

Mark R. McIlwain, DMD, MD  
*President*  
Sherry S. Campbell, RDH, CDHC  
*Vice-President*  
Kevin M. Sims, DMD, MS  
*Secretary/Treasurer*  
L. Douglas Beckham, DMD  
Bruce E. Cunningham, DMD  
Marshall A. Williams, DDS  
Roberto V. Pischek, DMD



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 February 13-14, 2020

The Board of Dental Examiners of Alabama met Thursday, February 13, at the Board Office in Birmingham, Alabama to conduct business.

The President called the meeting to order at 6:00 p.m. with the following members in attendance: Dr. Mark R. McIlwain, President; Ms. Sherry S. Campbell, RDH, Vice President; Dr. L. Douglas Beckham; Dr. Bruce E. Cunningham; and Dr. Marshall A. Williams. 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; 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](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 January 16-17, 2020 meeting. Dr. Cunningham moved to approve the minutes as presented. Dr. Williams seconded the motion and it was approved by general consent.

Ms. Campbell presented the Financial Report in the absence of Dr. Sims, Secretary/Treasurer. There were no objections to the report; it was accepted as submitted.

Ms. Campbell reported on her research of resources for hygienists' wellness issues.

Mr. Edmonds asked members to support SB195 presented by Dr. Studstill that will enhance the current law for a tax credit to doctors and dentists who work in rural Alabama areas. The Board would be required to certify that the dentist is actively licensed and practices in a rural community as defined by Federal law. Dr. Beckham moved to support the bill for Tax Credit for Dentists and Underserved Areas with the certification required. Dr. Cunningham seconded the motion and it was approved by general consent.

Blake Strickland presented details of a continuing education course on *State and Federal Drug Laws for Dental Practices* that he would present at UAB. Dr. Cunningham moved to approve the course. Dr. Williams seconded the motion and it was approved by general consent.

Mr. Edmonds suggested cancelling the March Board meeting because of conflicting events that could not be rescheduled. Dr. Williams moved to cancel the March Board Meeting. Dr. Beckham seconded the motion and it was approved by general consent.

Dr. Williams moved to approve Dental License by Regional Exam based on successful completion of the jurisprudence exam for Sean Gunnels, DMD, and Rachel Kang, DMD. Dr. Beckham seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

At 6:16 p.m. Ms. Campbell moved to enter Executive Session for the discussion of the general reputation, character, and/or professional competence of licensees; and to return to Public Session at 6:30 p.m. Dr. Williams seconded the motion and the President called for the vote: Dr. McIlwain, yea, Ms. Campbell, yea, Dr. Beckham, yea, Dr. Cunningham, yea, Dr. Williams, yea. The motion carried. The Board retired from Executive Session at 6:19 p.m.

Dr. Williams moved to approve dental License by Credentials based on successful completion of the jurisprudence exam for Vikki Noonan, DMD, and Charlotte White, DDS. Dr. Beckham 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 Licenses based on successful completion of the jurisprudence exam for Brittany Mulkey, RDH, Laura Merron, RDH, and Morgan Smith, RDH. Dr. Williams seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

Dr. Beckham moved to approve Dental Hygiene Infiltration/Anesthesia Permit for Kristen Davis, RDH, and Amanda Gay, RDH. Ms. Campbell seconded the motion and it was approved by general consent.

Blake Strickland presented the Portable/Mobile Site Inspection Report.

Mr. Strickland completed the inspection of portable clinics for Team Smile's event held at UAB. This event was being co-sponsored by the UAB School of Dentistry, so Mr. Strickland also completed a Site Inspection Report at the school's request to allow faculty members holding teaching permits to participate. Mr. Strickland added that the RAM event scheduled in Gadsden, AL in March is moving forward well.

Mr. Edmonds presented the Executive Director Report.

Mr. Edmonds informed the attendees that:

Initial permit and license applications have been updated to add these questions:

- *In what part of Alabama do you plan to practice (if known)?*
- *Will you be employed by any other person or entity? Yes \_\_\_\_\_ No \_\_\_\_\_ If "yes," state the name of the employer as shown on the Alabama Secretary of State's website, whether the employer is owned in part by an Alabama-licensed dentist, and the name(s) of the dentist-owner(s).*
- *Have you ever practiced General Anesthesia or Parenteral Sedation? Yes \_\_\_\_\_ No \_\_\_\_\_ If you answered "Yes," list on a separate sheet all instances of morbidity or mortality that have occurred in connection with your use of general anesthesia and/or parenteral sedation. Include a detailed explanation of any such occurrences.*

Also, the website has been updated on the Permit Applications and Forms page with links to opioid resources.

Mr. Edmonds has received the Board's CPA audit. There are no major issues.

This concluded the report.

Members reviewed open cases.

Dr. Beckham moved that case #2019-110 has 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. Cunningham moved that case #2019-108 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. Williams moved that case #2019-107 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. McIlwain reported on the Southern Conference of Dental Deans and Examiners meeting held at UAB February 7-9.

At 7:46 p.m. Dr. Beckham moved to recess the meeting until 8:30 a.m. Friday. Dr. Williams seconded the motion and it was approved by general consent.

**MINUTES**  
**BOARD MEETING**  
Friday February 14, 2020

The Board of Dental Examiners of Alabama met Friday February 14, 2020, at the Board Office in Birmingham, Alabama to conduct business.

The President called the meeting to order at 8:30 a.m. with the following members in attendance: Dr. Mark R. McIlwain, President; Ms. Sherry Skinner Campbell, RDH, Vice President; Dr. Douglas Beckham; Dr. Bruce E. Cunningham; and Dr. Marshall A. Williams. 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; 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](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.

In preparation for a public hearing for Rule 270-X-4-.04, Blake Strickland checked the building and ascertained that no one was waiting to attend the hearing. The President convened the public hearing. Suggestions for changes had been received by Mr. Edmonds which were taken into consideration by the Legislative Committee. Mr. Edmonds read the proposed Rule with changes. Dr. Beckham moved to approve the amended Rule as read. Dr. Williams seconded the motion and it was approved by general consent.

Mr. Edmonds read the Rule 270-X-2-.17 with proposed changes. Comments and suggestions for changes that were received were considered by the Legislative Committee. Dr. Williams moved to approve the amended Rule as read. Dr. Cunningham seconded the motion and it was approved by general consent. The President closed the public hearing and returned to public meeting.

Because vendors of injectables and topicals no longer require that dentists show proof of proper instruction to use them, members updated the Board opinion of July 2010 to add the underlined:

*Dentists are allowed to use cosmetic injectables and topicals in any area of the face to treat maxillofacial trauma, and for the treatment of diagnosed dental and orofacial problems/pain and conditions and for cosmetic purposes following proper continuing education and certification such as is offered by national industry associations or other dental continuing education.*

An email will be sent to all who regularly receive the monthly meeting agenda notifying them of the March meeting cancellation. The State Open Meetings website as well as the Board's website will both be updated.

Mr. Edmonds discussed the proposed bill that would give a tax credit to dentists who practice in rural areas.

Dr. Stevens and Gina Latham presented the ADHP Report.

Rene Chapman, V.P. CITA, plans to advise students on how to take the CITA exam at the March session.

There were 90 dentists who attended the first Instructor Certification course held at the Winfrey during UAB Alumni weekend.

Ms. Latham asked how to handle dentist instructor sponsorship transfers. After discussion, Ms. Campbell moved that until Rule 270-X-3-.04 is amended, transfers can be handled with proper communications/documentation by the Director and the Coordinator. Any denials of transfer shall be brought to the board. Dr. Cunningham seconded the motion and the President called for the vote: Ms. Campbell, yea, Dr. Cunningham, yea, Dr. Beckham, yea, Dr. McIlwain, yea, Dr. Williams, yea. The motion carried.

After being presented the facts of a student who was terminated, Dr. Cunningham moved to authorize the transfer. Ms. Campbell seconded the motion and the President called for the vote: Dr. Beckham nay, Dr. McIlwain, abstain, Ms. Campbell, yea, Dr. Williams, yea, Dr. Cunningham, yea. The motion carried.

A student who failed last year's CITA exam has requested to be allowed to temp for 3 months on weekends in another office than where her instructor practices in order to get the required experience she needs to prepare for retaking the CITA. Members took no action on her request.

Ms. Campbell will not be able to attend the May session to offer the jurisprudence exam review. Dr. Dixon will substitute for her. Ms. Campbell also cannot attend the May graduation. It was suggested to invite Hilda Johnson to attend.

Dr. Beckham asked if an instructor dentist who works at the prison can sponsor a student who would work 2 days at one prison clinic and then work 2 days at a different prison clinic under a second instructor. Members confirmed the answer is, "No." This concluded the report. Dr. Stevens and Ms. Latham left the meeting.

At 9:53 a.m. the President announced a break; the meeting resumed at 10:06 a.m.

Kevin Lane presented the Wellness Report provided by Dr. Garver. The report detailed actions of participants in the past month.

Dr. McIlwain asked each staff member who was present to explain their job duties. He recommended that the staff participate in an administrative meeting before or after each board meeting.

Mr. Edmonds presented the Attorney report. He updated members on current litigation.

At 10:43 a.m. Dr. Cunningham moved to adjourn the meeting. Dr. Beckham seconded the motion and it was approved by general consent.

Respectfully Submitted,

A handwritten signature in black ink that reads "Kevin Michael Sims, DMD, MSF". The signature is written in a cursive, flowing style.

Dr. Kevin Michael Sims, Secretary/ Treasurer

Approved: April 9, 2020

Submitted by: Linda Dlugosz

**BOARD OF DENTAL EXAMINERS OF ALABAMA**  
**Profit & Loss Budget Performance**  
December 2019

Dec 2019 for Feb 2020  
Balance as of 12/31/2019  
Checking: \$1,304,962.46  
MM: \$391,470.02

	<u>Dec 19</u>	<u>Budget</u>	<u>Oct - Dec 19</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
501 · Annual Dental Registration	58,935.00	237,265.00	687,135.00	711,795.00	711,795.00
502 · Annual Hygiene Registration	27,560.00	96,525.00	271,765.00	289,575.00	289,575.00
503 · Controlled Substance Fee	12,450.00	81,956.66	235,030.00	245,870.00	245,870.00
504 · Annual Teaching Permits	0.00	2,066.66	5,940.00	6,200.00	6,200.00
505 · ADHP Certification	225.00	0.00	225.00	0.00	12,000.00
508 · ADHP	0.00	0.00	0.00	0.00	135,000.00
509 · Dental Exam Fee	0.00	750.00	400.00	2,250.00	9,000.00
510 · Original License Fee	75.00	322.92	275.00	968.76	3,875.00
511 · Licenses Reprint Fee	225.00	41.67	350.00	125.01	500.00
512 · Dental Hygiene Exam Fee	450.00	1,250.00	1,350.00	3,750.00	15,000.00
515 · Penalty Fee	1,300.00	583.33	2,400.00	1,749.99	7,000.00
516 · Privilege License Money	0.00	0.00	0.00	0.00	20,000.00
517 · Interest Inc - checking	6.65	16.67	19.73	50.01	200.00
518 · Parental Sedation Permit Fee	2,400.00	1,000.00	14,050.00	3,000.00	12,000.00
519 · Anesthesia Permit	1,500.00	2,500.00	41,750.00	7,500.00	30,000.00
521 · Other Income	0.00	41.67	0.00	125.01	500.00
525 · Dent Hyg Bd Appl	0.00	625.00	0.00	1,875.00	7,500.00
526 · ADHP Materials	0.00	0.00	-189.90	0.00	65,000.00
527-1 · Administrative Costs	1,000.00	416.67	4,000.00	1,250.01	5,000.00
527-3 · Administrative Fines	0.00	0.00	0.00	0.00	0.00
527 · Disciplinary Fines (Prior)	10,200.00	0.00	24,700.00	0.00	0.00
528 · Initial Anesthesia Evaluation	3,400.00	2,083.33	18,100.00	6,249.99	25,000.00
529 · OCS Annual Reg. Fee	1,050.00	6,550.00	19,750.00	19,650.00	19,650.00
530 · Licensure By Credentials	4,400.00	4,166.67	12,100.00	12,500.01	50,000.00
531 · RETURNED CHECK CHARGES	0.00	41.67	0.00	125.01	500.00
532 · OCS Initial App. Fee	0.00	0.00	0.00	0.00	0.00
533 · Dental Lic. Bd Exam Application	0.00	1,500.00	1,500.00	4,500.00	18,000.00
540 · Special Purpose Dental Lic Fee	0.00	83.33	0.00	249.99	1,000.00
545 · Special Purpose Hygiene Lic Fee	0.00	83.33	390.00	249.99	1,000.00
617 · MDF Permits	3,500.00	541.67	4,250.00	1,625.01	6,500.00

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620 · Hygiene Infiltration Permit	850.00	729.17	3,900.00	2,187.51	8,750.00
800 · 800-OVERPAYMENTS	0.00		0.00		0.00
<b>Total Income</b>	<u>129,526.65</u>	<u>441,140.42</u>	<u>1,349,189.83</u>	<u>1,323,421.30</u>	<u>1,706,415.00</u>
<b>Gross Profit</b>	129,526.65	441,140.42	1,349,189.83	1,323,421.30	1,706,415.00
<b>Expense</b>					
0100-0 · Personnel Costs	60,818.54	50,833.33	163,435.13	152,499.99	610,000.00 Payout
0114-0 · Board Member Compensation	5,750.00	8,333.33	22,250.00	24,999.99	100,000.00
0198-0 · Bonus	3,300.00	0.00	3,300.00	3,700.00	3,700.00
0201-0 · Payroll Expenses	5,348.83	5,083.33	14,475.25	15,249.99	61,000.00
0202-0 · Pension Plan	0.00	0.00	0.00	0.00	75,000.00
0203-0 · Medical Insurance	8,672.07	9,166.67	26,016.21	27,500.01	110,000.00
0204-0 · Workman Comp. Ins.	0.00	0.00	0.00	0.00	6,000.00
0300-0 · Travel - In-State	762.20	2,083.34	3,498.94	6,250.02	25,000.00
0400-0 · Travel - Out-of-State	2,952.93	2,333.33	15,266.19	6,999.99	28,000.00
0500-0 · Repairs & Maintenance	945.35	1,666.67	3,844.45	5,000.01	20,000.00
0600-1 · Rentals & Leases/Offsite Meetin	0.00	0.00	0.00	0.00	0.00
0600-2 · NEW OFFICE SPACE	0.00	82.08	23,897.99	246.24	985.00
0602-1 · Rent on Building	0.00	0.00	0.00	0.00	0.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	126.22	416.67	1,050.27	1,250.01	5,000.00
0700-2 · Utilities - Cell Phone	0.00	0.00	0.00	0.00	0.00
0700-3 · Utilities - Power	1,680.21	833.33	3,431.90	2,499.99	10,000.00
0700-4 · Utilities - Internet	399.00	400.00	1,197.00	1,200.00	4,800.00
0700-5 · Utilities - Water/Sewer	0.00	500.00	711.72	1,500.00	6,000.00
<b>Total 0700-0 · Utilities &amp; Communications</b>	<u>2,205.43</u>	<u>2,150.00</u>	<u>6,390.89</u>	<u>6,450.00</u>	<u>25,800.00</u>
0800-0 · Professional Services	10,254.66	15,833.33	35,851.90	47,499.99	190,000.00
0800-1 · Membership Dues & Subscriptions	924.00	1,666.67	3,477.00	5,000.01	20,000.00
0801-0 · Board Attorney Fees					
0801-1 · Attorney General's Office	0.00	416.67	0.00	1,250.01	5,000.00
0801-0 · Board Attorney Fees - Other	0.00	11,666.67	5,224.80	35,000.01	140,000.00
<b>Total 0801-0 · Board Attorney Fees</b>	<u>0.00</u>	<u>12,083.34</u>	<u>5,224.80</u>	<u>36,250.02</u>	<u>145,000.00</u>
0840-0 · CONSULTANTS	6,000.00	6,000.00	18,000.00	18,000.00	72,000.00

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0899-1 · Evaluator Fees	600.00	1,000.00	2,700.00	3,000.00	12,000.00
0899-2 · Hearing Officer Fees	0.00	416.67	0.00	1,250.01	5,000.00
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	0.00	750.00	3,000.00
0900-0 · Office Expense	749.56	1,250.00	3,925.03	3,750.00	15,000.00
0900-1 · Recycle / Paper Disposal	53.00	50.00	159.00	150.00	600.00
0902-0 · NPDB HIPDB License Background	0.00	15.00	20.00	45.00	180.00
0906-0 · Printing & Supplies	280.00	125.00	480.00	375.00	1,500.00
0910-0 · Postage	0.00	583.34	2,000.00	1,750.02	7,000.00
0924-0 · Insurance	0.00	0.00	10,861.00	0.00	10,500.00
<b>0944 · Computer Expenses</b>					
0944-0 · Computer Updates	0.00	2,500.00	1,672.99	7,500.00	30,000.00
0944-1 · Computer Support	6,874.20	4,166.67	7,591.18	12,500.01	50,000.00
0944 · Computer Expenses - Other	0.00	0.00	25,561.23	0.00	0.00
<b>Total 0944 · Computer Expenses</b>	<b>6,874.20</b>	<b>6,666.67</b>	<b>34,825.40</b>	<b>20,000.01</b>	<b>80,000.00</b>
0951-0 · NSF	0.00	8.34	174.00	25.02	100.00
0999-0 · MISC.	0.00	250.00	0.00	750.00	3,000.00
1000-1 · Vehicle Repairs & Maint.	51.66	3,000.00	102.07	9,000.00	36,000.00
1000-2 · Vehicle Fuel	292.28	250.00	1,103.58	750.00	3,000.00
<b>1400-0 · Equipment</b>					
0600-3 · Equipment Rental/Lease	271.83	0.00	271.83	0.00	0.00
1400-0 · Equipment - Other	1,852.94	2,916.67	5,757.56	8,750.01	35,000.00
<b>Total 1400-0 · Equipment</b>	<b>2,124.77</b>	<b>2,916.67</b>	<b>6,029.39</b>	<b>8,750.01</b>	<b>35,000.00</b>
6950 · Bank & CC Service Fees	166.19	170.83	464.58	512.49	2,050.00
<b>Total Expense</b>	<b>119,125.67</b>	<b>134,267.94</b>	<b>407,772.80</b>	<b>406,503.82</b>	<b>1,706,415.00</b>
<b>Net Ordinary Income</b>	<b>10,400.98</b>	<b>306,872.48</b>	<b>941,417.03</b>	<b>916,917.48</b>	<b>0.00</b>
<b>Other Income/Expense</b>					
<b>Other Income</b>					
524 · NSF Checks	0.00	0.00	0.00	0.00	0.00
527-2 · ADPWC - Monitoring Fee	0.00	0.00	1,650.00	0.00	0.00
<b>Total Other Income</b>	<b>0.00</b>	<b>0.00</b>	<b>1,650.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Net Other Income</b>	<b>0.00</b>	<b>0.00</b>	<b>1,650.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Net Income</b>	<b>10,400.98</b>	<b>306,872.48</b>	<b>943,067.03</b>	<b>916,917.48</b>	<b>0.00</b>