

Adolphus M. Jackson, DMD
President
T. Gerald Walker, DMD
Vice-President
Douglas Beckham, DMD
Secretary/Treasurer
Stephen R. Stricklin, DMD
Mark R. McIlwain, DMD,
MD
Kevin M. Sims, DMD, MS
Sherry S. Campbell, RDH



J. Matthew Hart, JD
Executive Director
Donna L. Dixon, DMD, MA, 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

MINUTES
BOARD MEETING
May 3-4, 2018

The Board of Dental Examiners of Alabama met Thursday May 3, 2018, at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 6:48 p.m. with the following members in attendance: Dr. Adolphus M. Jackson, President, Dr. Thomas Gerald Walker, Vice-President, Dr. Douglas Beckham, Secretary/Treasurer, Dr. Stephen R. Stricklin, Dr. Mark R. McIlwain, Dr. Kevin M. Sims, and 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 meeting was advertised on the Board's website, www.dentalboard.org, and on the Secretary of State's website, www.sos.alabama.gov, in compliance with the Alabama Open Meetings Act.

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

The President asked for review of the minutes from the April 5-6, 2018 meeting. Dr. McIlwain moved to approve the minutes as presented. Dr. Stricklin seconded the motion and it was approved by general consent.

Dr. Beckham presented the Financial Report. Dr. McIlwain moved to approve the report as presented. Dr. Sims seconded the motion and it was approved by general consent.

The President recognized guest, Dr. Sanderson, who addressed the Board regarding his personal experience with sleep studies. When Dr. Sanderson's presentation was completed he left the meeting.

Mr. Hart reviewed discussions and decisions made at the Legislative Committee meeting earlier this date. Dr. McIlwain moved to start the amending process for Rule 270-X-2.17(b) as discussed at the Legislative Committee meeting. Dr. Beckham seconded the motion and it was approved by general consent.

Mr. Hart reminded members that continuing education audits need to be increased for 2018. He suggested randomly selecting licensees by computer. A letter will be sent to each licensee selected asking for proof of CEs for the past year. Dr. Sims moved for Mr. Hart to begin the audit process as suggested. Dr. Walker seconded the motion and it was approved by general consent.

Dr. Walker stated that currently hygienists cannot obtain approved CEs by attending the ones provided by study clubs unless the course is developed as stated in Rule 270-X-4.04. Dr. Stricklin said that he submits paperwork to the Academy of General Dentistry for their approval of CEs that are presented at his office. Members agreed that Rule 270-X-4.04 needs to be amended to establish the criteria that allows approval of CEs. The Board's legal counsel indicated they would begin drafting an amendment to address these concerns.

Dr. Walker brought up the need to allow a licensed dentist to give local anesthesia to patients during the administration of the ADHP clinical exam administered by CITA. Dr. Walker will pursue this option further and bring his findings to a future meeting.

Dr. Walker said that Mississippi has an AED requirement for all dental offices/clinics. Mr. Hart distributed a copy of the Mississippi Rule that covers their requirement. Dr. Beckham moved that every dental office/clinic be required to have AED equipment readily accessible and in place by January 1, 2019. Dr. McIlwain seconded the motion and it was approved by general consent with Dr. Walker abstaining from the motion.

Dr. McIlwain suggested that the Board pursue legislation to allow dentists to delegate two auxiliary personnel the ability to access the PDMP, same as medical personnel are currently allowed to do. Members discussed this option and agreed that the Board should pursue such legislative action. Mr. Hart said that he would present the request to the Board's Legislative Counsel and the Alabama Department of Public Health.

At 8:25 p.m. the President announced a break; the meeting resumed at 8:39 p.m.

Ms. Campbell gave a review of the Opioid Summit recently held in Montgomery. She complimented the speakers and said it was informative and enjoyable.

Members and Mr. Hart shared information and experiences from attending the AADB Mid-Year Meeting. There was continued discussion of the proposed OSCE exam for hygienists that would eliminate a live patient.

At 9:01 p.m. the President recessed the meeting until 8:30 a.m. Friday.

MINUTES
BOARD MEETING
Friday May 4, 2018

The Board of Dental Examiners of Alabama met Friday May 4, 2018, at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 8:33 a.m. with the following members in attendance: Dr. Adolphus M. Jackson, President, Dr. Thomas Gerald Walker, Vice-President, Dr. Douglas Beckham, Secretary/Treasurer, Dr. Stephen R. Stricklin, Dr. Mark R. McIlwain, Dr. Kevin M. Sims, and Ms. Sherry Skinner Campbell, RDH. Also in attendance were Mr. Matt Hart, Esq., Executive Director, Dr. Donna Dixon, Esq., Prosecuting Attorney, Mr. Kevin Lane, Paralegal, and Ms. Linda Dlugosz, Administrative Assistant.

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

The President recognized Dr. Zack Studstill, Executive Director of the Alabama Dental Association, and invited him to address the Board. He requested that the Board initially restrict the use of infiltration of anesthesia by licensed, trained and certified dental hygienists to the following: gingival scaling, gingival curettage, root planning, and restorative procedures on deciduous teeth. He distributed copies of a letter requesting the Board adopt these limitations and signed by Dr. Gordon Isbell, President of Alabama Dental Association. He also requested that a survey be sent to all dentists with questions about the demographics of their practice. He also requested that the Board produce and mail books containing active licensees, the DPA and Board Rules as was done in past years; the last book was printed in 2010. When his presentation was completed, Dr. Studstill left the meeting.

Dr. Pamela Sims, PharmD, PhD, joined the meeting. The President invited her to address the Board. She gave a presentation on the reliability of hair samples for drug testing. She explained the difference between testing for substance abuse using different "body parts" such as skin, hair, body fluids, urine, etc. and the validity of each type of test. Mr. Hart read an email from Dr. Mike Garver regarding his knowledge on tests for substance abuse. Members thanked Dr. Sims for her presentation. After questions by members and discussion, she left the meeting.

Members discussed ALDA's request to limit infiltration. They agreed to send the Board's response to the ALDA House of Delegates asking if they have considered the actual data.

Dr. McIlwain moved to allow Dr. Lucas Griffin to obtain all required CEs electronically until he is physically able to return to practice dentistry. Dr. Beckham seconded the motion and it was approved by general consent.

Members reviewed a syllabus on an infiltration course at Hiwassee College sent by Dr. Aaron Cook. He would like his hygienist to be able to attend this course to qualify for the upcoming Hygiene Infiltration Anesthesia Permit. The Board expressed concerns over this particular course because the didactic portion was online-based and did not require in-person attendance. Dr. McIlwain moved not to approve the use of the course sent by Dr. Cook. Dr. Walker seconded the motion and it was approved by general consent.

At 9:45 a.m. the President announced a break; the meeting resumed at 10:02 a.m.

Ms. Johnson joined the meeting to present the ADHP Report.

This weekend will include the inaugural pinning ceremony, the comprehensive exam, and the jurisprudence exam.

There are 143 students who are graduating the ADHP and will be sitting for the exams.

Ms. Johnson has processed about 150 applications for the 2018-2019 ADHP. The closing date for postmarking applications was April 30th.

There were 33 dentists who attended Instructor Certification class at Turtle Point. There are about 40 registered so far for the class at Perdido in June.

Mr. Hart brought to members' attention that a current graduating student has a criminal charge pending. Members decided to allow the student to sit for the exams and if/when all are passed, grant the graduate a hygiene license. If the student is then convicted of a crime of moral turpitude, a Notice for Hearing would then be sent to the licensee. This concluded the report.

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

- Lucas Connor, DDS
- Jessica Kleinschmit, DDS

Dr. Sims moved to approve Dental Licensure by Credentials for John Frerich, DDS based on successful completion of the jurisprudence exam. Dr. Walker seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

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

- Justin Nash, RDH
- Chezleigh Lackey, RDH

Dr. Beckham moved to approve Dental Hygiene Licensure by Credentials based on successful completion of the jurisprudence exam for the following applicants. Dr. Sims seconded the motion and it was approved by general consent.

- Josephine Craig, RDH
- Loreen Roney, RDH
- Jean Triche, RDH

Dr. Stricklin moved to approve Special Purpose Licensure for 3 Years based on successful completion of the jurisprudence exam for Destinee Carey, RDH. Ms. Campbell seconded the motion and it was approved by general consent.

Dr. Dixon presented the Wellness report provided by Dr. Mike Garver. She reported on participants who have had any activity since the last meeting. This concluded the report.

Mr. Hart distributed a report of Board office staff salaries across the state for a comparison to current staff salaries. Members asked the Board Officers to consult with Mr. Hart about current staff salaries and ensuring that they were inline with those of similarly situated regulatory boards, and to make recommendations for any salaries that should be increased. Members asked Dr. Stricklin to participate in the discussions should Dr. Beckham not be available.

Mr. Hart presented the Legislative Report.

The 2018 legislative session has ended. The Sunset Hearing is scheduled for June 21st. Mr. Steve Windom will attend the Board's June meeting to discuss and prepare Members for this meeting. This concluded the report.

Mr. Hart gave the Inspection Report in Blake Strickland's absence.

Mr. Strickland will be scheduling inspections starting in October. He has been helping Dr. Koslin with anesthesia inspections. This concluded the report.

At 11:19 a.m. Dr. McIlwain moved to enter Executive Session to discuss the consideration the Board is willing to offer for the purchase of real property and to return to public session at 11:45 a.m. Dr. Beckham seconded the motion and the President called for the vote: Dr. Stricklin, yea, Dr. McIlwain, yea, Dr. Walker, yea, Dr. Jackson, yea, Dr. Beckham, yea, Dr. Sims, yea, Ms. Sherry Campbell, yea. The motion carried. At 11:50 a.m. Dr. Stricklin moved to retire from Executive Session and return to public session. Dr. Beckham seconded the motion and the President called for the vote: Dr. Stricklin, yea, Dr. McIlwain, yea, Dr. Walker, yea, Dr. Jackson, yea, Dr. Beckham, yea, Dr. Sims, yea, Ms. Sherry Campbell, yea. The motion carried.

Dr. Dixon presented the Attorney Report.

She indicated that a Notice of Appeal on case #2017-81. This concluded the report.

Dr. McIlwain moved to reinstate the Controlled Substance permit for Dr. Scott Koplun and to close case #2018-20. Dr. Walker seconded the motion. After discussion, Dr. McIlwain revised his motion to: After Dr. Koplun has complied with the terms of his Consent Order(s) and paid all fees and penalties he will be eligible to reinstate his Controlled Substance permit. Dr. Walker seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. McIlwain moved that case #2018-15 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.

Dr. Sims moved that case #2018-16 has no evidence to sustain. Dr. Beckham 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 Executive Director's Report.

He reminded members that their Statement of Economic Interest was due this past week. If they did not submit it please see him after today's meeting.

Ms. Lankford is coordinating with iGov weekly to get the new licensing database software ready to move into active use in the next 45 or so days.

The Board's new IT vendor, Business Electronics (BE), is in the process of replacing equipment around the Board Office. BE will also provide staff with training on the new equipment and services.

Dr. Stevens accepted the position of ADHP Director. He attended the Instructor Certification class at Turtle Point; the presentation went well. Dr. Dixon and Dr. McIlwain also gave presentations on other topics at the 8th District Dental Society Meeting.

Mr. Hart should be receiving a draft report from the Examiners of Public Accounts for the Board's Sunset Review. All members should attend the hearing on June 21st.

Mr. Hart reminded members of the Special Board meeting scheduled for June 2nd at 3:00 p.m. to approve licensure applications of UAB School of Dentistry graduates.

Mr. Hart reminded members that the UAB Dentistry Senior Banquet is at 5:30 p.m. on May 10th.

At 12:05 Dr. McIlwain moved to adjourn the meeting. Dr. Walker seconded the motion and it was approved by general consent.

Respectfully Submitted,

Douglas Beckham, D.M.A.

Dr. Douglas Beckham, Secretary/Treasurer

Approved: June 14, 2018
Submitted by: Linda Dlugosz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
March 2018

March 2018 for May 2018 Meeting
Balance as of 3/31/2018
Checking: \$1,784,536.43
MM: \$301,701.48

	<u>Mar 18</u>	<u>Budget</u>	<u>Oct '17 - Mar 18</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
501 · Annual Dental Registration	800.00		491,800.00	515,000.00	515,000.00
502 · Annual Hygiene Registration	130.00		268,970.00	282,945.00	282,945.00
503 · Controlled Substance Fee	1,260.00		236,450.00	243,225.00	243,225.00
504 · Annual Teaching Permits	0.00		4,800.00	6,000.00	6,000.00
505 · ADHP Certification	450.00	4,000.00	6,150.00	4,000.00	12,000.00
507 · Drug Log Books	0.00		0.00	0.00	0.00
508 · ADHP	18,900.00	31,666.67	22,950.00	31,666.67	95,000.00
509 · Dental Exam Fee	800.00	666.67	2,200.00	4,000.02	8,000.00
510 · Original License Fee	325.00	322.92	1,000.00	1,937.52	3,875.00
511 · Licenses Reprint Fee	175.00	166.67	450.00	1,000.02	2,000.00
512 · Dental Hygiene Exam Fee	1,000.00	1,250.00	3,600.00	7,500.00	15,000.00
513 · Directory Fee	0.00		0.00	0.00	0.00
515 · Penalty Fee	450.00	2,020.83	4,650.00	12,125.02	24,250.00
516 · Privilege License Money	93,328.14	20,000.00	93,328.14	20,000.00	20,000.00 2013 to 2018
517 · Interest Inc - checking	5.13	16.67	30.09	100.02	200.00
518 · Parental Sedation Permit Fee	-200.00	916.67	10,000.00	5,500.02	11,000.00 Refund
519 · Anesthesia Permit	0.00	2,500.00	27,800.00	15,000.00	30,000.00
521 · Other Income	0.00	41.67	125.00	250.02	500.00
525 · Dent Hyg Bd Appl	100.00	625.00	100.00	3,750.00	7,500.00
526 · ADHP Materials	9,100.00	15,000.00	11,050.00	15,000.00	45,000.00
527-1 · Administrative Costs	0.00	416.67	0.00	2,500.02	5,000.00
527-3 · Administrative Fines	0.00		550.00		
527 · Disciplinary Fines (Prior)	15,588.58		100,731.48		
528 · Initial Anesthesia Evaluation	2,700.00	1,500.00	9,000.00	9,000.00	18,000.00
529 · OCS Annual Reg. Fee	0.00		19,300.00	20,025.00	20,025.00
530 · Licensure By Credentials	12,000.00	4,166.67	37,000.00	25,000.02	50,000.00
531 · RETURNED CHECK CHARGES	0.00	41.67	90.00	250.02	500.00
532 · OCS Initial App. Fee	100.00	83.33	1,100.00	500.02	1,000.00
533 · Dental Lic. Bd Exam Application	1,600.00	1,333.33	4,400.00	8,000.02	16,000.00
540 · Special Purpose Dental Lic Fee	450.00	100.00	900.00	600.00	1,200.00

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545 · Special Purpose Hygiene Lic Fee	195.00	100.00	390.00	600.00	1,200.00
617 · MDF Permits	0.00	541.67	5,500.00	3,250.02	6,500.00
800 · 800-OVERPAYMENTS	0.00		65.00		
Total Income	<u>159,256.85</u>	<u>87,477.11</u>	<u>1,364,479.71</u>	<u>1,238,724.43</u>	<u>1,440,920.00</u>
Gross Profit	159,256.85	87,477.11	1,364,479.71	1,238,724.43	1,440,920.00
Expense					
0100-0 · Personnel Costs	42,714.38	41,916.67	254,039.01	251,500.02	503,000.00 Rasies
0114-0 · Board Member Compensation	6,600.00	8,333.33	45,275.00	50,000.02	100,000.00
0198-0 · Bonus	0.00		3,200.00	3,200.00	3,200.00
0201-0 · Payroll Expenses	3,787.75	3,750.00	23,197.99	22,500.00	45,000.00
0202-0 · Pension Plan	60,786.61	0.00	60,786.61	50,000.00	50,000.00 Yrly Pmt
0203-0 · Medical Insurance	8,320.70	7,133.33	48,745.89	42,800.02	85,600.00
0204-0 · Workman Comp. Ins.	16,113.00	5,200.00	16,113.00	5,200.00	5,200.00 Yrly Pmt
0205 · Unemployment Fees	0.00	41.67	0.00	250.02	500.00
0300-0 · Travel - In-State	1,644.39	2,250.00	8,204.76	13,500.00	27,000.00
0400-0 · Travel - Out-of-State	2,640.31	2,250.00	16,322.91	13,500.00	27,000.00 TN trip
0500-0 · Repairs & Maintenance	295.00	250.00	1,682.60	1,500.00	3,000.00 Cleaning
0600-1 · Rentals & Leases/Offsite Meetin	0.00	83.33	0.00	500.02	1,000.00
0602-1 · Rent on Building	8,377.87	8,377.92	50,267.22	50,267.52	100,535.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	924.75	708.33	4,544.77	4,250.02	8,500.00 Maint pmt
0700-2 · Utilities - Cell Phone	0.00	0.00	0.00	0.00	0.00
0700-3 · Utilities - Power	786.15	708.33	4,497.10	4,250.02	8,500.00
0700-4 · Utilities - Internet	375.00	375.00	2,250.00	2,250.00	4,500.00
Total 0700-0 · Utilities & Communications	<u>2,085.90</u>	<u>1,791.66</u>	<u>11,291.87</u>	<u>10,750.04</u>	<u>21,500.00</u>
0800-0 · Professional Services	12,507.86	13,333.33	89,966.70	79,999.98	160,000.00
0800-1 · Membership Dues & Subscriptions	1,190.00	1,500.00	6,248.18	9,000.00	18,000.00
0801-0 · Board Attorney Fees	0.00	2,083.33	0.00	12,500.02	25,000.00
0840-0 · CONSULTANTS	5,000.00	5,000.00	30,000.00	30,000.00	60,000.00
0899-1 · Evaluator Fees	2,100.00	833.33	5,781.32	5,000.02	10,000.00 On Site Evals
0899-2 · Hearing Officer Fees	0.00	416.67	216.00	2,500.02	5,000.00
0899-5 · Website	0.00		674.98		

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0899-6 · A.D.H.P. Materials & Supplies	643.28	333.33	643.28	2,000.02	4,000.00	Testing Items
0900-0 · Office Expense	2,071.10	1,166.67	5,872.14	7,000.02	14,000.00	Envelopes
0900-1 · Recycle / Paper Disposal	50.00	50.00	265.90	300.00	600.00	
0902-0 · NPDB HIPDB License Background	22.00	25.00	66.00	150.00	300.00	
0906-0 · Printing & Supplies	300.00	83.33	600.00	500.02	1,000.00	Reviews
0910-0 · Postage	1,000.00	583.33	7,117.41	3,500.02	7,000.00	
0924-0 · Insurance	0.00	0.00	8,459.00	0.00	10,000.00	
0944 · Computer Expenses						
0944-0 · Computer Updates	0.00	1,666.67	710.20	10,000.02	20,000.00	
0944-1 · Computer Support	2,782.98	5,833.33	11,165.51	35,000.02	70,000.00	
0944 · Computer Expenses - Other	340.00		126,020.00			
Total 0944 · Computer Expenses	<u>3,122.98</u>	<u>7,500.00</u>	<u>137,895.71</u>	<u>45,000.04</u>	<u>90,000.00</u>	
0950-0 · Penalty	0.00		25.00			
0951-0 · NSF	0.00	8.33	0.00	50.02	100.00	
0999-0 · MISC.	47.96	125.00	685.80	750.00	1,500.00	
1000-0 · Auto Expense	0.00		0.00	0.00	0.00	
1000-1 · Vehicle Repairs & Maint.	48.06	73.75	1,522.57	442.50	885.00	
1000-2 · Vehicle Fuel	252.72	250.00	1,473.80	1,500.00	3,000.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	1,037.62	1,250.00	5,686.85	7,500.00	15,000.00	
Total 1400-0 · Equipment	<u>1,037.62</u>	<u>1,250.00</u>	<u>5,686.85</u>	<u>7,500.00</u>	<u>15,000.00</u>	
6950 · Bank & CC Service Fees	182.30	3,583.33	43,306.60	21,500.02	43,000.00	
Total Expense	<u>182,941.79</u>	<u>119,576.64</u>	<u>885,634.10</u>	<u>744,660.36</u>	<u>1,440,920.00</u>	
Net Ordinary Income	-23,684.94	-32,099.53	478,845.61	494,064.07	0.00	
Other Income/Expense						
Other Income						
524 · NSF Checks	0.00		715.00			
527-2 · ADPWC - Monitoring Fee	0.00		6,105.00			
Total Other Income	<u>0.00</u>		<u>6,820.00</u>			
Net Other Income	0.00		6,820.00			
Net Income	<u>-23,684.94</u>	<u>-32,099.53</u>	<u>485,665.61</u>	<u>494,064.07</u>	<u>0.00</u>	