



Kentucky Board of Dentistry

312 Whittington Pkwy, Ste. 101
Louisville, KY 40222

Minutes of Meeting

Sept. 09, 2023

This regular meeting of the Kentucky Board of Dentistry took place in person at the board office and via teleconference. The meeting was called to order at 9:00 a.m. (EDT) by the Board's vice president, Dr. Justin Kolasa. A quorum was present.

ROLL CALL

Members Present: William Collins, Rebecca Green, Bruce Haskell, Lisa Johnston Arthur, Frank Kinnaird, Justin Kolasa, Thadler Schroeder, Katherine von Lackum, and Lory Dean Wilson

Members Absent: Bradley Fulkerson

Ex-Officio Members Present:, Julie McKee (DPH), Deborah Ray (UK), and Mary Jones (BCTC)

Ex-Officio Members Absent: Sherrie Zaino (UofL)

Staff/Contract Personnel Present: Jeffrey Allen, Crystal Holloway, and Jonas Bastien (McBrayer)

Also Present: David Waldschmidt (JCND), David Carsten (JCND), Patrick Tepe (JCND), Kimber Cobb (AADB), Guy Champaine (AADB), Mary Ellen Murphy, Garrett Westerfield (KYDHA), Beth Nicely (KYDHA), and Sarah Ostrander (ADA).

BOARD APPOINTMENTS

Jeff Allen welcomed Drs. Rebecca Green and Kate von Lackum as new voting members. He also acknowledged Lisa Johnston Arthur's reappointment to a second term and Mary Jones from BCTC as the new ex-officio hygiene program representative. Following introductions, Crystal Holloway administered the oath of office to the new board members.

Mr. Allen also announced the need to select new board officers. William Collins nominated Justin Kolasa for board president, seconded by Bruce Haskell. Justin Kolasa nominated William Collins for vice-president, seconded by Bruce Haskell. With no other nominations forthcoming, Dr. Kolasa was installed as board president and Dr. Collins named vice-president for the 2023-24 board term.

Dr. Kolasa requested the board select its meeting schedule for the next year.

Motion: Schedule board meetings for the 2023-24 term to take place on the second Saturday of odd numbered months except for November, which will take place on the first Saturday. Introduced by William Collins; seconded by Lisa Johnston Arthur. Without objection, motion approved.

APPROVAL OF MINUTES

Jeff Allen presented the draft minutes of the July 8, 2023, meeting. There were no questions or corrections.

Motion: Approve the minutes of the 07-08-2023 meeting as presented. Introduced by Lisa Johnston Arthur; seconded by William Collins. Without objection, motion approved.

COMMITTEE REPORTS

Law Enforcement Committee: On the committee are Bradley Fulkerson, Justin Kolasa, and Teresa Boyd. Dr. Kolasa reported that at its Sept. 1, 2023, meeting, seven cases were reviewed. Five of those were dismissed, one was held over for further investigation, and one private admonishment was issued for prescribing outside the scope of practice.

Three National Practitioner Databank reports were reviewed—two were dismissed and one was issued a \$1,000 fine and ordered to complete ten hours of continuing education for violating the standard of care and failure to obtain a sedation permit.

One dental applicant was denied a license due to board disciplinary action and criminal history in another state, and for providing incorrect information on their application.

One dental applicant was denied a charitable license for board disciplinary actions in another state.

Two self-reported incidents of patient hospitalization or death were reviewed. No action was taken.

One arrest incident of a dentist was reviewed and held over for further investigation.

One request to be released early from a substance abuse monitoring agreement was denied.

The Well-Being Committee reported that one of the six program participants is out of compliance. This individual will be subject to increased drug testing and monitoring.

Licensing Committee: Mr. Allen reported that the committee recommends approval of the draft revision to 201 KAR 8:533 as provided in the meeting materials. There were no questions or discussion of further revisions to the draft.

Motion: Approve draft revision of 201 KAR 8:533 as presented. Introduced by Rebecca Green; seconded by Thadler Schroeder. Without objection, motion approved.

ADVISORY OPINION REQUEST

Botox Injections by Dental Hygienists: Mr. Allen reviewed a recent advisory opinion request received by the Board requesting clarification on the administration of Botox injections by dental hygienists. He also reviewed the draft advisory opinion provided by legal counsel, identified as AO 23-01, opining that dental hygienists are not authorized to administer Botox in Kentucky. Jonas Bastien discussed the legal arguments that provided the basis for the opinions offered in the draft.

Motion: Move to accept draft Advisory Opinion 23-01 as presented. Introduced by Thadler Schroeder; seconded by Bruce Haskell. Without objection, motion approved.

SPEAKER PRESENTATIONS

Dental Licensure Objective Structured Clinical Exam: David Carsten, Patrick Tepe, and David Waldschmidt of the Joint Commission on National Dental Examinations presented a PowerPoint presentation on the Dental Licensure Objective Structured Clinical Exam (DLOSCE), which was established as an alternative to existing clinical examinations. The group also fielded questions from board members.

Dental Compacts: Kimber Cobb and Guy Shampaine of the American Association of Dental Boards participated via teleconference to discuss dental licensure compacts. Dr. Shampaine presented a PowerPoint presentation reviewing AADB’s licensure compact proposal and contrasting it with that of the Council of State Governments. He also fielded questions from board members.

Motion: Establish an ad hoc committee or committees to research the Dental Licensure Objective Structured Clinical Examination, the Council of State Governments licensure compact, and the Association of American Dental Boards licensure compact, and report back to the Board. Introduced by William Collins; seconded by Bruce Haskell. Without objection, motion approved.

EXECUTIVE DIRECTOR’S REPORT

Legislative Report: Mr. Allen reported on a recent meeting of the Interim Joint Committee of Licensing, Occupations, and Administrative Regulations in which a universal licensure bill was discussed. Mr. Allen attended the meeting with several other licensing board executive directors. There will likely be another meeting on this proposal before the start of the next legislative session.

Financial Report: To date, revenues for FYE24 were approximately \$61,000 compared to expenses of approximately \$131,000, leaving a current deficit of about \$69,000 and a cash balance of \$1.45 million. Mr. Allen noted that dentist license renewals will begin next month and will dramatically increase year-to-date revenue by the time of the next board meeting.

Dr. Collins requested the Board consider salary increases for staff at its next meeting.

Motion: Move to adjourn. Introduced by William Collins; seconded by Bruce Haskell. Without objection, motion approved.

The meeting adjourned at 11:45 a.m.