

# Kentucky Board of Dentistry

Minutes of Board Meeting

September 10, 2016

The meeting was called to order by Robert Zena DMD at 9:00 a.m.

## Roll Call

Members Present: Robert Zena DMD, Lucas Bowen DMD, Jason Ford DMD MD, Tonia Socha-Mower RDH, Yvonne Bach, Louis M. Beto, DMD and Mary Ann Burch RDH.

Ex-Officio Members Present: Tim Daugherty DMD (University of Louisville), Deborah Ray DMD (University of Kentucky) and Julie McKee DMD (Department of Public Health).

Also Present: David Beyer, Executive Director and Cindy Effinger (Board Legal Counsel) and Crystal Brown, KBD Staff.

Board Members absent: Adam Rich DMD, Byron Owens, DMD and Brad Fulkerson, DMD  
Quorum Present

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## INTRODUCTION AND SWEARING IN OF NEW BOARD MEMBER

New Board Member Louis M. Beto was welcomed and sworn in.

The minutes of the May Board meeting were reviewed. Mary Ann Burch motioned to amend minutes from May Board Meeting to reflect changes regarding the Public Hygienist Protocol Committee report. “Dental Hygiene Program Manual, Section XII as follows:

Remove (a) Known allergy to dental sealant; Add (b) Changes in color, contour and/or consistency suggestive of underlying decay, where the occlusal table is not fully erupted”. Also, to change name spelling from Tonya to Tonia. To reflect Julie McKee DMD had recused herself from the motion and discussion regarding testing and licensing.

Motion seconded by Yvonne Bach. All were in favor.

## ELECTION OF OFFICERS

Sid Brantley DMD resigned from the Board of Dentistry so he is no longer nominated for the Presidential Vacancy.

Jason Ford was the only nominee for the office of President. Robert Zena made a motion to elect Jason E. Ford as President. Mary Ann Burch RDH seconded the motion. All were in favor.

Robert Zena DMD was the only nominee for the office of Vice-President. Yvonne Bach made a motion to elect Robert Zena DMD as Vice-President. Tonia Socha-Mower RDH seconded the motion. All were in favor.

Lucas Bowen DMD was elected as Secretary/Treasurer. Robert Zena DMD made a motion to elect Lucas Bowen as Secretary/Treasurer. Yvonne Bach seconded the motion. All were in favor.

## **BOARD OFFICERS AND NEW BOARD MEMBERS SIGNATURES FOR LICENSES**

### **REIMBURSEMENT AND FINANCES**

A discussion was held regarding reimbursement of travel expenses and per diem payments. David Beyer advised that there is a new day at the Kentucky Board of Dentistry and Board Members reimbursement and travel expenses will be priority and will be processed within 5 days following Board Meeting or emails with receipts for travel. Crystal Brown re-enforced that she would be processing all travel reimbursements and per diem within 5 days following a Board meeting or emails with travel receipts.

### **BOARD MEMBER ORIENTATION AND TRAINING**

David Beyer, Executive Director explained the ethics portion of the training.

The Board members are appointed to represent the public. Education trips are to become better Board Members, and to be more informed Board Members. Board members work collectively on motions and voting.

Executive Director Beyer also discussed the obligation of a Board Member to disclose and abstain. Board Members should disclose associations with other boards and committees. If a Board Member has a conflict, please recuse yourself from the room/discussion or abstain from voting. If a Board Member recuses self or abstains from voting please make sure that it is noted in the minutes when they abstain and/or when they recuse themselves and when they return to discuss other items. Acceptance of Gifts up to \$25 per source per year.

Robert Zena DMD discussed confidentiality, LEC meetings and the complaint process.

If it is an open discussion (guest in the room) it is not confidential and can be discussed. If it is a closed session the discussion cannot be disclosed to the public and is confidential.

If there is a quorum of Board Members you cannot hold a meeting outside of the board room or cannot hold a board meeting if it is unannounced. You are held responsible for what you say.

The Law Enforcement Committee (LEC) is made up of 3 board members and the 7 remaining board members are potential juries. LEC members cannot discuss LEC meetings with other board members.

Dr. Zena also discussed the complaint process for LEC meetings.

- Evidence is gathered and investigated
- Evidence is refined and organized then presented to the LEC

You cannot taint the evidence; you are not protected by the rules of the board and will be personally liable for what you say outside of the LEC meeting.

No new evidence can be brought to the LEC once the case is presented to the LEC.

There shall be no whispering or keeping secrets. After the LEC hears the case it will make a settlement decision, dismiss the case or ask for a full hearing on the matter.

Guest Speaker: Dr. Frank Recker - Dentist and Attorney

Jason E. Ford DMD made a motion to adjourn. Lucas Bowen seconded the motion. All were in favor.

The meeting was adjourned at 11:55am