

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



Bradley W. Edmonds, JD, MBA, MS
Executive Director

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

BOARD OF DENTAL EXAMINERS OF ALABAMA

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MINUTES BOARD MEETING May 9-10, 2019

The Board of Dental Examiners of Alabama met Thursday, May 9, 2019, at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 6:02 p.m. with the following members in attendance: Dr. Thomas Gerald Walker; President; Dr. Douglas Beckham; Vice President; Dr. Mark Ray McIlwain, Secretary/Treasurer; Dr. Adolphus M. Jackson; Dr. Kevin M. Sims; Dr. Bruce E. Cunningham; and Sherry Skinner Campbell, RDH. Also in attendance were Brad W. Edmonds, Esq., Executive Director; Dr. Donna Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Sonya Lankford, Business Manager; and Linda Dlugosz, Licensing Clerk.

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

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 asked for review of the minutes from the April 11-12 meeting. Dr. McIlwain moved to approve the minutes as presented. Dr. Cunningham seconded the motion and it was approved by general consent.

Dr. McIlwain presented the Financial Report. There were no questions by members.

Steve Windom, Legislative Representative, presented the Legislative Report by conference phone. He updated members on status of bills and on actions of Alabama House and Senate.

Kevin Lane updated members on the *Penalty and Fine Audit Report* that he began last month.

At 8:02 p.m. the President announced a break; the meeting resumed at 8:12 p.m.

Mr. Edmonds presented the Executive Director Report.

Mr. Edmonds asked for approval of out-of-state travel for all members and the Director for the SRTA meeting in August. Dr. McIlwain made the motion. Dr. Beckham seconded and it was approved by general consent.

Members appointed Dr. Cunningham to the SRTA Steering Committee.

Dr. Cunningham moved to appoint Dr. Sims as Board Representative to ADEX. Dr. McIlwain seconded the motion and it was approved by general consent. Dr. Jackson is approved to attend the ADEX meeting in Chicago on August 3.

Dr. McIlwain moved to approve out-of-state travel for all members to attend the AADB meeting as well as approve Mr. Edmonds for that meeting plus an additional 2 days to attend the AADA meeting. Ms. Campbell seconded the motion and it was approved by general consent.

Mr. Edmonds suggested adding using a collection agency for unpaid fines.

Mr. Edmonds was asked if an Alabama hygienist can perform a Velscope Oral Cancer screening. Members agreed that a hygienist can do the screening but the dentist must check the patient. BCBS will only pay the claim if a professional code is entered (by dentist or physician). This concluded this portion of the report.

At 8:33 p.m. the President recessed the meeting until 8:30 am. Friday.

MINUTES
BOARD MEETING
Friday May 10, 2019

The Board of Dental Examiners of Alabama met Friday May 10, 2019 at the Board Office in Hoover, Alabama to conduct business.

The President called the meeting to order at 8:34 a.m. with the following members in attendance: Dr. Thomas Gerald Walker, President; Dr. Douglas Beckham, Vice President; Dr. Mark Ray McIlwain, Secretary/Treasurer; Dr. Adolphus M. Jackson; Dr. Kevin M. Sims; Dr. Bruce E. Cunningham; and Sherry Skinner Campbell, RDH. Also in attendance were Brad W. Edmonds, Esq., Executive Director; Dr. Donna Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Dr. Mike Garver, Wellness Committee, Sonya Lankford, Business Manager; and Linda Dlugosz, Licensing Clerk.

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

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.

Dr. Garver presented the Wellness Committee Report.

He informed members of participants who had any activity in the past month. Members asked Dr. Garver to give them an outline of options for licensees who are in the Wellness Program. At the conclusion of the report, Dr. Garver left the meeting.

At 9:54 a.m. the President announced a break; the meeting resumed at 10:10 a.m.

Mr. Edmonds continued with the Executive Director Report.

Mr. Edmonds sent another letter supporting an ADHP grant application. He and Ms. Campbell attended the Opioid Summit; they appreciated the valuable information that was presented. The new President of the Oral Health Coalition of Alabama (OHCA) invited Mr. Edmonds and Ms. Campbell to join. The OHCA is devoted to access to care and education for the public.

Mr. Edmonds joined the Federation of Associations of Regulatory Boards (FARB), with the Board's prior approval.

Mr. Edmonds reported that the only change in acceptance of Regional Exams since October 2009 when they were first accepted was at the March 2012 meeting:

The Board will only accept regional dental examinations for initial dental licensure by regional exam that include a periodontal examination section conducted on a live patient and a prosthodontic examination section that includes preparation of abutment teeth on a manikin for a fixed prosthesis wherein the bridge draw is evaluated."

There was discussion about the future of regional exams and specifications that may or may not adhere to the Board's requirements for licensure. Members discussed the possibility of allowing an ADHP student's dentist/instructor to give infiltration anesthesia to the student's patient.

Ms. Campbell said that participants at the Opioid Symposium were asked to fill out a survey regarding the opioid crisis. It seems that Medicaid blames dentists as the highest offenders. Medicaid is probably not aware that the Board has acted with special CE requirements for dentists who prescribe drugs and for those who practice oral conscious sedation as well as requiring

dentists who write prescriptions to register with the PDMP in order to check their patients for opioid use. This concluded the Executive Director's report.

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

Dr. Cunningham moved to approve Dental 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 with the hygiene member abstaining from the vote.

- Victor Cheng, DMD
- Elyse Dengler, DMD
- Fadi Elayyan, DMD
- Mallory Harris, DMD
- Brady Mosher, DMD

Dr. Cunningham moved to approve Dental Special Purpose Licensure for 3 years based on successful completion of the jurisprudence exam for Melissa Restrepo, DMD. Dr. McIlwain seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

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

- April Hinds, RDH
- Lorraine Taylor, RDH

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

- Katelynn Adams, RDH
- Charity Avery, RDH
- Lauren Hoch, RDH
- Latoya Johnson, RDH
- Brittany Menchaca, RDH
- Kathereen Sanders, RDH
- Stephanie Winters, RDH

Dr. McIlwain moved to approve Dental Hygiene Infiltration permit for the following applicants who received their infiltration CE from UAB. Dr. Sims seconded the motion and it was approved by general consent.

- Sidney Kelly, RDH
- Amy Seymore, RDH

Dr. Jackson moved to approve Dental Hygiene Infiltration permit for Christina Lopez, RDH who received her infiltration education out of state. Campbell seconded the motion and it was approved by general consent.

Dental Hygiene Infiltration permit for Jenny Gilmore, RDH was denied because her education did not fulfill the required class hours.

Sonya will research CE options for hygienists whose out-of-state infiltration education falls short of the required 32 hours.

Hilda Johnson presented the ADHP Report.

Dr. Walker suggested paying Dr. Litz \$500.00 for his work to take and edit the professional photos at graduation. Members agreed that Dr. Red Stevens could have a space for an office at the board building. This concluded the report.

Dr. Dixon presented the Attorney Report.

She updated members on ongoing litigation. Mr. Strickland informed members of a person posing as a hygienist who forged her certificate and worked for an Alabama dentist. He suggested adding a warning to the next newsletter for dentists to vet their hygienists license before hiring. This concluded the report.

Dr. McIlwain moved to notice the Respondent of case #2019-39 for a hearing. Dr. Sims seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

A *Cease and Desist* letter will be mailed to the Respondent of case #2019-41 – who is not a licensed hygienist.

Dr. Jackson moved that case #2018-55 and #2019-34 have no evidence to sustain. Dr. Cunningham seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. McIlwain moved that case #2019-31 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.

Dr. Cunningham moved that case #2019-33 has no evidence to sustain. Dr. McIlwain seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham moved to notice the Respondent of case #2019-05 for a hearing. Dr. McIlwain seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

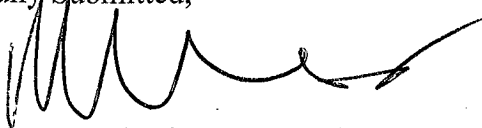
Dr. McIlwain brought up a situation where a clinic will bring in a dentist for implant continuing education; the dentist performs two implants on a patient in between decayed teeth but there is no follow up for the patient. The Alabama dentist supervising the CE is the person responsible for follow up for the patient.

Dr. Sims asked about the status of acquiring a contract for housekeeping for the new building. Mr. Edmonds responded that Ms. Lankford is interviewing companies in order to select the best one for the job. She is also reviewing landscaping companies for the yard work.

Blake Strickland's vehicle for his use as Investigator will need to be replaced next year. It currently has 125,000 miles. This will be put in the budget.

Mr. Strickland, Dr. Sims and Dr. Walker will inspect the Foundry in October.
At 12:29 p.m. Dr. Walker adjourned the meeting.

Respectfully Submitted,



Dr. Mark Ray McIlwain, Secretary/Treasurer

Approved: June 13, 2019
Submitted by: Linda Dlugosz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
March 2019

March 2019 for May 2019
Balance as of 3/31/2019
Checking: \$496,771.38
MM: \$591,399.86

	<u>Mar 19</u>	<u>Budget</u>	<u>Oct '18 - Mar 19</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
317 · Def. Revenue MDF Permit	0.00		0.00	0.00	0.00
501 · Annual Dental Registration	3,400.00	0.00	492,750.00	515,800.00	515,800.00
502 · Annual Hygiene Registration	260.00	0.00	275,829.58	285,220.00	285,220.00
503 · Controlled Substance Fee	625.00	0.00	204,990.00	246,000.00	246,000.00
504 · Annual Teaching Permits	0.00	0.00	3,750.00	6,000.00	6,000.00
505 · ADHP Certification	1,950.00	4,000.00	5,925.00	4,000.00	12,000.00
508 · ADHP	18,900.00	45,000.00	19,575.00	45,000.00	135,000.00
509 · Dental Exam Fee	1,100.00	750.00	2,200.00	4,500.00	9,000.00
510 · Original License Fee	450.00	322.92	1,075.00	1,937.52	3,875.00
511 · Licenses Reprint Fee	75.00	83.33	325.00	499.98	1,000.00
512 · Dental Hygiene Exam Fee	1,400.00	1,250.00	4,200.00	7,500.00	15,000.00
515 · Penalty Fee	550.00	583.33	6,200.00	3,499.98	7,000.00
516 · Privilege License Money	0.00	20,000.00	0.00	20,000.00	20,000.00
517 · Interest Inc - checking	10.04	16.67	129.86	100.02	200.00
518 · Parental Sedation Permit Fee	900.00	916.67	11,300.00	5,500.02	11,000.00
519 · Anesthesia Permit	0.00	2,500.00	31,200.00	15,000.00	30,000.00
521 · Other Income	0.00	41.67	0.00	250.02	500.00
525 · Dent Hyg Bd Appl	300.00	625.00	300.00	3,750.00	7,500.00
526 · ADHP Materials	9,100.00	21,666.67	9,425.00	21,666.67	65,000.00
527-1 · Administrative Costs	5,564.58	416.67	14,254.58	2,500.02	5,000.00
527-3 · Administrative Fines	0.00	0.00	1,000.00	0.00	0.00
527 · Disciplinary Fines (Prior)	14,480.20	0.00	95,658.20	0.00	0.00
528 · Initial Anesthesia Evaluation	0.00	2,083.33	14,600.00	12,499.98	25,000.00
529 · OCS Annual Reg. Fee	100.00	0.00	15,200.00	20,025.00	20,025.00
530 · Licensure By Credentials	14,000.00	4,166.67	33,675.00	25,000.02	50,000.00
531 · RETURNED CHECK CHARGES	30.00	41.67	1,365.00	250.02	500.00
532 · OCS Initial App. Fee	0.00	83.34	0.00	500.04	1,000.00
533 · Dental Lic. Bd Exam Application	2,200.00	1,500.00	4,400.00	9,000.00	18,000.00
540 · Special Purpose Dental Lic Fee	0.00	83.33	0.00	499.98	1,000.00
545 · Special Purpose Hygiene Lic Fee	645.00	41.67	645.00	250.02	500.00

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617 · MDF Permits	500.00	541.67	5,000.00	3,250.02	6,500.00
620 · Hygiene Infiltration Permit	1,300.00		6,400.00		
800 · 800-OVERPAYMENTS	0.00		0.00	0.00	0.00
Total Income	<u>77,839.82</u>	<u>106,714.61</u>	<u>1,261,372.22</u>	<u>1,259,999.31</u>	<u>1,497,620.00</u>
Gross Profit	77,839.82	106,714.61	1,261,372.22	1,259,999.31	1,497,620.00
Expense					
Refund	0.00		-106.72		
0100-0 · Personnel Costs	46,277.94	42,500.00	277,667.64	255,000.00	510,000.00 Salaries
0114-0 · Board Member Compensation	9,400.00	8,333.33	42,000.00	49,999.98	100,000.00 Chicago
0198-0 · Bonus	0.00	0.00	3,200.00	3,200.00	3,200.00
0201-0 · Payroll Expenses	4,319.19	4,000.00	27,074.16	24,000.00	48,000.00 Salaries
0202-0 · Pension Plan	0.00	0.00	144,252.02	75,000.00	75,000.00
0203-0 · Medical Insurance	7,003.87	7,500.00	40,090.95	45,000.00	90,000.00
0204-0 · Workman Comp. Ins.	16,083.00	6,600.00	16,083.00	6,600.00	6,600.00 Yearly pmt
0205 · Unemployment Fees	0.00		0.00	0.00	0.00
0300-0 · Travel - In-State	2,386.87	2,083.34	7,824.30	12,500.04	25,000.00
0400-0 · Travel - Out-of-State	9,405.40	2,333.33	15,034.21	13,999.98	28,000.00 Chicago
0500-0 · Repairs & Maintenance	535.00	425.00	2,010.00	2,550.00	5,100.00
0600-1 · Rentals & Leases/Offsite Meetin	175.00	87.50	175.00	525.00	1,050.00
0600-2 · NEW OFFICE SPACE	5,117.66	2,083.34	1,065,950.36	12,500.04	25,000.00 Moving
0602-1 · Rent on Building	8,692.36	8,700.00	52,154.16	52,200.00	104,400.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	293.23	708.34	1,930.48	4,250.04	8,500.00
0700-2 · Utilities - Cell Phone	0.00	0.00	0.00	0.00	0.00
0700-3 · Utilities - Power	2,035.28	708.34	5,481.63	4,250.04	8,500.00 New Office
0700-4 · Utilities - Internet	375.00	375.00	2,250.00	2,250.00	4,500.00
0700-0 · Utilities & Communications - Other	0.00		577.96		
Total 0700-0 · Utilities & Communications	<u>2,703.51</u>	<u>1,791.68</u>	<u>10,240.07</u>	<u>10,750.08</u>	<u>21,500.00</u>
0800-0 · Professional Services	2,526.25	15,416.67	66,799.55	92,500.02	185,000.00
0800-1 · Membership Dues & Subscriptions	1,712.00	1,333.34	6,388.50	8,000.04	16,000.00
0801-0 · Board Attorney Fees					
0801-1 · Attorney General's Office	0.00		3,060.61		

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0801-0 · Board Attorney Fees - Other	0.00	1,250.00	0.00	7,500.00	15,000.00
Total 0801-0 · Board Attorney Fees	0.00	1,250.00	3,060.61	7,500.00	15,000.00
0840-0 · CONSULTANTS	6,000.00	6,000.00	36,000.00	36,000.00	72,000.00
0899-1 · Evaluator Fees	1,200.00	1,000.00	4,150.00	6,000.00	12,000.00
0899-2 · Hearing Officer Fees	0.00	166.67	0.00	1,000.02	2,000.00
0899-5 · Website	0.00		0.00	0.00	0.00
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	0.00	1,500.00	3,000.00
0900-0 · Office Expense	3,201.00	1,125.00	8,996.30	6,750.00	13,500.00 ADHP
0900-1 · Recycle / Paper Disposal	100.00	50.00	300.00	300.00	600.00
0902-0 · NPDB HIPDB License Background	36.00	16.67	112.00	100.02	200.00
0906-0 · Printing & Supplies	0.00	166.67	594.21	1,000.02	2,000.00
0910-0 · Postage	0.00	583.34	4,137.73	3,500.04	7,000.00
0924-0 · Insurance	813.00	0.00	10,278.00	0.00	9,000.00
0944 · Computer Expenses					
0944-0 · Computer Updates	0.00	1,500.00	969.94	9,000.00	18,000.00
0944-1 · Computer Support	1,310.76	5,833.34	18,699.87	35,000.04	70,000.00
0944 · Computer Expenses - Other	590.00	0.00	2,267.98	0.00	0.00
Total 0944 · Computer Expenses	1,900.76	7,333.34	21,937.79	44,000.04	88,000.00
0950-0 · Penalty	0.00		0.00	0.00	0.00
0951-0 · NSF	1,009.00	8.34	2,467.00	50.04	100.00
0999-0 · MISC.	0.00	83.34	1,322.07	500.04	1,000.00
1000-1 · Vehicle Repairs & Maint.	40.50	83.34	88.56	500.04	1,000.00
1000-2 · Vehicle Fuel	287.61	250.00	1,761.92	1,500.00	3,000.00
1400-0 · Equipment					
0600-3 · Equipment Rental/Lease	0.00	1,860.00	1,104.70	11,160.00	22,320.00
1400-0 · Equipment - Other	3,904.62	0.00	12,591.38	0.00	0.00
Total 1400-0 · Equipment	3,904.62	1,860.00	13,696.08	11,160.00	22,320.00
6950 · Bank & CC Service Fees	242.74	170.84	884.83	1,025.04	2,050.00
Total Expense	135,073.28	123,585.08	1,886,624.30	786,710.48	1,497,620.00
Net Ordinary Income	-57,233.46	-16,870.47	-625,252.08	473,288.83	0.00
Other Income/Expense					
Other Income					

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524 - NSF Checks	0.00	0.00	0.00	0.00	0.00
527-2 - ADPWC - Monitoring Fee	775.00	0.00	3,290.00	0.00	0.00
Total Other Income	<u>775.00</u>	<u>0.00</u>	<u>3,290.00</u>	<u>0.00</u>	<u>0.00</u>
Net Other Income	<u>775.00</u>	<u>0.00</u>	<u>3,290.00</u>	<u>0.00</u>	<u>0.00</u>
Net Income	<u><u>-56,458.46</u></u>	<u><u>-16,870.47</u></u>	<u><u>-621,962.08</u></u>	<u><u>473,288.83</u></u>	<u><u>0.00</u></u>