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BOARD OF DENTAL EXAMINERS OF ALABAMA

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MINUTES EMERGENCY BOARD MEETING April 29, 2020

The Board of Dental Examiners of Alabama met Wednesday, April 29, 2020, via videoconference.

The President called the meeting to order at 1:06 p.m. with the following members in attendance: Dr. Mark R. McIlwain, President; Ms. Sherry S. Campbell, RDH, Vice President; Dr. Kevin M. Sims, Secretary/Treasurer; Dr. L. Douglas Beckham; Dr. Bruce E. Cunningham; Dr. Marshall A. Williams; and Dr. Roberto V. Pischek. Also in attendance were Bradley W. Edmonds, Esq., Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Blake Strickland, Investigator; Sonya Lankford, Business Manager; Dr. Red Stevens, Director, ADHP; Gina Latham, Coordinator, ADHP; 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.

At 1:08 p.m., on the advice of counsel and to discuss questions that might involve litigation, Dr. Sims moved to enter Executive Session and to return to public session at 1:48 p.m. Ms. Campbell seconded the motion and the President called for the vote: Dr. McIlwain, yea; Dr. Williams; yea, Dr. Sims, yea; Ms. Campbell; yea, Dr. Beckham, yea; Dr. Pischek, yea; Dr. Cunningham, yea. The motion carried. At 2:00 p.m. the Board retired from Executive Session and returned to public session.

Dr. Stevens and Gina Latham presented the ADHP Report.

Because of COVID-19 social distancing restrictions, Volker Hall, which can hold up to 200 students sitting in a regular arrangement, can hold only 117. Dr. Stevens presented 3 options for members to consider:

- Cancel the 2020-2021 ADHP
- Accept only the first 117 applicants who have applied
- Accept up to 200 applications, renting up to 3 additional rooms for classes; utilize audio/video for lecture presentation in the 3 additional classrooms; pay additional assistants to monitor each additional room needed. The cost of additional assistants would be \$2,700 per room per program year. Last year, 198 people applied to ADHP.

After discussion, Dr. Bruce Cunningham moved to encourage ADHP to accept as many as 200 students for the upcoming year. Ms. Campbell seconded, and the motion was approved by unanimous consent.

Infection control guidance and clarification: Mr. Edmonds read the following statement and recommended that it be released to the public:

Board Statement on Infection Control

Although Board rules require that dentists conform to current CDC guidelines, and CDC's interim guidelines purport to prohibit elective dental procedures, CDC has stated that elective procedures are permissible if state governors so order. CDC has also clarified that if you are creating a dental aerosol, and N95 or equivalent masks are unavailable, dental personnel may use well-fitting surgical masks (Level II or III) with face shields.

Mr. Edmonds then read a statement introducing the Board's interpretation/opinion of how CDC guidance operates under current circumstances in Alabama. The opinion was posted on the Dental Board's website before the meeting, and will be emailed to licensees on the afternoon of the meeting. Dr. Williams moved to accept the statement and opinion. Dr. Cunningham seconded, and the statement and opinion were approved by unanimous consent.

Mr. Edmonds then read a statement of the current law as it applies to teledentistry:

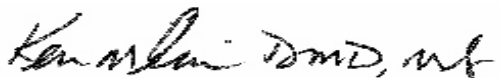
The Dental Practice Act does not prohibit one narrow class of teledentistry, wherein the doctor interacts directly with a patient. This can be to triage those patients whose conditions might constitute emergencies, or who might be carriers of COVID-19. The doctor must interact with the patient personally, rather than exclusively through auxiliary personnel; record the visit in detail, including making any necessary SOAP notes; and observe the same standard of care s/he would observe for an in-person visit.

This lone operational model of teledentistry is permissible, and will remain so once any remaining pandemic restrictions are lifted. Practitioners are cautioned to observe private and government insurers' requirements if seeking reimbursement, and any guidelines set forth by DEA or any other governing state or federal agency.

The statement will be posted on the Board's website, and emailed to all licensees.

At 2:33 p.m., Dr. Cunningham moved to adjourn. Ms. Campbell seconded, and the motion was approved by unanimous consent at 2:33 p.m.

Respectfully Submitted,



Dr. Kevin Michael Sims, Secretary/Treasurer

Approved: _____

Submitted by: Linda Dlugosz