



Kentucky Board of Dentistry

312 Whittington Pkwy, Ste. 101
Louisville, KY 40222

Minutes of Meeting

Nov. 04, 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, Bradley Fulkerson*, Rebecca Green, Bruce Haskell, Frank Kinnaird*, Justin Kolasa*, Katherine von Lackum*, and Lory Dean Wilson

Members Absent: Lisa Johnston Arthur and Thadler Schroeder

Ex-Officio Members Present: Paula Collins (UofL), Julie McKee (DPH), and Deborah Ray (UK),

Ex-Officio Members Absent: Mary Jones (BCTC)

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

Also Present: David Waldschmidt* (JCNDE)

*Indicates participation via teleconference.

APPROVAL OF MINUTES

Jeff Allen presented the draft minutes of the Sept. 09, 2023, meeting. There were no questions or corrections.

Motion: Approve the minutes of the 09-09-2023 meeting as presented. Introduced by Rebecca Green; seconded by William Collins. Without objection, motion approved.

COMMITTEE REPORTS

Law Enforcement Committee: On the committee are Bradley Fulkerson, Justin Kolasa, and William Collins. Dr. Fulkerson reported that at its Nov. 3, 2023, meeting, fourteen cases were reviewed, thirteen of which were dismissed. The remaining case resulted in a settlement offer of a \$1,000 fine for illegible documentation, a \$1,000 fine for incomplete consent forms, and 10 hours of additional CE.

One National Practitioner Databank report was reviewed with no action taken. One self-reported incident of patient-hospitalization was reported with no action taken. One reinstatement request was reviewed

and deferred for further consideration. One set of refresher courses for a dental hygiene license reinstatement was reviewed and approved.

The Well-Being Committee reported that one of the six well-being program participants was out of compliance with their agreement. That individual was directed to join an in-patient treatment program or face a one year-license suspension.

Licensing Committee: On the committee are Justin Kolasa, William Collins, Margaret Hill, Bruce Haskell, Lori Dean Wilson, and Lisa Johnston Arthur. Mr. Allen reminded members that the draft revision of 201 KAR 8:533 was approved at the last meeting. The next step is the open comment period and public hearing. The committee will consider those comments and recommend any revisions to the board for a second draft.

Mr. Allen said the committee will also soon start working on revisions to 201 KAR 8:563, the regulation that covers dental hygiene licensure.

Dental Compact Committee: On the committee are Justin Kolasa, Bradley Fulkerson, William Collins., Thadler Schroeder, Bruce Haskell, and Lisa Johnston Arthur. Dr. Kolasa reported that the committee met twice to consider the competing dental compact proposals of the American Association of Dental Boards (AABD) and the Council of State Governments (CSG).

Mr. Allen met with Gen. Steven Bullard of the Kentucky Commission on Military Affairs (KCMA) regarding licensure compacts. He learned that they are pursuing compacts for multiple licensing professions, including dentistry. KCMA has recruited a state legislator to sponsor a bill to adopt the CSG version of the dental compact in the next legislative session.

Dr. Kolasa indicated that the committee was setting up meetings and developing talking points on the dental compact.

DLOSCE Committee: On the committee are William Collins, Thadler Schroeder, Rebecca Bishop Green, and Lory Dean Wilson. Dr. Collins reported that the committee met to discuss the merits of the Dental Licensure Objective Structured Clinical Examination (DLOSCE) and is recommending addition to the list of acceptable clinical exams.

The Board discussed the efficacy of the DLOSCE and the research behind it. It was also noted that the cost of the exam was considerably cheaper than a traditional clinical exam. Members generally agreed that hand skills are already adequately tested in dental school.

Mr. Allen directed members to the proposed amended language in the meeting materials, which would further amend 201 KAR 8:533.

David Waldschmidt of the Joint Commission on National Dental Examinations (JCNDE) also provided brief remarks in support of the DLOSCE.

Motion: Amend 201 KAR 8:533, Section 2 as presented to include the Dental Licensure Objective Structured Clinical Examination (DLOSCE) as an acceptable option to fulfill the clinical examination requirement for dental licensure. Introduced by William Collins; seconded by Lory Dean Wilson. Without objection, motion approved.

Mr. Allen confirmed that he would amend the existing revision to 201 KAR 8:533 and resubmit it to the Legislative Research Commission (LRC).

ADMINISTRATIVE HEARING UPDATE

Jonas Bastien discussed the administrative hearing process in advance of hearing scheduled for Nov. 28-29. He answered questions from board members about their role on the hearing panel. Mr. Bastien agreed to research the impact of any potential conflicts of interest for hearing panel members as well as the possible need for liability insurance.

AMERICAN ASSOCIATION OF DENTAL BOARDS MEETING

Dr. Collins discussed and answered questions about the recent American Association of Dental Boards (AADB) annual meeting in Hollywood, CA, which he attended along with Dr. McKee and Mr. Allen.

He also announced that the AADB and CDC-WREB-CITA will hold their annual meetings together in Louisville this September and encouraged all board members to attend.

EXECUTIVE DIRECTOR'S REPORT

Legislative Report: Mr. Allen reported that he will attend the Licensing & Occupations Committee meeting on Nov. 9 where discussion of licensure compacts is on the agenda.

Financial Report: Mr. Allen noted that dentist license renewal opened on Oct. 16 but that most renewal revenue won't come in until later in the calendar year, which should be fully reflected in the financial report at the January 13, 2024 board meeting.

To date, revenues for FYE24 were approximately \$104,000 compared to expenses of approximately \$264,000, leaving a current deficit of about \$160,000 and a cash balance of \$1.36 million.

Mr. Allen also reviewed the Board's 2024-26 biennial budget proposal that the State Budget Director's Office will include as part of the governor's state budget proposal. The General Assembly will consider the proposal and pass a state budget during the 2024 legislative session.

Office Building Update: Mr. Allen announced that renovations to the office building were complete. He has requested a quote for new paint and carpet in the Board office to match that of the rest of the building. Dr. Kolasa requested that Mr. Allen also investigate options for upgrading the Board's teleconferencing equipment.

STAFF UPDATE & SALARY DISCUSSION

Dr. Kolasa reported that the recent resignation of a team member has brought the number of Board staff down to four. However, Mr. Allen was able to reallocate job duties to his satisfaction and does not plan to fill the vacant position.

After reviewing the Board of Dentistry's salaries in comparison to equivalent personnel from other professional licensing boards, Dr. Kolasa recommended the Board approve a three percent pay increase for the two highest salaried staff members and a five percent pay increase for the two lowest salaried staff members.

Motion: Approve a pay increase for the Board of Dentistry's four staff members to include a 5% increase for two lowest salaried personnel and a 3% increase for the two highest salaried personnel. Introduced by Bruce Haskell; seconded by William Collins. Without objection, motion approved.

NEW BUSINESS

Dr. Haskell asked the Board to consider physical abuse recognition and reporting as a continuing education requirement.

Dr. Collins announced that Dr. Jill Keaton had been named the new dean of the University of Pikeville dental school. The Board agreed to invite her to the next meeting.

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

The meeting adjourned at 10:50 a.m.