



Kentucky Board of Dentistry

312 Whittington Pkwy, Ste. 101

Louisville, KY 40222

- MINUTES OF MEETING -

Sept. 10, 2022

This regular meeting of the Board of Dentistry was called to order at 9:00 a.m. by the Board's interim president, Dr. Teresa Boyd. A quorum was present.

ROLL CALL

Members Present: Teresa Boyd, William Collins, Bradley Fulkerson, Lisa Johnston, Justin Kolasa, Thadler Schroeder, and Bruce Haskell

Members Absent: Frank Kinnaird, Andrew Farmer

Ex-Officio Members Present: Margaret Hill (UofL), Patsy Smallwood (BSCTC), Julie McKee (DPH), and Deborah Ray (UK)

Ex-Officio Members Absent: None

Staff/Contract Personnel Present: Jeffrey Allen, Crystal Holloway, and Addison Lowry

Also Present: Jerry Caudill (Avesis), Bridgett Asberry (KYDHA), Beth Nicely (KYDHA), Lynn Phillips Henderson (KYDHA), and Chuck Holt (SRTA)

SWEARING IN OF NEW MEMBERS

Dr. Boyd welcomed Drs. Bruce Haskell and Thadler Schroeder as new voting members as well as Dr. Margaret Hill and Patsy Smallwood, RDH as new ex-officio members on the Board. Following introductions, new members were administered the oath of office.

APPROVAL OF MINUTES

Jeff Allen presented the draft minutes of the May 14, 2022 meeting.

Motion: Approve the minutes of the 05-14-2022 meeting. Introduced by Justin Kolasa; seconded by Lisa Johnston. All were in favor; motion approved.

ELECTION OF OFFICERS

Mr. Allen asked for officer nominations for the 2022-23 fiscal year. Dr. Fulkerson nominated Teresa Boyd for Board president and Justin Kolasa for Board vice president. Drs. Boyd and Kolasa accepted the nomination. No other nominations were received.

Motion: Appoint Teresa Boyd as president and Justin Kolasa as vice president of the Board of Dentistry. Introduced by Bradley Fulkerson; seconded by William Collins. All were in favor; motion approved.

COMMITTEE REPORTS

Law Enforcement Committee: Serving on the committee are Bradley Fulkerson, Justin Kolasa, and Teresa Boyd. Dr. Fulkerson reported that at its Sept. 9, 2022 meeting the Law Enforcement Committee reviewed 11 complaints. Ten were dismissed and one was held over for further investigation.

Two referrals from the Drug Enforcement and Professional Practices Branch of the Cabinet for Health and Family Services were reviewed. One was dismissed and the other held over for further investigation.

Four requests for license reinstatement were reviewed. Three were approved and one held over for further investigation.

One self-reported incident involving a dental patient under sedation who was transferred to the ER was reviewed with no action taken.

The Well-Being Committee reported to the LEC that all nine program participants were in compliance with their reporting and testing requirements.

Fees & Fines Committee: Serving on the committee are William Collins, Miriam Fallahzadeh, Bradley Fulkerson, and Donna Ruley. Mr. Allen indicated that 201 KAR 8:520 had not yet gone through the legislative committee review process as it contains fees associated with the proposed mobile units regulation 201 KAR 8:601. The Board will continue to defer 201 KAR 8:520 until both regulations are ready to go through the review process simultaneously.

Sedation Committee: Serving on the committee are Bradley Fulkerson and Justin Kolasa. Dr. Fulkerson indicated that the original revision to 201 KAR 8:550 was filed with Legislative Research Commission in March. Subsequently, six groups submitted comments during the 90 day open comment period. The committee reviewed the comments and, in response, is recommending the following changes:

- Eliminate the requirement that the operating dentist must have a sedation permit; and
- Change the requirement that the operating dentist must be PALS and/or ACLS certified to simply allow any member of the care team to fulfill that requirement.

Motion: Approve revision of 201 KAR 8:550 as amended. Introduced by Bradley Fulkerson; seconded by William Collins. All were in favor; motion approved.

Mobile Units Committee: Serving on the committee are Bradley Fulkerson, William Collins, and Jerry Caudill. Dr. Fulkerson presented proposed regulation 201 KAR 8:601 for approval. He reminded members that an earlier version of this regulation has already been approved by the Board and filed with the Legislative Research Commission. However, in order to fully consider the public comments received during the open comment period, the committee decided to withdraw the regulation and re-file a new version at a later date.

Motion: Approve proposed regulation 201 KAR 8:601 as presented. Introduced by William Collins; seconded by Thadler Schroeder. All were in favor; motion approved.

New Committees: Mr. Allen announced that new regulatory review committees need to be created for Licensure of Dentists (201 KAR 8:532), Licensure of Hygienists (201 KAR 8:562), Dental Lab Registration (201 KAR 8:016) and Dental Assistant Registration (201 KAR 8:571), which are all up for review.

The Board agreed to consider 201 KAR 8:016 and 571 first. Volunteers for both committees were recorded. The remaining committees will be addressed at the following meeting.

SPEAKER PRESENTATIONS

SRTA Update: Dr. Chuck Holt of the Southern Regional Testing Agency (SRTA) presented an update of the organization's activities, including its rebranding as the States Resources for Testing and Assessments.

Thentia Presentation: Representatives from Thentia provided an overview of their database management platform via Zoom teleconference. The Board agreed to consider a contract proposal from Thentia at the next meeting.

ADVISORY OPINION REVIEW

Advisory Opinion Request 22-01: Serving on the committee are Julie McKee, Justin Kolasa, and Teresa Boyd. Dr. Kolasa reminded members about the draft advisory opinion regarding clinical demonstrations by out of state dentists through the Midwest Implant Institute. After speaking with the author of the request, the committee believes an exemption is appropriate and is recommending approval of the current draft opinion.

Motion: Approve Advisory Opinion 22-01 as presented. Introduced by Justin Kolasa; seconded by William Collins. All were in favor; motion approved.

Advisory Opinion Request 22-02: Serving on the committee are Teresa Boyd, Justin Kolasa, and Bradley Fulkerson. Dr. Boyd announced that the Board had received another request for an advisory opinion, this one inquiring if dentists can teach dental hygienists to administer certain trigger point injections. She said the committee recommends that the Board decline to issue an opinion on the grounds that the request is overly broad and that a formal opinion could result in unintended consequences.

Motion: Decline to issue an opinion for Advisory Opinion Request 22-02 pursuant to 201 KAR 8:510, Section 3(4). Introduced by Bradley Fulkerson; seconded by William Collins. All were in favor; motion approved.

EXECUTIVE DIRECTOR'S REPORT

Financial Report: Mr. Allen presented the final report for Fiscal Year 2021-22, which concluded June 30. Total revenue for the year was \$1.19 million and expenses were \$783K, leaving a year-end balance of just over \$400K. Final cash on hand was \$1.75 million.

Mr. Allen also presented year-to-date numbers for Fiscal Year 2022-23, which began July 1. Revenues have been \$59K so far compared to expenses of \$142K. This leaves a current deficit of \$83K and a cash balance of \$1.63 million. Mr. Allen noted that summer is a slow revenue period for the Board and that income will increase when the license renewal period for dental hygienists begins in October.

Testing Agencies Update: Mr. Allen reported on the recent CDCA-WREB merger with CITA. He reminded members that Kentucky law accepts five regional examinations for dentist and hygienist licensure: Council of Interstate Testing Agencies (CITA), Central Regional Dental Testing Service (CRDTS), Commission of Dental Competency Assessments (CDCA), Southern Regional Testing Agency (SRTA), and Western Regional Examining Board (WREB). Last year CDCA merged with WREB and has now they have been joined by CITA, leaving only three testing agencies.

Motion: Move to adjourn. Introduced by Teresa Boyd; seconded by Justin Kolasa. All were in favor; motion approved.

The meeting adjourned at 12:05 p.m.