

KENTUCKY BOARD OF DENTISTRY
BOARD MEETING
November 12, 2011

Adam Rich, D.M.D. called the meeting to order at 9:05 a.m. There was a determination of a quorum.

ROLL CALL

Board members present were: Dr. Fonda Robinson (ex-officio UKCD); Julie McKee, D.M.D.(ex-officio Dept. Public Health); Dr. Katherine King; Dr. C. Mark Fort; Mary Ann Burch RDH; Dr. Adam Rich; Allan Francis; Dr. Susan King; Dr. Robert Zena; William Boggess, D.M.D., Tim Daugherty, D.M.D. ULSD (ex-officio ULSD) Dr. Greg Vance and Rebecca Tabor were not in attendance.

Staff present were Mr. Bishop K. Bishop, Executive Director; Ryan Halloran from Office of Attorney General, Marquetta Poynter, D.M.D. and Lisa A. Turner, Executive Staff Advisor.

Guests present:

Stephen Rhodes, D.M.D., Academy of General Dentistry

Laura Blanton, R.D.H. KyDHA

Donna Ruley, R.D.H., Executive Director KyDHA

Dr. Rodney Fultz

Mr. Francis opened the meeting with a moment of silence and remembrance for our Military Veterans.

Mr. Francis made a motion to accept the September Board Meeting minutes contingent upon the deletion of the statement containing the date of the next Anesthesia Committee meeting and a course on airway management. Dr. Fort seconded the motion. All were in favor.

DIRECTOR'S REPORT

Mr. Bishop discussed the agency's submission of the 2013-2014 proposed Budget. He also discussed the issues with scheduling and paying the speaker for Board Training. Mr. Francis made a motion to accept the Budget Report. Dr. Susan King seconded the motion. All were in favor.

Mr. Bishop reported about the success of the Town Hall Meetings to date and the topics attendees were most interested in.

Mr. Bishop gave statistics on dentist renewals.

The invitation was extended for Board members to attend CAPTASA January 27 and 28, 2012.

The status of the Anesthesia Committee and scheduling of other standing committees were discussed.

Dr. Boggess made a motion to grant an extension to Dr. Shuey until December 1, 2012 to get the remaining 30 hours he needs to meet his continuing education requirement for the 2010-2011 renewal, with the condition that he must get an additional 30 hours to be in compliance for the 2012-2013 renewal period. Dr. Fort seconded the motion. All were in favor.

COMMITTEE REPORTS

Advisory Opinion Task Force

Mr. Francis made a motion to adopt the previous Board Advisory opinion addressing the use of botox and dermal fillers until a new Advisory Opinion is drafted. Dr. Susan King seconded the motion. Dr. Fort abstained; motion passed by majority.

Laser Use by Hygienists

October 21 meeting report given by Chair Mary Ann Burch; she made the motion to accept the minutes in conjunction with regulations already issued by the Board. Dr. Susan King seconded the motion. All were in favor.

Education Committee

The Education Committee resolved that licensees may apply the difference in C.E. hours used to meet anesthesia renewal and/or application requirements toward the regular 30 hours of continuing education required for license renewal.

Dr. Fort made a motion to file an emergency regulation to amend Sections 6 (4)b, 7(4)b, 8(4)b, 9(4) at 10(4)b of 201 KAR 8:550 with the language that said required training must have been completed within 3 years of the date of the sedation permit application. Dr. Boggess seconded the motion. All were in favor.

Mr. Francis made a motion that a letter signed by the Board President be mailed to dentists instructing them that the dental assistant regulation will be enforced over the anesthesia regulation with regard to the section in conflict that would allow an assistant to administer nitrous oxide; and that the same will go before Sedation Committee to amend the regulation. Dr. Susan King seconded the motion. All were in favor.

Board Rules Committee

Mr. Francis made a motion that the voting be deferred on the adoption of the proposed Board Rules until the Board Training. Mary Ann Burch seconded the motion. Four were in favor and four were opposed. No action was taken.

Dr. Boggess made a motion to strike the entire sentence in 15.1 that reads, "Investigators will give 24-hour notice by phone to the provider before entering an office." Mr. Francis seconded the motion. All were in favor.

Public Health Hygienist Committee

Dr. McKee gave a report.

OLD BUSINESS

Dr. Kathy King gave a status report of her work on the Jurisprudence Exam. She will have a draft to review at the January meeting.

Dr. Zena gave a report on the hiring of David Beyer as General Counsel.

NEW BUSINESS

Dr. Fonda Robinson forwarded the request from UKCD to define whether dental assistants must have a course to push meds in an IV under the anesthesia regulation. The Board resolved to send the request for intent to the Sedation Committee to suggest that the phrase "direct supervision" be removed and replaced with "under dentist's direct order and with the dentist in the treatment room."

Dr. Fort made a motion to hold nominations for new Board Members in January; after which a Committee of the Board would vet the candidates; then the general election would be held in March; and the name with the top three vote-getters would be sent to the Governor in April, allowing 90 days for the Governor to fill vacant seats by June 30th. Ms. Burch seconded the motion. All were in favor.

Mr. Francis made a motion for Mr. Bishop to work with the newly created Legislative Task Force comprised of Drs. Zena, Rich and Susan King and Ms. Burch, to include zones of representation as previously approved for statute to be added back into KRS 313 which will direct the definition of zones to be enacted in regulation. Dr. Fort seconded the motion. All were in favor.

Dr. Susan King and Ms. Burch gave reports which discussed the benefits from the AADB meeting. Dr. Susan King made a motion that the Board purchase AADB training modules to evaluate competency which the Board can review for applicability. Dr. Fort seconded the motion. All were in favor.

Dr. Rich gave a report of the C.I.T.A. meeting he attended. Dr. Katherine King made a motion to become a member state for all regional clinical exams. Dr. Zena seconded the motion. Discussion ensued. Both Dr. Kathy King and Dr. Zena withdrew their motions. Dr. Fort made a motion to defer the vote until after David Beyer could effectively research and advise Board Members as to the appropriate ethical action regarding clinical exam membership. Mr. Francis seconded the motion. All were in favor.

The Board Training Meeting will be rescheduled after the appointment of new Board Members and will be set up using email or meeting-wizard to find an agreeable date.

Dr. Zena, Mr. Francis and Ms. Burch gave a report from the ADEX Meeting and the challenges involved with development of a national clinical exam. They expressed how impressive they found the organization's efforts to be to achieve a common approach.

Dr. Susan King made a motion to redact names from LEC documents in an effort to prevent conflicts of interest. Ms. Burch seconded the motion. All others were opposed. Motion failed for lack of a majority.

Dr. Fort made a motion that the response letter to be sent to Hal Rogers shall state the Board fully considered his request that Ms. Withers be allowed to have Dr. Katherine King review Ms. Withers' clinical skills and work under Dr. King's direct supervision in an effort to fulfill Ms. Withers' reinstatement requirements and cite specifically Dr. Katherine King does not want to provide the service stated. Mr. Francis seconded the motion. Dr. Kathy King recused and all others were in favor.

Dr. Susan King raised the question of a quorum. There were only five voting members remaining and the meeting was adjourned for lack of quorum at 2:00 pm.

APPROVED:

Adam Rich, D.M.D.
President

Mary Ann Burch, R.D.H.
Vice President