

Kentucky Board of Dentistry

312 Whittington Pkwy, Ste. 101
Louisville, KY 40222

- MINUTES OF SPECIAL MEETING -

March 21, 2020

A special meeting of the Kentucky Board of Dentistry was called to order at 1:00 p.m. by the Board's President, Dr. Geoffrey Ball. It was conducted via teleconference in compliance with KRS 61.823 and Executive Order 2020-243.

A quorum was present.

ROLL CALL – Crystal Holloway

Members Present: Andrew Farmer, DMD; Louis Beto, DMD; Brad Fulkerson, DMD; Chris Mattingly, DMD; Donna Ruley, RDH; Geoffrey Ball, DMD; Lisa Johnston, RDH; Mariam Fallahzadeh, DMD; Teresa Boyd, DMD; and Yvonne Bach

Members Absent: None

Ex-Officio Members Present: Deborah Ray, DMD (UK); Jill Keaton, DMD (Big Sandy); Julie McKee, DMD (DPH); and Tim Daugherty (UofL)

Ex-Officio Members Absent: None

Also Present: Beth Nicely (KYDHA), Crystal Holloway (KBD), Jeff Allen (KBD), Jerry Caudill (Avesis), Lynn Phillips (KYDHA), Mark Moats (KDA), Peter Rosene (KBD Counsel), Richard Whitehouse (KDA), Bill Lee (KDA); Jeffrey Okeson (UK); Gerard Bradley (UofL); and Susan King.

KBD RESPONSE TO COVID-19 – Geoffrey Ball

Compliance Issues Related to CHFS Memo: The Board reviewed the Cabinet for Health and Family Services' March 18 memo suspending non-urgent/emergent medical procedures. While not specifically naming dentists, this memo was intended to include dental procedures, meaning licensees should only be performing emergency care.

The Board also discussed current social distancing requirements and the obstacles it has for some practitioners to keep up with their license requirements. A possible emergency regulation was proposed to grant any extensions needed during the state of emergency. Mr. Allen offered to develop a draft emergency regulation for review.

Motion: Suspend continuing education requirements necessary to maintain or renew a license, permit, or registration issued by the board for up to 90 days. Motion introduced by Andrew Farmer; seconded by Chris Mattingly. All were in favor; motion approved.

Dr. Ball announced a committee to develop the specific language for this emergency regulation. The members are Teresa Boyd, Mariam Fallahzadeh, Donna Ruley, Mark Moats, Deborah Ray, and Brad Fulkerson.

Defining Urgent/Emergent Care: Geoffrey Ball DMD asked if the Board needs to be more clear on emergencies and what they are? Dr. Fulkerson stated that the ADA guidelines have been very helpful and that he is hesitant to keep defining emergencies. Dr. Caudill stated that dentists are very confused and paranoid on what to do and what not to do. Dr. Beto states that we should use the ADA guidelines and don't over define. Dr. Ball states that the dentists have to also use professional judgment.

Motion: Issue a formal opinion adopting the ADA guidelines for urgent and emergent care while maintaining that clinical judgement shall take precedent. Motion introduced by Brad Fulkerson; seconded by Louis Beto. All were in favor; motion approved.

Temporary Licensure: Drs. Bradley and Okeson requested that the Board consider issuing temporary licenses to graduates who will not be able to take their clinical examination on time. Dr. Daugherty stated that the ADEX exam is developing a full non-patient exam pilot program.

Dr. Ball named a committee to review the proposal and recommend specific language. The members are Jill Keaton, Yvonne Bach, Geoffrey Ball, Suzi Fallahzadeh, Louis Beto, Bradley Fulkerson, Gerard Bradley, and Jeffrey Okeson. He also asked Peter Rosene and Jeff Allen to research the Board's legal options for issuing temporary licenses and find out what other licensing boards are doing about this problem. A special meeting will be called in the coming weeks to consider the formal proposal.

Dr. Okeson also requested that the Board issue a statement of support to students. Dr. Ball and Mr. Allen agreed to write such a letter and submit it to all of Kentucky's oral health programs.

Enforcement of COVID-19 Directives: The Board discussed how enforcement of the urgent/emergent procedures only directive would work and if this responsibility fell to the Board. Options include sending out cease and desist letters, issuing licensed suspension, or reporting them to the Office of the Attorney General or Cabinet for Health and Family Services. Dr. McKee stated that the Office of the Attorney General may not move as swiftly as we can and that maybe sending out the letters are the better option.

ADJOURNMENT

Motion: Move to adjourn. Motion introduced by Brad Fulkerson; seconded by Chris Mattingly. All were in favor; motion approved.

The meeting adjourned at 3:15 p.m.