

Kevin M. Sims, DMD MS
President
Bruce E. Cunningham, DMD
Vice-President
Marshall A. Williams DDS
Secretary/Treasurer
Roberto V. Pischek, DMD
Melodie A. Jones, DMD
Ray H. McLaughlin, 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 November 4-5, 2021

The Board of Dental Examiners of Alabama met Thursday, November 4, 2021 at the Board office to conduct business.

The President called the meeting to order at 6:05 P.M. with the following members in attendance: Dr. Kevin M. Sims, President; Dr. Bruce E. Cunningham, Vice President; Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Roberto V. Pischek; Dr. Melodie A. Jones; Dr. Ray McLaughlin; 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; Linda Dlugosz, Licensing Clerk; and Blaine Galliher, Legislative Consultant.

The President determined that a quorum was present; Counsel 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 October 1, 2021 meeting. Dr. Jones moved to approve the minutes as presented. Ms. Alexander seconded the motion and it was approved by unanimous consent.

Dr. Williams presented the Financial Report for September, 2021. The report was accepted as presented.

Blain Galliher presented the Legislative Report. He informed members of prospective activities of State government regarding COVID-19 relief monies. The Board has expended unexpected funds to conduct Zoom board meetings and has received some reimbursement from the relief fund. At the conclusion of the report Mr. Galliher left the meeting.

At 6:15 P.M., Dr. Sims convened a public hearing to adopt amendments to Rule 270-X-3-.01, *Examination Rules for Dental Hygienists*, and 270-X-3-.04 *Alabama Dental Hygiene Program Requirements*. The amendments had been approved at the August 2021 meeting. There were no members of the public attending the hearing nor had any comments been received regarding the amendments. Dr. Jones moved to adopt amendments to the Rules. Dr. Williams seconded the motion and the President called for the vote: Dr. Pischek, yea, Dr. Williams, yea, Dr. Cunningham, yea, Dr. Sims, yea, Dr. Jones, yea, Dr. McLaughlin, yea, Ms. Alexander, yea. The motion carried. The President resumed the regular meeting.

In response to a question from the Department of Public Health, members considered whether live virtual continuing education can be considered as in-person continuing education. At this time licensees can obtain all required CE remotely (including online and live Zoom) through September 30, 2022, so the question is premature.

In response to a question from a practitioner on whether a dentist may open a practice based solely on injectables, members determined that because cosmetic injectables is not an approved specialty, a dental practice cannot be limited to such. Members determined further that administering chemical peels, and micro needling, and solid filler smooth PDO threads are not within the scope of dentistry.

At 6:30 P.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 6:35 P.M. Dr. Williams seconded the motion and the President called for the vote: Dr. Cunningham, yea, Dr. Williams, yea, Dr. Pischek, yea, Dr. Sims, yea, Dr. Jones, yea, Dr. McLaughlin, yea, Ms. Alexander, yea. The motion carried. At 6:35 P.M., the Board retired from Executive Session.

Dr. Cunningham moved to remove probationary status for a certain licensee. Dr. Williams seconded the motion and it was approved by unanimous consent with the hygiene member abstaining from the vote.

Dr. Jones reported on the live CITA meeting in Kissimmee, Florida. Ms. Alexander added comments about the status of CITA and their plans for the future.

Mr. Edmonds reported on recent meetings of FARB and AARB, particularly with regard to federal developments.

Ms. Alexander presented the ADHP report.

Members discussed when to offer Instructor Certification courses for the 2022-2023 program. Ms. Alexander moved to hold a certification course at UAB Alumni weekend, and a Zoom meeting in April. Dr. Jones seconded the motion and it was approved by unanimous consent.

Members discussed putting a *cap* on the number of applications accepted for the 2022-2023 program. A decision was not made but will need to be confirmed by February 1, 2022.

Typodonts will be ordered for the 2022-2023 class that are the same as the ones used by CITA for their clinical licensing examinations.

Members discussed costs for AV and IT for holding in-person classes in order to facilitate proctoring tests. Ms. Lankford will research and bring recommendations to the December meeting for costs for using different venues. This concluded the report.

Mr. Edmonds reported on meeting with Dr. Basma, the new ADHP Director, and Gina Latham, ADHP Coordinator, to orient Dr. Basma to the program.

Dr. Cunningham moved to give staff permission to begin publishing enforcement actions on the Board's website after research into the best way to do so. Dr. Pischek seconded the motion and it was approved by unanimous consent.

Ms. Alexander moved to pay for Blake Strickland to attend certified investigator training February 1-3. Dr. Jones seconded the motion and it was approved by unanimous consent.

Dr. Pischek recommended approval of Dental License by Regional Exam for the following applicants.

- Samuel Harris, DDS
- Adam Reynolds, DMD
- Kalin Roach, DMD

Dr. Williams moved to approve the applications. Dr. Cunningham seconded the motion and it was approved by unanimous consent with the hygiene member abstaining from the vote.

Ms. Alexander recommended approval of Dental Hygiene License by Regional Exam for the following applicants.

- Blakeleigh Bodree, RDH
- Shakira Campbell, RDH
- Ashley Head, RDH
- Anita Henry, RDH
- Caroline R. Mann, RDH
- Kaitlyn Morgan, RDH
- Lauren Randall, RDH
- Gabellia Walk, RDH

Dr. Jones moved to approve the applications. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Ms. Alexander recommended approval of Dental Hygiene License by Credentials for the following applicants.

- Andrea Edlebeck, RDH
- Arkelia Hamlet, RDH

Dr. Williams moved to approve the applications. Dr. Jones seconded the motion and it was approved by unanimous consent.

Ms. Alexander recommended approval of Dental Hygiene Infiltration/Anesthesia Permit for the following applicants.

- Megan Sanders, RDH
- Morgan Henderson, RDH

Dr. Jones moved to approve the applications. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Mr. Strickland presented the Inspection Report. He has completed all annual inspections for UAB and other educational sites

Mr. Edmonds presented the Wellness Report provided by Dr. Garver.

The initial drawings on building improvements are 85-90% complete.

Mr. Edmonds reminded members to send their Newsletter articles for the December edition.

Mr. Edmonds explained reimbursement for attending examining agency events. If a member attends to perform tasks, the examining agency pays for it. If a member attends to observe or to present Alabama's views, the Board pays for it.

Dr. Williams moved that case 2021-89 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. Pischek moved that case 2021-67 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 to notice the Respondent of cases 2021-68 and 2021-69 for a hearing. 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 notice the Respondent of cases 2021-58 and 2021-59 for a hearing. Dr. Williams seconded the motion and it was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

At 7:42 P.M. the meeting was continued to the next morning.

MINUTES
BOARD MEETING
November 5, 2021

The Board of Dental Examiners of Alabama met Friday, November 5, 2021 at the Board office.

The President called the meeting to order at 8:48 A.M. with the following members in attendance: Dr. Kevin M. Sims, President; Dr. Bruce E. Cunningham, Vice President; Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Roberto V. Pischek; Dr. Melodie A. Jones; Dr. Ray McLaughlin; 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; and Blake Strickland, Investigator.

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.

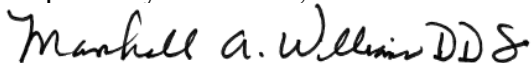
At 8:55 A.M. the President turned the meeting over to Arron Dettling, Administrative Law Judge, to conduct a hearing. At 12:00 P.M. the hearing was concluded.

At 12:05 P.M., on the advice of counsel per the pertinent provision of Open Meetings Act, Dr. Jones 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 12:20 p.m. Dr. Williams seconded the motion and the President called for the vote: Dr. Pischek, yea, Dr. Williams, yea, Dr. Cunningham, yea, Dr. Sims, yea, Dr. Jones, yea, Dr. McLaughlin, yea, Ms. Alexander, yea. The motion carried. At 12:15 P.M. the Board retired from Executive Session.

Dr. Tom Willis, former Board member/President, presented to the Board the latest developments in CRDTS's examining techniques.

At 1:10 P.M. Dr. Cunningham moved to adjourn the meeting. Dr. Jones seconded the motion and it was approved by unanimous consent.

Respectfully Submitted,



Dr. Marshall A. Williams, Secretary/Treasurer

Approved: _Dec 2, 2021

Submitted by: Linda Dlugosz

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

Sept 2021 for November 2021
 Balance as of 9/30/21
 Checking: \$1,745,489.25
 MM: \$391,607.10

	<u>Sep 21</u>	<u>Budget</u>	<u>Oct '20 - Sep 21</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
501 · Annual Dental Registration	1,700.00	0.00	727,773.00	708,675.00	708,675.00
502 · Annual Hygiene Registration	0.00	0.00	274,682.00	284,375.00	284,375.00
503 · Controlled Substance Fee	1,000.00	0.00	263,755.00	246,100.00	246,100.00
504 · Annual Teaching Permits	600.00	0.00	7,500.00	7,000.00	7,000.00
505 · ADHP Certification	0.00	0.00	18,600.00	15,000.00	15,000.00
508 · ADHP	0.00	0.00	201,550.00	135,000.00	135,000.00
509 · Dental Exam Fee	200.00	750.00	10,800.00	9,000.00	9,000.00
510 · Original License Fee	75.00	322.88	4,225.00	3,875.00	3,875.00
511 · Licenses Reprint Fee	100.00	41.70	725.00	500.00	500.00
512 · Dental Hygiene Exam Fee	225.00	416.70	18,600.00	5,000.00	5,000.00
515 · Penalty Fee	700.00	583.37	8,600.00	7,000.00	7,000.00
516 · Privilege License Money	0.00	0.00	0.00	20,000.00	20,000.00
517 · Interest Inc - checking	6.44	16.63	78.31	200.00	200.00
518 · Parental Sedation Permit Fee	0.00	1,166.70	2,200.00	14,000.00	14,000.00
519 · Anesthesia Permit	0.00	4,354.20	59,500.00	52,250.00	52,250.00
521 · Other Income	0.00	41.63	1,269.42	500.00	500.00
525 · Dent Hyg Bd Appl	75.00	625.00	21,825.00	7,500.00	7,500.00
526 · ADHP Materials	0.00	0.00	87,483.25	65,000.00	65,000.00
527-1 · Administrative Costs	3,000.00	625.00	18,500.00	7,500.00	7,500.00
527-3 · Administrative Fines	80.00	0.00	880.00	0.00	0.00
527 · Disciplinary Fines (Prior)	500.00	0.00	39,500.00	0.00	0.00
528 · Initial Anesthesia Evaluation	4,800.00	2,083.37	28,850.00	25,000.00	25,000.00
529 · OCS Annual Reg. Fee	300.00	0.00	20,100.00	19,850.00	19,850.00
530 · Licensure By Credentials	8,800.00	4,166.63	96,800.00	50,000.00	50,000.00
531 · RETURNED CHECK CHARGES	0.00	41.63	425.00	500.00	500.00
532 · OCS Initial App. Fee	0.00		100.00		
533 · Dental Lic. Bd Exam Application	750.00	1,666.70	40,500.00	20,000.00	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
617 · MDF Permits	500.00	541.63	5,000.00	6,500.00	6,500.00

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620 · Hygiene Infiltration Permit	50.00	462.50	9,804.00	5,550.00	5,550.00
800 · 800-OVERPAYMENTS	0.00		0.00	0.00	0.00
Total Income	<u>23,461.44</u>	<u>17,906.27</u>	<u>1,969,624.98</u>	<u>1,715,875.00</u>	<u>1,715,875.00</u>
Gross Profit	23,461.44	17,906.27	1,969,624.98	1,715,875.00	1,715,875.00
Expense					
0100-0 · Personnel Costs	49,072.76	50,833.37	585,576.21	610,000.00	610,000.00
0114-0 · Board Member Compensation	3,750.00	8,333.37	63,075.00	100,000.00	100,000.00
0198-0 · Bonus	0.00	0.00	3,200.00	4,000.00	4,000.00
0201-0 · Payroll Expenses	4,043.51	5,083.37	52,025.06	61,000.00	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	99,997.34	110,000.00	110,000.00
0204-0 · Workman Comp. Ins.	0.00	0.00	-1,855.00	6,000.00	6,000.00
0205 · Unemployment Fees	6,930.04		6,930.04		
0300-0 · Travel - In-State	150.78	2,083.37	10,104.55	25,000.00	25,000.00
0400-0 · Travel - Out-of-State	0.00	2,333.37	555.00	28,000.00	28,000.00
0500-0 · Repairs & Maintenance	1,416.52	1,666.70	33,183.45	20,000.00	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	4,175.00	4,175.00
0602-1 · Rent on Building	0.00		0.00	0.00	0.00
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	595.64	535.00	5,809.28	6,420.00	6,420.00
0700-3 · Utilities - Power	821.70	1,000.00	10,668.52	12,000.00	12,000.00
0700-4 · Utilities - Internet	399.00	400.00	4,788.00	4,800.00	4,800.00
0700-5 · Utilities - Water/Sewer	102.73	333.37	1,669.33	4,000.00	4,000.00
Total 0700-0 · Utilities & Communications	<u>1,919.07</u>	<u>2,268.37</u>	<u>22,935.13</u>	<u>27,220.00</u>	<u>27,220.00</u>
0800-0 · Professional Services	13,365.08	15,833.37	168,700.57	190,000.00	190,000.00
0800-1 · Membership Dues & Subscriptions	453.00	1,666.70	26,486.18	20,000.00	20,000.00 AADB
0801-0 · Board Attorney Fees					
0801-1 · Attorney General's Office	0.00	416.70	1,665.00	5,000.00	5,000.00
0801-0 · Board Attorney Fees - Other	10,411.21	11,666.70	104,706.32	140,000.00	140,000.00
Total 0801-0 · Board Attorney Fees	<u>10,411.21</u>	<u>12,083.40</u>	<u>106,371.32</u>	<u>145,000.00</u>	<u>145,000.00</u>
0840-0 · CONSULTANTS	6,000.00	6,000.00	72,000.00	72,000.00	72,000.00

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0899-1 · Evaluator Fees	0.00	1,000.00	8,400.00	12,000.00	12,000.00
0899-2 · Hearing Officer Fees	0.00	166.70	3,720.00	2,000.00	2,000.00 Cases
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	0.00	3,000.00	3,000.00
0900-0 · Office Expense	982.18	1,458.37	14,413.86	17,500.00	17,500.00
0900-1 · Recycle / Paper Disposal	59.40	54.20	686.84	650.00	650.00
0902-0 · NPDB HIPDB License Background	22.00	15.00	186.00	180.00	180.00
0906-0 · Printing & Supplies	110.00	166.63	369.31	2,000.00	2,000.00
0910-0 · Postage	0.00	416.63	3,000.00	5,000.00	5,000.00
0924-0 · Insurance	0.00	11,000.00	11,429.00	11,000.00	11,000.00
0944 · Computer Expenses					
0944-0 · Computer Updates	0.00	2,083.37	10,063.78	25,000.00	25,000.00
0944-1 · Computer Support	6,976.47	6,250.00	79,252.26	75,000.00	75,000.00 ZOOM
0944 · Computer Expenses - Other	0.00		0.00	0.00	0.00
Total 0944 · Computer Expenses	6,976.47	8,333.37	89,316.04	100,000.00	100,000.00
0951-0 · NSF	0.00	8.37	1,354.00	100.00	100.00
0999-0 · MISC.	0.00	291.63	6,906.08	3,500.00	3,500.00
1000-1 · Vehicle Repairs & Maint.	97.25	416.63	1,078.60	5,000.00	5,000.00
1000-2 · Vehicle Fuel	604.16	375.00	5,455.15	4,500.00	4,500.00 Gas Price
1400-0 · Equipment					
0600-3 · Equipment Rental/Lease	2,666.79	2,916.63	29,319.16	35,000.00	35,000.00
1400-0 · Equipment - Other	0.00		0.00	0.00	0.00
Total 1400-0 · Equipment	2,666.79	2,916.63	29,319.16	35,000.00	35,000.00
6950 · Bank & CC Service Fees	181.26	170.87	2,382.97	2,050.00	2,050.00
Total Expense	118,088.20	144,740.07	1,523,145.60	1,715,875.00	1,715,875.00
Net Ordinary Income	-94,626.76	-126,833.80	446,479.38	0.00	0.00
Other Income/Expense					
Other Income					
524 · NSF Checks	0.00		-400.00		
527-2 · ADPWC - Monitoring Fee	403.00	0.00	36,441.00	0.00	0.00
Total Other Income	403.00	0.00	36,041.00	0.00	0.00
Net Other Income	403.00	0.00	36,041.00	0.00	0.00
Net Income	-94,223.76	-126,833.80	482,520.38	0.00	0.00