

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



W. Blake Strickland, BS
Interim Executive Director
Donna L. Dixon, DMD, MA, JD
Prosecuting Attorney

BOARD OF DENTAL EXAMINERS OF ALABAMA

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MINUTES BOARD MEETING April 7, 2022

The Board of Dental Examiners of Alabama met Thursday, April 7, 2022 at the Board office to conduct business.

The President called the meeting to order at 6:00 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 Laura E. Howell, Esq., Assistant Attorney General/General Counsel, W. Blake Strickland, Interim Executive Director/Investigator; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Kevin Lane, Compliance Director; Dr. Mike Koslin, Chair Anesthesia Committee, and Linda Dlugosz, Licensing Clerk.

The President determined that a quorum was present; General 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 March 3, 2022 meeting. Ms. Alexander moved to approve the minutes as presented. Dr. Jones seconded the motion and it was approved by unanimous consent.

Dr. Williams presented the Financial Report for February, 2022. Dr. Jones moved to accept the report as presented. Dr. McLaughlin seconded the motion and it was approved by unanimous consent.

Members interviewed Ms. Mary Beth Finn for the Financial Services Manager position.

The President invited Dr. Koslin to address the Board. He brought to the members' attention the difficulties he and his team incur trying to provide all the sedation permit inspections. He asked for changes in the Dental Practice Act (DPA) to eliminate outdated requirements and to make inspections easier to provide. He voiced appreciation for the revised inspection forms created by Blake Strickland. The President thanked him for his diligent management of the Anesthesia Committee and agreed to work on changes that need to be made to the DPA.

The President invited Dr. Willis and Ms. Sheli Cobler, Executive Director of CRDTS, to address the Board. One concern that he has is that a hygienist who has received proper training to practice infiltration/anesthesia

from a CODA approved school in another state is required to practice dental hygiene for a year before being able to apply for the Alabama Infiltration permit. He asked for consideration in removing this requirement.

Dr. Willis and Ms. Cobler attended a vendor fair to show off CRDTS new technology. Ms. Cobler invited members to attend a grand opening at Build Independent Testing Agency in Topeka, hopefully this June. It will also be a program where a licensee who needs remediation can be re-trained and tested for their particular need. The President thanked them for their presentation; Dr. Willis and Ms. Cobler left the meeting.

After discussion, Dr. Cunningham moved to hire Ms. Mary Beth Finn for the Financial Services Manager position at \$82,000.00/yr. Dr. Williams seconded the motion and it was approved by unanimous consent.

Dr. Jones presented an overview of her reports on SRTA Grading and Examination Committee, SRTA Dental Exam Report for University of Tennessee, CITA Exam at Augusta University, CITA Exam at UAB SOD, CODA Site Visit at UAB, and CITA Hygiene Exam at Fortis. She said SRTA is moving to a different typodont technology and invited members to become examiners of all testing agencies.

Dr. Williams presented a report on the Dental Task Force Sub-Committee Meeting.

WREB and CDCA have merged into a single testing agency. They have requested an audience with the Board at a future meeting. Mr. Strickland distributed handouts for the new CDCA-WREB and will gather members' opinions as to whether to invite them for a 15 to 20-minute presentation.

CE Brokers continue to approach the board to provide tracking CE services for licensees. Although past boards have declined their offers, members asked Mr. Strickland to obtain more details.

One HVAC unit for the upstairs office stopped working and could not be repaired. Purchasing a replacement will have to be put out for bid. Because the other 3 units are the same age and are deteriorating, members could decide to replace just the one unit or all 4. Dr. Pischek moved to replace just the one unit at this time. Dr. Williams seconded the motion and it was approved by unanimous consent. While inspecting the cooling unit, the company discovered the building's water heater was severely rusted. It has been replaced with a 50-gallon water heater.

Mr. Strickland distributed packets of information for members who will be able to assist him with the inspection of 60 portable units that Remote Area Medical will use at their April 23rd event in Gadsden.

Staff have been receiving calls asking about mandatory masks and other COVID-19 requirements for dental offices. Licensees must follow CDC recommendations, per board rules. Mr. Strickland distributed a draft statement that could be emailed to all licensees and posted on the board's website to remind them of their responsibilities. Dr. Jones moved to approve the statement for a mass email. Dr. Williams seconded the motion and it was approved by unanimous consent.

Mr. Strickland asked members to approve the State of Alabama's 4% cost of living adjustment that takes effective October 1, 2022. This would apply to all board staff. Dr. Cunningham moved to approve the salary adjustment. Dr. Williams seconded the motion and it was approved by unanimous consent.

Ms. Alexander moved to approve assessing a non-disciplinary fine to cases #2022-15, 30, and 32. Dr. Williams seconded the motion and it was approved by unanimous consent with the case team leader abstaining from the vote.

Dr. Cunningham moved to assess a non-disciplinary fine to cases #2022-16, 17, 18, 19, 20, 22, 23, 24, 27, 29, 34, 35, 36, 37, 38, 39, 40, 41, 43, and 46 and to administratively close cases #2022-21, 42, 44, and 45. 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. Williams moved to set the administrative fines at \$250.00 for hygienists and \$500.00 for dentists. Ms. Alexander seconded the motion and it was approved by unanimous consent.

Dr. Williams moved to notice the respondents of the following cases for a hearing: 2022-17, 20, 22, 24, 25, 27, 29, 31, 33, 34, 35, and 38. Dr. McLaughlin 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 # 2022-6 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 to administratively close case #2022-7. 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. Bruce Cunningham moved to notice the Respondent of case # 2022-48 for a hearing. Dr. Jones seconded the motion and it was approved by unanimous consent with the case team leader abstaining from the vote.

Dr. Jones moved that case #2021-92 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 to notice the Respondent of case # 2022-11 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.

At 7:53 p.m. the President announced a break; the meeting resumed at 8:01 p.m.

Blake Strickland presented the ADHP report prepared by Ms. Latham. The final two exams will be given this weekend. Dr. Basma will conduct a comprehensive review to prepare students for the written board exams. The instructor certification course will be held April 23 via Zoom. A contract has been signed to hold the 2022-2023 course classes at Jefferson State Community College.

Mr. Strickland presented the Inspection Report. He has standardized the inspection forms, making them very easy to follow. A new portable application from Mobile will be bringing their unit to Birmingham to be inspected. The RAM event is scheduled for Saturday and Sunday, April 23rd and 24th. Mr. Strickland and several board members will be inspecting the 60 portable units Friday, April 22nd.

At Ms. Alexander's recommendation, Dr. McLaughlin moved to approve *third-time* applications for the 2022-2023 ADHP for Kauita Johnson and Savanna LaFayette. Dr. Cunningham seconded the motion and it was approved by unanimous consent.

Mr. Strickland presented the Executive Director Report.

- Dr. Studstill plans to participate in the Legislative Committee meeting in May along with our lobbyist to discuss ALDA's recommendations for tele-dentistry.
- Mr. Strickland has replaced all exterior lighting for the building. The water heater has been replaced.

- Mr. Strickland has directed the Board’s database provider to update registration/renewal certificates as formerly agreed – no signatures, only the board seal.
- Mr. Strickland holds a staff meeting every Monday before board meeting. With only 6 staff members, he is working to get the staff cross-trained for better efficiency. He is working with the property manager to identify and dispose of old/unusable equipment.
- He is working to update all application forms to standardize them making them easier to complete and process.
- Mr. Strickland plans to meet with the architect next week regarding improvements to the building.
- Mr. Strickland requested to be allowed to handle staffing hires, working with the Executive Committee, who will present his selection to the full board. Members concurred.
- April 30th is the deadline for members to complete their Statement of Economic Interest for the state.
- Kevin Lane will review and edit the Executive Director job description and present to the Board at the May meeting in preparation for posting, interviewing, and hiring.

Mr. Strickland presented the Wellness Report provided by Dr. Garver. All participants are in compliance.

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

- | | |
|-------------------------|----------------------|
| • Phillip Dodson, DDS | • Michonne West, DDS |
| • Joseph Molisani, DDS | • Joseph Zeidan, DMD |
| • Stephanie Sawyer, DDS | |

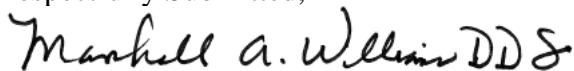
Dr. Pischek recommended approval of the following applications for Dental License by Credentials based on successful completion of the jurisprudence exam. Dr. Cunningham moved to approve the applications; Dr. Jones seconded the motion and it was approved by unanimous consent with the hygiene member abstaining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

- | | |
|------------------------|------------------------|
| • Michael Ahlborn, DDS | • Darron Rishwain, DDS |
| • Taylor Jung, DDS | • Sydney Simpson, DMD |
| • Phillip McIver, DMD | • Chase Williams, DDS |

Members discussed the need to change any meeting dates for 2023. Dr. Jones, Dr. Williams, Dr. Sims, Dr. Cunningham and Ms. Alexander agreed to meet June 4, 2022 in order to approve applications from UAB graduates of the School of Dentistry. No meeting dates were changed.

At 8:30 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: May 12, 2022

Submitted by: Linda Dlugosz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
February 2022

February 2022 for April 2022
Bk Bal as of 2/28/22
MM: \$391,639.50
Checking: \$1,743,884.67

	<u>Feb 22</u>	<u>Budget</u>	<u>Oct '21 - Feb 22</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
Ordinary Income/Expense						
Income						
501 · Annual Dental Registration	2,125.00		684,175.00	715,000.00	715,000.00	
502 · Annual Hygiene Registration	325.00		285,480.00	296,790.00	296,790.00	
503 · Controlled Substance Fee	970.00		235,280.00	246,100.00	246,100.00	
504 · Annual Teaching Permits	0.00		5,800.00	7,000.00	7,000.00	
505 · ADHP Certification	3,825.00		4,725.00	15,000.00	15,000.00	
508 · ADHP	0.00	0.00	0.00	0.00	170,625.00	
509 · Dental Exam Fee	100.00	750.00	1,400.00	3,750.00	9,000.00	
510 · Original License Fee	125.00	322.92	750.00	1,614.60	3,875.00	
511 · Licenses Reprint Fee	75.00	41.67	350.00	208.35	500.00	
512 · Dental Hygiene Exam Fee	900.00	416.67	3,375.00	2,083.31	5,000.00	
515 · Penalty Fee	1,750.00	583.33	10,750.00	2,916.69	7,000.00	
516 · Privilege License Money	0.00	0.00	0.00	0.00	20,000.00	
517 · Interest Inc - checking	6.01	16.67	32.40	83.31	200.00	
518 · Parental Sedation Permit Fee	0.00		11,500.00	14,000.00	14,000.00	
519 · Anesthesia Permit	0.00		49,250.00	52,250.00	52,250.00	
521 · Other Income	0.00	41.67	0.00	208.31	500.00	
525 · Dent Hyg Bd Appl	0.00	0.00	225.00	0.00	7,500.00	
526 · ADHP Materials	0.00	24,791.67	0.00	24,791.67	74,375.00	
527-1 · Administrative Costs	0.00	625.00	8,600.00	3,125.00	7,500.00	
527-3 · Administrative Fines	0.00		110.00	0.00	0.00	
527 · Disciplinary Fines (Prior)	0.00		20,180.00	0.00	0.00	
528 · Initial Anesthesia Evaluation	0.00	2,083.33	3,600.00	10,416.69	25,000.00	
529 · OCS Annual Reg. Fee	0.00		18,150.00	19,450.00	19,450.00	
530 · Licensure By Credentials	2,200.00	4,166.67	31,900.00	20,833.31	50,000.00	
531 · RETURNED CHECK CHARGES	60.00	41.67	120.00	208.31	500.00	
532 · OCS Initial App. Fee	200.00		300.00			
533 · Dental Lic. Bd Exam Application	375.00	1,666.67	5,625.00	8,333.31	20,000.00	
545 · Special Purpose Hygiene Lic Fee	450.00		450.00	0.00	0.00	
617 · MDF Permits	0.00		2,500.00	6,500.00	6,500.00	
620 · Hygiene Infiltration Permit	250.00		9,200.00	7,775.00	7,775.00	

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	<u>Feb 22</u>	<u>Budget</u>	<u>Oct '21 - Feb 22</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	Variance
800 · 800-OVERPAYMENTS	-250.00		-245.50			
Total Income	<u>13,486.01</u>	<u>35,547.94</u>	<u>1,393,581.90</u>	<u>1,458,437.86</u>	<u>1,781,440.00</u>	
Gross Profit	<u>13,486.01</u>	<u>35,547.94</u>	<u>1,393,581.90</u>	<u>1,458,437.86</u>	<u>1,781,440.00</u>	
Expense						
0100-0 · Personnel Costs	63,197.46	51,083.33	268,932.74	255,416.69	613,000.00	Salaries
0114-0 · Board Member Compensation	0.00	8,333.33	33,996.91	41,666.69	100,000.00	
0198-0 · Bonus	0.00		3,400.00	4,000.00	4,000.00	
0201-0 · Payroll Expenses	4,861.16	5,250.00	23,261.27	26,250.00	63,000.00	
0202-0 · Pension Plan	89,390.94	93,000.00	89,390.94	93,000.00	93,000.00	
0203-0 · Medical Insurance	8,891.42	9,166.67	44,413.00	45,833.31	110,000.00	
0204-0 · Workman Comp. Ins.	0.00	0.00	0.00	0.00	10,000.00	
0300-0 · Travel - In-State	661.84	2,083.33	7,379.18	10,416.69	25,000.00	
0400-0 · Travel - Out-of-State	0.00	2,333.33	3,424.74	11,666.69	28,000.00	
0500-0 · Repairs & Maintenance	1,387.56	1,666.67	6,582.84	8,333.31	20,000.00	
0600-1 · Rentals & Leases/Offsite Meetin	0.00	666.67	5,929.80	3,333.31	8,000.00	ADHP Lights
0600-2 · NEW OFFICE SPACE	0.00	347.92	2,545.50	1,739.56	4,175.00	Termite
0700-0 · Utilities & Communications						
0700-1 · Utilities - Telephone	240.90	535.00	2,650.65	2,675.00	6,420.00	
0700-3 · Utilities - Power	1,941.41	1,000.00	6,112.81	5,000.00	12,000.00	
0700-4 · Utilities - Internet	0.00	400.00	1,596.00	2,000.00	4,800.00	
0700-5 · Utilities - Water/Sewer	103.82	333.33	535.35	1,666.69	4,000.00	
Total 0700-0 · Utilities & Communications	<u>2,286.13</u>	<u>2,268.33</u>	<u>10,894.81</u>	<u>11,341.69</u>	<u>27,220.00</u>	
0800-0 · Professional Services	10,203.83	16,791.67	56,150.24	83,958.31	201,500.00	
0800-1 · Membership Dues & Subscriptions	3,258.44	2,500.00	5,899.54	12,500.00	30,000.00	
0801-0 · Board Attorney Fees						
0801-1 · Attorney General's Office	0.00	416.67	150.00	2,083.31	5,000.00	
0801-0 · Board Attorney Fees - Other	1,956.10	12,083.33	8,616.01	60,416.69	145,000.00	
Total 0801-0 · Board Attorney Fees	<u>1,956.10</u>	<u>12,500.00</u>	<u>8,766.01</u>	<u>62,500.00</u>	<u>150,000.00</u>	
0840-0 · CONSULTANTS	6,000.00	6,000.00	30,000.00	30,000.00	72,000.00	
0899-1 · Evaluator Fees	0.00	1,000.00	2,700.00	5,000.00	12,000.00	
0899-2 · Hearing Officer Fees	0.00	166.67	2,028.00	833.31	2,000.00	Cases 2021

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0899-4 · WITNESSES	0.00		600.00			
0899-6 · A.D.H.P. Materials & Supplies	0.00	250.00	0.00	1,250.00	3,000.00	
0900-0 · Office Expense	1,107.82	1,666.67	5,824.27	8,333.31	20,000.00	
0900-1 · Recycle / Paper Disposal	60.91	54.17	239.72	270.81	650.00	
0902-0 · NPDB HIPDB License Background	0.00	15.00	65.50	75.00	180.00	
0906-0 · Printing & Supplies	399.00	166.67	649.00	833.31	2,000.00	
0910-0 · Postage	0.00	416.67	2,000.00	2,083.31	5,000.00	
0924-0 · Insurance	0.00		11,711.00	11,000.00	11,000.00	
0944 · Computer Expenses						
0944-0 · Computer Updates	0.00	2,083.33	0.00	10,416.69	25,000.00	
0944-1 · Computer Support	8,305.96	6,666.67	36,312.44	33,333.31	80,000.00	ZOOM
Total 0944 · Computer Expenses	<u>8,305.96</u>	<u>8,750.00</u>	<u>36,312.44</u>	<u>43,750.00</u>	<u>105,000.00</u>	
0951-0 · NSF	0.00	8.33	130.00	41.69	100.00	
0999-0 · MISC.	0.00	625.00	0.00	3,125.00	7,500.00	
1000-1 · Vehicle Repairs & Maint.	116.08	416.67	254.30	2,083.31	5,000.00	
1000-2 · Vehicle Fuel	459.35	422.08	2,448.09	2,110.44	5,065.00	Gas prices
1400-0 · Equipment						
0600-3 · Equipment Rental/Lease	2,443.77	3,333.33	12,687.09	16,666.69	40,000.00	
Total 1400-0 · Equipment	<u>2,443.77</u>	<u>3,333.33</u>	<u>12,687.09</u>	<u>16,666.69</u>	<u>40,000.00</u>	
6950 · Bank & CC Service Fees	283.92	170.83	1,022.44	854.19	2,050.00	Inflation
Total Expense	<u>205,271.69</u>	<u>231,453.34</u>	<u>679,639.37</u>	<u>800,266.62</u>	<u>1,779,440.00</u>	
Net Ordinary Income	<u>-191,785.68</u>	<u>-195,905.40</u>	<u>713,942.53</u>	<u>658,171.24</u>	<u>2,000.00</u>	
Other Income/Expense						
Other Income						
524 · NSF Checks	550.00		1,025.00			
527-2 · ADPWC - Monitoring Fee	0.00		5,704.00	0.00	0.00	
Total Other Income	<u>550.00</u>		<u>6,729.00</u>	<u>0.00</u>	<u>0.00</u>	
Net Other Income	<u>550.00</u>		<u>6,729.00</u>	<u>0.00</u>	<u>0.00</u>	
Net Income	<u><u>-191,235.68</u></u>	<u><u>-195,905.40</u></u>	<u><u>720,671.53</u></u>	<u><u>658,171.24</u></u>	<u><u>2,000.00</u></u>	