

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

2229 Rocky Ridge Rd
Birmingham, AL 35216
Phone (205) 985-7267
Fax (205) 823-9006

MINUTES BOARD MEETING October 1, 2021

The Board of Dental Examiners of Alabama met Friday, October 1, 2021 at the Board office.

The President called the meeting to order at 8:30 A.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; Kevin Lane, Compliance Director; Blake Strickland, Investigator; Gina Latham, RDH, ADHP Coordinator; Sonya Lankford, Business Manager; Ragan Ingram, Legislative Consultant; Dr. Ray McLaughlin, Board member candidate; 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 September 2, 2021 meeting. Ms. Alexander moved to approve the minutes as presented. Dr. Sims seconded the motion and it was approved by unanimous consent.

Dr. Cunningham presented the Financial Report for August, 2021. The report was accepted as presented.

Dr. Cunningham moved that case 2021-77 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. Sims brought up the need to develop policy enabling the Board to require a licensee to have an evaluation by a particular specialist. The legal team will work with Dr. Garver to create this mechanism.

At 8:38 A.M. Dr. Jones moved to enter Executive Session for the discussion of the general reputation, character, and/or professional competence of licensees and return to public session at 9:00 A.M. Dr. Williams seconded the motion and the President called for the vote: Ms. Alexander, yea, Dr. Pischek, yea, Dr. Sims, yea, Dr. McIlwain, yea, Dr. Cunningham, yea, Dr. Williams, yea, Dr. Jones, yea. The motion carried. At 8:46 A.M. the Board retired from Executive Session.

Ms. Alexander moved to offer a one-year contract for ADHP Director to Dr. Hussein Basma at twenty-four thousand dollars (\$24,000) per year, prorated for the first year. Dr. Jones seconded the motion and it was approved by unanimous consent.

Members discussed sending an email to all Alabama dentists on DEA requirements.

Dr. Williams moved to amend the 2021-2022 budget to add a salary increase for the Investigator. Dr. Jones seconded the motion and it was approved by unanimous consent.

Members reviewed a proposed amendment to a document for sponsor attestation on the ADHP application. There were no objections.

For the October 2021– October 2022 Board session, Dr. McIlwain nominated Dr. Sims for President, Dr. Cunningham for Vice President, and Dr. Williams for Secretary/Treasurer. All three members accepted their nominations. Dr. Pischek moved to approve the nominations. Dr. Jones seconded the motion and it was approved by unanimous consent.

Members reviewed a proposed Board policy on compensatory time for staff and requested changes to the draft. Mr. Edmonds will make the changes and present the revised draft to members.

Dr. Williams recommended the following applicants for Dental License by Credentials. Dr. Jones moved to approve the applications based on successful completion of the jurisprudence exam. Dr. Pischek seconded the motion and it was approved by unanimous consent with the hygiene member abstaining from the vote.

- Michael Morley, DMD
- Sundeep Rawal, DMD
- Purvi Shah, DDS

Ms. Alexander recommended Marci Shoemaker, RDH, for Dental Hygiene License by Credentials. Dr. Williams moved to approve the application based on successful completion of the jurisprudence exam. Dr. Pischek seconded the motion and it was approved by unanimous consent.

Ms. Alexander recommended the following applicants for Dental Hygiene License by State Board Exam Administered by CITA. Dr. Pischek moved to approve the applications. Dr. Jones seconded the motion and it was approved by unanimous consent.

- Starlet Boudreaux RDH
- Charley Bobinger, RDH

Ms. Alexander recommended Camille Dole, RDH, for Dental Hygiene Infiltration/Anesthesia permit. Dr. Jones moved to approve the application. Dr. Pischek seconded the motion and it was approved by unanimous consent.

Ms. Latham presented the ADHP Report. She explained a change of plans for the October classes. Saturday and Sunday's classes will be held virtually, but the regular exam for that weekend will be given October 16, in person, at the hotel.

Mr. Strickland presented the Inspection Report. Almost half (20) of the clinics have been inspected. Two clinics had small problems that were corrected and then approved.

Brad Edmonds presented the Wellness Report provided by Dr. Garver. The report updated members on activities of active participants.

Brad Edmonds presented the Attorney Report. Dr. McIlwain suggested making a statement of facts regarding dental images in the Alabama Dental Practice Act and post it on the Board's website. Members concurred, and Dr. McIlwain instructed Mr. Edmonds to create a draft statement of facts to be approved by members.

At 9:35 A.M. the President announced a break. The meeting resumed at 10:04 A.M.

Mr. Edmonds presented the revised draft policy for compensatory time. Dr. Jones moved to approve the policy. Dr. Williams seconded the motion and it was approved by unanimous consent.

Dr. Sims moved to administratively close cases 2018-46 and 2019-58. 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. Jones moved to amend a previous decision on case 2021-86 and to administratively close the case. Dr. Pischek 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 send a cease-and-desist letter for case 2021-84. 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. McIlwain explained the evaluation process that was used for the Executive Director. The results of the evaluation will be kept by Kevin Lane.

Dr. Cunningham moved that case 2021-70 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. Cunningham moved that case 2021-79 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 2021-66 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. Pischek moved to administratively close case 2021-29. Dr. Cunningham 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 notice the Respondent of case 2021-64 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. Pischek moved that case 2021-51 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. Pischek moved to notice the Respondent of case 2021-83 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. Williams moved that case 2021-80 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 that case 2021-75 has no evidence to sustain. Dr. Cunningham 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 2021-73 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. Pischek moved that case 2021-72 is outside of the Board's jurisdiction. 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 to notice the Respondent of case 2021-62 for a hearing. Dr. Sims seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

There were 474 votes cast for Dr. Ray McLaughlin to be the next elected Board member. Dr. Cunningham moved to accept the vote. Dr. Jones seconded the motion and it was approved by unanimous consent.

Dr. Chesser, Ms. Sherry Campbell, Dr. Douglas Beckham, and Dr. Walker joined the meeting.


Dr. McIlwain swore in Dr. Ray McLaughlin as the new Board member and then handed the gavel to Dr. Sims who is now President of the Board. A comment was made that Dr. McLaughlin is the third Board member from Ozark, Alabama.

On behalf of the Alabama Dental Association, Dr. Cunningham presented congratulatory plaques to Ms. Sherry S. Campbell, Dr. Douglas Beckham, and Dr. Mark McIlwain for their service on the Board.

On behalf of the Board, Dr. Sims gave kudos to Dr. McIlwain for handling the virus pandemic and for his 5-years of serving the Board and presented him with a plaque.

At 11:50 A.M. Dr. Williams moved to adjourn the meeting. Dr. Jones seconded the motion and it was approved by unanimous consent.

Respectfully Submitted,



Dr. Bruce Cunningham, Secretary/Treasurer

Approved: November 4, 2021

Submitted by: Linda Dlugosz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
August 2021

August 2021 for October 2021
Balance as of 08/31/21
Checking: \$1,071,042.68
MM: \$391,600.66

	<u>Aug 21</u>	<u>Budget</u>	<u>Oct '20 - Aug 21</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	<u>VARIANCE</u>
Ordinary Income/Expense						
Income						
501 · Annual Dental Registration	2,250.00	0.00	721,948.00	708,675.00	708,675.00	
502 · Annual Hygiene Registration	195.00	0.00	273,967.00	284,375.00	284,375.00	
503 · Controlled Substance Fee	1,250.00	0.00	261,835.00	246,100.00	246,100.00	
504 · Annual Teaching Permits	0.00	0.00	6,900.00	7,000.00	7,000.00	
505 · ADHP Certification	0.00	0.00	18,300.00	15,000.00	15,000.00	
508 · ADHP	-3,400.00	0.00	201,550.00	135,000.00	135,000.00	
509 · Dental Exam Fee	500.00	750.00	10,600.00	8,250.00	9,000.00	
510 · Original License Fee	250.00	322.92	4,150.00	3,552.12	3,875.00	
511 · Licenses Reprint Fee	0.00	41.70	625.00	458.30	500.00	
512 · Dental Hygiene Exam Fee	1,125.00	416.70	18,375.00	4,583.30	5,000.00	
515 · Penalty Fee	800.00	583.33	7,900.00	6,416.63	7,000.00	
516 · Privilege License Money	0.00	0.00	0.00	20,000.00	20,000.00	
517 · Interest Inc - checking	6.65	16.67	71.87	183.37	200.00	
518 · Parental Sedation Permit Fee	0.00	1,166.70	2,200.00	12,833.30	14,000.00	
519 · Anesthesia Permit	0.00	4,354.20	59,500.00	47,895.80	52,250.00	
520 · Refunds	0.00		297.99			
521 · Other Income	0.00	41.67	1,269.42	458.37	500.00	
525 · Dent Hyg Bd Appl	975.00	625.00	21,750.00	6,875.00	7,500.00	
526 · ADHP Materials	-1,275.00	0.00	87,483.25	65,000.00	65,000.00	
527-1 · Administrative Costs	500.00	625.00	15,500.00	6,875.00	7,500.00	
527-3 · Administrative Fines	0.00	0.00	800.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	4,650.00	0.00	39,000.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	3,600.00	2,083.33	24,050.00	22,916.63	25,000.00	
529 · OCS Annual Reg. Fee	0.00	0.00	19,700.00	19,850.00	19,850.00	
530 · Licensure By Credentials	6,600.00	4,166.67	88,000.00	45,833.37	50,000.00	
531 · RETURNED CHECK CHARGES	80.00	41.67	425.00	458.37	500.00	
532 · OCS Initial App. Fee	0.00		100.00			
533 · Dental Lic. Bd Exam Application	1,875.00	1,666.70	39,750.00	18,333.30	20,000.00	
540 · Special Purpose Dental Lic Fee	0.00		0.00	0.00	0.00	
545 · Special Purpose Hygiene Lic Fee	0.00	0.00	0.00	0.00	0.00	

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617 · MDF Permits	500.00	541.67	4,500.00	5,958.37	6,500.00	
620 · Hygiene Infiltration Permit	150.00	462.50	9,754.00	5,087.50	5,550.00	
800 · 800-OVERPAYMENTS	0.00		0.00	0.00	0.00	
Total Income	20,631.65	17,906.43	1,940,301.53	1,697,968.73	1,715,875.00	
Gross Profit	20,631.65	17,906.43	1,940,301.53	1,697,968.73	1,715,875.00	
Expense						
0100-0 · Personnel Costs	49,072.76	50,833.33	539,400.36	559,166.63	610,000.00	
0114-0 · Board Member Compensation	2,950.00	8,333.33	59,325.00	91,666.63	100,000.00	
0198-0 · Bonus	0.00	0.00	3,200.00	4,000.00	4,000.00	
0201-0 · Payroll Expenses	3,992.77	5,083.33	47,981.55	55,916.63	61,000.00	
0202-0 · Pension Plan	0.00	0.00	87,338.96	90,000.00	90,000.00	
0203-0 · Medical Insurance	8,876.72	9,166.70	91,120.62	100,833.30	110,000.00	
0204-0 · Workman Comp. Ins.	0.00	0.00	-1,855.00	6,000.00	6,000.00	
0300-0 · Travel - In-State	2,173.36	2,083.33	9,953.77	22,916.63	25,000.00	
0400-0 · Travel - Out-of-State	0.00	2,333.33	555.00	25,666.63	28,000.00	
0500-0 · Repairs & Maintenance	1,419.51	1,666.70	31,766.93	18,333.30	20,000.00	Raccoon
0600-1 · Rentals & Leases/Offsite Meetin	0.00	0.00	7,754.78	0.00	0.00	
0600-2 · NEW OFFICE SPACE	0.00	347.95	750.00	3,827.05	4,175.00	
0602-1 · Rent on Building	0.00		0.00	0.00	0.00	
0700-0 · Utilities & Communications						
0700-1 · Utilities - Telephone	578.30	535.00	5,213.64	5,885.00	6,420.00	
0700-3 · Utilities - Power	741.99	1,000.00	9,846.82	11,000.00	12,000.00	
0700-4 · Utilities - Internet	399.00	400.00	4,389.00	4,400.00	4,800.00	
0700-5 · Utilities - Water/Sewer	86.75	333.33	1,566.60	3,666.63	4,000.00	
Total 0700-0 · Utilities & Communications	1,806.04	2,268.33	21,016.06	24,951.63	27,220.00	
0800-0 · Professional Services	15,222.05	15,833.33	156,600.49	174,166.63	190,000.00	
0800-1 · Membership Dues & Subscriptions	2,488.00	1,666.70	26,033.18	18,333.30	20,000.00	AADB
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	1,665.00	416.70	1,665.00	4,583.30	5,000.00	
0801-0 · Board Attorney Fees - Other	7,020.78	11,666.70	94,295.11	128,333.30	140,000.00	
Total 0801-0 · Board Attorney Fees	8,685.78	12,083.40	95,960.11	132,916.60	145,000.00	
0840-0 · CONSULTANTS	6,000.00	6,000.00	66,000.00	66,000.00	72,000.00	

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0899-1 · Evaluator Fees	300.00	1,000.00	8,400.00	11,000.00	12,000.00	
0899-2 · Hearing Officer Fees	3,048.00	166.70	3,720.00	1,833.30	2,000.00	Cases
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	0.00	2,750.00	3,000.00	
0900-0 · Office Expense	1,118.13	1,458.33	13,729.67	16,041.63	17,500.00	
0900-1 · Recycle / Paper Disposal	120.52	54.20	627.44	595.80	650.00	
0902-0 · NPDB HIPDB License Background	16.00	15.00	164.00	165.00	180.00	
0906-0 · Printing & Supplies	0.00	166.67	259.31	1,833.37	2,000.00	
0910-0 · Postage	0.00	416.67	3,000.00	4,583.37	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	10,063.78	22,916.63	25,000.00	
0944-1 · Computer Support	6,666.49	6,250.00	72,275.79	68,750.00	75,000.00	Inflation
0944 · Computer Expenses - Other	0.00		0.00	0.00	0.00	
Total 0944 · Computer Expenses	6,666.49	8,333.33	82,339.57	91,666.63	100,000.00	
0951-0 · NSF	0.00	8.33	1,354.00	91.63	100.00	
0999-0 · MISC.	373.00	291.67	6,906.08	3,208.37	3,500.00	Unusual Reimbursements
1000-1 · Vehicle Repairs & Maint.	113.92	416.67	981.35	4,583.37	5,000.00	
1000-2 · Vehicle Fuel	434.59	375.00	4,850.99	4,125.00	4,500.00	
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	2,341.05	2,916.67	26,652.37	32,083.37	35,000.00	
1400-0 · Equipment - Other	0.00		0.00	0.00	0.00	
Total 1400-0 · Equipment	2,341.05	2,916.67	26,652.37	32,083.37	35,000.00	
6950 · Bank & CC Service Fees	237.97	170.83	-695.20	1,879.13	2,050.00	
Total Expense	117,456.66	133,739.83	1,406,620.39	1,571,134.93	1,715,875.00	
Net Ordinary Income	-96,825.01	-115,833.40	533,681.14	126,833.80	0.00	
Other Income/Expense						
Other Income						
524 · NSF Checks	0.00		-400.00			
527-2 · ADPWC - Monitoring Fee	3,100.00	0.00	36,038.00	0.00	0.00	
Total Other Income	3,100.00	0.00	35,638.00	0.00	0.00	
Net Other Income	3,100.00	0.00	35,638.00	0.00	0.00	
Net Income	-93,725.01	-115,833.40	569,319.14	126,833.80	0.00	