

# Kentucky Board of Dentistry

## Minutes of Board Meeting

May 13th, 2017

The meeting called to order at 9:05 a.m.

### Roll Call-Crystal Brown

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

Ex-Officio Members Present: Tim Daugherty DMD (University of Louisville), Deborah Ray DMD (Department of Public Health) and Carmen Fields (Big Sandy Community & Technical College)

Also Present: Larry Brown, Interim Executive Director and Crystal Brown, KBD Staff.

Ex-Officio absent: Julie McKee DMD

Legal Counsel absent: Cindy Effinger

Quorum Present

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The minutes of the February meeting were reviewed and approved with amendments. Motion made by Jason Ford DMD to approve the amended minutes. Louis Beto DMD seconded the motion. All were in favor.

### CHAIR REPORT- Dr. Jason Ford

There will be a restructuring of all boards due to no direct state oversight. The Fair Trade Commission (FTC) active market participates there is a conflict of interest. There is no protection of state boards at this time. The board could be held personally liable, and your personal umbrella policy would not cover you. Therefore, we need to have a state employee (Executive Director) have oversight and the final say for protection from lawsuits of the state boards.

The Executive Order to change the structure of boards to take effect on or about June 15, 2017 to include 5 boards: The Kentucky Board of Dentistry, Kentucky Board of Pharmacy, Kentucky Board of Optometric Examiners, Kentucky Board of Podiatry and the Kentucky Board of Chiropractic under one Authority. There will be a 5-member board, to include one citizen at-large member that would report to an Executive Director. Tonia Socha-Mower asked about the selection process for the new 5-member board. Larry states there will be diversity among the 5-member board, but the Governor will appoint the board and the Chair. Larry also suggested that all current board members could reapply. Appointments would be 1, 2 and 3-years to keep balance of the board and a solid rotation. Forty-three Boards will be consolidated from General Government to PPC (Public Protection Cabinet) cabinet for closer oversight. The five boards listed in this new Authority are still their own independent entities.

Larry Brown stated that all existing board members would remain as non-voting members until your term has ended. Deborah Ray DMD asked would the ex-officio members still serve in their same capacity, since they were non-voting members and are here for transparency and communication for the dental schools. Larry encouraged the ex-officio members to continue to show up to the meetings. He stated he would love all the universities to come to the meetings, so that needed information gets to the schools and students.

Larry also stated that there could be advisory committees. Dr. Zena's concern is that the board would lose control of other issues and that the higher ups will have all the authority. Larry stated that the board has control but you need that state employee to sign off because of the anti-trust issue with the FTC and to be protected by the state and that the board would not be liable because the state agreed or disagreed with an issue.

Mary Ann Burch RDH suggested reducing the prices of licenses and renewals. Jason Ford, DMD also suggested that there should be reduction in cost for licensees and that we could also offer, free CE's.

Larry stated that he would be available to the new board and would try to make most if not all the board meetings.

**LETTER TO DR. CUNNINGHAM- Dr. Jason Ford**

Letter was sent to Dr. Cunningham at UK on May 5<sup>th</sup>, 2017 regarding giving a specialty license to a dentist who has a Faculty Limited License.

**REMEDICATION PLAN FOR MS. BLAKE-Larry Brown**

Mary Ann Burch RDH, Carmen Fields RDH and Tonia Socha-Mower RDH are going to follow-up with Ms. Blake to come up with a remediation plan. Adam Rich suggested she repeat the clinical portion of her last year of school.

**ADA NATIONAL DENTAL LICENSURE EXAM-Dr. Robert Zena**

The ADA board of trustees voted to approve the development of structured clinical examination (OSCE), exams. Robert Zena explained that The ADA has declared that the existing live patient based exams is invalid. The testing agencies are upset that the ADA is developing an OSCE. Adam Rich wanted to know who is in charge of Part 1 & Part 2 of the license exams. Robert Zena DMD answered that Joint Commission developed Part 1 & Part 2 and they are given by the Joint Commission. Robert Zena expressed that he believes it is inactive for the ADA to be involved.

**ADA KENTUCKY STATE BOARD PARTICIPATION ON-SITE VISIT-Dr. Jason Ford**

Dr. Ford explained that to participate in the on-site visit is to observe CODA and to make sure they are doing what they are supposed to do. He stated since he has been on the board that there has been no participation from the board. Others board members who have been on the board longer state that it had participated. No participation from board this year.

**ANESTHESIA REGULATION COMMITTEE MEETING-Dr. Adam Rich**

Dr. Rich, Dr. Bowen and Dr. Beto had meeting on March 20, 2017 to discuss Anesthesia Regulations. Dr. Rich states that the regulations are outdated and needs a revamp from top to bottom. After doing so, they will get other groups involved. Dr. Bowen suggested they model the new regulations by the ADA Anesthesia Regulations.

**EXECUTIVE CLOSED SESSION-Larry Brown**

KRS 61.810 The board went into closed session for discussions of proposed or pending litigation against or on behalf of the public agency. Motion made by Jason Ford DMD to go into closed session. Adam Rich DMD seconded the motion. All were in favor.

**CLOSED SESSION REOPENED TO OPEN MEETING**

Motion made by Adam Rich DMD to go back to open meeting. Jason Ford DMD seconded the motion. All were in favor.

**FINANCIALS**

The Board of Dentistry budget is in great shape. We needed to add more money to the legal contract in regards to extra work. We have saved \$10,000-\$15,000 this year with George Georgacoupolos resigning and with David Beyer's resignation. You do not want to them to sweep your funds, so reduce fees or collaborate with schools for in-state CE's. Use extra money for licensees.

**EXECUTIVE CLOSED SESSION-Larry Brown**

KRS 61.815 The board went into closed session for discussions of proposed or pending litigation against or on behalf of the public agency. Motion made by Jason Ford DMD to go into closed session. Adam Rich DMD seconded the motion. All were in favor.

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Motion made by Adam Rich DMD to go back to open meeting. Jason Ford DMD seconded the motion. All were in favor.

**STATUES CONCERNING SCOPE/STANDARD OF PRACTICE**

Larry stated that there would be possible changes made to the statues and regulations this summer. The new 5-board committee and an advisory board would be involved in making these changes.

Jason Ford DMD made motion to adjourn. Robert Zena seconded the motion. All were in favor.

Meeting Adjourned at 11:58am.