

## Kentucky Board of Dentistry

312 Whittington Pkwy, Ste. 101  
Louisville, KY 40222

### - MINUTES OF MEETING -

March 12, 2022

This regular meeting of the Kentucky Board of Dentistry took place via teleconference in compliance with KRS 61.823. The meeting was called to order at 9:00 a.m. by the Board's president, Dr. Geoffrey Ball. A quorum was present.

#### ROLL CALL

**Members Present:** Geoffrey Ball, Teresa Boyd, William Collins, M. Suzanne Fallahzadeh, Andrew Farmer, Frank Kinnaird, Bradley Fulkerson, Lisa Johnston, Justin Kolasa, and Donna Ruley

**Members Absent:** None

**Ex-Officio Members Present:** Tim Daugherty (UofL), Joseph Evans (WKU), Julie McKee (DPH), and Deborah Ray (UK)

**Ex-Officio Members Absent:** None

**Staff/Contract Personnel Present:** Jeffrey Allen, Crystal Holloway, and Peter Rosene

**Also Present:** Jerry Caudill (Avesis), Beth Nicely (KYDHA), and Deborah Carter (CE Broker)

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#### APPROVAL OF MINUTES

Mr. Allen presented the draft minutes of the Jan. 8, 2022 meeting.

*Motion: Approve the minutes of the 01-08-2021 meeting. Introduced by Bradley Fulkerson; seconded by Justin Kolasa. All were in favor; motion approved.*

#### COMMITTEE REPORTS

**Law Enforcement Committee:** Serving on the committee are Bradley Fulkerson, Geoffrey Ball, and Teresa Boyd. Dr. Fulkerson reported that at its March 12, 2022 meeting the Law Enforcement Committee reviewed 21 complaints. Twelve were dismissed and nine were held over for further investigation.

Two National Practitioner Data Bank alerts were reviewed. No action was taken on one and another resulted in rejection of a charitable license application.

The Well-Being Committee reported to the LEC that ten of twelve program participants were in compliance with their reporting and testing requirements. The other two are being monitored closely.

**Fees & Fines Committee:** Serving on the committee are Geoffrey Ball, William Collins, Miriam Fallahzadeh, Bradley Fulkerson, and Donna Ruley. Dr. Ball reported that 201 KAR 8:520 was revised last year with the understanding that it might need additional changes. The latest draft adds fees for mobile units of \$150 for initial registration and \$75 for renewal.

*Motion: Adopt and file draft 201 KAR 8:520. Introduced by Bradley Fulkerson; seconded by Teresa Boyd. All were in favor; motion approved.*

**Sedation Committee:** Serving on the committee are Geoffrey Ball, Bradley Fulkerson, and Justin Kolasa. Dr. Fulkerson reported that this regulation was previously revised in 2020 but additional language was determined to be necessary based on cases that have come before the Law Enforcement Committee. The revised language requires an operating dentist to have ACLS for adult patients and/or PALS for pediatric patients. It also clarifies that sedation facility certificate holders must also have a sedation permit and that dentists shall report sedation related deaths/hospitalizations regardless of who actually administered the sedation.

*Motion: Adopt and file draft 201 KAR 8:550. Introduced by Teresa Boyd; seconded by Bradley Fulkerson. All were in favor; motion approved.*

**Mobile Units Committee:** Serving on the committee are Geoffrey Ball, Bradley Fulkerson, William Collins, Donna Ruley, M. Suzanne Fallahzadeh, and Jerry Caudill. Mr. Allen reported that the proposed regulation was approved at the January meeting and has since been filed with the Legislative Research Commission. The public comments period is now open and the public hearing is scheduled for April 22, 2022 at 4:00 p.m.

#### **ADVISORY OPINION REVIEW**

Mr. Rosene reported that KAR 8:510 requires the board to interpret the practice act when we receive a valid Advisory Opinion request. Attorneys have reviewed a recent request and provided a draft for consideration. Dr. Ball appointed Julie McKee, Justin Kolasa, and Teresa Boyd to review the draft and make a final recommendation to the board.

#### **EXECUTIVE DIRECTOR'S REPORT**

**Financial Report:** Mr. Allen provided a report on the first eight months of Fiscal Year 2021-22. Year to Date revenue is \$1.08 million and expenses are \$538K, with a balance of \$543K. Cash on hand is \$1.9 million.

**Legal/Regulatory Report:** Mr. Allen announced that the COVID-related state of emergency has expired and state office restrictions have been lifted. He discussed the 2022 General Assembly, highlighting a few bills that have been filed that would impact dentistry.

**License Renewal Update:** Mr. Allen reported that 2,977 dentists had successfully renewed their license, 253 had formally retired, and 27 were reported deceased. The remaining 111 licenses have now expired and attempts are ongoing to confirm that these individuals are no longer practicing in Kentucky.

**Sedation Facility Certificate Renewal Update:** Mr. Allen reported that 294 of 317 sedation facility certificates have been renewed. The staff is working to confirm that the facilities of the expired certificates are no longer performing moderate or deep sedation.

**Continuing Education Audit Update:** Mr. Allen reminded the board that it authorized a continuing education audit review for five percent of licensees selected at random plus anyone with an active settlement agreement. This resulted in 154 auditees who have the choice of providing hard copies of their records or posting them to CE Broker. Non-compliant or delinquent licensees will be reported to LEC at its May meeting.

Deb Carter provided a brief report of licensee activity with CE Broker after one year.

**Board Elections:** Mr. Allen announced that the terms for the board seats currently held by Geoffrey Ball, M. Suzanne Fallahzadeh, and Donna Ruley will expire on June 30, 2022. Currently, nine dentists and two hygienists have been nominated. The election will be held in April and the results announced in May.

Dr. Ball announced his resignation from the Board upon adjournment, citing a new professional opportunity outside of Kentucky.

*Motion: Move to adjourn. Introduced by Geoffrey Ball; seconded by Teresa Boyd. All were in favor; motion approved.*

The meeting adjourned at 10:25 a.m.