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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 May 7, 2020

The Board of Dental Examiners of Alabama met Thursday, May 7, 2020, via video conference.

The President called the meeting to order at 6:02 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; 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 9, 2020 meeting and the April 29, 2020 emergency meeting. Dr. Sims moved to approve both sets of minutes. Dr. Beckham seconded the motion and it was approved by general consent.

Dr. Sims presented the Financial Report for March 2020. The report was accepted as presented.

At 6:08 P.M., on the advice of counsel per the pertinent provision of the Alabama Open Meetings Act, Dr. Williams moved to enter into Executive Session for the discussion of the general reputation, character, and/or professional competence of licensees; and for the discussion of current litigation; and to return to public session at 7:00 P.M. Ms. Sherry S. Campbell seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Williams, yea, Dr. Pischek, yea, Dr. McIlwain, yea, Ms. Campbell, yea, Dr. Sims, yea, Dr. Beckham, yea. The motion carried. At 7:00 the Board retired from Executive Session.

Dr. Cunningham moved to accept the application for a general anesthesia permit for Dr. Anthony Caputo and allow the application to move forward. Dr. Beckham seconded, and the motion was approved by unanimous consent.

Ms. Campbell shared concerns expressed by hygienists who say they are not being provided with proper PPE and that too many patients are being scheduled at their offices. Ms. Campbell reaffirmed that

licensees should read the protocols issued by authorities. Dr. McIlwain thanked Ms. Campbell for bringing up these issues.

Members made suggestions for modifications to the Board Statement of April 7, 2020.

Mr. Edmonds read the revised wording for a Board statement regarding CDC/OSHA recommendations for postponing elective procedures. Dr. Sims moved to approve the revised statement. Dr. Beckham seconded the motion, and it was approved by unanimous consent.

Mr. Edmonds read the revised wording for waiting room protocol. Dr. Cunningham moved to approve the revised statements. Dr. Sims seconded the motion and it was approved by unanimous consent.

Mr. Edmonds read the revised wording for structure of waiting room for pediatric patients. After suggestions for edits, Dr. Williams moved to approve the revised statement. Dr. Sims seconded the motion and it was approved by unanimous consent. The revised statements all will be posted on the Board's website.

Ms. Campbell moved to reconsider the application for a dental hygiene license for Janet Campbell, RDH. Dr. Pischek seconded the motion and it was approved by general consent. The Board will reconsider the application.

Dr. Cunningham presented the Clinical Exam Committee Report. At this time, none of the clinical exam agencies have a complete manikin exam that includes the periodontal portion. A complete exam is required for initial licensure. The committee will continue to monitor progress of the exams and report to Board members immediately upon any developments.

Dr. Cunningham moved to approve a licensee's release from the monitoring program. Dr. Sims seconded the motion and it was approved by general consent.

Dr. Sims moved to approve dental licenses for the following applicants. Dr. Beckham seconded the motion and it was approved by general consent with the hygiene member abstaining from the vote.

- William Bates, DMD
- Carson Cruise, DMD
- Valexia Edwards, DMD
- Andrew Owens, DMD

Dr. Pischek moved to approve dental hygiene licenses for the following applicants. Dr. Williams seconded the motion and it was approved by general consent.

- Madison Evans, RDH
- Katherine Friedman, RDH
- Jill McKimmey, RDH
- Lori Ann Valenta, RDH

Gina Latham presented the ADHP Report. There are about 188 applications to date for the 2020-'21 ADHP. UAB has offered Volker Hall plus up to 4 additional classrooms to accommodate social distancing for the class. She and Dr. Alvin "Red" Stevens are working out the details of what will be

required in order to conduct in-person classes. The 2019-2020 students will sit for their comprehensive exam and jurisprudence exam May 16 on a secure remote platform. This concluded the report.

Dr. Beckham moved to notice the Respondents of cases 2019-112, 2020-3, and 2020-33 for hearings. Dr. Sims 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 2020-26 has no evidence to sustain. Dr. Pischek 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 2020-2 has no evidence to sustain, and that case 2020-8 be administratively closed. Dr. Williams 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 2020-44 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. Pischek moved to notice the Respondent of case 2020-6 for a hearing and that case 2020-31 has no evidence to sustain. Dr. Williams 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 cases 2020-7 and 2020-27 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. Sims moved to notice the Respondent of case 2020-43 for a hearing. Dr. Dr. Beckham seconded the motion and it was approved by general consent with the case team leader and hygiene member abstaining from the vote.

Case 2020-29 is outside of jurisdiction.

Dr. Sims moved to notice the Respondent of case 2020-21 for a hearing. 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. Pischek moved that case 2020-32 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. Pischek moved to notice the Respondent of case 2019-99 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.

At 8:08 P.M., Ms. Campbell moved to adjourn the meeting. Dr. Pischek seconded the motion and it was approved by general consent.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kevin Michael Sims".

Dr. Kevin Michael Sims, Secretary/Treasurer

Approved: June 11, 2020

Submitted by: Linda Dlugosz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
March 2020

March 2020 for May 2020
Balance as of 3/31/2020
Checking: \$954,876.50
MM: \$391,495.97

	<u>Mar 20</u>	<u>Budget</u>	<u>Oct '19 - Mar 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
Ordinary Income/Expense						
Income						
501 · Annual Dental Registration	550.00	0.00	705,375.00	711,795.00	711,795.00	
502 · Annual Hygiene Registration	65.00	0.00	280,475.00	289,575.00	289,575.00	
503 · Controlled Substance Fee	1,125.00	0.00	240,010.00	245,870.00	245,870.00	
504 · Annual Teaching Permits	0.00	0.00	6,140.00	6,200.00	6,200.00	
505 · ADHP Certification	375.00	4,000.00	6,675.00	4,000.00	12,000.00	
508 · ADHP	12,150.00	45,000.00	12,150.00	45,000.00	135,000.00	
509 · Dental Exam Fee	600.00	750.00	1,800.00	4,500.00	9,000.00	
510 · Original License Fee	225.00	322.92	800.00	1,937.52	3,875.00	
511 · Licenses Reprint Fee	100.00	41.67	575.00	250.02	500.00	
512 · Dental Hygiene Exam Fee	675.00	1,250.00	2,925.00	7,500.00	15,000.00	
515 · Penalty Fee	850.00	583.33	6,400.00	3,499.98	7,000.00	
516 · Privilege License Money	16,471.78	20,000.00	16,471.78	20,000.00	20,000.00	
517 · Interest Inc - checking	6.65	16.67	39.25	100.02	200.00	
518 · Parental Sedation Permit Fee	0.00	1,000.00	14,050.00	6,000.00	12,000.00	
519 · Anesthesia Permit	0.00	2,500.00	41,750.00	15,000.00	30,000.00	
521 · Other Income	0.00	41.67	0.00	250.02	500.00	
525 · Dent Hyg Bd Appl	0.00	625.00	0.00	3,750.00	7,500.00	
526 · ADHP Materials	5,850.00	21,666.67	5,660.10	21,666.67	65,000.00	
527-1 · Administrative Costs	1,000.00	416.67	5,000.00	2,500.02	5,000.00	
527-3 · Administrative Fines	0.00	0.00	160.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	3,650.00	0.00	28,850.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	0.00	2,083.33	18,600.00	12,499.98	25,000.00	
529 · OCS Annual Reg. Fee	300.00	0.00	20,450.00	19,650.00	19,650.00	
530 · Licensure By Credentials	6,600.00	4,166.67	34,100.00	25,000.02	50,000.00	
531 · RETURNED CHECK CHARGES	0.00	41.67	195.00	250.02	500.00	
532 · OCS Initial App. Fee	0.00		0.00	0.00	0.00	
533 · Dental Lic. Bd Exam Application	2,250.00	1,500.00	6,750.00	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	0.00	83.33	585.00	499.98	1,000.00	
617 · MDF Permits	0.00	541.67	6,000.00	3,250.02	6,500.00	

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620 · Hygiene Infiltration Permit	0.00	729.17	4,650.00	4,375.02	8,750.00	
800 · 800-OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00	
Total Income	52,843.43	107,443.77	1,466,636.13	1,464,419.27	1,706,415.00	
Gross Profit	52,843.43	107,443.77	1,466,636.13	1,464,419.27	1,706,415.00	
Expense						
0100-0 · Personnel Costs	47,255.08	50,833.33	311,993.39	304,999.98	610,000.00	
0114-0 · Board Member Compensation	0.00	8,333.33	38,500.00	49,999.98	100,000.00	
0198-0 · Bonus	0.00	0.00	3,300.00	3,700.00	3,700.00	
0201-0 · Payroll Expenses	3,618.57	5,083.33	27,098.04	30,499.98	61,000.00	
0202-0 · Pension Plan	0.00	0.00	85,303.67	75,000.00	75,000.00	
0203-0 · Medical Insurance	5,888.49	9,166.67	49,597.44	55,000.02	110,000.00	
0204-0 · Workman Comp. Ins.	18,213.00	6,000.00	18,213.00	6,000.00	6,000.00	Yearly Pmt
0300-0 · Travel - In-State	371.74	2,083.34	7,713.33	12,500.04	25,000.00	
0400-0 · Travel - Out-of-State	0.00	2,333.33	17,564.41	13,999.98	28,000.00	
0500-0 · Repairs & Maintenance	945.35	1,666.67	7,357.50	10,000.02	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	28,247.99	492.48	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	885.83	416.67	3,042.91	2,500.02	5,000.00	
0700-2 · Utilities - Cell Phone	0.00		0.00	0.00	0.00	
0700-3 · Utilities - Power	1,412.77	833.33	7,786.88	4,999.98	10,000.00	
0700-4 · Utilities - Internet	399.00	400.00	2,651.48	2,400.00	4,800.00	
0700-5 · Utilities - Water/Sewer	233.68	500.00	1,179.64	3,000.00	6,000.00	
Total 0700-0 · Utilities & Communications	2,931.28	2,150.00	14,660.91	12,900.00	25,800.00	
0800-0 · Professional Services	29,380.54	15,833.33	90,724.26	94,999.98	190,000.00	Audit
0800-1 · Membership Dues & Subscriptions	429.00	1,666.67	5,262.50	10,000.02	20,000.00	
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00	416.67	0.00	2,500.02	5,000.00	
0801-0 · Board Attorney Fees - Other	15,230.29	11,666.67	20,455.09	70,000.02	140,000.00	Legal Fees
Total 0801-0 · Board Attorney Fees	15,230.29	12,083.34	20,455.09	72,500.04	145,000.00	
0840-0 · CONSULTANTS	6,000.00	6,000.00	36,000.00	36,000.00	72,000.00	

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0899-1 · Evaluator Fees	900.00	1,000.00	5,700.00	6,000.00	12,000.00	
0899-2 · Hearing Officer Fees	0.00	416.67	672.00	2,500.02	5,000.00	
0899-6 · A.D.H.P. Materials & Supplies	180.00	250.00	7,700.00	1,500.00	3,000.00	
0900-0 · Office Expense	3,653.12	1,250.00	9,382.89	7,500.00	15,000.00	Vault
0900-1 · Recycle / Paper Disposal	53.60	50.00	369.20	300.00	600.00	
0902-0 · NPDB HIPDB License Background	38.00	15.00	70.00	90.00	180.00	
0906-0 · Printing & Supplies	440.00	125.00	1,020.00	750.00	1,500.00	State Prints
0910-0 · Postage	1,000.00	583.34	3,587.00	3,500.04	7,000.00	
0924-0 · Insurance	0.00	0.00	10,861.00	0.00	10,500.00	
0944 · Computer Expenses						
0944-0 · Computer Updates	0.00	2,500.00	8,402.95	15,000.00	30,000.00	
0944-1 · Computer Support	5,233.98	4,166.67	23,059.14	25,000.02	50,000.00	IGOV
0944 · Computer Expenses - Other	944.78	0.00	27,474.94	0.00	0.00	
Total 0944 · Computer Expenses	6,178.76	6,666.67	58,937.03	40,000.02	80,000.00	
0951-0 · NSF	0.00	8.34	174.00	50.04	100.00	
0999-0 · MISC.	0.00	250.00	1,532.94	1,500.00	3,000.00	
1000-1 · Vehicle Repairs & Maint.	551.89	3,000.00	765.85	18,000.00	36,000.00	
1000-2 · Vehicle Fuel	481.36	250.00	2,485.55	1,500.00	3,000.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	3,682.08	0.00	5,201.60	0.00	0.00	Copiers
1400-0 · Equipment - Other	0.00	2,916.67	10,771.00	17,500.02	35,000.00	
Total 1400-0 · Equipment	3,682.08	2,916.67	15,972.60	17,500.02	35,000.00	
6950 · Bank & CC Service Fees	160.22	170.83	927.23	1,024.98	2,050.00	
Total Expense	147,582.37	140,267.94	882,148.82	890,307.64	1,706,415.00	
Net Ordinary Income	-94,738.94	-32,824.17	584,487.31	574,111.63	0.00	
Other Income/Expense						
Other Income						
524 · NSF Checks	0.00		0.00	0.00	0.00	
527-2 · ADPWC - Monitoring Fee	0.00	0.00	4,025.00	0.00	0.00	
Total Other Income	0.00	0.00	4,025.00	0.00	0.00	
Net Other Income	0.00	0.00	4,025.00	0.00	0.00	
Net Income	-94,738.94	-32,824.17	588,512.31	574,111.63	0.00	