



Board of Dental Examiners of Alabama

2229 Rocky Ridge Road, Birmingham, AL 35216

205.985.7267

www.dentalboard.org

MINUTES LEGISLATIVE MEETING September 1, 2022

The Board of Dental Examiners of Alabama met Thursday, May 12, 2022 at the Board office to discuss potential legislative changes.

The President called the meeting to order at 4:30 P.M. with the following members in attendance: Dr. Kevin M. Sims, President; Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Roberto V. Pischek; Dr. Melodie A. Jones; and Ms. Sandra Kay Alexander, RDH. Also in attendance were W. Blake Strickland, Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Aaron Dettling, General Counsel; Dr. Mary Beth Finn, Financial Services Manager; and George French III, Investigator.

Guests in attendance were Mr. Blaine Galliher (Windom, Galliher, and Associates).

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 group discussed suggested changes to the Alabama Dental Practice Act (DPA) and the Alabama Administrative code (board rules).

The meeting concluded at 5:45 P.M.

MINUTES BOARD MEETING September 1-2, 2022

The Board of Dental Examiners of Alabama met Thursday, September 1, 2022, at the Board office to conduct business.

The President called the meeting to order at 6:10 p.m. with the following members in attendance: Dr. Kevin M. Sims, President; Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Roberto V. Pischek; Dr. Melodie A. Jones; and Sandra Kay Alexander, RDH. Also in attendance were W. Blake Strickland, Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Aaron Dettling, General Counsel; Dr. Mary Beth Finn, Financial Services Manager; George French, III, Investigator; Gina Latham, ADHP Coordinator; and Linda Dlugosz, Licensing Clerk.

The President determined that a quorum was present, and the Executive Director 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 August 12, 2022, meeting. Upon review, Dr. Williams moved to approve the minutes as presented, and Dr. Jones seconded the motion. The minutes were approved by unanimous consent.

Dr. Williams presented the Financial Report for July 2022. Dr. Jones moved to accept the report as presented and Dr. Pischek seconded the motion. The report was approved by unanimous consent.

Director Strickland introduced George French to the Board as the new investigator. Mr. French took the Oath of Office as the Board's new sworn law enforcement officer.

Members reviewed and discussed the budget for the 2022-2023 year. Dr. Pischek moved to approve the budget as presented and Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Members reviewed and discussed a draft Interstate Compact for dentist and dental hygienists submitted by the Council of State Governments. The compact addressed the portability of licensure nationally while possibly bypassing individual state practice acts. Mr. Dettling recommended not responding with comments on this draft until a later date.

Director Strickland offered a revision of the Board's opinion on adverse occurrences, specifically defining "hospital admission", for the sake of clarification. After discussion, Dr. Jones moved to approve wording of the board opinion and Dr. Williams seconded the motion. It was approved by unanimous consent. This revised opinion will be posted on *Frequently Asked Questions* on the Board's website.

Dr. Jones presented reports on CITA Hygiene Exam, CRDTS Annual meeting, CRDTS Steering Committee meeting, CRDTS Post Meeting Summary, Oral Health Coalition of Alabama (OHCA) Third Quarter meeting, and State Committee of Public Health (SCPH) meeting.

Dr. Jones recommended approval of Dental License by Regional Exam based on successful completion of the jurisprudence exam for the following applicants. Dr. Williams moved to approve the applications and Dr. Pischek seconded the motion. It was approved by unanimous consent.

- Reece Everett, DMD
- Mitchell Kestner, DMD
- John Orr, DMD
- Madeline Phillips, DMD

Dr. Pischek recommended approval of Dental License by Credentials based on successful completion of the jurisprudence exam for the following applicant. Dr. Williams moved to approve the applications and Dr. Jones seconded the motion. It was approved by unanimous consent.

- Natalie Carruth, DDS

Ms. Alexander recommended approval of Dental Hygiene License by Regional Exam based on successful completion of the jurisprudence exam for the following applicants. Dr. Williams moved to approve the applications and Dr. Pischek seconded the motion. It was approved by unanimous consent.

- Katelyn Martin, RDH
- Jordan Neal, RDH
- Morgan Willett, RDH

Ms. Alexander recommended approval of Dental Hygiene License by Credentials based on successful completion of the jurisprudence exam for the following applicants. Dr. Pischek moved to approve the applications and Dr. Jones seconded the motion. It was approved by unanimous consent.

- Kimberly Curcuru, RDH
- Misty Michael, RDH

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

- Angel Gissendanner
- Vanessa Shands
- Hannah Anderson
- Heidi Dortch
- Chelsea Boston
- Alyssa Raeta
- Barbara Alexander
- Pamela Aday
- Genesis Miller
- Tori Waters
- Jodi Lanier
- Tracey Beasley
- Laney Ayers
- Peyton Henderson
- Rachel Arrighi
- Lacy Landon
- Jennifer Fedusenko
- Haley Hayes
- Kenley Howard
- Ashley Sanderson
- Mackenzie Blanton

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

Dr. Williams moved cases #2022-56, 57, 59, and 60 have no evidence to sustain and Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek moved case #2022-83 has no evidence to sustain and Dr. Williams seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Jones moved case #2022-81 has no evidence to sustain, and Dr. Pischek seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Ms. Latham presented the ADHP Report.

Director Strickland presented the Executive Director Report.

The Licensing Clerk, Linda Dlugosz is retiring effective Oct. 31. She has been working diligently to produce a handbook to assist her successor. The job description is posted on the Board's website, LinkedIn, State Personnel Board, and AARB.

Storm damage to the building has been repaired. New rain gutters have been installed and eaves painted. Insurance reimbursed for these repairs. The building renovations project is in progress. Final decisions on details will be shared with the Executive Committee before purchases are made.

Online renewals started today. Staff has invested time and energy to ensure seamless transactions for licensees.

Licensees who owe a past due fine or fee were notified before the renewal portal opened, they would not be able to immediately renew their license until they contacted the Board regarding their account. Several have satisfied their full, outstanding amount.

Dr. Finn placed the jurisprudence exam online using Canvas, an online Learning Management System (LMS). Applicants will know the score of the test immediately and the results are emailed to the Licensing Clerk.

The staff have begun transitioning current applications and forms on the Board's website to fillable PDF's to assist our licensees and applicants.

Director Strickland, Steve Windom, and Blaine Galliher met with Dr. Studstill (ALDA) to encourage mutual communication for upcoming projects and legislative goals.

Emails have been sent out to all active licensees notifying them of our CE vendor, CE Brokers. Licensees were encouraged to use CE Brokers for the 2022-2023 renewal cycle to learn the system. The use of CE Brokers for CE documentation will be mandatory for all active licensees beginning September 1, 2023. CE Broker accounts are free to licensees. Advanced services are also available, at a charge.

Board members and staff may now enter the building by keyless entry or phone app.

We are following the guidance of our independent auditor to address “bad debt” that is not collectable (e.g., deceased, revoked license, etc.). A policy has been established and is being implemented.

Mr. Dettling presented the Attorney Report. He has filed a motion against the dentist who was practicing dentistry without a license.

At 7:44 p.m. Dr. Williams moved to adjourn the meeting, which will resume Friday, Sept. 2, and Dr. Jones seconded the motion. It was approved by unanimous consent.



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MINUTES BOARD MEETING September 2, 2022

The Board of Dental Examiners of Alabama met Friday September 2, 2022, at the Board office to conduct business. Upon determining there was no new business, the Board moved into a public disciplinary hearing.

The President called the meeting to order at 9:00 a.m. with the following members in attendance: Dr. Kevin M. Sims, President; Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Roberto V. Pischek; Dr. Melodie A. Jones; and Sandra Kay Alexander, RDH. Also in attendance were W. Blake Strickland, Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel; Aaron Dettling, General Counsel; Dr. Mary Beth Finn, Financial Services Manager and George Finch, III, Investigator.

The Board recessed at 1:25 p.m. for lunch break.

At 1:55 p.m., the Board returned to public disciplinary hearing from lunch break.

Ms. Alexander moved to enter executive session “to deliberate and discuss evidence or testimony presented during a public or contested case hearing and vote upon the outcome of the proceeding or hearing,” as permitted by Ala. Code § 36-25A-7(a)(9), and Dr. Jones seconded the motion. The President called for the vote: Ms. Alexander, yea, Dr. Pischek, yea, Dr. Sims, yea, Dr. Williams, yea, Dr. Jones, yea. The motion carried. The President announced that the Board would not return to public session after executive session. The Board then entered executive session.

Respectfully Submitted,

Marshall A. Williams DDS

Dr. Marshall A. Williams, Secretary/Treasurer

Approved: Oct. 11, 2022

Submitted by: Linda Dlugosz

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

October 2022 for August 2022
 Bk Bal as of 8/31/22
 MM: \$391,678.99
 Checking: \$1,728,620.34

	<u>Aug 22</u>	<u>Budget</u>	<u>Oct '21 - Aug 22</u>	<u>Annual Budget</u>
Ordinary Income/Expense				
Income				
501 · Annual Dental Registration	1,175.00		687,825.00	715,000.00
502 · Annual Hygiene Registration	0.00		286,325.00	296,790.00
503 · Controlled Substance Fee	4,050.00		250,110.00	246,100.00
504 · Annual Teaching Permits	250.00		7,300.00	7,000.00
505 · ADHP Certification	0.00		15,900.00	15,000.00
508 · ADHP	0.00	0.00	292,500.00	170,625.00
509 · Dental Exam Fee	400.00	750.00	10,700.00	9,000.00
510 · Original License Fee	175.00	322.92	3,925.00	3,875.00
511 · Licenses Reprint Fee	50.00	41.67	625.00	500.00
512 · Dental Hygiene Exam Fee	650.00	416.67	11,300.00	5,000.00
515 · Penalty Fee	250.00	583.33	12,800.00	7,000.00
516 · Privilege License Money	31,410.12	0.00	31,410.12	20,000.00
517 · Interest Inc - checking	6.66	16.67	71.89	200.00
518 · Parental Sedation Permit Fee	0.00		11,500.00	14,000.00
519 · Anesthesia Permit	0.00		49,250.00	52,250.00
521 · Other Income	9,001.36	41.67	13,463.86	500.00
525 · Dent Hyg Bd Appl	0.00	0.00	11,400.00	7,500.00
526 · ADHP Materials	0.00	0.00	115,092.20	74,375.00
527-1 · Administrative Costs	18,000.00	625.00	66,225.00	7,500.00
527-3 · Administrative Fines	0.00		610.00	0.00
527 · Disciplinary Fines (Prior)	12,750.00		140,035.00	0.00
528 · Initial Anesthesia Evaluation	9,000.00	2,083.33	28,200.00	25,000.00
529 · OCS Annual Reg. Fee	0.00		18,150.00	19,450.00
530 · Licensure By Credentials	10,300.00	4,166.67	75,325.00	50,000.00
531 · RETURNED CHECK CHARGES	0.00	41.67	240.00	500.00
532 · OCS Initial App. Fee	0.00		1,100.00	
533 · Dental Lic. Bd Exam Application	2,300.00	1,666.67	41,900.00	20,000.00
545 · Special Purpose Hygiene Lic Fee	0.00		450.00	0.00
617 · MDF Permits	0.00		7,000.00	6,500.00
620 · Hygiene Infiltration Permit	50.00		14,400.00	7,775.00

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August 2022

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	<u>Aug 22</u>	<u>Budget</u>	<u>Oct '21 - Aug 22</u>	<u>Annual Budget</u>	
800 · 800-OVERPAYMENTS	0.00		-245.50		
Total Income	<u>99,818.14</u>	<u>10,756.27</u>	<u>2,204,887.57</u>	<u>1,781,440.00</u>	
Gross Profit	99,818.14	10,756.27	2,204,887.57	1,781,440.00	
Expense					
0100-0 · Personnel Costs	48,013.56	51,083.33	552,769.93	613,000.00	
0114-0 · Board Member Compensation	5,300.00	8,333.33	69,771.91	100,000.00	
0198-0 · Bonus	0.00		3,400.00	4,000.00	
0201-0 · Payroll Expenses	4,078.49	5,250.00	63,438.00	63,000.00	Salaries*
0202-0 · Pension Plan	0.00	0.00	89,390.94	93,000.00	
0203-0 · Medical Insurance	7,545.13	9,166.67	92,385.97	110,000.00	
0204-0 · Workman Comp. Ins.	0.00	0.00	6,809.00	10,000.00	
0205 · Unemployment Fees	0.00		533.94		
0300-0 · Travel - In-State	1,567.38	2,083.33	19,886.84	25,000.00	
0400-0 · Travel - Out-of-State	0.00	2,333.33	3,424.74	28,000.00	
0500-0 · Repairs & Maintenance	19,635.56	1,666.67	39,767.15	20,000.00	Roof* ADHP
0600-1 · Rentals & Leases/Offsite Meetin	5,850.00	666.67	24,698.88	8,000.00	Class Room
0600-2 · NEW OFFICE SPACE	2,011.00	347.92	8,072.45	4,175.00	Board TV
0700-0 · Utilities & Communications					
0700-1 · Utilities - Telephone	259.04	535.00	6,733.50	6,420.00	
0700-3 · Utilities - Power	990.08	1,000.00	11,621.07	12,000.00	
0700-4 · Utilities - Internet	399.00	400.00	3,990.00	4,800.00	
0700-5 · Utilities - Water/Sewer	224.01	333.33	1,592.73	4,000.00	
Total 0700-0 · Utilities & Communications	<u>1,872.13</u>	<u>2,268.33</u>	<u>23,937.30</u>	<u>27,220.00</u>	
0800-0 · Professional Services	16,234.55	16,791.67	150,040.69	201,500.00	
0800-1 · Membership Dues & Subscriptions	1,410.00	2,500.00	21,528.54	30,000.00	
0801-0 · Board Attorney Fees					
0801-1 · Attorney General's Office	4,922.33	416.67	7,945.44	5,000.00	AG services
0801-0 · Board Attorney Fees - Other	0.00	12,083.33	9,337.51	145,000.00	
Total 0801-0 · Board Attorney Fees	<u>4,922.33</u>	<u>12,500.00</u>	<u>17,282.95</u>	<u>150,000.00</u>	
0840-0 · CONSULTANTS	6,000.00	6,000.00	66,000.00	72,000.00	

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	<u>Aug 22</u>	<u>Budget</u>	<u>Oct '21 - Aug 22</u>	<u>Annual Budget</u>	
0899-1 · Evaluator Fees	600.00	1,000.00	6,900.00	12,000.00	
0899-2 · Hearing Officer Fees	16,954.50	166.67	19,642.50	2,000.00	Cases
0899-4 · WITNESSES	0.00		600.00		
0899-6 · A.D.H.P. Materials & Supplies	450.60	250.00	450.60	3,000.00	
0900-0 · Office Expense	903.50	1,666.67	16,388.95	20,000.00	
0900-1 · Recycle / Paper Disposal	0.00	54.17	600.48	650.00	
0902-0 · NPDB HIPDB License Background	25.00	15.00	195.50	180.00	
0906-0 · Printing & Supplies	0.00	166.67	649.00	2,000.00	
0910-0 · Postage	0.00	416.67	3,000.00	5,000.00	
0924-0 · Insurance	0.00		11,711.00	11,000.00	
0944 · Computer Expenses					
0944-0 · Computer Updates	0.00	2,083.33	279.99	25,000.00	
0944-1 · Computer Support	6,749.49	6,666.67	78,896.54	80,000.00	
Total 0944 · Computer Expenses	6,749.49	8,750.00	79,176.53	105,000.00	
0951-0 · NSF	0.00	8.33	189.00	100.00	
0999-0 · MISC.	43.00	625.00	7,804.41	7,500.00	
1000-1 · Vehicle Repairs & Maint.	6,765.95	416.67	8,281.61	5,000.00	Transmission
1000-2 · Vehicle Fuel	691.16	422.08	7,054.86	5,065.00	Gas prices
1400-0 · Equipment					
0600-3 · Equipment Rental/Lease	2,335.98	3,333.33	26,480.87	40,000.00	
Total 1400-0 · Equipment	2,335.98	3,333.33	26,480.87	40,000.00	
6950 · Bank & CC Service Fees	231.14	170.83	2,326.60	2,050.00	
Total Expense	160,190.45	138,453.34	1,444,591.14	1,779,440.00	
Net Ordinary Income	-60,372.31	-127,697.07	760,296.43	2,000.00	
Other Income/Expense					
Other Income					
524 · NSF Checks	0.00		1,433.00		
527-2 · ADPWC - Monitoring Fee	3,875.00		16,509.00	0.00	
Total Other Income	3,875.00		17,942.00	0.00	
Net Other Income	3,875.00		17,942.00	0.00	
Net Income	-56,497.31	-127,697.07	778,238.43	2,000.00	

*Salaries include the Investigator and Staff Increases. The roof expenses were reimbursed by the state into the income account #525 \$9001.36