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Marshall A. Williams, DDS
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Bradley W. Edmonds, JD, MBA, MS
Executive Director

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Prosecuting Attorney

BOARD OF DENTAL EXAMINERS OF ALABAMA

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MINUTES BOARD MEETING August 13, 2020

The Board of Dental Examiners of Alabama met Thursday, August 13, 2020, via video conference.

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. 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; Blake Strickland, Investigator; Kevin Lane, Compliance Director; Gina Latham, RDH, ADHP Coordinator; Sonya Lankford, Business Manager; and Linda Dlugosz, Licensing Clerk; Blaine Galliher and Ragan Ingram, both of Windom, Galliher & Associates.

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 July 9, 2020 meeting. Dr. Sims moved to approve the minutes as presented. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Dr. Sims presented the Financial Report for June 2020. The report was accepted as presented. There were no objections to the report.

Blaine Galliher and Ragan Ingram presented the Legislative Report. They updated members on current activities in state government. At 6:12 pm. Blaine Galliher and Ragan Ingram left the meeting.

Members discussed the possibility of changing the date for the September meeting. All agreed to leave the date September 3, as originally scheduled.

Ms. Campbell presented a report on the CDCA Hygiene Manikin Exam held in Mississippi. Much has been achieved, but some remains to be accomplished in making the exams realistic.

Dr. Cunningham presented a report on the SRTA Annual Meeting held Aug. 1 in Leesburg, VA. Dr. Gerry Walker, former Board member, is now President of SRTA.

Dr. Dixon presented a question from a dentist about the legality of marketing legal service providers to his patients. Members agreed that selling these contracts does not interfere or coincide with the practice of dentistry.

Because some current ADHP students have not signed and returned the ADHP Academic Integrity Policy, Ms. Sherry S. Campbell moved to give Gina Latham the authority to require that students return the signed document before being allowed to take the next exam. Dr. Sims seconded the motion and it was approved by unanimous consent. An email will be sent to those who have not returned their signed copy.

Because of COVID-19 restrictions, many licensees are having difficulty renewing their CPR, ACLS, and PALS certifications. Dr. Sims moved to extend the expiration date of licensees' certification through September 30, 2021, while encouraging all licensees to recertify as soon as courses are available. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

There was discussion of waiving all CE requirements during the pandemic, after which members decided not to waive CE requirements but to continue to allow CE to be obtained by methods other than in-person.

Dr. Cunningham moved to allow 3 hours of CE credits for attendance at the Oral Health Coalition of Alabama (OHCA) virtual 3rd Quarter Meeting August 19. Dr. Sims seconded the motion and it was approved by unanimous consent.

Members discussed whether administering COVID-19 testing to patients is within the scope of dentistry. Dr. Sims moved that the Board opine that dentists may perform patient nasopharyngeal swab testing for COVID-19 with proper training and if all Alabama Department of Public Health reporting requirements are met. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

After explanations by Dr. Red Stevens and Gina Latham of the considerable difficulties caused by allowing dentist/instructors to attend virtual ADHP classes, Dr. Sims moved that the Board adopt the following:

It is the policy of the Board of Dental Examiners of Alabama that, for the academic training sessions conducted by the Alabama Dental Hygiene Program via videoconferencing, dentist-instructors may not attend. The sole exception to this policy is the August instrumentation session, for which the dentist's presence in the room where the student is viewing the session is strongly encouraged.

Dr. Williams seconded the motion and it was approved by unanimous consent.

Members discussed the option of allowing the UAB Infiltration course to be completed without a hands-on component. Members agreed that although the Board understands the difficulty of conducting the hands-on component during COVID-19 restrictions, it is still absolutely necessary. Without this component, the Board cannot issue permits to dental hygienists to perform infiltration anesthesia.

Dr. Sims moved to renew the Board's yearly contract with Dr. Koslin, Anesthesia Consultant, at the same rate as for the year 2020. Dr. Williams seconded the motion and it was approved by unanimous consent.

Dr. Williams moved to renew the yearly contract with Dr. Garver, Director of the Alabama Dental Professionals' Wellness Committee, at the same rate as for year 2020. Dr. Pischek seconded the motion and it was approved by unanimous consent.

Dr. Williams moved to appoint Dr. Pischek as the new representative on CRDTS's Steering Committee and Dental Exam Review Committee. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Dr. Pischek moved to appoint Dr. Williams to the SRTA Finance and Quality Assurance Committees. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Members approved sending an email to all licensees with the names and bios of nominees for hygiene and dental board members as long as the email does not endorse any particular candidate. There are 3 candidates for dental hygiene member and one candidate for dental member.

Dr. Cunningham moved to approve *Dental License 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 unanimous consent with the hygiene member abstaining from the vote.

- Madgy Attia, DMD
- Carrie Cochran, DMD
- Kristain Coke, DDS
- Rajdeepsinh Dolia, DMD
- Darwin Ferng, DDS
- Franklin Jones, DMD
- Ann Marie Lyon, DMD
- Carter Mitchell, DMD
- Alexander Plagenhoef, DDS
- Hayden Ray, DDS
- Charlotte Stueve, DDS

Ms. Campbell moved to approve *Dental Hygiene License 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 unanimous consent.

- Morgan Brandon, RDH
- Whitley Hamilton, RDH
- Citlali Silva, RDH
- Mallory Brown, RDH
- Kyle Hubbard, RDH
- Aleshia Stamps, RDH
- Kellyn Calvert, RDH
- Sunni Hulsey, RDH
- Madeline Toland, RDH
- Deanna Diveto, RDH
- Tiffany Mosley, RDH
- Portia Watkins, RDH
- Hannah Goff, RDH
- Abigail Raines, RDH
- Kaitlyn Wildman, RDH
- Hallie Hall, RDH
- Kendra Ritch, RDH
- Rachel Laing, RDH
- Aimee Hadley, RDH
- Lisa Sanchez-Siquina, RDH
- Christian Gant, RDH

Ms. Campbell moved to approve *Dental Hygiene License by Credentials* based on successful completion of the jurisprudence exam for the following applicants. Dr. Williams seconded the motion and it was approved by unanimous consent.

Stephanny Brown, RDH Kendra Bunting, RDH

Ms. Campbell moved to approve Infiltration/Anesthesia permits for the following licensed hygiene applicants. Dr. Sims seconded the motion and it was approved by unanimous consent.

LaTasha Baker, RDH
Rhea Ann Edmonds, RDH
Erica Evans, RDH
Ashley Martin, RDH

Tashana Penn, RDH
Krista Henson, RDH
Gina Lockwood, RDH
Victoria Grimes, RDH

Dr. Cunningham moved to notice the Respondent of case 2020-47 for a hearing. Dr. Beckham seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Sims moved to authorize Dr. Dixon to investigate case 2020-61; and if found that this is a non-dentist who is practicing dentistry, issue a *cease and desist* order. Dr. Williams seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham moved that case 2020-48 has no evidence to sustain. Dr. Sims seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Dixon presented the Attorney Report. She discussed reluctance to treat patients who had contracted COVID-19 but who are now well, and to treat medical personnel who themselves treated patients with COVID-19. After discussion, Dr. Cunningham moved that the Board adopt the following opinion:

It is the opinion of the board that patients who have tested positive for COVID-19 or have had COVID-19 symptoms are safe to treat after a 10-day quarantine, and one day of being asymptomatic. Healthcare workers utilizing proper PPE in their jobs may be safely treated when following the Dental Board protocols and utilizing proper PPE. A refusal to treat such patients could constitute patient abandonment.

Dr. Sims seconded the motion and it was approved by unanimous consent. This concluded the report.

Ms. Latham presented the ADHP Report.

At 8:14 P.M. Dr. Sims moved to adjourn the meeting. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Respectfully Submitted,



Dr. Kevin Michael Sims, Secretary/Treasurer

Approved: September 3, 2020

Submitted by: Linda Dlugosz

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

June 2020 for August 2020 Meeting
Balance as of 6/30/2020
Checking: \$846,725.80
MM: \$391,509.06

	<u>Jun 20</u>	<u>Budget</u>	<u>Oct '19 - Jun 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
Ordinary Income/Expense						
Income						
501 · Annual Dental Registration	550.00	0.00	706,235.00	711,795.00	711,795.00	
502 · Annual Hygiene Registration	260.00	0.00	281,190.00	289,575.00	289,575.00	
503 · Controlled Substance Fee	3,375.00	0.00	244,885.00	245,870.00	245,870.00	
504 · Annual Teaching Permits	200.00	0.00	6,540.00	6,200.00	6,200.00	
505 · ADHP Certification	2,775.00	0.00	13,650.00	12,000.00	12,000.00	
508 · ADHP	52,650.00	0.00	124,875.00	135,000.00	135,000.00	
509 · Dental Exam Fee	800.00	750.00	6,700.00	6,750.00	9,000.00	
510 · Original License Fee	225.00	322.92	2,075.00	2,906.28	3,875.00	
511 · Licenses Reprint Fee	25.00	41.67	675.00	375.03	500.00	
512 · Dental Hygiene Exam Fee	225.00	1,250.00	3,375.00	11,250.00	15,000.00	
515 · Penalty Fee	900.00	583.33	8,000.00	5,249.97	7,000.00	
516 · Privilege License Money	0.00	0.00	16,471.78	20,000.00	20,000.00	
517 · Interest Inc - checking	6.44	16.67	58.77	150.03	200.00	
518 · Parental Sedation Permit Fee	0.00	1,000.00	14,050.00	9,000.00	12,000.00	
519 · Anesthesia Permit	0.00	2,500.00	41,750.00	22,500.00	30,000.00	
521 · Other Income	0.00	41.67	0.00	375.03	500.00	
525 · Dent Hyg Bd Appl	0.00	625.00	0.00	5,625.00	7,500.00	
526 · ADHP Materials	25,350.00	0.00	59,935.10	65,000.00	65,000.00	
527-1 · Administrative Costs	500.00	416.67	7,500.00	3,750.03	5,000.00	
527-3 · Administrative Fines	0.00	0.00	320.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	1,410.00	0.00	43,510.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	3,600.00	2,083.33	23,400.00	18,749.97	25,000.00	
529 · OCS Annual Reg. Fee	200.00	0.00	20,650.00	19,650.00	19,650.00	
530 · Licensure By Credentials	15,400.00	4,166.67	55,000.00	37,500.03	50,000.00	
531 · RETURNED CHECK CHARGES	0.00	41.67	1,225.00	375.03	500.00	
532 · OCS Initial App. Fee	0.00		0.00	0.00	0.00	
533 · Dental Lic. Bd Exam Application	3,000.00	1,500.00	25,125.00	13,500.00	18,000.00	
540 · Special Purpose Dental Lic Fee	0.00	83.33	0.00	749.97	1,000.00	
545 · Special Purpose Hygiene Lic Fee	0.00	83.33	585.00	749.97	1,000.00	
617 · MDF Permits	0.00	541.67	6,000.00	4,875.03	6,500.00	

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	<u>Jun 20</u>	<u>Budget</u>	<u>Oct '19 - Jun 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
620 · Hygiene Infiltration Permit	50.00	729.17	4,750.00	6,562.53	8,750.00	
800 · 800-OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00	
Total Income	111,501.44	16,777.10	1,718,530.65	1,656,083.90	1,706,415.00	
Gross Profit	111,501.44	16,777.10	1,718,530.65	1,656,083.90	1,706,415.00	
Expense						
0100-0 · Personnel Costs	48,455.08	50,833.33	454,958.63	457,499.97	610,000.00	
0114-0 · Board Member Compensation	20,715.00	8,333.33	59,215.00	74,999.97	100,000.00	Pandemic Pay
0198-0 · Bonus	0.00	0.00	3,300.00	3,700.00	3,700.00	
0201-0 · Payroll Expenses	5,291.52	5,083.33	39,619.60	45,749.97	61,000.00	
0202-0 · Pension Plan	0.00	0.00	85,303.67	75,000.00	75,000.00	
0203-0 · Medical Insurance	7,443.18	9,166.67	71,926.98	82,500.03	110,000.00	
0204-0 · Workman Comp. Ins.	0.00	0.00	18,213.00	6,000.00	6,000.00	
0300-0 · Travel - In-State	0.00	2,083.34	7,769.34	18,750.06	25,000.00	
0400-0 · Travel - Out-of-State	-1,174.00	2,333.33	16,390.41	20,999.97	28,000.00	AADB Refund
0500-0 · Repairs & Maintenance	1,790.35	1,666.67	13,086.05	15,000.03	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	738.72	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	610.68	416.67	4,788.13	3,750.03	5,000.00	
0700-2 · Utilities - Cell Phone	0.00		0.00	0.00	0.00	
0700-3 · Utilities - Power	613.68	833.33	9,567.63	7,499.97	10,000.00	
0700-4 · Utilities - Internet	399.00	400.00	3,848.48	3,600.00	4,800.00	
0700-5 · Utilities - Water/Sewer	334.96	500.00	1,685.96	4,500.00	6,000.00	
Total 0700-0 · Utilities & Communications	1,958.32	2,150.00	19,890.20	19,350.00	25,800.00	
0800-0 · Professional Services	17,119.67	15,833.33	127,573.25	142,499.97	190,000.00	
0800-1 · Membership Dues & Subscriptions	439.00	1,666.67	6,869.50	15,000.03	20,000.00	
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00	416.67	0.00	3,750.03	5,000.00	
0801-0 · Board Attorney Fees - Other	13,167.36	11,666.67	56,138.61	105,000.03	140,000.00	Lightfoot
Total 0801-0 · Board Attorney Fees	13,167.36	12,083.34	56,138.61	108,750.06	145,000.00	
0840-0 · CONSULTANTS	6,000.00	6,000.00	54,000.00	54,000.00	72,000.00	

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	<u>Jun 20</u>	<u>Budget</u>	<u>Oct '19 - Jun 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
0899-1 · Evaluator Fees	0.00	1,000.00	7,500.00	9,000.00	12,000.00	
0899-2 · Hearing Officer Fees	0.00	416.67	672.00	3,750.03	5,000.00	
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	7,700.00	2,250.00	3,000.00	
0900-0 · Office Expense	886.07	1,250.00	10,851.46	11,250.00	15,000.00	
0900-1 · Recycle / Paper Disposal	53.60	50.00	530.00	450.00	600.00	
0902-0 · NPDB HIPDB License Background	0.00	15.00	86.00	135.00	180.00	
0906-0 · Printing & Supplies	0.00	125.00	1,020.00	1,125.00	1,500.00	
0910-0 · Postage	0.00	583.34	3,587.00	5,250.06	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	4,795.53	2,500.00	13,198.48	22,500.00	30,000.00	Server Purchased
0944-1 · Computer Support	5,436.99	4,166.67	41,564.11	37,500.03	50,000.00	
0944 · Computer Expenses - Other	0.00	0.00	28,114.94	0.00	0.00	
Total 0944 · Computer Expenses	10,232.52	6,666.67	82,877.53	60,000.03	80,000.00	
0951-0 · NSF	1,009.00	8.34	2,192.00	75.06	100.00	
0999-0 · MISC.	5.00	250.00	2,711.94	2,250.00	3,000.00	
1000-1 · Vehicle Repairs & Maint.	0.00	3,000.00	877.74	27,000.00	36,000.00	
1000-2 · Vehicle Fuel	248.97	250.00	3,211.90	2,250.00	3,000.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	3,616.23	2,916.67	23,851.89	26,250.03	35,000.00	
1400-0 · Equipment - Other	0.00	0.00	0.00	0.00	0.00	
Total 1400-0 · Equipment	3,616.23	2,916.67	23,851.89	26,250.03	35,000.00	
6950 · Bank & CC Service Fees	251.59	170.83	1,477.08	1,537.47	2,050.00	
Total Expense	137,508.46	134,267.94	1,222,509.77	1,293,111.46	1,706,415.00	
Net Ordinary Income	-26,007.02	-117,490.84	496,020.88	362,972.44	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	7,125.00	0.00	0.00	
Total Other Income	0.00	0.00	7,125.00	0.00	0.00	
Net Other Income	0.00	0.00	7,125.00	0.00	0.00	
Net Income	-26,007.02	-117,490.84	503,145.88	362,972.44	0.00	