than twenty (20) hours per week. However, Dr. Whipps stated that he would gladly accept however many days/hours the Board ideally saw fit to allow him. He further explained that he felt five to six (5-6) 8-hour days was too much and that it would put his life and maintaining sobriety out of balance. He said that his sobriety was most important, keeping it his top priority worked well in the past, and he felt the need to continue on that path.

President Clark thanked Dr. Whipps' sharing with the Board and then asked him to remain as they would be discussing his request during the Executive Session. She then concluded the Personal Appearances discussions.

Executive Session

*Motion by Dr. Krob, second by Ms. Johnston, to move the Board into executive session to consider the investigation of charges or complaints against a licensee pursuant to Section 121.22(G)(1) of the Ohio Revised Code.*

Roll call vote: Dr. Bauer – Yes

Dr. Das - Yes  
Dr. Ginder – Yes  
Dr. Guttman – Yes  
Dr. Job – Yes  
Ms. Johnston – Yes  
Dr. Krob – Yes  
Dr. Subramanian – Yes  
Dr. Zucker – Yes  
Ms. Clark – Yes

Motion carried unanimously.

President Clark requested Director Kamdar, Mr. Kochheiser, and Ms. Bockbrader to attend the Executive Session.

#### Open Session

The Board resumed open session and President Clark noted for the record that Dr. Guttman, Dr. Subramanian, and Dr. Zucker had not attended the executive session and, therefore, were not present during the deliberations in these matters.

Decision in the Matter of Jonathan J. Runion, D.D.S.

*Motion by Dr. Job, second by Dr. Ginder, to reinstatement the license of Jonathan J. Runyon, D.D.S. to practice dentistry for no more than twenty (20) hours per week and remain in full compliance with the terms of his consent agreement with the Board, and that Dr. Runyon must request and be granted a personal appearance before the Board in order to request additional practice hours.*

Motion carried with Dr. Guttman and Dr. Subramanian absent.

Decision in the Matter of Rudyard C. Whipps, D.D.S.

*Motion by Dr. Zucker, second by Dr. Das, to reinstatement the license of Rudyard C. Whipps, D.D.S. to practice dentistry for no more than twenty (20) hours per week not to exceed eight (8) hours per day and remain in full compliance with the terms of his consent agreement with the Board, and that Dr. Whipps must request and be granted a personal appearance before the Board in order to request additional practice hours.*

Motion carried with Dr. Guttman and Dr. Subramanian abstaining.

President Clark then turned the meeting over to Director Kamdar to present the Enforcement matters before the Board for September.

#### Proposed Motions

Deputy Director Kochheiser indicated that the first enforcement matter before the Board were three (3) Notices of Opportunity for hearing that were issued in December 2016 to Fathallah Ghattas, D.D.S., Ahmed Khalifa, D.D.S., and Mustafa Khallaf, D.D.S. He stated that these three dentists had originally applied for limited teaching licenses for an appointed teaching position at an unaccredited dental program, they were all denied their original applications, Notices of Opportunity for Hearing were issued, and they had all requested hearings in the matters. Since that time, all three (3) dentists withdrew their original application for limited teaching licenses and filed motions to request leave to withdraw their requests for a hearings. Mr. Kochheiser informed the members that

the Hearing Examiner granted their motions and Board executive office was now requesting that the original Notices of Opportunity be withdrawn as no longer applicable.

Fathallah Ghattas, D.D.S.

*Motion by Dr. Zucker, second by Dr. Krob, to withdraw the Notice of Opportunity for Hearing that was issued in December 2016 to Dr. Fathallah Ghattas, D.D.S.*

Motion carried with Dr. Das and Dr. Guttman abstaining.

Ahmed Khalifa, D.D.S.

*Motion by Ms. Johnston, second by Dr. Subramanian, to withdraw the Notice of Opportunity for Hearing that was issued in December 2016 to Dr. Ahmed Khalifa, D.D.S.*

Motion carried with Dr. Guttman and Dr. Das abstaining.

Mustafa Khallaf, D.D.S.

*Motion by Dr. Krob, second by Ms. Johnston, to withdraw the Notice of Opportunity for Hearing that was issued in December 2016 to Dr. Mustafa Khallaf, D.D.S.*

Motion carried with Dr. Das and Dr. Guttman abstaining.

Proposed Voluntary Permanent Surrender(s)

The Board reviewed one (1) proposed Voluntary Permanent Surrender of License. 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. Mr. Kochheiser provided a brief summary of the matter.

John R. Johnston, D.D.S.

*Motion by Dr. Subramanian, second by Ms. Johnston, to accept the proposed voluntary permanent surrender of license for John R. Johnston, D.D.S., license number 30.022635, and case number 17-00-1213.*

Motion carried with Dr. Das and Dr. Guttman abstaining.

Proposed Consent Agreement(s)

The Board reviewed five (5) proposed Consent Agreements. The names of the individuals/licensees were not included in the documents reviewed by the Board. The names of the individuals/licensees have been added to the minutes for public notice purposes. Ms. Nash provided a brief summary of any charges and the proposed orders.

Disciplinary

Hayat Ali, D.D.S.

*Motion by Ms. Johnston, second by Dr. Krob, to approve the proposed consent agreement for Hayat Ali, D.D.S., license number 30.020566, and case number 16-18-1053.*

Motion carried with Dr. Guttman and Dr. Subramanian abstaining.

Allison B. Clark, D.D.S.

*Motion by Ms. Johnston, second by Dr. Bauer, to approve the proposed consent agreement to limit the practice of Allison B. Clark, D.D.S., license number 30.022635, and case number 17-57-1161.*

Motion carried with Dr. Guttman and Dr. Subramanian abstaining.

*Paul F. Smith, D.D.S.*

*Motion by Dr. Krob, second by Dr. Das, to approve the proposed consent agreement for Paul F. Smith, D.D.S., license number 30.015868, and case number 17-18-1044.*

Motion carried with Dr. Subramanian and Dr. Guttman abstaining.

*Heather N. Grisnik, R.D.H.*

*Motion by Ms. Johnston, second by Dr. Krob, to approve the proposed consent agreement for Heather N. Grisnik, R.D.H., license number 31.010926, and case number 17-31-1359.*

Motion carried with Dr. Guttman and Dr. Subramanian abstaining.

Non-disciplinary

*Juan Troconis, D.D.S.*

*Motion by Ms. Johnston, second by Dr. Das, to approve the proposed consent agreement for Juan Troconis, D.D.S., license number 30.025272.*

Motion carried with Dr. Subramanian and Dr. Guttman abstaining.

Enforcement Update

Deputy Director Kochheiser began the Enforcement Update by informing the Board that there were originally seven (7) cases pending hearings of which three (3) have been withdrawn and one (1) has been continued. He stated that there are two (2) cases awaiting a Hearing Examiners Report and Recommendation, fifty-one (51) licensees and certificate holders under suspension, and that there were one hundred and eighteen (118) active cases. Mr. Kochheiser said that there was one (1) new referrals and one (1) licensee actively participating in QUIP. He informed the members that there were seventy-two (72) cases which have been investigated and reviewed by the Board Secretaries and are recommended to be closed with two (2) warning letters having been issued. Mr. Kochheiser noted that there are twenty-three (23) licensees on currently on probation. He indicated that there are fifty-three (53) cases that have been open for longer than 90 days and that the detail of the categories of the cases and a brief explanation as to why they have been open longer than 90 days has been provided in the charts in the Board Notebooks.

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 Clark reviewed the cases to be closed with the Board.

The following cases are to be closed:

16-50-1400	17-17-1197	17-25-1112
16-78-1371	17-18-1204	17-25-1125
17-01-1247	17-18-1222	17-25-1146
17-03-1262	17-18-1251	17-25-1194
17-07-1243	17-18-1273	17-25-1210
17-09-1267	17-18-1310	17-25-1226
17-12-1287	17-21-1281	17-25-1255
17-12-1296	17-22-1326	17-25-1257
17-13-1258	17-23-1244	17-25-1260

17-25-1283	17-48-1082	17-71-1235
17-25-1294	17-48-1265	17-71-1278 - WL
17-25-1304	17-48-1297	17-74-1224 - WL
17-31-1173	17-48-1320	17-75-1291
17-31-1237	17-50-1186	17-77-1241
17-31-1248	17-50-1231	17-77-1272
17-31-1263	17-52-1189	17-77-1333
17-31-1271	17-55-1285	17-78-1170
17-31-1289	17-57-1218	17-78-1280
17-31-1318	17-57-1228	17-78-1292
17-32-1266	17-57-1279	17-80-1143
17-39-1212	17-57-1286	17-83-1240
17-43-1214	17-57-1290	17-83-1259
17-47-1229	17-57-1305	17-87-1250
17-47-1275	17-57-1306	
	17-64-1234	

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

Roll call:

- Dr. Bauer – No
- Dr. Das – No
- Dr. Ginder – No
- Dr. Guttman – No
- Dr. Job – No
- Ms. Johnston – No
- Dr. Krob – No
- Dr. Subramanian – No
- Dr. Zucker – No
- Ms. Clark – No

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

*Motion by Dr. Subramanian, second by Dr. Zucker, to close the above seventy-two (72) cases.*

Motion carried unanimously.

President Clark thanked Deputy Director Kochheiser for providing the Enforcement Report and Update.

Request for Removal of Formal Action from Board Website

Deputy Director Kochheiser explained to the Board members that during the last Board meeting they had approved the procedure for removing disciplinary records from the Boards website upon petition of the individual, review and recommendation by SIP to the full Board. He stated that they have received one application for that procedure and it was reviewed and approved by SIP for presentation to the Board. He stated that he wanted to make it clear that this does not change the status of these as public records and they will still be accessible by the public and can be reviewed by the public upon request, it merely takes the record off of the Boards website under the eLicense program.

Dr. Subramanian stated that SIP has reviewed the October 17, 2017 request from Dr. Sohi to remove records from the eLicensing website relating to Board discipline of an adjudication order issued in 2000 and 2012. This only removes the records from the website and these records will still be available for inspection by the public upon request. SIP recommends approval of Dr. Sohi's request to the Board.

Motion by Dr. Subramanian, second by Ms. Johnston, that the Board accept the recommendation of SIP for removal of Dr. Sohi's 2000 and 2012 adjudication orders.

Motion carried unanimously.

Motion by Dr. Subramanian, second by Ms. Johnston, to table this until the Board has created a formal application process with guidelines in which the applicant can provide the details in a specified format in order for the Board executive office to more efficiently provide the details of the case to the SIP for review.

Dr. Guttman commented that there needed to get established guidelines for making this type of request to the Board. Dr. Job commented that he was in favor of the motion but was inquiring if the Board had a timetable on when this application and guidelines would be in place or reported back to the Board. Dr. Subramanian amended the original motion to table the procedure for 90 days in order that they could have this process in place at that time.

*Motion by Dr. Subramanian, second by Ms. Johnston, to table this procedure for 90 days until the Board has created a formal application process with guidelines in which the applicant can provide the details in a specified format in order for the Board executive office to more efficiently provide the details of the case to the SIP for review.*

Motion carried unanimously.

## Executive Session

*Motion by Dr. Krob, second by Ms. Johnston, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(3) to confer with Board counsel regarding a pending or imminent court action.*

Roll call vote: Dr. Bauer – Yes  
Dr. Das – Yes  
Dr. Ginder – Yes  
Dr. Guttman – Yes  
Dr. Job – Yes  
Ms. Johnston – Yes  
Dr. Krob - Yes  
Dr. Subramanian – Yes  
Dr. Zucker – Yes  
Ms. Clark – Yes

Motion carried unanimously.

President Clark stated that the Board would now go into Executive Session and requested Ms. Bockbrader, Director Kamdar and Mr. Kochheiser to attend. She requested all other guests and staff to leave the meeting and to take all personal items, including briefcases, purses, cell phones, tablets, etc. with them when exiting the room. She stated that they would be invited back in upon conclusion of the Executive Session.

## Open Session

At 3:06 p.m. the Board resumed open session. President Clark indicated that the Board would take a five minute recess prior to resuming the agenda.

## Licensure

eLicense and Licensure Renewal Report – Samantha Slater, Licensing Coordinator

Director Kamdar introduced Samantha Slater, Licensing Coordinator, to the Board and explained that she was before them to provide an update on the eLicense renewal progress to date.

Ms. Slater stated that renewal for dentists and dental hygienists opened up on October 2, 2017 and over 1,000 licensees renewed in the first week. She stated that to date, 25 % of dentists, 14% of dental hygienists, and 30% of EFDAs have renewed their licenses and registrations which is 20% of all active licensees that expire by December 31, 2017 overall. In a comparison to the last renewal cycle, we are ahead by over 1,000 licensees that have renewed to date and she was asking the members to encourage licensees to renew now and to not wait until the holiday season.

Director Kamdar stated that for those members who have not met Ms. Slater or have only seen her in passing, she is the person behind the scenes doing all the license processing work. He stated that she does a tremendous job for us and he wanted her to come in today to address the Board members.

Director Kamdar stated that they could use the Board members help with getting the word out because we do not want people waiting until December to start renewing. If they do wait until then we will not be able to guarantee that they will get their license renewed by December 31, 2017. He explained that if a licensee turns something in on December 24<sup>th</sup> as an example, that person may not get their license renewed until January. He stated that he is encouraging everyone to be as proactive as possible and get the word out. The Board will be trying to get the word out through our website, associations, and also our new eBulletin newsletter.

Ms. Slater stated that while renewal online is an automatic process, if there is any kind of compliance question that needs to be reviewed, this could hold up the process. She noted that we no longer have the paper renewal card or wallet card. Ms. Slater indicated that the Board is encouraging employers or employees to verify their license on the eLicense portal. There is also a printer-friendly version of current active license that you can print if you would prefer the paper copy. However, we really want to encourage people to verify their license in “real time” by verifying they are current and active whenever that is necessary to prove.

Dr. Subramanian expressed his thanks to Ms. Slater as he is aware that she sometimes fields unpleasant phone calls and handles them very well. Ms. Johnston informed Ms. Slater that she has heard others in the dental community appreciate it and wanted her to know that she receives many high praises.

Licensure/Certification/Registration Report (Issued by the Licensure Section)

Samantha Slater, Licensing Manager, had prepared a report of the licenses, certificates, and registrations issued since the previous Board meeting in September.

*Dentist(s) – (39)*

30.025232	Zaynab Al-Quraishi	30.025252	Dahye Joo Mckenna
30.025233	Daniel Saffo	30.025253	Tanya K Sackrider
30.025234	Chester C Torkornoo	30.025254	Deepasulochana
30.025235	Thomas Veraldi		Sivasankaraganesan
30.025236	Tyler Andrew Overmyer	30.025255	Charles Michael Weber
30.025237	Celeste Kostelnik	30.025256	Trenton Mitchell Campbell
30.025238	Eileen Gulertekin	30.025257	Alexis Capeci
30.025239	Sushaen Rangaramanujam	30.025258	Kishan Dhiren Patel
30.025240	Teresa Annemarie Salino-Hugg	30.025259	Laura Piroutek
30.025241	Siema Eljack	30.025260	Kim Thien Do
30.025242	Daniel Vicente Escovar	30.025261	Andrew Carranco
30.025243	Ankita Kathpalia	30.025262	Joseph Depalo
30.025244	Yas Saleem	30.025263	Macaire Claire Thiel
30.025245	Ahmed Amer Belaid Elkhaweldi	30.025264	Robert Harris Range
30.025246	Muhanad Abdul Wahab Kassim	30.025265	Steven H Snyder
30.025247	Mark Kamal Hebeish	30.025266	Sae-Eun Schlottke
30.025248	Marwa Abdeldayem	30.025267	John Christopher Kurzawa
30.025249	Hania S Alkudmani	30.025268	Jason Matthew Lawrence
30.025250	Jennifer Aiello Jesko	30.025269	Ilan Gamburg
30.025251	Jonathan Eugene Kohler	30.025270	Anqi Hu

*Dental Hygienist(s) – (20)*

31.015594	Doireann Leslie	31.015604	Kelsey Lynn Peters
31.015595	Brooke Nicole Wintz	31.015605	Tatyana Wargo
31.015596	Conner Elaine Herron	31.015606	Alexandra Damaris Moga
31.015597	Kelley Lynn Luke-Gentner	31.015607	Hannah Thomas
31.015598	Allison Craig Riedling	31.015608	Bethany Lynn Maston
31.015599	Courtney Nicole Shaw	31.015609	Cassandra Jean Haynes
31.015600	Kelly Lynn Fleak	31.015610	Kristin Michele Duignan
31.015601	Feven Legesse	31.015611	Kelsey Ann Krugman
31.015602	Katlynn Elizabeth Baker	31.015612	Andrew Joseph Holden
31.015603	Bethany Alanna Lako	31.015613	Deborah L Smith

*Dental Assistant Radiographer(s) – (230)*

51.032168	Brooke Madison Zimmerman	51.032175	Danielle Holm
51.032169	Ginnia Marie Earsley	51.032176	Jaida Lee Cruz
51.032170	Nicole Rae Oxier	51.032177	Hassan Iqbal
51.032171	Chelsea Rena Sawinski	51.032178	Candace Marie Hug
51.032172	Kaitlyn Rae Geraci	51.032179	Sidney Jo Brown
51.032173	Lindsay Steer	51.032180	Dajon L Clark
51.032174	Amber Nelson	51.032181	Kerstee Kleeh

51.032182	Kelsey Marie Lumpkin	51.032230	Lacey Ann Emrick
51.032183	Brittney S Thomas	51.032231	Makenzie Kathleen Perry
51.032184	Hannah Marie Sheely	51.032232	Lais Da Silva Miller
51.032185	Katherine Margaret Van Dyke	51.032233	Jazmyne Simone C. Brandon
51.032186	Tanyale Jones	51.032234	Jasmine Nicole Dipippo
51.032187	Carol Lynne Aldridge	51.032235	Amber Lang
51.032188	Hannah Larue Holbert	51.032236	Ragan Evelyn Cline
51.032189	Liudmyla Ozeruga	51.032237	Tana Lee May
51.032190	Jessica Lindsey Abrams	51.032238	Tamara Richmond
51.032191	Latawni Williams	51.032239	Destiney Rose Rehs
51.032192	Nicole Susanne Neff	51.032240	Christina Santiago
51.032193	Allison Greegor	51.032241	Kirbie Maddocks
51.032194	Demarie Sue Lehman	51.032242	Savannah Jo Hoover
51.032195	Brianna Reed	51.032243	Darla Michelle Price
51.032196	Julia Osypovych	51.032244	Robbin Smith
51.032197	Samantha Nguyen	51.032245	Reba Smith
51.032198	Jillian Elizabeth Miller	51.032246	Kate Melinde Board
51.032199	Joy Shaw	51.032247	Jannalyn Dovie Simmons
51.032200	Alexandra Sledge	51.032248	Autumn Hobbs
51.032201	Emily Adams	51.032249	Garrison Rogan
51.032202	Kai'lynn E Devalt	51.032250	Taylor Schnebelt
51.032203	Olivia Makhenna Withers	51.032251	Jennifer D Santone
51.032204	Lexie Kate Berger	51.032252	Emily Catherine Schlechty
51.032205	Maizy Layne Barnett	51.032253	Bitia Azawi
51.032206	Aaliyah Wakiel	51.032254	Alexandra Shaffer
51.032207	Staci Lynn Larkin	51.032255	Ashlyn Nicole Merrill Albritton
51.032208	Robin Rachelle Blankumsee	51.032256	Nitu Jha
51.032209	Shelby Lykins	51.032257	Chelsea Marie Jones
51.032210	Artaja Miller	51.032258	Erin Leigh Runion
51.032211	Savanna Lee Slayton	51.032259	Melissa J Taylor
51.032212	Chelsea Lynne Skarupa	51.032260	Sydney Hatten
51.032213	Colleen Baas	51.032261	Jocelyn Gutierrez
51.032214	Halle Mckinley	51.032262	Taylor Renee Phillips
51.032215	Janki A Patel	51.032263	Ashley Jo Green
51.032216	Jewel Fauntelle Brown	51.032264	Morgan Rayann Smith
51.032217	Holly Noelle Bandish	51.032265	Abigail Suzanne Radabaugh
51.032218	Nellie Williamson	51.032266	Brooke Ashley Bush
51.032219	Brandece J'anette Shumate	51.032267	Mckenna Alyse Crawford
51.032220	Brittney Ault	51.032268	Anisha Grace Furbee
51.032221	Rebecca Martinez Rosales	51.032269	Bethany Hope Fairbanks
51.032222	Sura Abdulwahhab Alsaedi	51.032270	Jessica J Cunningham
51.032223	Kaitlyn Marie Bryan	51.032271	Shayla Rachelle Whitesel
51.032224	Danielle Ryan	51.032272	Vanessa Cline
51.032225	Robin L Mooney	51.032273	Mackenzie Marie Keller
51.032226	Ashley Lynn Mansfield	51.032274	Ashleigh Noelle Brettell
51.032227	Morgan Camden	51.032275	Teresa Hess
51.032228	Kristina Vanover	51.032276	Emilie Christine Keiser
51.032229	Francisco Xavier Campos	51.032277	Courtney Joyce Margo

51.032278	Rubie Powell	51.032326	Danielle Lea Luteran
51.032279	Kayla Douglas	51.032327	Laura Anne Fleming
51.032280	Monet D Gray	51.032328	Tylaia Range
51.032281	Selena Marie Angelus	51.032329	Laurie Ewart
51.032282	Priscilla Damaris Banks	51.032330	Desirae Lynnae Bromley
51.032283	Teresa Thomas	51.032331	Alyssa Katelynn Grooms
51.032284	Juana Monica Juarez-Ibarra	51.032332	Alexus Nickole Campbell
51.032285	Kaleigh Ashton Markel	51.032333	Genevieve Koniski
51.032286	Abbey Laine Neal	51.032334	Chelsea Chambers
51.032287	Paula Lower	51.032335	Kin Chhay
51.032288	Brianna Madisyn Estep	51.032336	Gabrielle Elizabeth Carver
51.032289	Celine Ann Burgos	51.032337	Rachel Quinlan
51.032290	Jasmine Noel Sajn	51.032338	Shayla Sherece Bridges
51.032291	David Galaviz	51.032339	Keara Williams
51.032292	Melissa Holcomb	51.032340	Sylvia Toloe
51.032293	Elizabeth Katheleen Ritchie	51.032341	Makynzie Isabel Myers
51.032294	Karina Morgan	51.032342	Katherine Louise Miller
51.032295	Aimee M. Jeffrey	51.032343	Janet Rose Jacobs
51.032296	Amber Nicole Fugate	51.032344	Shayla Campbell
51.032297	Sidney Cheyenne Brown	51.032345	Alyssa Penelope Kareha
51.032298	Antoinette She Ree' Tyson	51.032346	Mieisha Alina Lawrence
51.032299	Jasmine C Smith	51.032347	Haley Schultz
51.032300	Tori Petersen	51.032348	Evangeline Francisco Barrett
51.032301	Alicia Marie Nuske	51.032349	Brittany Marie Caffee
51.032302	Sabrina Marie Davis	51.032350	Ashley Rose Goldman
51.032303	Khloye Noelle Brown	51.032351	Rachael Anna Markowski
51.032304	Jessica Ann Durenda	51.032352	Ka'jzha Mitchell
51.032305	Quaniesha Harvey	51.032353	Rebecca Whitney Hutchison
51.032306	Brooke Nicole Mullet	51.032354	Shacara Gee
51.032307	Jessica Ebinger	51.032355	Amanda M Cherup
51.032308	Justus A Neeley	51.032356	Lexis Briona Lee
51.032309	Megan Ramsey	51.032357	Desiree Chanel Bush
51.032310	Amberly Faye Smith	51.032358	Elnaz Tajik
51.032311	Amber Cornwell	51.032359	Keirstin Marie Larue
51.032312	Kirsten Cadman	51.032360	Ann Edwards
51.032313	Jesse Paul Trzebuckowski	51.032361	Jennifer Marie Nocek
51.032314	Jazara Harris	51.032362	Madeleine Alaine Tawadros
51.032315	Laura Haines	51.032363	Nadia Mikkia Elkalifa
51.032316	Peyton Nicole Latour	51.032364	Samantha Mueller
51.032317	Gabrielle Elizabeth Ignatowicz	51.032365	Jessica Jay Jeffers
51.032318	Chelsea Danielle Massas	51.032366	Emily Jo Corona
51.032319	Christiana D Swanson	51.032367	Sarah Edon Kaidon Mccally
51.032320	Chloe Renee Johnson	51.032368	Karen Osborn
51.032321	Mariela Cruz-Garcia	51.032369	Caitlin Ackley
51.032322	Kaneisha Marie Swoope	51.032370	Arielle Brittanee Lewis
51.032323	Tanner Nicole Hamilton	51.032371	Taylor Marie Ford
51.032324	Olivia Morgan-Taylor Stahl	51.032372	Christina Kathleen Coumos
51.032325	Taylor Nicole Holland	51.032373	Nira Acharya

51.032374	Alissa Nichole Vaughan	51.032386	Bailey Williams
51.032375	Autumn Chistine Parr	51.032387	Bailey Alexandra Pennington
51.032376	Alicia Marie Saavedra	51.032388	Oktober Krumm
51.032377	Stephanie Ann Marie Stacklin	51.032389	Cheryl Ditello Smallwood
51.032378	Macy Elizabeth Eicher	51.032390	Mary Catherine Cliborne
51.032379	Alexis Nichole Walters	51.032391	Kelsie Elizabeth Votaw
51.032380	Carissa Jean Grillo	51.032392	Sabrina Ann Burn
51.032381	Genesis Claire Mccoy	51.032393	Tennyata S Washington
51.032382	Chloe Addison Bricker	51.032394	Abigail R Stuller-Pajer
51.032383	Savannah Paige Pennington	51.032395	Mackenzie Ranee Garrett
51.032384	Alexia Dawn Prichard	51.032396	Pamela Magistro
51.032385	Hannah Elizabeth Quibell	51.032397	Monika Mcpherson

*Limited Resident's – (2)*

RES.003921	Mohammad Kashif	RES.003922	Simmerdeep Singh
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*Limited Teaching – (1)*

71.000257	Fabio Antonio Piola Rizzante
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*Limited Continuing Education – (4)*

LCE.000332	Tennille Cheek-Covey	LCE.000334	Angela Cotey
LCE.000333	Jennifer Marie Harr	LCE.000335	Jeffrey Thomas Straley

*Coronal Polishing – (33)*

CP.001816	Chanelle Ivory King	CP.001830	Tina Zabos
CP.001817	Stephanie Renee Losiewicz	CP.001831	Aneesa R Julian
CP.001818	Tameka Tara Patterson	CP.001832	Jaime M Reeves
CP.001819	Brittani Ann Mellor	CP.001833	Heather Nicole Combs
CP.001820	Storm Elston Rush	CP.001834	Lisa Gail Hylton
CP.001821	Olga P Kotenko	CP.001835	Michelle Dawn Moore
CP.001822	Kimberly S Mackie	CP.001836	Macyn Elise Asher-Lacey
CP.001823	Alanah Mae Weis	CP.001837	Melania Stepanovich
CP.001824	Lori Ann Pennington	CP.001838	Jennifer Nichole Cosgrove
CP.001825	Margarita J Theuring	CP.001839	Aubrey Catherine Zunk-Sullivan
CP.001826	Rachel Marie Shoemaker	CP.001840	Jessica M Kolling
CP.001827	Jennifer L Knipp	CP.001841	Kaleigh Chauntee' Robinson
CP.001828	Erin Lee Koon	CP.001842	Kelly S Norvell
CP.001829	Ashton Lindsay Groeniger-Miller	CP.001843	Lindsey Marie Smith

CP.001844	Mariah Nicole Johnston	CP.001847	Ashley Marie Sehen
CP.001845	Amy J Fahrer	CP.001848	Rachael Roth Orendorff
CP.001846	Patricia Irene Dwyer		

*Expanded Function Dental Auxiliary – (26)*

EFDA.002739	Chadleo Allan Webb	EFDA.002752	Hassan Iqbal
EFDA.002740	Lisa Nicole Rainey	EFDA.002753	Storm Elston Rush
EFDA.002741	Kristin Nicole Mitchell	EFDA.002754	Rachel Elizabeth Rummer
EFDA.002742	Laiken N Mourer	EFDA.002755	Ashley Dawn Luster
EFDA.002743	Danielle Brooke Smart	EFDA.002756	Latrice Yvonne Boards
EFDA.002744	Lisa Brooke Sturtz	EFDA.002757	Brea Doreathea Mcclendon
EFDA.002745	Candace Marie Hug	EFDA.002758	Bryn Kathleen Taylor
EFDA.002746	Mackenzie Jo Dutton	EFDA.002759	Khalil Damin Abukhalil
EFDA.002747	Brittani Ann Mellor	EFDA.002760	Amber Marie Engle
EFDA.002748	Brittany Kay Griner	EFDA.002761	Peggy N Edenburn
EFDA.002749	Macy Alexis Smith	EFDA.002762	Cynthia L Chick
EFDA.002750	Michelle Elizabeth Coutts	EFDA.002763	Diana K Shinn
EFDA.002751	Tabitha Kathleen Sue Aldrich	EFDA.002764	Amy Marie McGrath

*Motion by Ms. Johnston, second by Dr. Krob, to approve all licenses, certifications, and registrations as listed that have been issued since the September Board meeting.*

Motion carried unanimously.

General Anesthesia/Conscious Sedation Permit(s)

Director Kamdar stated that the Board's Anesthesia Consultant had vetted the following individuals who have applied for General Anesthesia and Conscious Sedation Permits, evaluations have been conducted, and the applicants are recommended to receive Permits for the specified modality.

General Anesthesia

Aaron Brinster, D.D.S., Sylvania, Ohio  
 Albert Conlisk, D.D.S., Pickerington, Ohio  
 Claire Towing, D.D.S., Zanesville, Ohio

Conscious Sedation

Nira Patel, D.D.S., Delaware, Ohio – Oral for children 12 years or younger  
 Sara White, D.D.S., Cincinnati, Ohio – Intravenous

*Motion by Dr. Subramanian, second by Dr. Das, to grant permits to the licensees for General Anesthesia and Conscious Sedation in the appropriate modality as listed.*

Motion carried unanimously.

Oral Health Access Supervision Permits

Director Kamdar stated that the Board's Licensing Coordinator had reviewed the applications and recommended that the following individuals receive Oral Health Access Supervision Permits:

## Dentist(s)

Gina Bitonte, D.D.S. – Newton Falls, Ohio

Dr. Zaynab Al-Quraishi – Lima, Ohio

Dr. Timothy Zigler – Dayton, Ohio

## Dental Hygienist(s)

Jennifer Martin, R.D.H. - Troy, Ohio

Kelly Tussing, R.D.H. – Van Wert, Ohio

*Motion by Dr. Subramanian, second by Dr. Ginder, to grant Oral Health Access Supervision Permits to the individuals as listed.*

Motion carried unanimously.

## Reinstatement Application(s)

Director Kamdar stated that the Board's Licensing Coordinator had reviewed the application and recommended that the following dental license be reinstated:

## Dentist(s)

Amish Pandya, D.D.S.

*Motion by Ms. Johnston, second by Dr. Krob, to reinstate the dental license of Dr. Amish Pandya to practice in the state of Ohio.*

Motion carried unanimously.

## Committee Reports

## Ad Hoc

President Clark requested Dr. Guttman to provide the report on the activities of the Ad Hoc Committee that day. Dr. Guttman stated that she had chaired the Committee in Dr. Das' absence and that a quorum was present to review the materials. She stated that the Committee had finalized their review and had come to consensus of all the categories in the Disciplinary Guidelines (Guidelines) grid. She informed the Board that the members should expect to see a final copy of the Guidelines prior to their meeting in December. Dr. Guttman said that the Committee hopes to have official approval from the Board members in December in order to begin utilizing the Guidelines beginning in January 2018.

Director Kamdar thanked Dr. Guttman for standing in for Dr. Das and commented that this project was a huge accomplishment which began almost two (2) years ago with former Board member Marybeth Shaffer, D.M.D. taking the lead. He stated that the final document will be a much needed improvement from the previous version.

*Motion by Dr. Subramanian, second by Dr. Das, to approve the Ad Hoc Committee report as presented.*

Motion carried unanimously

## Education

### Practicum Education

President Clark stated that the Committee had met at 9:15 a.m. that morning in Room 1924 with all members present and began the meeting with a brief discussion on practicum continuing education. She stated that Committee members and stakeholders had shared information on practicums and it has been decided that the process leading to a Limited CE License for out-of-state applicants will be changed slightly to include a submission of proof of malpractice insurance by the applicant and submission of statutorily required information by the director of the clinical program for which the applicant is wanting to attend, including but not limited to proof of approval to provide clinical curriculums by ADA CERP, AGD PACE or the Ohio Dental Association, expertise of the instructors, proof that the director of the practicum or responsible party is currently licensed in Ohio, etc. President Clark stated that she has asked the members to submit further recommendations or suggested guidance to her prior to the next meeting in December.

### Review of Application(s)

President Clark stated that the Committee had reviewed seventeen (17) Biennial Sponsor and Biennial Sponsor Renewal Applications for consideration of approval. She indicated that the Committee recommended approval for Biennial Sponsorship of continuing education for the following:

- Cassinelli and Shanker Orthodontics
- Elite Continuing Education
- Greater Cincinnati Dental Study Club
- Gregg Orthodontics
- David J. Harris, D.D.S., M.S.D.
- Health Secure IT
- Heights Dental Study Club
- Roger Hess, D.D.S., M.B.A., M.P.A.
- Hongwei Study Club
- James E. Metz, D.D.S.
- Naples Dental Conference
- Practical Private Practice
- Practice Enhancement Study Club
- Southwest Dental Hygiene Society (2016-2017 and 2018-2018)
- Tri-State Dental Medical Conference
- Western Lake Erie OMS
- Gary Woznicki, D.D.S.

### Update Jurisprudence Examinations for Dentists and Dental Hygienists

President Clark stated that the Committee had briefly discussed the need to update the jurisprudence examinations for both the dentists and the dental hygienists which is one of the 2017-2018 Strategic Priorities and Key Action Items that has been assigned to the Education Committee. She indicated that Dr. Krob has agreed to work on updating the dental hygiene examination and that Dr. Subramanian has agreed to do the same with the dentist jurisprudence examination. She stressed the need to have these examinations updated by the end of this year since most of the schools begin instruction on Ohio laws during the next semester.

### Continuing Education Audit

President Clark indicated that Ms. Franks had reported to the Committee that the executive office has begun discussions with the technology staff for the new eLicensing system regarding a continuing education (CE) audit. She explained that a 10% audit of licensed dentist and dental hygienists will begin shortly after January 1, 2018. She stated that tracking CE through CE Broker will be more efficient in the future in order to also help with our auditing process.

### Biennial Sponsors – Discussion

President Clark stated that the Committee began discussions about acceptable CE, sponsors, and content. She indicated that they would like to look at the rules about CE and try to see how the law and rules on education may be rewritten and reorganized in order to have better understanding and better guidelines. She stated that this will also help CE Broker in tracking our CE. She indicated that Dr. Subramanian had some suggestions that he would be forwarding to the Committee prior to the next meeting. She also encouraged other members to forward any suggestions in this regard to her attention for consideration in their discussions.

### 2017-2018 Strategic Priorities and Key Action Items

President Clark stated that they had also taken a brief look at the Strategic Priorities and Key Action Items that have been assigned to the Committee and they will begin working on them at the next meeting in December.

*Motion by Dr. Subramanian, second by Dr. Krob, to approve the Education Committee report and the recommendations for applications as presented.*

Motion carried unanimously.

### Law and Rules Review

#### Ohio Specialties Education Advisory Group – July 13, 2017 Minutes

Dr. Subramanian stated that the Law and Rules Review Committee had met that morning at 11:00 a.m. with Dr. Anderson and Ms. Aquillo the only members absent. He stated that the first order of business for the Committee was approval of the July 13, 2017 Minutes from the Ohio Specialties Education Advisory Group since it had been determined that the document had not received approval earlier.

### Omnibus Bill

Dr. Subramanian stated that under “Old Business” the Committee had briefly discussed the omnibus bill or the update on the statute and rules that former Deputy Director Lyndsay Nash had begun. He stated that the project has been turned over to Mr. Kochheiser to pursue on behalf of the Board.

### Specialty Designation Rules

Dr. Subramanian stated that Director Kamdar had informed the Committee that they are in the process of contracting with Measurement Resources in regards to a survey of the perception of the public as to their definition of “specialty” or “specialist”. He commented that once the survey is completed they will report back to the Board with the information and the Committee can proceed with their discussions on the “specialties” issues at that time.

### H.B. 184 – Teledentistry Bill

Dr. Subramanian informed the members that the Committee had briefly discussed H.B. 184 on teledentistry. He stated that there was some dissention regarding emerging technologies and limitation of services rendered to those services being performed by licensed individuals only. Dr. Subramanian explained that the Board does not

take a position in regards to the bill and therefore, the discussions should remain educational only for the Board and Committee members.

#### Dental Records

Dr. Subramanian informed the Board that there are no statute or rules regarding the length of retention of dental records. He stated that he had performed some research into the length of time to retain records for insurance companies, Medicaid, Medicare, malpractice carriers, etc. He stated that he had also asked Nathan DeLong, Esq. of the Ohio Dental Association to provide some insight.

Dr. Subramanian informed the members that the Committee had decided that it was best not to draft rules in regards to length of time to retain dental records but rather to possibly draft guidelines in this matter or to have the executive office refer such questions to the Ohio Dental Association as they have recommended guidelines already in place to provide to practitioners.

#### 2017-2018 Strategic Priorities and Key Action Items

##### *#1 – Define Criteria for Dental Specialties in the Dental Practice Act*

Dr. Subramanian stated that the Committee next reviewed the 2017-2018 Strategic Priorities and Key Action Items that had been assigned to the Law and Rules Review Committee. He stated that they are still working on the dental specialties issue as he had reported earlier in the meeting.

##### *#4 – Consider Licensure for Fellowships*

Dr. Subramanian explained that limited licensure for fellowships had been brought to the attention of the Board as a request from Case Western Reserve University (CWRU) since the Board had errantly been licensing fellows under the Limited Resident's Licenses based on incorrect information submitted by CWRU and due to an error in the Board rules. He explained that fellowships in dentistry differ from those in medicine due to the fact that they are "observorships" wherein the fellow is not permitted to perform any clinical dentistry. He informed the Board that Mr. Kochheiser is including revisions to the rules on limited licenses in order to correct this discrepancy.

##### *#17 – Executive Priority – Elevate Awareness of Ohio's Opioid Epidemic and Reduce Overprescribing of Opioids and Benzodiazepines*

Dr. Subramanian reported that the opioid crisis has reached a point. He stated that the Attorney General's Office has come up with a 12-Step plan to fight addiction. He commented that in a recent news article it was noted that 14.5-15 opioid related deaths occurred each day in Ohio. Medicare and Medicaid started recording statistics tracking back to dentists and physicians which resulted in no direct cause and effect. However, he stated that they are trying to obtain more information in order to determine the factors in the opioid epidemic.

Dr. Subramanian stated that as practicing physicians the onus is on them in their role as prescribers. He stated that they need to be more stringent in their prescribing practices and that administration is urging the Board to be at the forefront of this epidemic. He stated that we need to take a more active role in educating the practitioner by possibly mandating a 2-hour continuing education course in opioid addiction that could possibly be accessed from anywhere.

*Motion by Ms. Johnston, second by Dr. Ginder, to approve the Law and Rules Review Committee Report as presented.*

Motion carried unanimously.

## Operations

President Clark stated that the Operations Committee had not met that day.

## Policy

### Approval of Policies

Ms. Johnston informed the Board members that four (4) policies that had been previously reviewed and approved by the Policy Committee had been introduced at the September meeting and placed out on the Board member web portal for their review and consideration. She stated that she had not received any comments, recommendations, or suggested changes from any of her fellow Board members regarding these four (4) policies. Therefore, Ms. Johnston was asking the members to consider approving the policies individually.

Dr. Job questioned whether these were all new policies or amended policies and if they were amended he would have preferred to see the draft versions presented similarly to rules with stricken language having strikethroughs and new language underlined. Ms. Johnston stated that drafts of the policies as described had been provided to the Committee members during the process with the final version being presented to the full Board. Director Kamdar explained that the Policy Committee is charged with reviewing old policies for updating, as well as drafting new policies and therefore, providing them to the Board in their final format for discussion and approval is appropriate.

Ms. Johnston then briefly reviewed and explained each of the four (4) policies for the Board members.

*A-610 Policy for Non- Dentist Licensed Healthcare Providers Assisting a Licensed Dentist*

*Ms. Johnston moved from the Policy Committee to approve policy A-610 Policy for Non- Dentist Licensed Healthcare Providers Assisting a Licensed Dentist (Appendix B).*

Motion carried unanimously.

*B-501 Policy Regarding Dental Hygienists Performing Periodontal Maintenance When the Supervising Dentist is Not Present*

*Ms. Johnston moved from the Policy Committee to approve policy B-501 Policy Regarding Dental Hygienists Performing Periodontal Maintenance When the Supervising Dentist is Not Present (Appendix C).*

Motion carried unanimously.

*K-701 Policy Regarding Legislative Representation*

*Ms. Johnston moved from the Policy Committee to approve policy K-701 Policy Regarding Legislative Representation (Appendix D).*

Motion carried unanimously.

*Policy Regarding Employee Response to an Active Aggressor*

*Ms. Johnston moved from the Policy Committee to approve the Policy Regarding Employee Response to an Active Aggressor (Appendix E).*

Motion carried unanimously.

### Revised Policies for Review by Committee

Ms. Johnston stated that the Committee had finalized revisions on previously discussed policies and will have will have the final versions posted to the Board member portal for review and consideration by the full Board prior to the December meeting. The following policies will be up for consideration in December:

- A-502 Policy Regarding Treatment Within the Scope of Dental Practice;
- B-503 Policy Regarding Treatment Within the Scope of Dental Hygiene Practice;
- A-620 Policy Regarding Termination of the Dentist-Patient; and
- A-401 Policy Regarding Remedial Education of Core Competencies for Licensed Dentists

Ms. Johnston informed the members that the Committee had decided that a separate policy for remedial education for dental hygienists to mirror the language in the policy for dentists will be drafted and reviewed by the Committee in December. She stated that they intend to have a preliminary draft of policies on the disposal of sharps, amalgam separators, and extracted teeth for the Committee members to review by their next meeting also.

Ms. Johnston said that the Committee had added consideration of policies on dental water quality to the agenda for next month. She also stated that the Committee discussed rescinding policies that are no longer applicable and/or current.

*Motion by Dr. Subramanian, second by Dr. Krob, to approve the Policy Committee report as presented.*

Motion carried unanimously.

### Scope of Practice

#### Silver Diamine Fluoride

Dr. Ginder informed the members that the Scope of Practice Committee had met earlier that day and began by revisiting their earlier discussions on Silver Diamine Fluoride (SDF). He said that at their previous meeting the Committee had decided that only licensed individuals, dentists and dental hygienists, were permitted to apply SDF. However, he stated that it had been pointed out that the rules allow dental assistant to apply topical fluoride when the dentist is present and only fluoride varnish when the dentist is not present. Dr. Ginder explained that he had provided information to the Committee which indicated that SDF is a topical fluoride and therefore, dental assistant may apply SDF under the supervision of the licensed dentist and in the presences of decay but **may not** apply it without the dentist present. He stated that the Committee still highly recommends that any application of SDF be done only after informed written and verbal consent is obtained. Dr. Ginder stated that a suggestion was made that this could possibly be a topic for an upcoming eBulletin to all licensees. He added that while the dental assistant is permitted to apply SDF in the presence of the supervising dentist this should not be considered under any language if the legislation on teledentistry passes due to the fact that dental assistants are not trained in the detection of caries and oral lesions.

#### Sleep Apnea

Dr. Ginder stated that the Committee had readdressed their discussions on sleep apnea and reiterated that licensed dentists are not qualified to diagnose sleep apnea. He said that the Committee would be providing their recommendations to the Policy Committee in order that a policy regarding the treatment of sleep apnea may be drafted. Dr. Ginder stated that oral appliances for sleep apnea prescribed by a physician my only be constructed by qualified dentist who are able to provide the appliance and are recommended for those individuals who are intolerant of CPAP or alternative therapies. Follow-up sleep testing/studies by qualified medical providers with

periodic office visits by the qualified medical provider and dentist should also be included in any policy drafted by the Board. He commented that the Committee would also be seeking input from the State Medical Board of Ohio for possible guidance and inclusion of language in the policy.

Dr. Ginder stated that the Committee would be revisiting issues regarding phlebotomy at their next meeting in December and that President Clark has requested an expert from Columbus State Community College to present to the Committee in December.

*Motion by Dr. Subramanian, second by Dr. Bauer, to approve the Scope of Practice Committee report.*

Motion carried unanimously.

## Executive Updates

### President's Update

#### Case Western Reserve University - Presentation

President Clark stated that at the request of the Director of Dental Hygiene at Cuyahoga Community College, MaryLou Gerosky, R.D.H., she had participated in a presentation to the third year dental students at Case Western Reserve University College of Dental Medicine. She indicated that her part of the presentation had been on delegation of duties to dental auxiliary, including dental hygienists duties. She informed the members that she had shared copies of the new Consolidated Auxiliary Duties Matrix with everyone in attendance and that it was received very well.

#### American Association of Dental Boards (AADB) Meeting

President Clark stated that she and Dr. Guttman had attended the American Association of Dental Boards (AADB) meeting on October 17-18, 2017. She stated that she had provided their report to the Board members via the Board member portal. President Clark recommended to the members that if they had the opportunity to attend any of the AADB meetings in the future that they should due to insight into ongoing issues that many of the other states are dealing with especially in regards to protection of the public.

President Clark informed the members that Frank Recker, D.D.S, Esq. also presented at the AADB meeting regarding the specialties issue. She stated that Dr. Recker's presentation was on the history of the profession and how we have arrived to this point of recognition of specialties. She indicated that his presentation was the same as the one that he has provided to the Ohio Board in the past. When asked how to remedy the issue, Dr. Guttman commented the Mr. Bussey of the American Dental Association suggested that the Board needs to provide evidence as to why they are not accepting a particular specialty.

#### Election of Officers

President Clark reminded the members that they would be holding an election of Board Officers during the December meeting. She stated that the information on the election of officers was by law and guidance was provided in their Orientation Manual under Governance Guidelines. She stated that officers are elected to one-year terms to commence in January.

President Clark indicated that there was an issue with the elections this year as we are mainly a young Board. She informed the members that she, along with Susan Johnston, Ann Aquillo, and Dr. Das are the only members who have served for longer than 3 years. That being said, she stated that it is a problem to elect a secretary that has served for 3 years. Dr. Guttman is beginning her third year of service and Dr Subramanian has served two years. As

we did in previous years, we can agree to amend the suggested years of service for eligibility for an office. I would like to ask the Board members to look at the election guidelines for consensus at the December meeting.

President Clark then reminded everyone that if they wanted to run for a particular office they should feel free to contact other members for possible nomination or support, or they could even nominate themselves if they chose to do so. Director Kamdar indicated that he could provide a Board Member Matrix that indicates their appointment date and terms to the members to use in their consideration of members for election to a particular position.

#### Executive Director's Update

##### Auditor of State Report

Director Kamdar opened his update by indicating that the report from the Auditor of State would be forthcoming. He stated that they had met with representatives from the Auditor of State's Office to review their findings and then he reviewed them with the Board as follows:

**Confidential Personal Information** – Although the eLicensing system was an enterprise level initiative and is governed by the State, the Board is responsible for assessing any applicable vulnerabilities in the system. Accordingly, the Board is required to complete a form in addition to what the State of Ohio is doing at an enterprise level.

**Fiscal** – It was noted that there were a handful of coding issues and clerical errors but all were immediately remedied. Director Kamdar noted that the Boards Fiscal Officer Pamela Lively has possibly the most comprehensive "Desktop Procedures Manual" of anyone, however, they are requiring the manual to be put into a policy format and then signed.

**CE Audits** – Lack of completion of the CE Audits is not due to lack of effort but simply a resource issue. Director Kamdar stated that they are choosing not to commiserate on the past but rather look to the future to remedy past weaknesses. He stated that they have already begun discussions on how to audit 10% of the licensee population which equates to approximately 1,500 licensees which can be completed in approximately a year if 32 audits per week are reviewed.

**Public Records Policy** – The Board's Public Records Policy was not displayed in a public area but is now pinned to a bulletin board in the conference room

##### Presentations

Director Kamdar stated that he has had the opportunity to travel around the state meeting and presenting information to constituents and stakeholders. He thanked Dr. Zucker for hosting and allowing him to present to the North Central Ohio Dental Society in Fremont. He also thanked Dr. Krob for hosting him at the Stark Collaborative of Dental Hygienists meeting in the Akron/Canton area. Director Kamdar stated that he recently attended a meeting hosted by the Columbus Dental Society where he had the opportunity to meet Dr. Hammersmith of Nationwide Children's Hospital who presented on the Silver Diamine Fluoride issue.

##### eBulletin

Director Kamdar stated that he had forwarded a copy of the Boards new eBulletin to the Board members for their review and input prior to sending it out to all the licensees via email distribution. He indicated that this first issue had a large emphasis on opioid prescribing. He hoped that this was yet another option to enhance understanding amongst the Board and the professionals it serves.

### Anything for the Good of the Board

President Clark thanked all the members for their effort that day and then asked if any members had anything to report for the good of the Board. Noting that there were no additional items for discussion, President Clark called for a motion to adjourn.

### Adjourn

*Motion by Dr. Krob, second by Dr. Bauer, to adjourn the meeting.*

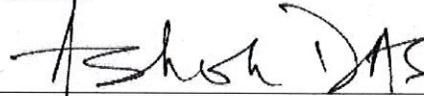
Motion carried unanimously.

President Clark adjourned the meeting at 5:07 p.m.



\_\_\_\_\_  
CONSTANCE CLARK, R.D.H.

President



\_\_\_\_\_  
ASHOK DAS, D.D.S.

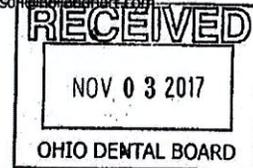
Vice President

## Appendix A

**HOLLAND & HART** 

Jonathan M. Anderson  
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JMAnderson@hollandhart.com

October 31, 2017



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

**Re: SmileDirectClub Response to Complaint**

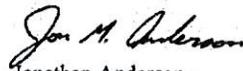
Over six months ago the American Association of Orthodontists ("AAO") filed a Complaint with the Ohio State Dental Board ("Board") specifically alleging that SmileDirectClub ("SDC") is violating state dental laws.<sup>i</sup> The AAO also provided additional documentation showing that SDC is providing its services to patients located in your state.<sup>ii</sup> To date, the Board has yet to make a finding on the AAO's Complaint.

While the AAO recognizes and appreciates that a review of this matter takes time, it is concerned by recent news stories<sup>iii</sup> involving SDC patients and public reviews of SDC.<sup>iv</sup> The AAO is further concerned about this public health and safety matter because SDC's activities have only expanded since the Complaint was filed. SDC states it has extended its activities to "all U.S. states,"<sup>v</sup> while also having 30 offices in 12 states and DC where a "Smile Guide" provides services to patients rather than state licensed dentists.<sup>vi</sup> In addition, the number of other companies offering online orthodontic appliances continues to grow.

As state dental boards are charged with protecting the public by appropriately regulating the practice of dentistry in accordance with state law, the AAO believes SDC's current practices should be prohibited. In fact, one state dental board has already voted unanimously<sup>vii</sup> to send a cease and desist letter to SDC.<sup>viii</sup>

Therefore, the AAO requests that this Board complete its investigation as quickly as possible and issue a finding regarding SDC. If the Board determines no action will be taken, the AAO hereby requests a written explanation for the Board's decision so that the AAO can assess if judicial review is appropriate. Please contact me if you would like to discuss this matter or if we can provide contact information for AAO local counsel responsible for this matter.

Sincerely,

  
Jonathan Anderson  
Counsel on behalf of the AAO

<sup>i</sup> April 11, 2017 AAO Complaint.

<sup>ii</sup> May 8, 2017 and August 31, 2017 Submissions of Additional Documentation.

**Holland & Hart LLP Attorneys at Law**

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Alaska Colorado Idaho Montana Nevada New Mexico Utah Washington, D.C. Wyoming



Ohio State Dental Board  
October 31, 2017  
Page 2

<sup>iii</sup> See, e.g., *Mail Order Braces, Is Your Smile Worth the Cost?* <http://www.wrdw.com/content/news/Mail-order-braces--Is-your-smile-worth-the-cost-452548583.html>

<sup>iv</sup> See, e.g., [https://www.yelp.com/biz/smile-direct-club-nashville-2?sort\\_by=rating\\_asc](https://www.yelp.com/biz/smile-direct-club-nashville-2?sort_by=rating_asc) (you can also find other reviews about SDC within the Yelp website); and <https://www.bbb.org/nashville/business-reviews/dental-equipment-and-supplies/smiledirectclub-in-nashville-tn-37111672/reviews-and-complaints?section=reviews&reviewtype=negative> (you can also find other reviews about SDC within the BBB website).

<sup>v</sup> See, <https://smiledirectclub.com/blog/where-can-i-find-smiledirectclub-locations/>.

<sup>vi</sup> See, e.g., <https://smiledirectclub.com/blog/what-is-smiledirectclub-smileshop/>; see also <https://smiledirectclub.com/faq/> ("What are the SmileGuide's Qualifications? SmileGuides come from a variety of backgrounds and are trained to efficiently and accurately capture a 3D image of your smile. Many of our SmileGuides are registered dental assistants, dental hygienists, or home health aides."). SDC advertises 30 SmileShops in 12 states and Washington, DC (<https://smiledirectclub.com/locations/>).

<sup>vii</sup> The Alaska Board of Dental Examiners voted unanimously to send a Cease and Desist letter to SDC: "Resolved to request Division officials to send a Cease and Desist letter to Smile Direct Club." (See page 7, [https://www.commerce.alaska.gov/web/Portals/5/pub/DEN\\_Minutes\\_2017.08.pdf](https://www.commerce.alaska.gov/web/Portals/5/pub/DEN_Minutes_2017.08.pdf)).

<sup>viii</sup> To the extent this Board is concerned by the Supreme Court case *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, 135 S.Ct. 1101 (2015), the AAO believes that case does not apply to this situation. In that case, the dental board regulated teeth whitening services by non-dentists even though teeth whitening was not prohibited (*or even referenced*) by North Carolina's dental laws. See 135 S. Ct. at 1108. Further, the Court's holding was limited solely to situations where a state does not provide adequate supervision of the dental board. If a state supervises its dental board, then state actor immunity from antitrust laws will apply to the board's regulatory activity. Here, by contrast, the AAO's Complaint against SDC simply asks the Board to regulate activities that are *expressly referenced* in Ohio's dental laws. In sum, the AAO is merely asking this Board to enforce clear laws that have been on the books for a significant time.

Appendix B

<p>POLICY NUMBER <b>A-610</b></p>	<p>POLICY TITLE: <b>Policy Regarding Non-Dentist Licensed Healthcare Providers Assisting a Licensed Dentist</b></p>
	<p>RELATES TO: DENTIST SUPERVISION OF PERSONNEL</p>
<p>EFFECTIVE DATE: <b>November 8, 2017</b></p> <p>NEXT REVIEW DATE: <b>July, 2018</b></p>	<p><u>DENTISTS</u></p> <p><u>NON-DENTIST LICENSED HEALTHCARE PROVIDERS</u></p>

*Constance Clark, R.D.H.*  
Constance Clark, R.D.H., President

*Harry Kamdar*  
Harry Kamdar, M.B.A., Executive Director

**I. Purpose**

The Ohio State Dental Board (Board) is committed to ensuring the safe practice of dentistry to the public. The purpose of this policy is to set forth the Board's position regarding a dentist utilizing non-dentist licensed healthcare providers (RN, LPN, etc.) to assist in the performance of patient treatment within the scope of practice of dentistry while in a dental office.

**Legal Authority**

O.R.C. 4715.39 Permitted Duties.

O.A.C. 4715-11-05 Non-dental licensed healthcare provider; supervision.

**II. Applicability**

The policy applies to the practice of appropriately trained non-dental licensed personnel under the direct supervision of the licensed supervising dentist.

**III. Definitions**

Direct Supervision O.A.C. 4715-3-01(N)(2) which states: acts are deemed to be under the direct supervision of a licensed dentist when performed in a dental facility wherein a licensed dentist is physically present at all times during the performance of such acts and such acts are performed pursuant to his order, control and full professional responsibility, and are checked and approved by the licensed dentist before the patient upon whom such act has been performed departs from the dental facility of said dentist.

**IV. Procedure**

1. Non-dentist, licensed healthcare practitioners may perform procedures/tasks/duties, only within the scope of their license.

Non-dentist, licensed healthcare practitioners may perform procedures/tasks/duties, only under the direct supervision of a licensed dentist

Non-dentist, licensed healthcare practitioners may perform procedures/tasks/duties, only during the performance of dental procedures

Non-dentist, licensed healthcare practitioners may only perform procedures within the scope of practice of dentistry, which the dentist him/herself have been properly trained to perform.

Non-dentist, licensed healthcare practitioners are properly and actively licensed according to the Ohio Revised and Administrative Codes.

It is the dentist's responsibility to insure the non-dentist licensed healthcare practitioner is properly and actively licensed according to the Ohio Revised and Administrative Codes

It is the dentist's responsibility to insure the non-dental licensed healthcare practitioner complies with Board rules and regulations, including, but not limited to, Hepatitis vaccines, infection control, ACLS, etc.

**V. Attachments**

None

**VI. Monitoring**

The supervisory staff overseeing the daily practices of the procedures contained within this policy shall utilize quality tools and instruments to ensure compliance.

An interdisciplinary team comprised of the Director, Deputy Director, and Policy Committee of the Board, shall meet as needed throughout the year to review policies and procedures and integrate collaborative services. Assigned designees may represent each of these respective disciplines. All policies must be documented as an official review in the policy database on an annual basis.

Each year, the policy design team shall review the quality assurance data and results derived from audit reports, quality tools and instruments, legal or investigatory measures, and interdisciplinary team meeting summaries and/or actions, and incorporate the findings and other improvement recommendations as revisions to the current policies and procedures or develop new policies when necessary.

**VI. Training**

This revised policy requires staff education or training prior to policy implementation.

**VII. References**

- O.R.C. 4715.39 Permitted Duties.
- O.A.C. 4715-11-05 Non-dental licensed healthcare provider; supervision.

Appendix C

<p>POLICY NUMBER <b>B-501</b></p>	<p>POLICY TITLE: <b>Policy Regarding Dental Hygienists Performing Periodontal Maintenance When the Supervising Dentist is not Present.</b></p>
	<p>RELATES TO: OHIO STATE DENTAL BOARD DENTAL HYGIENISTS</p>
<p>EFFECTIVE DATE: <b>November 8, 2017</b></p> <p>NEXT REVIEW DATE: <b>July, 2018</b></p>	<p>PERMITTED DUTIES</p>

*Constance Clark, R.D.H.*  
Constance Clark, R.D.H., President

*Harry Kamdar*  
Harry Kamdar, M.B.A., Executive Director

**I. Purpose**

The Ohio State Dental Board (Board) is committed to ensuring the safe practice of dentistry to the public. The purpose of this policy is to address inquiries regarding whether a dental hygienist can perform periodontal maintenance on a patient when the supervising dentist is not present in the office.

**Legal Authority**

- O.R.C. 4715.22 Supervision of licensed dentist.
- O.A.C. 4715-9-01 Permissible practices of a dental hygienist.
- O.A.C. 4715-9-05 Practice when the dentist is not physically present.

**Education and Training**

- O.A.C. 4715-9-05 Practice when the dentist is not physically present.
- (A)(2) Successful completion of a 4-hour Board-approved course in the identification and prevention of potential medical emergencies.
- (A)(3) Successful completion of an American Heart Association, American Red Cross, or American Safety and Health Institute basic life-support training course.

**Minimum Practice Requirement**

- O.R.C. 4715.22 Supervision of licensed dentist.
- (C)(1) The dental hygienist has at least one year and a minimum of one thousand five hundred hours of experience in the practice of dental hygiene.
- O.A.C. 4715-9-05 Practice when the dentist is not physically present.
- (A)(1) The dental hygienist has at least one year and a minimum of one thousand five hundred hours of experience in the practice of dental hygiene.

**II. Applicability**

The policy applies to the practice of appropriately licensed dental hygienists under the supervision of the licensed supervising dentist.

**III. Definitions**

Supervision O.A.C. 4715-3-01(O)(1) which states: acts are deemed to be under the supervision of a licensed dentist when performed in a dental facility wherein a licensed dentist is physically present at all times during the performance of such acts and such acts are performed pursuant to his order, control and full professional responsibility. Such acts shall be performed only after examination and diagnosis by said dentist and in accordance with said dentist's treatment plan for the procedure to be performed by the dental hygienist. This definition is subject to the exceptions noted in section 4715.22 of the Revised Code.

Periodontal Maintenance Procedures performed at regularly scheduled intervals to assist the periodontal patient in maintaining oral health. As part of periodontal therapy, an interval is established for periodic, ongoing care. Maintenance procedures are under the supervision of the dentist and typically include: an update of the medical and dental histories; radiographic review; periodontal evaluation; removal of the bacterial flora from crevicular and pocket areas; limited scaling and root planing where indicated; polishing of the teeth; and a review of the patient's plaque control efficiency. Periodontal maintenance procedures following active therapy is not synonymous with a prophylaxis.

**IV. Procedure**

- Dental Hygienists: O.A.C. 4715-9-01 Permissible practices of a dental hygienist.
- (B)(2) Periodontal scaling, root planing, and soft tissue curettage.

The performance of periodontal maintenance as described above is permissible on a patient when the supervising dentist is not present, as long as there is compliance with the Ohio Administrative Code 4715-9-05. The supervising dentist must have evaluated the patient within the past year, and prescribed the periodontal maintenance as part of ongoing care for the patient.

**V. Attachments**

Form: Permissible Practices Documentation for Dental Hygienists

**VI. Monitoring**

The supervisory staff overseeing the daily practices of the procedures contained within this policy shall utilize quality tools and instruments to ensure compliance.

An interdisciplinary team comprised of the Director, Deputy Director, and Policy Committee of the Board, shall meet as needed throughout the year to review policies and procedures and integrate collaborative services. Assigned designees may represent each of these respective disciplines. All policies must be documented as an official review in the policy database on an annual basis.

Each year, the policy design team shall review the quality assurance data and results derived from audit reports, quality tools and instruments, legal or investigatory measures, and interdisciplinary team meeting summaries and/or actions, and incorporate the findings and other improvement recommendations as revisions to the current policies and procedures or develop new policies when necessary.

**VI. Training**

This revised policy requires staff education or training prior to policy implementation.

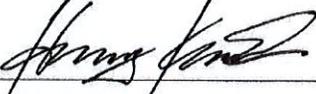
**VII. References**

O.R.C. 4715.22	Supervision of licensed dentist.
O.A.C. 4715-9-01	Permissible practices of a dental hygienist.
O.A.C. 4715-9-05	Practice when the dentist is not physically present.

Appendix D

<p>POLICY NUMBER <b>K-701</b></p>	<p>POLICY TITLE: <b>Policy Regarding Legislative Representation</b></p>
	<p>RELATES TO: OHIO STATE DENTAL BOARD MEMBERS AND STAFF</p>
<p>EFFECTIVE DATE: <b>November 8, 2017</b></p> <p>NEXT REVIEW DATE: <b>July, 2018</b></p>	<p><u>BOARD MEMBERS</u></p> <p><u>BOARD EMPLOYEES</u></p>

  
Constance Clark, R.D.H., President

  
Harry Kamdar, M.B.A., Executive Director

**I. Purpose**

The Ohio State Dental Board (Board) is committed to ensuring the safe practice of dentistry to the public. The purpose of this policy is to address that the Dental Board has a unique perspective and thus a responsibility to provide consultation to legislators, through advocacy and consulting efforts, regarding the crafting of laws and rules affecting the regulation of the practice of dentistry, dental hygiene, and dental assistant radiography, as that relates to the public's interest. Advocating and consulting occurs in a variety of ways and includes: contacts and/or meetings with legislators and other interested parties; testifying at hearings; writing letters; and providing oral and written information.

**Legal Authority**

O.R.C. and O.A.C. Chapter 4715

Education and Training  
O.R.C. 101.70 Legislative Lobbying Definitions.

## II. Applicability

The policy applies to legislative representation of the Ohio State Dental Board (Board)

## III. Definitions

Legislative agent O.R.C. 101.70(F) which defines a legislative agent as “any individual, except a member of the general assembly, a member of the staff of the general assembly, the governor, lieutenant governor, attorney general, secretary of state, treasurer of state, or auditor of state, who is engaged during at least a portion of the individual's time to actively advocate as one of the individual's main purposes.”

Employer O.R.C. 101.70(G) which states: "Employer" means any person who, directly or indirectly, engages a legislative agent.

Actively Advocate O.R.C 101.70(E) which states: "Actively advocate" means to promote, advocate, or oppose the passage, modification, defeat, or executive approval or veto of any legislation by direct communication with any member of the general assembly, any member of the controlling board, the governor, the director of any department listed in section 121.02 of the Revised Code, or any member of the staff of any public officer or employee listed in this division. "Actively advocate" does not include the action of any person not engaged by an employer who has a direct interest in legislation if the person, acting under Section 3 of Article I, Ohio Constitution, assembles together with other persons to consult for their common good, instructs a public officer or employee who is listed in this division, or petitions that public officer or employee for the redress of grievances.

## IV. Procedure

The extent of the Board's legislative involvement will be directly related to the extent to which the following are affected by a proposed piece of legislation: The relationship of the proposed legislation to the power, authority or jurisdiction of the Board; the impact of legislation on the functioning of the Board as a state agency; the extent to which the legislation directly affects the ability of the Board to effectively enforce the law and rules regulating the practice of dentistry, dental hygiene and dental assistant radiography; if the legislation required the Board to take on new or additional responsibilities.

In order to ensure compliance with this statutory mandate, the Executive Director will determine which staff members shall register as legislative agents on behalf of the Ohio State Dental Board. The Executive Director shall also assist individual board members regarding his/her responsibility to register, based upon ongoing or sustained contracts with individual policy makers.

During the course of the legislative process, it may be necessary for Board members or staff to present written or oral testimony or attend meetings about a legislative issue. When the legislative issue is not one that has been specifically

addressed by the Board, the Executive Director shall use the Criteria set forth in this guideline to determine the appropriate action to take on behalf of the Board. The Executive Director shall also assure that the position of the Board, as related through testimony or during meetings, is in concert with the Board's mission.

Any member of the Board or staff may contact a legislative representative or offer testimony on any legislative issue, as a private citizen, on his/her own time. Such contract or testimony should explicitly state the capacity in which the member is appearing (i.e. personal versus as a representative of the Board). Furthermore, Board members and staff should avoid the perception of a conflict of interest in such situations, and clearly indicate that the views expressed are not representative of the Dental Board itself. Any questions or concerns regarding conflict of interest in these matters should be brought to the Executive Director for discussion and resolution.

**V. Attachments**

Legislative Lobbying Definitions

**VI. Monitoring**

The supervisory staff overseeing the daily practices of the procedures contained within this policy shall utilize quality tools and instruments to ensure compliance.

An interdisciplinary team comprised of the Director, Deputy Director, and Policy Committee of the Board, shall meet as needed throughout the year to review policies and procedures and integrate collaborative services. Assigned designees may represent each of these respective disciplines. All policies must be documented as an official review in the policy database on an annual basis.

Each year, the policy design team shall review the quality assurance data and results derived from audit reports, quality tools and instruments, legal or investigatory measures, and interdisciplinary team meeting summaries and/or actions, and incorporate the findings and other improvement recommendations as revisions to the current policies and procedures or develop new policies when necessary.

**VI. Training**

This revised policy requires staff education or training prior to policy implementation.

**VII. References**

- O.R.C. Chapter 4715
- O.R.C. 101.70
- O.A.C. Chapter 4715

## Appendix E



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

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

Constance Clark, RDH, President

Harry N. Kamdar, MBA, Executive Director

### Purpose

To provide Ohio State Dental Board employees with clear, concise instructions on how to respond to an active aggressor or active threat within the Dental Board office.

### Definitions

- a. **Active Aggressor**- An individual who is actively engaged in killing or attempting to kill people in a confined or populated area or attempting to cause harm to as many people as possible. In most cases, active aggressors use firearms and there is no pattern or method to their selection of victims. The intent of most active aggressors is to kill individuals as quickly as possible.
- b. **Active Threat**- An active threat is defined as any incident, which by its deliberate nature, creates an immediate threat or presents an imminent danger to human life. Active threats can take many forms and may or may not have the intent of killing targeted people as quickly as possible. Traditional law enforcement responses to active threats will include the concept of "surround and contain" in order to minimize the number of victims. In order to save lives, the law enforcement agency having jurisdiction will initiate an immediate response.
- c. **Threat Types**- Active shooter, hostage barricaded subject, sniper, suicide/human bomber, known or suspected terrorist threat (biological/chemical threat)

### Policy Statement

The Dental Board recognizes that the safety of its employees, contractors, customers and other visitors in the Board is paramount. The Board will provide this policy to all current employees when it is published and when subsequent changes are made to it. New employees will receive this policy during new employee orientation. Board employees will receive video training located in ELM as well as participate in annual drills. as per State of Ohio Administrative Policy HR-42 "Response to Active Aggressor."

### Applicability

This applies to all Dental Board employees and contractors working in the Dental Board office.

### Procedures

In the event of an active aggressor or active threat incident within the Dental Board office, the primary mission of the Board is to take all necessary steps to immediately contain and stop any ongoing threat to human life. This mission will be accomplished through a specific response by the first law enforcement officer(s) to arrive on the scene but there are additional things that may need to occur before, during and/or after the law enforcement response.

- A. Upon discovery of an active aggressor or active threat situation, when safe to do so, anyone may notify law enforcement (9-1-1) and Board police or security personnel, if possible. The Verne Riffe

Center has an employee announcement system and an "Active Aggressor" broadcast will be made immediately following the discovery of the threat, describing the threat and last known location of the aggressor. The Board's Legislative and Communications Liaison will be responsible for making the announcement. The same information will be disseminated through the Board's employee notification system (eNotify) via calls, emails, and text messages. The Board's designated floor wardens will assist in directing employees within their office to either evacuate or shelter-in-place in the designate safe zone(s), as well as administering the eNotification. Employees should consider finding and taking with them an object that may be used to defend themselves (i.e., an improvised weapon). Employees should ensure that any member of the public (non-employee) is permitted to accompany the employee(s) to the safe zone.

When possible and appropriate, security officers, a Dental Board administrator or other persons-in-charge, or a Board designated floor warden will meet and guide responding law enforcement officers to the location of the aggressor.

When practical, occupants of surrounding buildings or facilities will also be notified as soon as possible.

During an active aggressor or active threat situation, Dental Board employees must also consider the following actions.

1. **Run** – If there is an acceptable path, attempt to evacuate the premises. Personnel should be instructed to:
  - Call 9-1-1 when safe to do so.
  - Evacuate the building and meet in front of the State house post evacuation.
  - Evacuate regardless of whether others agree to follow or remain.
  - Leave belongings behind.
  - Help others escape if possible.
  - Alert individuals who are entering an area where the active aggressor may be.
  - Keep hands visible for responding officers.
  - Follow instructions of any law enforcement officer.
  - Do not attempt to move wounded people.

If evacuation is not possible, proceed immediately to the area designated as a "shelter" and contact 9-1-1. Provide the following information to the 9-1-1 operator:

- Location and description of the offender. Provide as detailed information as possible (e.g., race, gender, hair color, build, tattoos, clothing, etc.) and the last known location of the aggressor.
  - Number of attackers and weapons (e.g., rifles, handguns, knives, explosives, etc.).
  - Location and condition of victim(s).
2. **Hide** - Remain in place until contacted by law enforcement or circumstances dictate otherwise.
    - If practical, allow any non-employees access to the safe zone.

- Your hiding place should be out of the active aggressor's view. Provide protection if gun shots are fired in your direction (e.g., locating into a restroom or office and locking the door, staying as low as possible and remaining quiet and still) and not trapping or restricting yourself from movement.
  - Lock the door, if possible, and have a person, such as the Section Warden, designated to ensure the door is locked once everyone is in the safe zone.
  - Block the doorway with heavy furniture if available.
  - Silence your cell phone.
  - Turn off any source of noise (e.g., radio, music player, etc.).
  - Hide behind large items (e.g., cabinets, desks, doors, etc.).
  - Remain quiet.
  - Remain in place and stay hidden until you have determined that it is safe. If someone approaches the door and identifies themselves as a law enforcement officer, do not be tricked into talking back. Remain silent until you are able to confirm the authenticity of the claim.
3. **Fight** – Take action against the aggressor. As a last resort, and only when your life is in imminent danger, attempt to do the following:
- Disrupt and/or incapacitate the active aggressor by acting as aggressively as possible against him/her.
  - Use improvised weapons.
  - Scream/yell.
  - Commit to your actions and follow through.
4. **When evacuation and hiding are not possible, do the following:**
- Remain calm.
  - If possible, call 9-1-1 and alert law enforcement of the aggressor's location.
  - If you are unable to speak, leave the line open and allow the dispatcher to listen.
  - Mute your phone to prevent alerting the aggressor.
- B. **Law Enforcement Response:** The goal of law enforcement is to locate, isolate and neutralize the aggressor as quickly as possible to prevent additional injuries or fatalities. In doing so, employees should anticipate that officers will arrive in force and will be armed with rifles, shotguns and handguns and could be wearing exterior body armor. Officers should be displaying some portion of the uniform or tactical gear identifying them as law enforcement officers.
- Initially, the site of a violent incident will be secured as a crime scene. The first wave of officers will not stop to assist persons in need. A later group of officers and/or other emergency personnel will provide treatment and assistance.
- C. **Reaction to Law Enforcement:** When law enforcement is present, it is important to:
1. Remain calm and follow instructions from officers.
  2. Put down any items in your hands and raise your arms high.
  3. Keep hands visible at all times and avoid sudden movements toward officers.

4. Avoid screaming, yelling or shouting.
  5. If asked questions by the officer, provide the information.
  6. Do not stop officers to ask questions; just follow their directions.
  7. Do not leave the scene until instructed to do so except as provided in section A. above.
- D. **"All-Clear" Issued:** The "all clear" announcement will be made when the situation has been contained and the scene is declared safe by law enforcement officials.
- E. **Employer Response:** The health and well-being of Dental Board employees, contractors and customers is the priority. As soon as possible after law enforcement has relinquished command and control of the scene, Board senior management, in conjunction with the facility administrator, the Board's human resources office and/or the Ohio Department of Administrative Services (DAS), will develop information strategies to address questions related to the event from employees and their families.
1. Effective coordination with the media and timely dissemination of information can help reduce media pressure on those who are the most vulnerable. Only those Dental Board staff authorized to speak on behalf of the Board or facility shall interact with the media. The Dental Board Office of Communications will work with DAS to coordinate media responses.
  2. When an incident occurs, it will be important to bring in trained crisis response professionals to provide any necessary physical, emotional and psychological support as soon as possible. The Board's Office of Human Resources (Central Services Agency or CSA) and Designated Floor Warden will coordinate the identification of and communication with Ohio Employee Assistance Program (OEAP) and other trained crisis response professionals and coordinate follow-up.
- F. Employees with questions about this policy should direct them to CSA and/or Designated Floor Warden



Harry Kamdar, M.B.A., Executive Director

4/18/2017

Date