

Mark R. McIlwain, DMD, MD
President
Kevin M. Sims, DMD, MS
Vice-President
Bruce E. Cunningham, DMD
Secretary/Treasurer
Marshall A. Williams, DDS
Roberto V. Pischek, DMD
Dr. Melodie Anderson Jones, DMD
Sandra Kay Alexander, 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 February 11, 2021

The Board of Dental Examiners of Alabama met Thursday, February 11, 2021 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; Dr. Kevin M. Sims, Vice President; Dr. Bruce E. Cunningham, Secretary/Treasurer; Dr. Marshall A. Williams; Dr. Roberto V. Pischek; Dr. Melodie A. Jones; and Ms. Sandra Kay Alexander, RDH. 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.

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. McIlwain added an application to the agenda for Dental Licensure by Regional Exam for Hannah Farrar, DDS.

The President asked for review of the minutes from the January 14, 2021 meeting. Dr. Jones moved to accept the minutes as presented. Dr. Sims seconded the motion and it was approved by unanimous consent.

Dr. Cunningham presented the Financial Report. There were no objections; the report was accepted as presented.

Mr. Ragan Ingram presented the Legislative Report. He updated members on current bills that are in the House and Senate and other activities at the Capital. Dr. McIlwain thanked him for the report; Mr. Ingram left the meeting.

On the advice of counsel per the pertinent provision of the Open Meetings Act, Dr. Jones moved to enter Executive Session for the discussion of pending litigation and for discussion of the general reputation, character, and/or professional competence of licensees; and to return to public session at 7:00 P.M. Dr. Sims seconded the motion and the President called for the vote: Dr. Jones, yea, Ms. Alexander, yea, Dr. Pischek, yea, Dr. Williams, yea, Dr. Cunningham, yea, Dr. Sims, yea, Dr. McIlwain, yea. The motion carried. The Board retired from Executive Session and returned to Public Session at 6:44 P.M.

Gina Latham and Dr. Stevens presented the ADHP Report. Members reviewed a request from an ADHP student to take 6-weeks maternity leave from active practice. After discussion, Ms. Alexander moved to accept the student's Instructor's work and study plan for an additional two weeks allowing a 4-week leave from practicing, without missing any ADHP lecture. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Dr. Cunningham presented a report on the CITA Exam administered on both live patients and manikins. Ms. Alexander and Dr. Jones were also at the exam and commented on their experiences.

Brad Edmonds read draft amendments to the Board's COVID-19 Protocol. Suggestions were made for edits. Dr. Sims moved to approve the Protocol with edits suggested by members. Dr. Williams seconded the motion and it was approved by unanimous consent. The protocol will be posted on the Board's website.

Members reviewed an invitation to join the Interstate Dental Compact. No action was taken.

Members discussed a request for removal of probation status for a licensed dentist. No action was taken.

Dr. Cunningham volunteered to review a hand skills examination presentation and report as necessary at a future meeting.

Dr. Jones moved to move forward on engaging the Architectural Consultant firm that replied to the Board's RFP. Dr. Sims seconded the motion and it was approved by unanimous consent.

Dr. Jones volunteered to attend CODA site visits. Members thanked her for her volunteered service. Dr. Cunningham moved to approve Dr. Jones as representative to CODA at site visits. Dr. Williams seconded the motion and it was approved by unanimous consent.

Members discussed the process of sharing files when reviewing complaints and other non-public information. Dr. Pischek suggested using the *ShareFile* program which would provide HIPAA assurances from the vendor. Dr. Cunningham moved to subscribe to *ShareFile* for 3 years at a cost of up to \$5,000.00/year. Dr. Jones seconded the motion and it was approved by unanimous consent.

On Dr. Williams' recommendation, Dr. Jones moved to approve Dental License by Regional Exam based on successful completion of the jurisprudence exam for the following applicants. Dr. Cunningham seconded the motion and it was approved by unanimous consent with the hygiene member abstaining from the vote.

- Diana Bozner, DDS
- Lane Haws, DMD
- John Hofheins, DMD
- Matthew Loeb, DMD
- Zehra Syed, DMD
- Hannah Farrah, DDS

On Dr. Williams' recommendation, Dr. Sims moved to approve Dental License by Credentials based on successful completion of the jurisprudence exam for Richard Sipes, DDS. Dr. Pischek seconded the motion and it was approved by unanimous consent with the hygiene member abstaining from the vote.

On Ms. Alexander's recommendation, Dr. Williams 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.

- Destinee Carey, RDH;
- Tuyet-Nhi Nguyen, RDH

On Ms. Alexander’s recommendation, Dr. Sims moved to approve Dental Hygiene License by Credentials based on successful completion of the jurisprudence exam for Whitney Tarkington, RDH. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

On Ms. Alexander’s recommendation, Dr. Jones moved to approve Infiltration/Anesthesia Permit for the following Alabama licensed hygienists. Dr. Williams seconded the motion and it was approved by unanimous consent.

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|------------------------|-------------------------|------------------------|
| • Lana Blackmon, RDH | • Tammy Hammick, RDH | • Brandi Dunn, RDH |
| • Bethany Allison, RDH | • Anita Brantley, RDH | • Alicia Wiggins, RDH |
| • Kaitlin McKay, RDH | • Jacquelyn Davis, RDH | • Jessica Wood, RDH |
| • Amber Dean, RDH | • Alice Welch, RDH | • Anna Owens, RDH |
| • Lindsey Gober, RDH | • Chandler Hoffman, RDH | • Chealsy Haywood, RDH |

Mr. Edmonds presented the Wellness report provided by Dr. Mike Garver.

After reviewing cases, the following actions were taken:

Dr. Pischek moved that case 2020-086 is outside of jurisdiction. 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. Cunningham moved to notice the Respondent of case 2020-076 for a hearing. Dr. Jones 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 that cases 2020-074 and 2020-075 have no evidence to sustain. Dr. Cunningham seconded the motion and it was approved by unanimous and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham moved that case 2020-080 has no evidence to sustain. Dr. Jones seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Jones moved that case 2020-079 has no evidence to sustain. 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. Williams moved that case #2020-81 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. Williams moved to notice the Respondent of case 2020-070 for a hearing. Dr. Jones seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Jones moved to notice the Respondent of case 2020-037 for a hearing. Dr. Cunningham seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Brad Edmonds presented the Executive Director Report.

After moving from PBIS to B&B upon the former's cessation of business, the cost and completion time for background reports on license applicants have been significantly reduced, which is beneficial for the applicants.

Dr. Pischek noted the last page of the approved COVID-19 protocol regarding *any bathroom will be sanitized after each use*. After discussion, Dr. Cunningham moved to remove that requirement from the protocol. Dr. Pischek seconded the motion and it was approved by unanimous consent.

Dr. McIlwain asked members to consider licensing dental assistants at some time in the future. The Alabama Dental Practice Act would have to be modified to add registration or licensing of assistants.

At 8:01 P.M. Dr. Cunningham moved to adjourn the meeting. Dr. Sims seconded the motion and it was approved by unanimous consent.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Bruce E. Cunningham".

Dr. Bruce Cunningham, Secretary/Treasurer

Approved: March 4, 2021

Submitted by: Linda Dlugosz

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

Dec 2020 for Feb 2021
Balance as of 12/31/2020
Checking: \$1,525,151.32
MM: \$391,548.53

	<u>Dec 20</u>	<u>Budget</u>	<u>Oct - Dec 20</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
Ordinary Income/Expense						
Income						
501 · Annual Dental Registration	67,425.00	236,225.00	665,320.00	708,675.00	708,675.00	
502 · Annual Hygiene Registration	34,125.00	94,791.66	263,320.00	284,375.00	284,375.00	
503 · Controlled Substance Fee	21,390.00	82,033.33	246,250.00	246,100.00	246,100.00	
504 · Annual Teaching Permits	0.00	2,333.33	5,400.00	7,000.00	7,000.00	
505 · ADHP Certification	0.00	0.00	0.00	0.00	15,000.00	
508 · ADHP	0.00	0.00	-675.00	0.00	135,000.00	
509 · Dental Exam Fee	400.00	750.00	600.00	2,250.00	9,000.00	
510 · Original License Fee	125.00	322.92	400.00	968.76	3,875.00	
511 · Licenses Reprint Fee	0.00	41.66	175.00	124.98	500.00	
512 · Dental Hygiene Exam Fee	225.00	416.66	2,025.00	1,249.98	5,000.00	
515 · Penalty Fee	250.00	583.33	750.00	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	19.74	50.01	200.00	
518 · Parental Sedation Permit Fee	-250.00	1,166.66	10,200.00	3,499.98	14,000.00	
519 · Anesthesia Permit	2,550.00	4,354.16	49,800.00	13,062.48	52,250.00	
521 · Other Income	1,269.42	41.67	1,269.42	125.01	500.00	
525 · Dent Hyg Bd Appl	0.00	625.00	9,525.00	1,875.00	7,500.00	
526 · ADHP Materials	0.00	0.00	-325.00	0.00	65,000.00	
527-1 · Administrative Costs	0.00	625.00	950.00	1,875.00	7,500.00	
527-3 · Administrative Fines	0.00	0.00	160.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	0.00	0.00	1,050.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	300.00	2,083.33	1,550.00	6,249.99	25,000.00	
529 · OCS Annual Reg. Fee	1,700.00	6,616.67	18,650.00	19,850.00	19,850.00	
530 · Licensure By Credentials	3,300.00	4,166.67	8,800.00	12,500.01	50,000.00	
531 · RETURNED CHECK CHARGES	0.00	41.67	150.00	125.01	500.00	
532 · OCS Initial App. Fee	0.00		100.00			
533 · Dental Lic. Bd Exam Application	1,500.00	1,666.66	2,250.00	4,999.98	20,000.00	
540 · Special Purpose Dental Lic Fee	0.00	0.00	0.00	0.00	0.00	
545 · Special Purpose Hygiene Lic Fee	0.00	0.00	0.00	0.00	0.00	
617 · MDF Permits	0.00	541.67	3,000.00	1,625.01	6,500.00	

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620 · Hygiene Infiltration Permit	500.00	462.50	5,300.00	1,387.50	5,550.00	
800 · 800-OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00	
Total Income	<u>134,816.07</u>	<u>439,906.22</u>	<u>1,296,014.16</u>	<u>1,319,718.69</u>	<u>1,715,875.00</u>	
Gross Profit	134,816.07	439,906.22	1,296,014.16	1,319,718.69	1,715,875.00	
Expense						
0100-0 · Personnel Costs	49,072.76	50,833.33	147,218.28	152,499.99	610,000.00	
0114-0 · Board Member Compensation	4,600.00	8,333.33	12,100.00	24,999.99	100,000.00	
0198-0 · Bonus	3,200.00	0.00	3,200.00	4,000.00	4,000.00	
0201-0 · Payroll Expenses	4,350.76	5,083.33	13,524.09	15,249.99	61,000.00	
0202-0 · Pension Plan	0.00	0.00	0.00	0.00	90,000.00	
0203-0 · Medical Insurance	8,249.43	9,166.66	23,734.40	27,499.98	110,000.00	
0204-0 · Workman Comp. Ins.	0.00	0.00	-11,448.00	0.00	6,000.00	
0300-0 · Travel - In-State	223.10	2,083.33	2,162.10	6,249.99	25,000.00	
0400-0 · Travel - Out-of-State	555.00	2,333.33	555.00	6,999.99	28,000.00	
0500-0 · Repairs & Maintenance	980.35	1,666.66	2,915.68	4,999.98	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	347.91	0.00	1,043.73	4,175.00	
0602-1 · Rent on Building	0.00	0.00	0.00	0.00	0.00	
0700-0 · Utilities & Communications						
0700-1 · Utilities - Telephone	556.24	535.00	1,328.79	1,605.00	6,420.00	
0700-3 · Utilities - Power	1,301.70	1,000.00	2,072.62	3,000.00	12,000.00	
0700-4 · Utilities - Internet	399.00	400.00	1,197.00	1,200.00	4,800.00	
0700-5 · Utilities - Water/Sewer	374.39	333.33	697.05	999.99	4,000.00	
Total 0700-0 · Utilities & Communications	<u>2,631.33</u>	<u>2,268.33</u>	<u>5,295.46</u>	<u>6,804.99</u>	<u>27,220.00</u>	
0800-0 · Professional Services	10,557.49	15,833.33	37,570.73	47,499.99	190,000.00	
0800-1 · Membership Dues & Subscriptions	1,881.00	1,666.66	4,047.00	4,999.98	20,000.00	
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00	416.66	0.00	1,249.98	5,000.00	
0801-0 · Board Attorney Fees - Other	3,914.93	11,666.66	17,246.12	34,999.98	140,000.00	
Total 0801-0 · Board Attorney Fees	<u>3,914.93</u>	<u>12,083.32</u>	<u>17,246.12</u>	<u>36,249.96</u>	<u>145,000.00</u>	
0840-0 · CONSULTANTS	6,000.00	6,000.00	18,000.00	18,000.00	72,000.00	
0899-1 · Evaluator Fees	900.00	1,000.00	2,400.00	3,000.00	12,000.00	

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0899-2 · Hearing Officer Fees	0.00	166.66	0.00	499.98	2,000.00	
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	0.00	750.00	3,000.00	
0900-0 · Office Expense	917.83	1,458.33	4,305.30	4,374.99	17,500.00	
0900-1 · Recycle / Paper Disposal	0.00	54.16	101.51	162.48	650.00	
0902-0 · NPDB HIPDB License Background	2.00	15.00	2.00	45.00	180.00	
0906-0 · Printing & Supplies	0.00	166.67	60.00	500.01	2,000.00	
0910-0 · Postage	0.00	416.67	1,000.00	1,250.01	5,000.00	
0924-0 · Insurance	0.00	0.00	11,429.00	0.00	11,000.00	
0944 · Computer Expenses						
0944-0 · Computer Updates	0.00	2,083.33	0.00	6,249.99	25,000.00	
0944-1 · Computer Support	5,436.99	6,250.00	15,873.98	18,750.00	75,000.00	
0944 · Computer Expenses - Other	0.00	0.00	0.00	0.00	0.00	
Total 0944 · Computer Expenses	<u>5,436.99</u>	<u>8,333.33</u>	<u>15,873.98</u>	<u>24,999.99</u>	<u>100,000.00</u>	
0951-0 · NSF	0.00	8.33	252.00	24.99	100.00	
0999-0 · MISC.	0.00	291.67	0.00	875.01	3,500.00	
1000-1 · Vehicle Repairs & Maint.	0.00	416.67	115.70	1,250.01	5,000.00	
1000-2 · Vehicle Fuel	0.00	375.00	730.62	1,125.00	4,500.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	2,838.44	2,916.67	9,004.56	8,750.01	35,000.00	
1400-0 · Equipment - Other	0.00	0.00	0.00	0.00	0.00	
Total 1400-0 · Equipment	<u>2,838.44</u>	<u>2,916.67</u>	<u>9,004.56</u>	<u>8,750.01</u>	<u>35,000.00</u>	
6950 · Bank & CC Service Fees	170.22	170.83	554.86	512.49	2,050.00	
Total Expense	<u>106,481.63</u>	<u>133,739.51</u>	<u>321,950.39</u>	<u>405,218.53</u>	<u>1,715,875.00</u>	
Net Ordinary Income	<u>28,334.44</u>	<u>306,166.71</u>	<u>974,063.77</u>	<u>914,500.16</u>	<u>0.00</u>	
Other Income/Expense						
Other Income						
527-2 · ADPWC - Monitoring Fee	3,000.00	0.00	4,550.00	0.00	0.00	
Total Other Income	<u>3,000.00</u>	<u>0.00</u>	<u>4,550.00</u>	<u>0.00</u>	<u>0.00</u>	
Net Other Income	<u>3,000.00</u>	<u>0.00</u>	<u>4,550.00</u>	<u>0.00</u>	<u>0.00</u>	
Net Income	<u><u>31,334.44</u></u>	<u><u>306,166.71</u></u>	<u><u>978,613.77</u></u>	<u><u>914,500.16</u></u>	<u><u>0.00</u></u>	