



Kentucky Board of Dentistry

312 Whittington Pkwy, Ste. 101

Louisville, KY 40222

Minutes of Meeting

May 11, 2024

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

ROLL CALL

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

Members Absent: None

Ex-Officio Members Present: Mary Jones* (BCTC), Julie McKee (KDPH), and Deborah Ray (UK), and Paula Collins (UofL)

Ex-Officio Members Absent: None

Staff/Contract Personnel Present: Jeffrey Allen and Addison Lowry (McBrayer)

Also Present: Jeremy Armstrong (DMS) and Jerry Caudill (Avesis)

*Indicates participation via video conference.

APPROVAL OF MINUTES

Mr. Allen presented the draft minutes of the March 09, 2024, meeting. Dr. Kolasa noted that the draft incorrectly identified him as vice-president and requested it be amended to president.

Motion: Approve the minutes of the 03-09-2024 meeting as amended. Introduced by Bruce Haskell; 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. Kolasa reported that at its May 10, 2024, meeting, nine cases were reviewed, of which eight were dismissed and one held over for further investigation. Two National Practitioner Databank reports were reviewed with one held over for further investigation. One self-reported incident of a patient emergency room visit was investigated, with no action taken. The Well-Being Committee reported that all four well-being program participants were compliant with their agreements.

Dental Hygiene Licensing Regulation Committee: On the committee are Justin Kolasa, Lisa Johnston, William Collins, Lori Dean Wilson, Kate von Lackum, and Rebecca Green. Dr. Kolasa reported that the first draft of the revision to 201 KAR 8:563 is under review. The draft mirrors language from the revised dental licensure regulation (201 KAR 8:533) as much as possible. It also includes the addition of DHLOSCE as approved clinical exam for licensure.

Dr. Kolasa said there been some dialogue about the application of silver diamine fluoride by hygienists and asked Dr. McKee to provide an overview of the issue. After further discussion, Dr. Kolasa agreed to incorporate new language in the regulation for public health registered hygienists to apply silver diamine fluoride. The committee will likely have a draft ready for board review at the next meeting.

Hygiene Refresher Course Committee: On the committee are Kate von Lackum, Mary Jones, Lisa Johnston Arthur, and Lory Dean Wilson. Dr. von Lackum announced that the board-approved hygiene refresher program was conducting its first course at Bluegrass Community and Technical College, and asked Mary Jones to speak on its progress. Ms. Jones reported on the class, indicating that it was successful and would be repeated in the future with only minor adjustments. Dr. von Lackum said she would follow up with Ms. Jones after the course but that the committee itself had completed its mission. Dr. Kolasa announced the dissolution of the committee.

Community Dental Health Worker Committee: On the committee are William Collins, Brad Fulkerson, Justin Kolasa, Lori Dean Wilson, and Julie McKee. Dr. Collins reported that the committee met last month and had a good discussion with representatives from the Department for Public Health and the Department of Medicaid Services. The Office of Community Health Workers is researching how other states address dental services and will work with Mr. Allen to draft regulatory language. The next meeting scheduled for May 29.

OLD BUSINESS

Board Nominations: Mr. Allen directed members to the revised nominations report distributed the day before the meeting, which provides a final list of nominees for the board seat being vacated by Dr. Collins. The nominees were reviewed and discussed to ensure their eligibility. There were no additional nominations from Board members. Mr. Allen said he would launch the online election soon but asked the Board to consider if each eligible licensee casting up to three votes for each board seat, as had been recent practice, was necessary.

Motion: Establish that the "annual board election" described in KRS 313.020(1) shall take place online with each eligible licensee able to cast one vote per slate of candidates. Introduced by William Collins; seconded by Kate von Lackum. Without objection, motion approved.

Board Member Per Diem: Mr. Allen discussed travel reimbursements for Board members, indicating that while staff must adhere to Finance Cabinet rules for state employee travel, Board members may be reimbursed based on policies approved by the Board so long as they are not in conflict with state law. The Board asked Mr. Allen to research reimbursement rates for the federal government and the Kentucky Dental Association, and report back at the next meeting so that a formal reimbursement policy may be considered at that time.

Dr. Ray asked about board members possibly serving as examiners again at clinical exam sites.

Motion: Request and advisory opinion from the Kentucky Ethics Commission about whether board members can simultaneously serve as examiners for approved clinical examinations. Introduced by William Collins; seconded by Kate von Lackum. Without objection, motion approved.

Dental Radiography Shielding: Dr. McKee reported that while the Dept. of Public Health is aware of the American Dental Association’s recommendation to discontinue the use of lead aprons for dental X-rays, it is not yet ready to eliminate Kentucky’s shielding requirement. Officials are waiting on corroboration from non-advocacy research groups in the radiation field before any regulatory changes are considered.

EXECUTIVE DIRECTOR’S REPORT

Legislative & Legal: Mr. Allen said that the legislative session ended on April 15 with nothing new to report since the last meeting. The final state budget allocates to the Board approximately \$990K for FY2024-25 and \$1M for FY2025-26. He also announced that the draft revision to 201 KAR 8:533 will go before the Administrative Regulatory Review Subcommittee next week, which he will attend on the Board’s behalf. Finally, he reported that Maine recently became the seventh state to pass Dental Compact legislation, which is the number that formally activates the compact.

Financial: To date, revenues for FYE24 were approximately \$1.89 million compared to expenses of approximately \$645 thousand, leaving a current surplus of about \$543 thousand and a cash balance of \$2.06 million.

CE Audit: Mr. Allen reminded members that five percent of license renewals are audited for continuing education every year. Of the 153 auditees, 60% submitted their records using CE Broker while 40% mailed hardcopies. He was happy to report that 98% of audited licensees were compliant with their CE requirements.

Renovations & Office Upgrades: Mr. Allen announced new paint and carpet for the office was nearly complete and that he was waiting additional quotes for furniture and videoconferencing equipment.

NEW BUSINESS

Dr. von Lackum provided a brief update on behalf of the Kentucky Dental Association, reporting that oral surgeons were recently targeted by a cybersecurity attack. Suspicious activities should be reported to the FBI’s cybercrime division.

Dr. Collins asked the Board to consider a donation to Volunteers of America. Ms. Lowry agreed to research the legal aspects of the request and report back.

Dr. Kolasa thanked Dr. Collins and Mr. Kinnaird for their service on the Board.

Motion: Move to adjourn. Introduced by Lory Dean Wilson; seconded by Kate von Lackum. Without objection, motion approved.

The meeting adjourned at 10:25 a.m.