

J. Matthew Hart, JD  
*Executive Director*



Donna L. Dixon, DMD, JD  
*Prosecuting Attorney*

## **BOARD OF DENTAL EXAMINERS OF ALABAMA**

5346 Stadium Trace Parkway, Ste. 112  
Hoover, AL 35244-4583  
PHONE 205-985-7267  
FAX 205-985-0674

Adolphus M. Jackson, DMD  
*Vice-President*  
Stephen R. Stricklin, DMD  
Mark R. McIlwain, DMD, MD

William E. Chesser, DMD  
*President*

T. Gerald Walker, DMD  
*Secretary/Treasurer*  
Douglas Beckham, DMD  
Sherry S. Campbell, RDH

### **MINUTES BOARD MEETING October 5-6, 2017**

The Board of Dental Examiners of Alabama met Thursday, October 5, 2017, at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 6:07 p.m. with the following members in attendance: Dr. William E. Chesser, President, Dr. Adolphus M. Jackson, Vice President, Dr. Thomas Gerald Walker, Secretary/Treasurer, Dr. Douglas Beckham, Dr. Stephen R. Stricklin, Dr. Mark R. McIlwain, and Ms. Sherry Skinner Campbell, RDH. Also in attendance were Mr. Matt Hart, Esq., Executive Director, Dr. Donna Dixon, Esq., Prosecuting Attorney, Mr. Blake Strickland, Investigator, Mr. Kevin Lane, Paralegal, and Ms. Linda Dlugosz, Administrative Assistant.

The President determined that a quorum was present; Counsel orally confirmed.

The meeting was advertised on the Board's website, [www.dentalboard.org](http://www.dentalboard.org), and on the Secretary of State's website, [www.sos.alabama.gov](http://www.sos.alabama.gov), in compliance with the Alabama Open Meetings Act.

The President asked for review of the minutes from the September 14-15, 2017 meeting. Dr. McIlwain moved to approve the minutes as presented. Dr. Stricklin seconded the motion and it was approved by general consent.

Dr. Walker presented the Financial Report. After discussion, Dr. Beckham moved to approve the Financial Report as presented. Ms. Campbell seconded the motion and it was approved by general consent.

The President recognized guests and asked if there were any comments; there were no comments.

Dr. Litz presented the ADHP Report. Currently there are 190 students in the program. This is down 3 from the first class in July. The class for this coming weekend has been cancelled due to the impending hurricane and the threat of severe weather

across the state – the class will be rescheduled at a later date. There are plans for a graduation ceremony in May.

Dr. Litz plans to review instrumentation at the next class. This subject will be addressed more than once during the course. This concluded the report.

Ms. Sonya Lankford was asked to join the meeting to run the voting report for election of Board member. With all members present, the report was run and showed 1,021 total votes; 473 for Dr. King; 548 for Dr. Sims; 303 declined to vote. Dr. Sims was declared the winner of the election and will be sworn in at the continuation of the meeting on Friday.

The Nominating Committee for Board Officers suggested Dr. Adolphus M. Jackson, President, Dr. Thomas Gerald Walker, Vice President, and Dr. Douglas Beckham, Secretary/Treasurer. Dr. Chesser asked if there were any nominations from the floor; there were none. Dr. McIlwain moved to accept the recommendations. Ms. Campbell seconded the motion and it was approved by general consent.

Dr. Jackson moved to grant a CE waiver to military licensee, Dr. Keeth Lane, Jr. for the CE year of Oct. 2017 – Sept. 2018. Dr. Lane will be deployed and unable to obtain required CEs for his 2019 renewal. Dr. Walker seconded the motion and it was approved by general consent.

A licensed hygienist claims she paid a \$500.00 fine 15 years ago by money order. She has no records to prove payment and the assessment of the fine predates the Board's current accounting system, so the Board has no records from that timeframe either. Dr. Stricklin moved to remove the amount due from her account. Ms. Campbell seconded the motion and it was approved by general consent.

Members discussed *Summary of Infection Prevention Practices in Dental Settings* sent by the Center for Disease. Current Board **Rule 270-X-2.15** states that licensees must follow CDC guidelines for infection prevention and control. New requirements regarding heat sterilizing all hand pieces and associated attachments, which include low-speed motors and reusable prophylaxis angles, between each patient took effect May 2016 but it is not clear as to whether a protective barrier is required or sufficient. Members decided that the Board will continue to abide by the CDC Guidelines in regards to sterilization of instruments.

Dr. Jackson moved to approve Dr. Cameron Walsh's request to supplement his WREB Regional scores with that portion of another Regional Exam in order to satisfy requirements for initial licensing. Dr. Beckham seconded the motion and it was approved by general consent.

After reviewing proposed meeting dates for 2018, Dr. McIlwain moved to approve the list as presented. Dr. Walker seconded the motion and it was approved by general consent. Meeting dates will be posted on the Board's website [www.dentalboard.org](http://www.dentalboard.org) and on the Secretary of State's website [www.sos.alabama.gov](http://www.sos.alabama.gov) in compliance with the Open Meetings Act.

Members discussed assistance for Puerto Rican dentists and dental students in view of the extreme disaster created by hurricanes in that territory of the United States. They concurred that if students would be able to come to Alabama to finish their studies, dental educators would be granted teaching permits and possibly special teaching permits with a request by the Dean. For initial licensure, dentists wanting to come to Alabama to practice would be required to complete the procedures defined in the Alabama Practice Act and Rules. Dr. McIlwain moved to reduce initial licensure fee by 50% for any currently

licensed Puerto Rican dentist applying for an Alabama license within 6 months from this date. Dr. Walker seconded the motion and it was approved by general consent.

At 7:11 p.m. the President announced a break; the meeting resumed at 7:23 p.m.

Dr. Beckham brought up the requirement of active practice hours for Board member eligibility discussed at a prior meeting. He recommended a 2 day requirement instead of 20 hours per week. Mr. Hart reminded members that changing this requirement would change the definition of the *active practice of dentistry* throughout the Dental Practice Act and Board Rules as it applies to all licensed dentists and hygienists. After discussion, members decided not to amend the rule.

Dr. Stricklin gave a report on a SRTA Strategic Planning Conference Call held Monday evening. He recounted the incident of the SRTA/ADEX separation and monies owed by SRTA to ADEX. ADEX is creating a new application protocol that will be required of any new testing agency applying for ADEX membership. The ADEX exam would give SRTA the largest amount of portability. SRTA is scheduled to test at UAB October 14-15, 2017. This concluded his report.

Dr. Beckham moved to approve Dental Licensure by Regional Exam based on successful completion of the jurisprudence exam for the following applicants. Dr. Stricklin seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

- Jacob Deniakos, DDS
- Sabrina Lugo, DDS

Ms. Campbell moved to approve Dental Hygiene Licensure by Regional Exam based on successful completion of the jurisprudence exam for Shannon Rester, RDH. Dr. Jackson seconded the motion and it was approved by general consent.

Mr. Blake Strickland presented the Inspections Report.

All 38 clinics that require inspection have been completed. Mr. Strickland will present a final report at the November meeting. This concluded the report.

At 7:42 the President recessed the meeting until Friday October 6, at 8:30 a.m.

**MINUTES**  
**BOARD MEETING**  
Friday October 6, 2017

The Board of Dental Examiners of Alabama met Friday, October 6, 2017, at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 8:35 a.m. with the following members in attendance: Dr. William E. Chesser, President, Dr. Adolphus M. Jackson, Dr. Thomas Gerald Walker, Secretary/Treasurer, Dr. Douglas Beckham, Dr. Stephen R. Stricklin, Dr. Mark Ray McIlwain, and Ms. Sherry Skinner Campbell, RDH. Also in attendance were Mr. Matt Hart, Esq., Executive Director, Dr. Donna Dixon, Esq., Prosecuting Attorney, Mr. Blake Strickland, Investigator, Mr. Kevin Lane, Paralegal, and Ms. Linda Dlugosz, Administrative Assistant.

The President determined that a quorum was present; Counsel orally confirmed.

The meeting was advertised on the Board's website, [www.dentalboard.org](http://www.dentalboard.org), and on the Secretary of State's website, [www.sos.alabama.gov](http://www.sos.alabama.gov), in compliance with the Alabama Open Meetings Act.

The President recognized guests and invited any comments; there were no comments. He invited Dr. Sassan Bassiri to address the Board regarding an application for initial licensing. At the conclusion of Dr. Bassiri's address he left the meeting.

Dr. Dixon presented the Wellness Report provided by Dr. Mike Garver. Only two cases have had any activity in the past month; one dentist, one hygienist.

Ms. Hilda Johnson was invited to join the meeting to present the ADHP Report.

Ms. Johnson must find 2 speakers to replace Dr. Nancy Hein and Dr. Kevin Sims. She recounted some of the details presented by Dr. Litz. Dr. Chesser thanked Ms. Johnson for her work with the ADHP.

At 9:21 a.m. the President announced a break; the meeting resumed at 9:41 a.m.

After review of the case, Dr. Beckham moved that case #2017-82 has no evidence to sustain. Dr. Stricklin seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

After review of the case, Dr. Walker moved that case #2017-78 has no evidence to sustain. Dr. Jackson seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Mr. Hart presented the Legislative Committee Report.

The Committee made a few changes to proposed Rules: Rule 270-X-2.17 *Criteria for On-Site Inspection for the Use of General Anesthesia and Parenteral Sedation*; Rule 270-X-3.04 *Alabama Dental Hygiene Program Requirements*, and Rule 270-X-3.10 *Duties of Allied Dental Personnel*. Mr. Hart will make the modifications and then file them with the Legislative Services Agency. A public hearing will likely be held at the December Board Meeting.

The three responses received to the request for proposal for real estate services were presented: Southpace, Graham & Co, and LAH. After discussion, Dr. McIlwain moved to accept the proposal from LAH, represented by Keith Arendall. Dr. Beckham seconded the motion and it was approved by general consent.

Mr. Hart presented the Attorney Report.

He updated members on current cases on appeal to the Circuit Court.

Mr. Hart presented the Executive Director Report.

There are approximately 9,700 licenses and permits eligible for renewal. So far 6,368 have been received; 1900 hygiene licenses have been processed thus far (no dental licenses/permits have been processed up to this date because of the election).

Ms. Campbell, Dr. Jackson, Dr. McIlwain, and Mr. Hart will attend the 134<sup>th</sup> Annual AADB Meeting October 17-18 in Atlanta.

Dr. Beckham, Ms. Campbell, Mr. Hart, and Dr. Dixon have signed up to attend Board member training in Montgomery. Mr. Hart invited any others who wished to attend to let him know.

Mr. Hart will attend the Opioid Council Meeting October 24 in Montgomery.

The ADA meeting has been set for October 18-22, 2018 in Honolulu.

An official request for proposal has been issued for new licensing software with an October 15 closing date. So far Mr. Hart has received 2 proposals. He will offer his recommendation at the November meeting.

Mr. Hart, Dr. Walker, and Dr. Garver are working to improve the Wellness Program protocol. They welcome any input from other members. They are creating a flowchart and will present their recommendations at the November meeting.

On behalf of all members, Mr. Hart congratulated Dr. Beckham on his retirement from private practice and upon his new position providing dental services to the state prison population. He congratulated Dr. Kevin M. Sims on his election to the Board. He also congratulated and thanked Dr. Chesser for his 5 years of service to the profession and to the Board. Dr. William E. Chesser thanked all members for their hard work and stated how much he has appreciated being able to serve the past 5 years.

Mr. Hart reminded members to send their newsletter articles as soon as possible. This concluded his report.

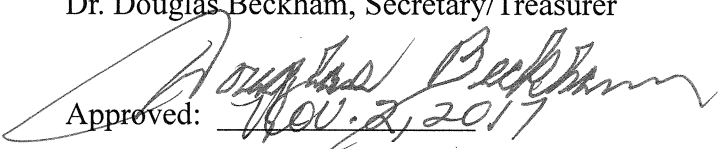
The Board was presented a request for clarification from a licensee regarding the ability of hygienists to use lasers. Members agreed that per Rule 270-X-3.10: *Hygienists and assistants can use a laser and/or narrow band (light) imaging technology for preliminary diagnostic purposes only with the dentist's final examination and diagnosis.*

The President called Dr. Kevin M. Sims forward and asked him to swear the Oath of Office. Dr. Chesser then administered the oath to Dr. Sims. Dr. Sims will be seated at the November meeting.

At 10:42 a.m. Dr. Stricklin moved to adjourn the meeting. Dr. McIlwain seconded the motion and it was approved by general consent.

Respectfully Submitted,

Dr. Douglas Beckham, Secretary/Treasurer

  
Approved: NOV. 2, 2017

Submitted by: Linda Dlugosz

**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**  
August 2017

Aug 2017 for Oct 2017 Meeting  
Balance as of 8/31/2017  
Checking: \$1,318,150.56  
MM: \$301,666.44

	<u>Aug 17</u>	<u>Budget</u>	<u>Oct '16 - Aug 17</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
<b>Ordinary Income/Expense</b>						
<b>Income</b>						
501 · Annual Dental Registration	2,200.00		495,000.00	513,000.00	513,000.00	
502 · Annual Hygiene Registration	390.00		265,915.00	277,375.00	277,375.00	
503 · Controlled Substance Fee	2,480.00		245,275.00	261,375.00	261,375.00	
504 · Annual Teaching Permits	0.00		6,150.00	5,500.00	5,500.00	
505 · ADHP Certification	300.00	0.00	11,175.00	12,000.00	12,000.00	
507 · Drug Log Books	0.00	45.83	70.00	504.17	550.00	
508 · ADHP	0.00	0.00	91,675.00	85,000.00	85,000.00	
509 · Dental Exam Fee	200.00	666.66	8,600.00	7,333.34	8,000.00	
510 · Original License Fee	225.00	333.33	3,750.00	3,666.67	4,000.00	
511 · Licenses Reprint Fee	25.00	166.66	1,025.00	1,833.34	2,000.00	
512 · Dental Hygiene Exam Fee	1,600.00	1,250.00	16,075.00	13,750.00	15,000.00	
513 · Directory Fee	0.00	325.00	50.00	3,575.00	3,900.00	
515 · Penalty Fee	900.00	1,250.00	21,350.00	13,750.00	15,000.00	
516 · Privilege License Money	0.00	0.00	0.00	20,000.00	20,000.00	
517 · Interest Inc - checking	5.13	16.66	59.17	183.34	200.00	
518 · Parental Sedation Permit Fee	0.00	833.33	3,200.00	9,166.67	10,000.00	
519 · Anesthesia Permit	0.00	2,500.00	26,800.00	27,500.00	30,000.00	
521 · Other Income	0.00	41.66	1,632.79	458.34	500.00	
523 · ADHP Appl Fee	0.00		25.00			
525 · Dent Hyg Bd Appl	0.00	583.33	6,950.00	6,416.67	7,000.00	
526 · ADHP Materials	0.00	0.00	43,850.00	45,000.00	45,000.00	
527-1 · Administrative Costs	0.00	416.66	0.00	4,583.34	5,000.00	
527-3 · Administrative Fines	600.00		8,705.00			
527 · Disciplinary Fines (Prior)	11,299.00		133,149.00			
528 · Initial Anesthesia Evaluation	2,700.00	1,333.33	24,300.00	14,666.67	16,000.00	
529 · OCS Annual Reg. Fee	50.00		20,300.00	21,000.00	21,000.00	
530 · Licensure By Credentials	4,000.00	3,333.33	66,000.00	36,666.67	40,000.00	
531 · RETURNED CHECK CHARGES	0.00	83.33	150.00	916.67	1,000.00	
532 · OCS Initial App. Fee	100.00		900.00			
533 · Dental Lic. Bd Exam Application	300.00	1,250.00	17,100.00	13,750.00	15,000.00	

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540 · Special Purpose Dental Lic Fee	0.00	83.33	750.00	916.67	1,000.00	
545 · Special Purpose Hygiene Lic Fee	0.00	66.66	1,170.00	733.34	800.00	
617 · MDF Permits	0.00	333.33	7,500.00	3,666.67	4,000.00	
800 · 800-OVERPAYMENTS	0.00		0.00			
<b>Total Income</b>	<u>27,374.13</u>	<u>14,912.43</u>	<u>1,528,650.96</u>	<u>1,404,287.57</u>	<u>1,419,200.00</u>	
<b>Gross Profit</b>	27,374.13	14,912.43	1,528,650.96	1,404,287.57	1,419,200.00	
<b>Expense</b>						
Refund	0.00		-1.25			
0100-0 · Personnel Costs	42,222.00	39,833.33	463,365.50	438,166.67	478,000.00	New Hires
0114-0 · Board Member Compensation	7,100.00	8,333.33	79,175.00	91,666.67	100,000.00	
0198-0 · Bonus	0.00		2,600.00	3,500.00	3,500.00	
0201-0 · Payroll Expenses	3,784.32	4,166.66	42,265.10	45,833.34	50,000.00	
0202-0 · Pension Plan	0.00	0.00	60,779.24	75,000.00	75,000.00	
0203-0 · Medical Insurance	6,394.60	3,833.33	63,779.85	42,166.67	46,000.00	2 Months
0204-0 · Workman Comp. Ins.	0.00	0.00	5,154.00	16,000.00	16,000.00	
0205 · Unemployment Fees	0.00	41.66	50.00	458.34	500.00	
0300-0 · Travel - In-State	1,059.43	2,250.00	18,793.58	24,750.00	27,000.00	
0400-0 · Travel - Out-of-State	0.00	2,291.66	20,347.32	25,208.34	27,500.00	
0500-0 · Repairs & Maintenance	218.52	225.00	8,359.93	2,475.00	2,700.00	
0600-1 · Rentals & Leases/Offsite Meetin	0.00	83.33	0.00	916.67	1,000.00	
0602-1 · Rent on Building	16,755.74	8,166.66	96,502.24	89,833.34	98,000.00	2 Months
0700-0 · Utilities & Communications						
0700-1 · Utilities - Telephone	1,058.14	708.33	10,073.82	7,791.67	8,500.00	Maint Fee
0700-2 · Utilities - Cell Phone	0.00	41.66	0.00	458.34	500.00	
0700-3 · Utilities - Power	1,248.52	708.33	7,920.19	7,791.67	8,500.00	2 Months
0700-4 · Utilities - Internet	595.00		1,219.00			
<b>Total 0700-0 · Utilities &amp; Communications</b>	<u>2,901.66</u>	<u>1,458.32</u>	<u>19,213.01</u>	<u>16,041.68</u>	<u>17,500.00</u>	
0800-0 · Professional Services	19,872.27	13,583.33	167,574.39	149,416.67	163,000.00	ADHP
0800-1 · Membership Dues & Subscriptions	730.00	416.66	18,629.54	4,583.34	5,000.00	2 Months
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00		5,342.06			
0801-0 · Board Attorney Fees - Other	0.00	4,166.66	0.00	45,833.34	50,000.00	



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Total 0801-0 · Board Attorney Fees	0.00	4,166.66	5,342.06	45,833.34	50,000.00	
0840-0 · CONSULTANTS	10,000.00	5,000.00	60,000.00	55,000.00	60,000.00	2 Months
0899-1 · Evaluator Fees	1,050.00	333.33	8,354.96	3,666.67	4,000.00	
0899-2 · Hearing Officer Fees	0.00	666.66	1,704.00	7,333.34	8,000.00	
0899-6 · A.D.H.P. Materials & Supplies	1,310.26	125.00	5,024.77	1,375.00	1,500.00	Alumni Week
0900-0 · Office Expense	1,970.70	833.33	11,647.01	9,166.67	10,000.00	Supplies
0900-1 · Recycle / Paper Disposal	50.00	83.33	564.00	916.67	1,000.00	
0902-0 · NPDB HIPDB License Background	18.00	41.66	209.00	458.34	500.00	
0906-0 · Printing & Supplies	0.00	83.33	1,216.00	916.67	1,000.00	
0910-0 · Postage	301.99	833.33	7,301.99	9,166.67	10,000.00	
0924-0 · Insurance	0.00	0.00	9,831.00	0.00	10,000.00	
0944 · Computer Expenses						
0944-0 · Computer Updates	2,139.54	2,500.00	4,211.58	27,500.00	30,000.00	
0944-1 · Computer Support	2,843.83	5,416.66	70,104.07	59,583.34	65,000.00	
0944 · Computer Expenses - Other	170.00		340.00			
Total 0944 · Computer Expenses	5,153.37	7,916.66	74,655.65	87,083.34	95,000.00	
0950-0 · Penalty	0.00		173.62			
0951-0 · NSF	0.00	41.66	27.00	458.34	500.00	
0999-0 · MISC.	0.00	83.33	1,212.12	916.67	1,000.00	
1000-0 · Auto Expense	9.00	2,083.33	1,765.92	22,916.67	25,000.00	
1000-1 · Vehicle Repairs & Maint.	0.00	83.33	511.56	916.67	1,000.00	
1000-2 · Vehicle Fuel	159.24	250.00	2,604.02	2,750.00	3,000.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	874.24	1,250.00	12,598.73	13,750.00	15,000.00	
Total 1400-0 · Equipment	874.24	1,250.00	12,598.73	13,750.00	15,000.00	
6950 · Bank & CC Service Fees	120.77	1,000.00	42,450.70	11,000.00	12,000.00	
<b>Total Expense</b>	<b>122,056.11</b>	<b>109,558.21</b>	<b>1,313,781.56</b>	<b>1,299,641.79</b>	<b>1,419,200.00</b>	
<b>Net Ordinary Income</b>	<b>-94,681.98</b>	<b>-94,645.78</b>	<b>214,869.40</b>	<b>104,645.78</b>	<b>0.00</b>	
<b>Other Income/Expense</b>						
<b>Other Income</b>						
524 · NSF Checks	0.00		185.00			
527-2 · ADPWC - Monitoring Fee	1,915.00		17,577.68			

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560 - Online Renewals	0.00		13,478.72			
Total Other Income	1,915.00		31,241.40			
Net Other Income	1,915.00		31,241.40			
Net Income	<u>-92,766.98</u>	<u>-94,645.78</u>	<u>246,110.80</u>	<u>104,645.78</u>	<u>0.00</u>	